

PART A

Report of: **DEVELOPMENT MANAGEMENT SECTION HEAD**

Date of Committee:	28th August 2014
Site address:	Boundary Way estate
Reference Number:	14/00859/FULM
Description of Development:	Demolition of 24 flats, shop and community building and removal of garages and creation of 56 new 1, 2 and 3 bed homes consisting of two to three storey buildings together with new shop, community facilities including community gardens, parking, landscaping and alterations to main carriageway (Duplicate application to Three Rivers District Council).
Applicant:	Watford Community Housing Trust
Date received:	16th June 2014
13 week date(major):	15th September 2014
Ward:	Woodside

SUMMARY

This application is for the redevelopment of a significant part of the Boundary Way estate to provide new affordable dwellings, improved car parking provision and environmental enhancements. The development includes 7 development areas within the estate and involves the demolition of 2 blocks of flats (24 flats), the shop and flat above, the community facility and 15 rows of lock-up garages. A new shop and flat, community facility and 55 new dwellings are to be erected in 2 and 3 storey buildings across the

7 development areas. Two existing play areas are to be renewed and a new community garden created. New parking provision is to be provided in the form of open parking courts and on-street parking bays and environmental enhancements will consist of new hard surfacing and tree and shrub planting both within the development areas and along Boundary Way itself.

As the estate straddles the boundary with Three Rivers District Council, a duplicate application has also been submitted to them. In each case, the local planning authority can only deal with that part of the development within its jurisdiction. The applicant will need to secure planning permission from both authorities in order to undertake the development.

A decision on this application was deferred at the Committee meeting on 7th August 2014 to allow a member site visit to be undertaken. Arrangements were made for this to take place on 27th August.

The proposal will achieve significant improvements to the layout and appearance of the site with the removal of poorly sited lock-up garages and the creation of open, landscaped parking courts. New dwellings will front the highway and overlook the parking courts, enhancing the street scene and providing passive surveillance. The central area of the site will also be rejuvenated with new dwellings and a new shop, community facility and community garden with improved accessibility to form a new focus to the estate. The scale and design of the new dwellings will complement the existing dwellings, particularly those that have recently benefited from external wall cladding, whilst also forming new landmark buildings within the estate.

The removal of the underused lock-up garages will allow the provision of increased and improved parking facilities across the estate and address existing parking issues identified by residents. Overall, the proposal will significantly enhance the estate in terms of its layout, appearance, landscaping and car parking as well as providing a net increase of 31 affordable dwellings.

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

BACKGROUND

Site and surroundings

The Boundary Way estate is located off Horseshoe Lane and straddles the northern boundary of the Borough with Three Rivers District Council. Approximately 35% of the estate falls within Watford Borough and 65% within Three Rivers District. Furthermore, following transfer of the estate from local authority control, the eastern part of the estate is owned by Watford Community Housing Trust and the western part by Thrive Homes, with the exception of individual properties purchased under Right to Buy options. Ownership is further complicated by the fact that the garage blocks within western part of the site have remained in the ownership of Three Rivers District Council whilst those in the eastern part were transferred to Watford Community Housing Trust.

The estate comprises primarily 2 storey houses (250) but also includes 7 blocks of 3 storey flats (78) sited within the central part of the estate. The estate is unusual for various reasons. It is served by a single, one-way road, Boundary Way, which has its entrance off Horseshoe Lane to the west and its exit onto Horseshoe Lane to the east. Through a rather tortuous route, it links up the various parking courts and garage blocks within the estate. The estate itself was designed following the 'Radburn' principles of site layout, creating an inward looking estate where roads, parking areas, footpaths and dwellings were intended to function separately. Consequently, the whole estate turns its back on Horseshoe Lane, the parking and garage courts are often distant from the dwellings they serve, and the dwellings are reached by a confusing network of footpaths across the estate. Designed to achieve 'maximum density with maximum privacy' the houses generally have no windows on the front elevations and, consequently, the network of

footpaths is rarely overlooked and they benefit from little passive surveillance. Many of the garage blocks are sited on the road frontage and consequently create a poor street scene.

Proposed development

The proposed development is wide ranging across the estate and comprises many elements. Duplicate applications have been submitted to both councils although each council will have the jurisdiction to deal with only that part of the development within its boundary. For the purposes of clarity, the whole development proposal is summarised below. Seven development sites are proposed within the estate, as follows:

Site A

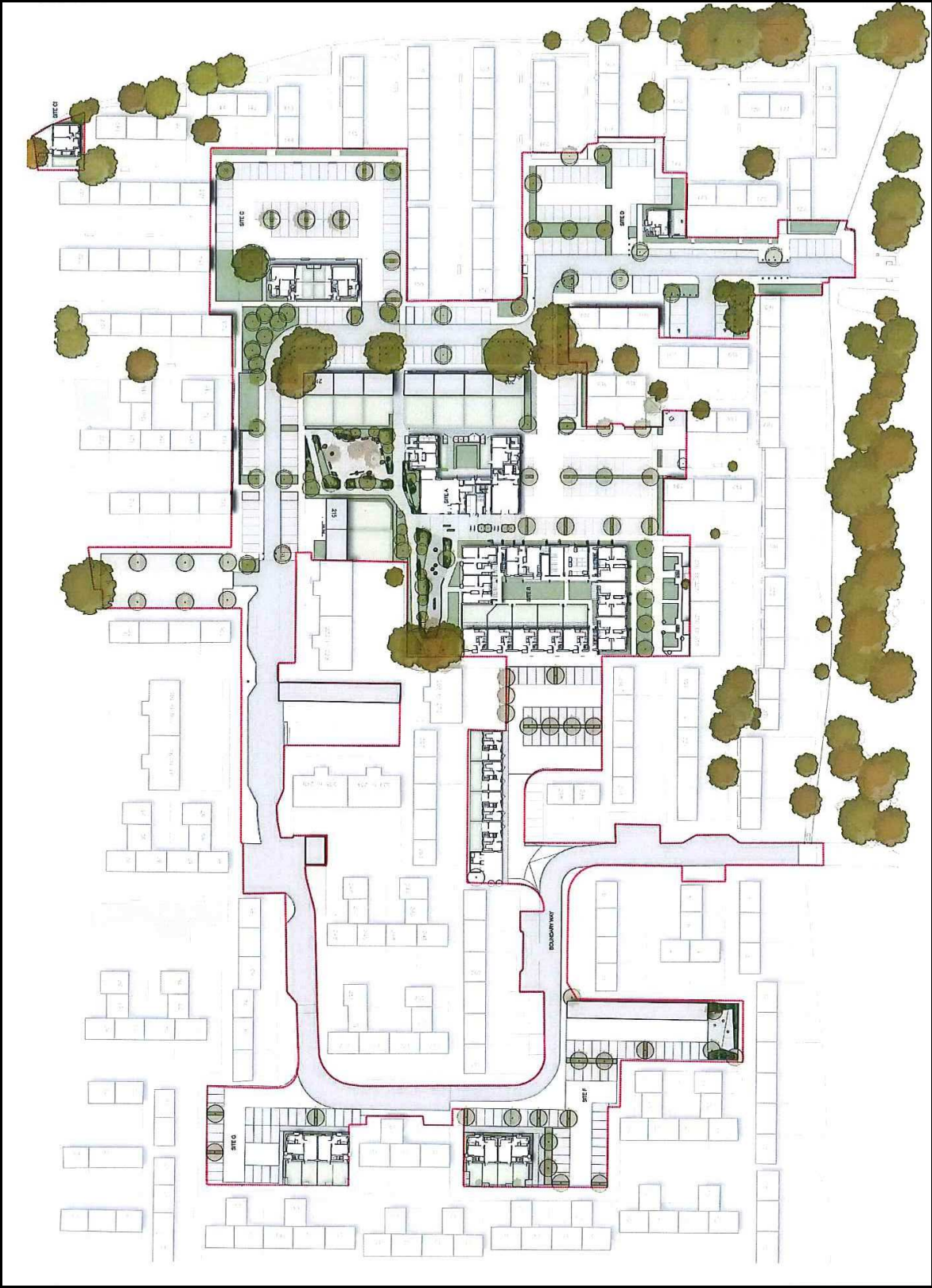
Located in the central part of the site, this will involve the demolition of the existing shop and flat, community facility, 1 row of lock-up garages and the development of a parking court. A new part 2, part 3 storey building is proposed to provide a new shop and flat, community facility and 9 flats. The parking court will be developed to provide a new community garden. This site is wholly within Three Rivers District.

Site B

Located in the central part of the site, 2 blocks of flats (24 flats) and a row of lock-up garages are to be demolished. The existing children's play area is also to be redeveloped. A new 3 storey, perimeter block building is to be erected providing 5 houses and 22 flats. The children's play area will be developed to provide a new community garden and the parking/garage court will be re-laid and enhanced as an open parking court. Only the southern part of this site is within Watford Borough, comprising the southern part of the perimeter block (1 house and 9 flats) and part of the parking court.

Site C

Located in the north-eastern part of the site, 6 rows of lock-up garages are to be demolished and 4 flats erected in two 2 storey buildings. The garage court is to be re-laid and enhanced as an open parking court. Site C1 is close by and comprises a disused play area in the far north-eastern corner of the site. This is to be developed to provide 2 flats in a 2 storey building. Both Sites C and C1 are wholly within Three Rivers District.



Site plan

Site D

Located towards the south-eastern corner of the estate, Watford Council's former depot is to be redeveloped to provide a 2 storey, 2 bedroom house. A row of lock-up garages is also to be demolished and an open parking court created. The southern part of the site, including the new dwelling and part of the parking court, is within Watford Borough.

Site E

Located in the central part of the site, 3 rows of lock-up garages are to be demolished. Four 1.5-2 storey houses are to be provided and an open parking court created. Only part of the parking court is within Watford Borough.

Site F

Located in the north-western part of the estate, one row of lock-up garages is to be demolished and a 2 storey block comprising 4 flats erected. The parking court will be re-laid and enhanced. The children's play area will also be rebuilt. Only the parking court and play area is within Watford Borough.

Site G

Located towards the northern corner of the estate, 2 rows of lock-up garages are to be demolished and a 2 storey block comprising 4 flats erected. The parking court will be re-laid and enhanced. This site is wholly within Three Rivers District.

Overall, the proposal will provide 55 new dwellings (excluding the replacement flat above the shop) with 24 dwellings being demolished, a net increase of 31 dwellings.

	Demolished	Proposed	Net Gain/Loss
1 bed flat	24	23	-1
2 bed flat		22	22
2 bed house		5	5
3 bed house		5	5
Total	24	55	31

Within Watford Borough the breakdown is as follows:

	Demolished	Proposed	Net Gain/Loss
1 bed flat	12		-12
2 bed flat		9	9
2 bed house		1	1
3 bed house		1	1
Total	12	11	-1

In addition to these development areas, Boundary Way itself will be enhanced with the creation of new on-street parking, surfacing, tree planting and landscaping as part of an estate wide environmental enhancement scheme. Within Watford Borough, this will include the entry and exit sections of Boundary Way off Horseshoe Lane.

Planning history

14/00551/FULM – Application for the development of the eastern part of the estate within the ownership of Watford Community Housing Trust for the demolition of 24 flats, shop and flat, community facility and lock-up garages and the erection of 46 dwellings, play areas and environmental enhancements. This application was withdrawn on 30th May 2014.

14/00570/FUL – Application for the development of the garage blocks owned by Three Rivers District Council within the western part of the estate for the demolition of lock-up garage blocks and the erection of 16 dwellings with environmental enhancements. This application was withdrawn on 30th May 2014.

Duplicate applications were also submitted to Three Rivers District Council. Both of these proposals have now been incorporated into the current, single application, including various amendments that were agreed as part of the consultation process for these applications.

Relevant Policies

National Planning Policy Framework

- Section 1 Building a strong, competitive economy
- 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

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

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

Watford District Plan 2000

SE7	Waste Storage and Recycling in New Development
SE24	Unstable and Contaminated Land
SE28	Groundwater Quality
SE36	Replacement Trees and Hedgerows
SE37	Protection of Trees, Woodlands and Hedgerows
SE39	Tree and Hedgerow Protection in New Development
T10	Cycle Parking Standards
T21	Access and Servicing
T22	Car Parking Standards
T24	Residential Development
H10	Educational and Community Facilities
L8	Public Open Space
L9	Children's Play Space

Supplementary Planning Documents and Supplementary Planning Guidance Notes

Residential design Guide Volume 1: Building New Homes

SPG6 Internal Space Standards

SPG10 Open Space Provision

CONSULTATIONS

Neighbour consultations

Letters were sent to all properties in Boundary Way within Watford Borough. Thirteen letters have been received; one in support of the application and the others making various objections as summarised below. Some are general comments and some are specific to particular development areas within the scheme.

General comments:

- Currently not enough parking on the estate. Estate is already overcrowded with vehicles.
- Demolition of garages and turning them into open parking areas, while adding some 30 additional properties, will do nothing to alleviate congestion or parking.
- Additional properties will be overbearing and cause loss of privacy and daylight/sunlight.
- Additional noise issues. Noise bounces off the house facades and down alleyways due to the unusual design of the estate.
- Play areas being taken away.
- Proposed materials will not be the same as the newly installed cladding.
- New properties will not be in keeping with Three Rivers side of the estate that has no received new cladding.
- The estate was developed for maximum density. The proposal will make it even more overdeveloped. Estate already developed to capacity.

Area C/C1:

- Loss of garages and forecourt spaces will result in a huge shortfall of parking spaces in Area C.
- Loss of privacy and overlooking of existing property from new two storey building.

Area E:

- Loss of garages. Some are still in use by original tenants. More security and convenience than random parking spaces.
- Insufficient parking spaces provided in Area E.
- Proposed houses will result in overlooking, loss of privacy and loss of aspect.
- Road will be too narrow for refuse and emergency vehicles to access.

A letter has also been received from solicitors acting on behalf of local residents that raises a number of points. These are summarised below with the comments of the

Council's Head of Democracy and Governance in *italics*. An identical letter was also sent to Three Rivers District Council.

- i) Special treatment is being given to WBC by TRDC as TRDC has an arrangement to sell its land to WBC.

The Council is not intending to purchase any land from TRDC in order to facilitate this development.

- ii) There is an inequity of arms between the high quality planning, legal and public relations advice employed by the developer and that of private individuals.

Most large developers employ professionals to design and advise on their schemes. It is the Council's role to judge the planning application on its merits and its conformity to planning policies.

- iii) The proposal is in direct contravention of the human rights of individuals, namely Article 1 (Right to peaceful enjoyment of possessions and protection of property) and Article 8 (Right to respect for private and family life, home and possessions).

The Council is aware of the need to consider the human rights implications of the application and these are referred to in the report. The Council has to undertake a balancing act when coming to a decision on whether or not to grant planning permission.

- iv) Whether health and safety for residents and contractors employed on the proposed site E is sufficient in accordance with legislation.

Health and safety of residents during any construction of the proposed development is not a material planning consideration.

- v) The proposed dwellings on site E appear to have walls/boundary fences that will be attached to existing boundary walls that may be owned by private individuals.

Land ownership is not a material planning consideration. It is perfectly legal for an applicant to apply for planning permission in respect of land he does not own; whether he will then be able to implement that permission is not a matter for the Council.

- vi) Many of the properties on Boundary Way are subject to easements and covenants and regard should be had to these.

These are civil matters and not material planning considerations.

- vii) The applicant may believe that WBC and TRDC will exercise their powers of land acquisition to overcome any rights/easements in the event of any planning permission being challenged.

There is no intention by either WBC or TRDC to use any compulsory purchase powers to facilitate this development. I am not aware that the WCHT has asked either council to do this. If such a request were made, the matter would have to be considered by the Council's Cabinet. The Development Control Committee has no locus to authorise the exercise of such powers.

For members information, Three Rivers District Council has received 82 letters of objection and 1 letter of support. A summary of these objections, as taken from the officer report to committee, is given below. The application was presented to committee for determination on 14th August with a recommendation for approval but a decision was deferred to allow for further analysis of the parking situation and to secure improved tree and soft landscaping provision.

i) Loss of garages, parking and highways:

Will narrow the road to accommodate the new buildings, example of overdevelopment; One way entrance and exit into Site C; Could emergency vehicles be able to access to the sites without damaging cars?; Objects to removal of garages to be replaced with open parking spaces; A number of residents have valuable and vulnerable vehicles which residents keep close to their homes and under watch; The additional properties will increase the need for parking provision which is already at a premium; If garages are removed family cars will be exposed to vandalism; The pedestrian paths around the new parking areas will not be sufficiently wide enough to allow safe walking and to prevent any possible impact damage to residence which has occurred in the past; Local school children use this path who could be injured by resident parking and deliveries; A wider footpath should be included in the final plans to create a buffer; Insufficient parking will cause issues for the residents; Current scheme is worse than previous proposal; Emergency and delivery vehicles will find it difficult to access site and properties; removal of garages mean cars will be exposed to vandalism; Loss of garages will cause hardship to less able bodied residents; Garages provide parking for two cars one in and one outside; Reference PPG 13 and that consideration should be given to existing residents; Trees adjacent to parking areas will damage cars through bird droppings; Loss of garages will impact on insurance; Loss of storage provision; No objection to loss of garages as do not see many people using them for cars; Need garages for safekeeping and ease of access to vehicles; Under parking has been calculated within the areas; People in Area A will park within Area E; Layout of Area E is currently restricted for vehicular access development will make it worse; Existing garages are in a state of disrepair but could be refurbished; Narrow roads will be blocked by insensitive parking along proposed footpaths; Siting of parking bays opposite each other will cause safety hazard.

ii) Impact on area:

Overdevelopment; Overpopulation; Boundary Way is already overdeveloped; Adverse affect on trees; Development will shoehorn properties into an already overcrowded estate; Number of new dwellings will cause chaos in an already busy area; Development will impact on protected tree; Boundary Way is a unique estate that is built to capacity; Loss of green spaces will have a negative impact on character of the area; Plans give impression of space and light, this is not the case; Buildings will not be in keeping with Three Rivers side; WCHT and Three Rivers have never been able to work together; Existing grass areas are not maintained; Development will take away play areas; Boundary Way is already back to back in concrete; Development is a step too far; Existing area is grey and run down therefore welcome development; Development is built for maximum density with maximum privacy; New properties will be undersized; The new buildings will not blend in with existing properties that have not been cladded; Existing garages are ugly however they are single storey so allow for air circulation; Garages required to keep cars and contents safe; Loss of garages will make residents prisoners in own homes in the evenings due to lack of parking within the estate; Development will create a claustrophobic feel to the estate; Garages have been removed to open the estate out and remove secluded walkways; Introduction of balconies would make the development unlike the rest of the estate; Development must not impact on Ash tree; Loss of grass verges removes most of the green open area within the estate; Loss of trees which contribute to the visual amenities of the area creating an urban environment; Site C1 is too small to accommodate development.

iii) Impact on residential amenities:

Overshadowing; Loss of privacy; The area currently used as a builders' depot for the last two years will presumably be used again as a depot which will lead to further irritation and inconvenience, blocking cars and disrupting traffic flow; The construction vehicles will be hazardous for small children; Loss of view; New

development will impact on value of existing properties; Loss of light; Construction vehicles will block access to homes; Additional residential properties will result in increased noise and disturbance; Properties will be overbearing; Less daylight and sunlight to existing properties; Residents were not listened to at steering groups; Overlooking of main habitable rooms; Residents opinions have previously been ignored directly affecting quality of life on Boundary Way; Development will cause stress to residents; Loss of sense of privacy; Loss of aspect; Storage facility serving the dwelling in Site E will impact on neighbouring properties through noise and disturbance; Development will have an affect on residents' well-being; The two storey dwellings will appear as three storey to neighbouring properties due to the land fall; Loss of garages will lose provision for mobility scooters; Headlights will shine into new homes in Site E; Loss of a grit bin.

iv) Impact on Safety and security:

New Community Centre would be useful but could WCHT guarantee no anti-social behaviour; The new community garden will result in noise and disturbance to neighbouring properties through drinking, smoking and games being played; Health and safety issues demolishing garages with asbestos roofs and cement dust will ruin the external cladding; The new gardens will provide an area for increased risk of anti-social behaviour disturbing residents; CCTV will make no difference; Development will, including grass verges, create areas for anti-social behaviour; Development will attract all local children; Alleyways created will provide areas of opportunity for anti-social behaviour; Active CCTV should be provided within the community gardens.

Advertisements in local paper/site notices

Six site notices were displayed on the estate on 30th June 2014 and a public notice also appeared in the Watford Observer on 27th June 2014.

Consultations

Environment Agency

We have reviewed the Flood Risk Assessment (FRA) submitted by the applicant and we are satisfied that the FRA meets the minimum requirements of the National Planning Policy Framework. Please refer to our advice below.

Advice to LPA on flood risk:

The submitted FRA and Drainage Strategy (prepared by: Conisbee; reference: 120217/TG Rev No 2.0; dated: 13 June 2014) and the surface water drainage layout plan drawings Sheet 1 to 7 satisfactorily outlines the surface water management scheme for the site. The development should be carried out in accordance with the FRA and associated plans.

Advice to LPA on contamination:

In relation to the proposed development, in so far as it relates to land contamination, we only consider issues relating to controlled waters. Your Environmental Health Officer can advise on risk to other receptors, such as human health. We are satisfied with the findings and recommendations of the report submitted with this application. We agree that the site is likely to be affected by generic contamination associated with residential garages and that this is unlikely to significantly affect the water environment. Consequently, we will not be providing detailed site-specific advice on the risks posed to the water environment from land contamination for this planning application.

Thames Water

No comments received.

Hertfordshire County Council (Highway Authority)

Notice is given under article 16 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

Condition (highway adoption).The development shall not commence until details of the proposed areas and treatments of adoptable highway are submitted to and approved by the Local Planning Authority in conjunction with the Highway Authority. The details submitted promote a suitable arrangement for vehicular access but the areas and construction details appropriate to all areas proposed as adoptable highway are required to be identified and approved. Reason:- To provide a satisfactory development and to minimise danger, obstruction and inconvenience to users of the site and the adjacent highway.

Condition (construction management):- The development shall not begin until full details of all proposed construction vehicle access, movements and parking arrangements have been submitted to and approved in writing by the Local Planning Authority. These details should be submitted in the form of a Construction Management Plan. The Plan should also identify the proposed methods to minimise the generation of dust and mud from the construction site. Reason:- To provide a satisfactory development and to minimise danger, obstruction and inconvenience to users of the site and the adjacent highway.

Informative: All works required to be undertaken on the adjoining Highway will require an Agreement with the Highway Authority. The applicant should also be advised that this development would attract a sustainable transport planning obligation contribution of £25,250 derived in accordance with the document 'Planning Obligations Guidance - Toolkit for Hertfordshire.

This Application promotes the demolition of existing flats, garages, a shop and community building to facilitate the construction of 56 new dwellings a replacement shop and community building. The documents submitted identify a complementary increase (of 80) in the number of car parking spaces within the site. The Transport Assessment reports that the existing parking demand is not effectively catered for on the Boundary Way estate and that this demand management will be improved by the proposed layout. The development parking arrangements are proposed in accordance with standards promoted by the Local Planning Authority. The existing vehicular access arrangements within the site operate on a one way basis and the existing access and egress arrangements to Horseshoe Lane are suitable to accommodate the additional traffic flow generated by the

development. Amendments to the existing areas of adoptable highway will need to be identified and agreed to deliver the development to an acceptable standard and details of the proposed works should be agreed as part of the planning process. The site is well located in relation to existing bus stop facilities and pedestrian crossing movements to and from Horseshoe Lane can be safely accommodated. There are, therefore, no fundamental objections raised by the Highway Authority but it requests that any granting of permission is subject to the conditions identified above.

Hertfordshire County Council (Development Services)

Based on the information to date for a development involving the demolition of 25 existing social rented flats (24 x 1-bed and 1 x 3-bed) and the erection of 56 new social rented dwellings (comprising of 23 x 1-bed flats, 22 x 2-bed flats, 1 x 3-bed flat, 5 x 2-bed houses and 5 x 3-bed houses) we would seek financial contributions towards nursery education, childcare, youth and libraries and fire hydrant provision, as set out within HCC's Planning Obligations Toolkit and summarised below. I have included primary and secondary education provision but am currently awaiting confirmation, which should be with you soon.

Financial Contributions:

Primary Education	£56,885 (awaiting confirmation)
Secondary Education	£16,358 (awaiting confirmation)
Nursery Education	£9,383
Childcare	£2,971
Youth	£326
Libraries	£2,871

Provision:

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

Hertfordshire Constabulary Crime Prevention Design Advisor

I have not included my letter of 31 October 2013 in this reply but have highlighted some aspects I feel are important:

- I would perhaps suggest the fencing around some parts of the estates external perimeter should be 2 metre green/black weldmesh. The idea would be to provide an overall security envelope which whilst being secure would allow sight lines in and out of the estate.
- I am assuming the new units will be built to Secured by Design standards with all front doors [either houses or flats] accredited to PAS24-2012 standards. All houses and ground floor flats to have locking systems utilising split pins and all upper floors of flats to have locking system which have an external key operation and an internal thumb turn to allow easy egress in the event of the need to get out quickly.
- If either Thrive or WCHT are replacing doors I would strongly recommend the use of PAS24-2012 doorsets which are secure and require little maintenance.
- All new windows to be to BS7950 or PAS24-2012 accreditation which ideally would have laminated glazing, but it is not something I would insist upon in view of the overall low crime rate in Hertfordshire.
- All flats to have access control, to enable entry to be gained, and the tested doors which will support access control are accredited to STS202 BR2, any glazing in or beside the doors must have laminated glazing to 6.4mm.
- I will also be looking for audio visual entry phone systems for the residents own personal security.

- It would be ideal to close some alleyways as the whole estate is far too permeable which to some degree increases the fear of crime. I have some thoughts and perhaps we could look at this aspect together with the Residents Steering Group.
- Parking needs to be close to people's homes and if some distance away they will park where their vehicle can be seen, even if this is on the street. All parking areas need to be overlooked and under surveillance from active rooms i.e. lounge, dining room, kitchen, bedrooms and bathrooms are not active rooms in surveillance terms.
- All the play areas need to be overlooked for the safety of the children and I would appreciate confirmation there will be active rooms overlooking the play area.

Environmental Services

No comments received.

Planning Policy (Design and Conservation)

No comments.

Arboricultural Officer

No comments received.

APPRAISAL

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

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

Land allocation

The site lies within a primarily residential area on the Proposals Map of the Watford District Plan 2000 and, therefore, redevelopment to provide additional dwellings is acceptable in principle.

Layout and design

The overarching design principles for the development are stated to be as follows:

“To secure the long term future of the estate through a process of intervention and place-making:

- Providing new high quality adaptable and affordable homes for local residents, with existing Boundary Way residents given first priority.
- Providing new high quality community facilities to benefit all Boundary Way residents.
- Improved navigability and natural surveillance through core design principles. Greening the estate through soft landscaping.
- Improving parking availability where possible and providing provision for cycling. To work with residents in developing all proposals and to explore opportunities for more active community involvement in the on-going management of the estate.”

These principles are reflected in the proposed development in various ways despite the inherent shortcomings of the estate layout. However, through careful and considered intervention, the proposal is able to achieve significant benefits for the estate. The development will achieve a net increase of 31 dwellings with all dwellings of high quality and sustainable design that will significantly enhance the appearance of the estate and, in particular, complement those dwellings in the eastern part of the estate that have recently benefited from external wall cladding. The demolition of most of the garage blocks, many of which resulted in a poor street scene and concealed areas, will allow new dwellings to

front the highway and open parking courts to be created in high quality materials. These will allow significantly improved views into the parking areas and of the existing dwellings, providing improved street scenes and enhanced surveillance. All of the parking areas are to be designed along 'home zone' principles to give greater priority to pedestrians and create high quality, interactive spaces.

Within Sites C, F and G, rows of garages that currently back onto the street and provide a dead frontage will be replaced with 2 storey blocks of flats that will face onto the street and provide an active frontage. These blocks will significantly enhance the street scene in these locations and provide increased passive surveillance to the public realm.

At Site D, the Council's depot building has a negative impact on the street scene and will be replaced by a new house that will enhance the street scene and provide passive surveillance to the parking court.

Sites A and B will form a critical place-making role within the heart of the estate. This area currently has a very poor appearance and is dominated by parking areas and garage courts. The existing shop is isolated being set away from the road with poor visibility. The proposed development within these two adjoining sites will create a new, active heart to the estate incorporating a new shop, new community facility (function room and garden area), two new community gardens, improved pedestrian routes and an open, landscaped parking court. The scale and design of the buildings will complement the existing houses and flats whilst at the same time creating a distinctive new destination within the estate.

In terms of design, the existing houses and flats share a common design that incorporates roughcast render walls in grey, dark brown cladding and steep, mono-pitched roofs. This gives the whole estate a dull and uninspiring appearance. The recent project to install external wall insulation to the houses within the eastern part of the estate has significantly improved the appearance of these properties with the use of facing brick slips at ground floor level and white/cream render above. The proposed design for the new dwellings incorporates asymmetrical roofs to the houses and flats and uses facing brick and light

coloured fibre cement cladding as the main materials. The use of stone gabion walls will add further interest. The new dwellings will significantly improve the appearance of the estate whilst also acting as new landmarks within the estate.

The open parking courts to be created will be surfaced in block paving and enhanced with new tree planting. The footpaths within each development site and along Boundary Way will also be re-paved.

Housing policies

The proposed development will provide a mix of 1, 2 and 3 bedroom dwellings in the form of flats and houses which is an acceptable mix. Overall, the development will result in a net increase of 21 flats and 10 houses. The breakdown of floor areas for each unit size and type is given in the table below. As this demonstrates, some of the proposed flats do not accord with the latest minimum floor area standards set out in the Residential Design Guide 2014 (RDG) adopted on 23rd July 2014, although they do meet the minimum standards of the Housing Quality Indicators (v.4) of the Homes and Communities Agency. However, it should be noted that only 2 of the houses and 9 of the flats are within Watford Borough. Both of the houses comply but all of the 9 flats (2 bed, 4 person) are below the minimum standard, with floor areas ranging from 65-69m².

	Number of units	Minimum floor area (RDG)	Floor areas proposed
1bed, 2 person flat	23	50m ²	46-55m ²
2 bed, 3 person flat	1	61m ²	58m ²
2 bed, 4 person flat	21	70m ²	65-74m ²
2 bed, 4 person house	5	70m ²	73m ²
3 bed, 5 person house	5	86m ²	92m ²

A note on the Council's web site explains how the Council proposes to deal with applications that had already been submitted to the Council at the time the revised Guide is adopted. This makes clear that, for applications submitted on or after 12 May 2014 up to

and including 23 July 2014, the provisions of the original version of the Residential Design Guide will be applied. The current application was submitted on 16 June 2014, so that the transitional arrangements apply to it.

Moreover, it should be noted that the development proposals were first produced by the applicant in October 2012 and have been through extensive public consultation with residents and formal pre-application consultation with Three Rivers District Council since this time. The previous applications originally submitted in April this year were also withdrawn at the request of officers in order to undergo further amendments in response to both officers' and residents' comments. Under the Council's previous *SPG 6: Internal Space Standards*, which was the relevant document during the time the scheme was being formulated, all of the units significantly exceed the minimum standards. Given this long history, and in the light of the published transitional arrangements, it is acceptable that some of the flat units do not meet the latest RDG minimum floor areas in this case.

All of the dwellings have been designed to maximise outlook, privacy and natural light wherever possible, within the constraints of the individual sites. A sunlight and daylight assessment has been carried out for all proposed dwellings using the British Research Establishment's (BRE) 'Site layout planning for daylight and sunlight – a guide to good practice'. Only those dwellings within Watford Borough are considered in detail below.

Site B

The single house within this block has a dual aspect. The front elevation of the house faces north-west and fronts a 4m wide footpath and the open parking court forming part of Site E. Its rear elevation faces onto a private garden area (44m²) and a communal amenity area serving the flats beyond. Due to its orientation, direct sunlight will be limited but as with all proposed dwellings, it will receive a minimum number of sunlight hours as recommended by the BRE guidelines. It will receive good levels of daylight. Privacy to the rear elevation and garden area is good following design changes to the flats within the block. The previous design incorporated external walkways which would have allowed overlooking of the rear elevation and garden of the house (and the adjoining 4 houses).

This has now been overcome by the introduction of 3 separate stair cores serving the flats and the removal of the external walkways. The only windows at first and second floor levels now overlooking the house and garden are to internal corridors, kitchens and bathrooms. This is now considered acceptable. The garden area of 44m² is below the minimum of 65m² required by the recently adopted Residential Design Guide 2014 although is only 6m² below the minimum requirement of 50m² in the Residential Design Guide 2008, under which the scheme was formulated. Given the length of time involved in the scheme's evolution and the constraints of the site, this level of provision is acceptable in this case.

The 9 flats within this perimeter block also have dual aspect, with their main aspect facing south-west facing a landscaped pedestrian zone and the existing residential block opposite. They will all have acceptable levels of sunlight, daylight, outlook and privacy. They will have access to the communal amenity area within the centre of the perimeter block.

Both the house and the 9 flats will share communal bin and cycle stores that are incorporated within the design of the building.

The house and flats within this site will have no adverse impacts on the adjacent houses and flats.

Site D

This detached house has windows on all four elevations and consequently will experience good levels of sunlight, daylight, outlook and privacy. Its front elevation faces north-east and overlooks the new open parking court. Its rear elevation faces south-west onto a private garden area of 36m². As with the house in Site B, this garden area is below the minimum standard of the Residential Design Guide 2008 and 2014 (both 50m²) but due to the limited area of the depot site, this is considered acceptable in this case. Bin and cycle storage are accommodated within the garden area.

In order to protect the privacy of the adjacent house and garden to the south (No. 173), the first floor window on the rear elevation to the bedroom is angled to the west to prevent any direct overlooking.

Affordable housing

All of the new dwellings are to be affordable dwellings, thereby giving a 100% provision. It is intended that all those within Sites A, B, C/C1 and D will be for affordable rent and those within Sites E, F and G for social rent. Policy HS3 of the Core Strategy requires a 35% provision of affordable housing with a tenure mix of 20% social rented, 65% affordable rented and 15% intermediate/shared ownership. This tenure mix will not be achieved for the dwellings within Watford Borough nor across the site as a whole. However, there will be a significant planning benefit in securing a net increase of 31 affordable dwellings across the site. Given the unique complexities of site ownership and local authority jurisdiction across the estate, it is considered appropriate in this case for the exact tenure mix to be negotiated between Watford Borough Council, Three Rivers District Council and the Watford Community Housing Trust. The nomination rights to the dwellings will also need to be negotiated separately between the three parties.

Highways, servicing and car parking

The alignment and direction of travel along Boundary Way will remain unchanged but various changes are proposed within the carriageway and verges. Within the carriageway, existing pedestrian crossing points will be upgraded and new crossing points created. Within the verges, which primarily consist of strips of grass that add little to the appearance of the estate, new on-street parking bays are to be created, interspersed with new tree planting, together with some new footpaths. Existing footpaths within the highway will also be re-paved. The formation of new car parking spaces within the highway will help to address one of the main issues raised by local residents of inadequate parking within the estate. This issue has been the subject of a detailed estate wide parking survey as part of the submitted Transport Assessment.

The current provision for car parking within the estate is as follows:

- End-on spaces within street and parking courts - 252
- On-street parallel parking spaces - 101
- Garages - 159
- Garage forecourt spaces – 39

Of the 159 garages, it should be noted that only 86 are rented to residents of the estate.

In accordance with standard practice, two night-time surveys of the estate were undertaken to record the actual level of parking by local residents. These were undertaken at 1am in the morning of 4th and 5th March 2014. The average results of the two surveys are summarised in the table below:

Location	Survey Average			
	Total Spaces	Cars Parked	Free Spaces	% Stress
Parallel to kerb	101	77	25	76%
End-on bays	252	197	56	78%
Garage forecourt	39	6	34	14%
Illegal/other	-	30	-	-
Totals	392	310	115	-

The survey revealed that 310 cars were parked on the estate (excluding any vehicles in garages) with 115 free spaces, albeit that 30 cars were parked illegally outside of available spaces. This highlights another finding of the survey, namely that the distribution of parking within the estate is uneven. Of the 8 main garage/parking courts within the estate, 4 were fully parked (100% or above) and these were located at the eastern and western ends of the estate (all are proposed development sites, comprising Sites C, D, F and G). Within the central part of the estate, 2 garage/parking courts were 88-89% occupied (one of these is Site E) and the other 2 at 53-63% occupied (one of these comprises combined Sites A and B).

By using this empirical data, the known tenancy of garages by residents of the estate, and the potential car parking demand from the new dwellings, it is possible to calculate the required car parking provision for the estate. As Three Rivers District Council's car parking standards for new development are slightly higher than Watford Council's, and given that the majority of the new dwellings are within Three Rivers District, it is appropriate to use their standards for this calculation. As a worst case scenario, it has been assumed that all of the 86 garages occupied by residents of the estate are used for parking a car (although, in reality, this is unlikely to be the case).

Based upon the net gain in dwellings, the parking requirement for the new dwellings can be calculated as follows:

	Net Gain/Loss	TRDC Parking Standard	Spaces
1 bed flat	-1	1.75	-1.75
2 bed flat	22	2	44
2 bed house	5	2	10
3 bed house	5	2.25	11.25
Total			63.5

The total parking requirement for the estate with the proposed development is therefore:

Observed cars parked	310
Garages	86
New dwellings	63
Total requirement	459 spaces

Following consultation with local residents, it is now proposed to retain 30 of the existing garages. The actual provision within the estate is therefore:

Parking spaces (on-street and within parking courts)	472
Retained garages (no forecourt spaces)	30
Total provision	502 spaces

Based on this analysis, there will be a surplus provision of 43 spaces which will be available for the use of visitors to the estate. This is considered to be an acceptable level of provision across the estate. It is more difficult to ascertain whether the distribution of these spaces will result in an improved distribution of parking across the estate. Due to the estate layout, it is not possible to work out with any certainty where individual residents are likely to park as the parking spaces (both on-street and within the parking courts) will remain distant from a significant number of dwellings. However, a basic analysis can be undertaken using the car parking survey data and the fact that only 86 of the 159 garages (54%) on the estate are occupied by local residents. Two of the areas that are partly within Watford Borough and within high parking stress areas, Sites D and F, are analysed below. In addition, Site E has also been analysed due to the specific objections received and the fact that part of this area is also within Watford Borough, although the site was found to be of moderate parking stress.

Development Site	Occupied Garages (54% of existing)	Observed Parked Cars	Requirement for New Dwellings	Total Requirement	Actual Provision (Garages and Spaces)
Site D	5	21	2	28	33 (+5)
Site E	16	16	8	40	37 (-3)
Site F	14	35	7	56	63 (+7)

This indicates that the proposed development of development sites D and F will help to ease the existing levels of parking stress that have been observed. With regard to Site E, this will experience a potential shortfall of 3 spaces. The row of garages to be removed within Watford Borough will result in no loss of parking and no additional parking demand being generated. The proposed 4 new houses within this development site which will

result in the direct loss of garages and the generation of additional demand occurs within Three Rivers District and is therefore a matter for Three Rivers District Council to determine. Furthermore, the garages are in the ownership of Three Rivers District Council who therefore have direct control over their retention or redevelopment.

Trees and landscaping

Where existing trees are in good condition and contribute to the appearance of the estate, they have been retained wherever possible. One of the most recent changes to Site C was to retain an existing tree, previously proposed for removal, at the request of local residents. In addition to this, the proposed soft landscaping scheme seeks to achieve significant environmental enhancement through new tree, hedge and shrub planting both along Boundary Way and within each of the development sites. In total, 97 new trees are to be planted, excluding those to be planted within the 2 community gardens. All species proposed for the new planting scheme are native.

Ecology

An Extended Phase 1 Habitat Survey has been undertaken for the estate. This concluded that the site has the potential to support bats and nesting birds. The survey identified potential bat roosting features within several buildings that are due to be demolished within the development (Sites A, B and D) and recommended that further surveys be undertaken between May-September to establish whether any roosts were present. Further survey work was undertaken in July which identified bats leaving the roof void of one of the block of flats to be demolished (within Watford Borough). Additional survey work was then undertaken which found that there is a common pipistrelle maternity roost with up to 28 bats in one of the blocks. The demolition of this block will therefore require a licence to be obtained from Natural England.

The Herts. & Middx. Bat Group have made the following comments on the submitted bat survey:

“The grid reference in the survey report at 1.2 – TL110702 is for Stow Road in Cambridgeshire rather than for the site surveyed. If the data searches undertaken used this erroneous reference then the results would be irrelevant.

The size of this colony has been grossly underestimated, we counted 115 bats emerging from the building next door on 20th July 2014 and evidence of roosts were obtained from a number of other very nearby buildings. This clearly shows that this colony is moving around this estate, most likely due to changes in the life stage of the colony and weather conditions.

As the 2 blocks proposed for development are of similar construction it is likely that both buildings are used by this colony at some stage.

No internal surveys of the roof space have been undertaken. As the buildings are single skinned with a mono pitch roof, unusually pipistrelle droppings *could* be located within the roof void if a roost has been present. HMBG therefore strongly recommend that a full internal inspection of the roof void is undertaken by a suitably experienced and licensed surveyor at least 8 weeks prior to any planned demolition.

More concerning is there has been no mitigation suggested or proposed to enable the LPA to correctly consider the 3 tests in the Habitat Regulations or the merits of this application.

As bats are known to be present and will be affected by these development proposals, a mitigation strategy and suitable compensation is required to enable the LPA to satisfy the third Habitat Regulation test to be applied when it determines the application. In this situation an EPS licence will also be required and should be conditioned.

We have attached a flow chart from “Bat Survey Guideline” 2012 to further assist, but consider that insufficient information has been provided at this stage to allow the LPA to properly consider this application.”

In light of these comments, a condition is recommended to secure further survey work and inspections of the roof void before any demolition takes place.

The main nesting opportunities for birds were within the private garden areas of the houses. The survey also recommended the use of plant species of value to wildlife within the soft landscaping scheme to provide ecological value in the long term, and this has been incorporated.

Open space and children’s playspace

The estate currently has two children’s play areas. The larger area is located within the centre of the site next to the shop/community facility (within Site B). A smaller play area for younger children is located in the western part of the estate (within Site G). There is no meaningful public open space within the estate other than these two areas. As part of the application proposal, both these existing play areas will be retained and completely renewed. In addition to this, a new area of open space is to be created on the area currently occupied by car parking to the north of the shop/community facility, within Site A. This will provide a new community open space of 480m². The proposal will therefore enhance the existing play areas and also provide new open space. This provision will need to be assessed against the additional demand likely to arise on these facilities from the additional 31 dwellings to be provided within the estate.

The larger play area and the new community open space are both located within Three Rivers District where all of the additional dwellings will be located. The adequacy of these facilities to meet the additional demand arising from the proposal will be for Three Rivers District Council to assess. The smaller play area is within Watford Borough where there is no net increase in dwellings. However, the size of dwellings will change, from 12 no. 1

bedroom flats to 9 no. 2 bedroom flats, 1 no. 2 bedroom house and 1 no. 3 bedroom house, leading to an increase in demand for children's play facilities. Based upon the guidance in *SPG10: Open Space Provision*, a financial contribution of £10,835 would be sought to meet this demand. However, subject to the details of the enhanced play area being submitted, it is considered that this enhancement is sufficient to meet this limited additional demand, in conjunction with the improvements to the other play area within the estate. As such, it is not considered justified to seek a financial contribution in this case.

There will be no increase in demand on open space from within Watford Borough and so no financial contribution is sought.

Sustainability

The applicant has submitted a Code for Sustainable Homes Design Stage Pre-Assessment, an Energy Assessment and a C-Plan Sustainability Checklist (required by Three Rivers District Council) to support the application.

Policy SD1 of the Core Strategy seeks compliance with the current standards of the Code for Sustainable Homes with the emerging Development Management Policies requiring a minimum Level 3 for all development outside of the special policy areas (SPAs). The Code for Sustainable Homes Pre-Assessment demonstrates that the proposal will achieve the following 'targeted' (minimum likely to be achieved) and 'possible' (maximum potential) scores:

- Targeted Score (Houses) 59.15% (Level 3)
- Possible Score (Houses) 76.17% (Level 4)
- Targeted Score (Flats) 57.23% (Level 3)
- Possible Score (Flats) 78.22% (Level 4)

The minimum score for Level 3 is 57% and the minimum for Level 4 is 68%.

Policy SD2 aims to minimise water consumption, surface water run-off and non-fluvial flooding. The emerging Development Management Policies aim to achieve a water use of 105 litres/person/day. All dwellings are to be fitted with low flow fittings and appliances to achieve this level. All dwellings will also be provided with water butts to allow rainwater re-use for irrigation purposes and reduce surface water run-off. All of the development areas will also have a sustainable surface water drainage system installed in the form of porous paving and underground attenuation tanks within the parking courts. The surface water will be discharged into the existing surface water sewer within Boundary Way but with the maximum discharge rate from each of the development areas limited to 5 litres/second (Greenfield rate). This will reduce the existing volume of run-off by a cumulative total of 68% for the development areas. This will significantly reduce the overall run-off rate for the estate as a whole and thereby reduce the probability of surface water flooding or downstream fluvial flooding.

Policy SD3 seeks to maximise energy efficiency and reduce overall energy demand. In this respect, all dwellings will achieve a minimum 5% reduction in CO₂ emissions over the Building Regulations. Photovoltaic panels will be installed on all dwellings where viable to achieve a 10% reduction in CO₂ emissions through the use of renewables.

Overall, the proposed development will accord with these policies and achieve a sustainable form of development.

Planning obligation

The development proposed in this application is one where, in accordance with Policy INF1 of the Core Strategy, the Council would normally require the applicant to enter into a planning obligation to provide contributions towards the provision or improvement of community facilities and infrastructure. The contributions in the case of this application would need to be sought for the whole development and be secured through a single Section 106 agreement signed by Watford Borough Council, Three Rivers District Council, Hertfordshire County Council and the Watford Community Housing Trust. The contributions sought by the County Council have been set out earlier in this report and

reflect the net increase in dwellings and the change in unit sizes and tenures. These contributions have been calculated in accordance with the County Council's Planning Obligations Toolkit (adopted January 2008).

As part of the application documents submitted to Three Rivers District Council a viability report was included, in accordance with their policies, and has been assessed by consultants on behalf of the Council. This has demonstrated that the scheme is unable to support the various s.106 contributions sought by Hertfordshire County Council. As such, it has been agreed by Three Rivers District Council officers that these contributions will not be sought. As there is a net loss of 1 dwelling within Watford and the net gain of 31 dwellings is all within Three Rivers District, the additional demand for infrastructure and services arises within their borough. It is therefore principally for Three Rivers members in determining the application before them to decide whether this is considered acceptable in this case.

Three Rivers officers also do not intend to secure the provision of affordable housing through a s.106 agreement but intend to use a condition. This is not an approach that Watford Council would advocate and the advice of the Head of Democracy and Governance is that a s.106 undertaking should be used to secure the 11 dwellings within Watford as affordable units, together with any necessary fire hydrants to serve the development.

Consideration of objections received

Many of the objections relate to existing parking problems and the adequacy of the proposed parking provision. This has been discussed in detail within the report. With regard to the loss of garages, there is no planning objection to the replacement of garages with parking spaces although it is appreciated that this may result in inconvenience to local residents who have rented garages for many years. However, as all of the garages are in the ownership of either Three Rivers District Council or Watford Community Housing Trust, this is really a matter between them and their tenants. It should be noted that 30 garages are to be retained within the estate in response to residents' concerns.

Objections relating specifically to Site C and, to a large extent, Site E are matters for Three Rivers District Council as these areas fall wholly or largely within their jurisdiction.

Issues relating to loss of amenity to existing residents from proposed dwellings have been addressed through the use of angled windows, redesigned internal layouts and the removal of balconies. Again, many of these potential impacts occur within Three Rivers District.

Conclusion

The proposal will achieve significant improvements to the layout and appearance of the site with the removal of poorly sited lock-up garages and the creation of open, landscaped parking courts. New dwellings will front the highway and overlook the parking courts, enhancing the street scene and providing passive surveillance. The central area of the site will also be rejuvenated with new dwellings and a new shop, community facility and community garden with improved accessibility to form a new focus to the estate. The scale and design of the new dwellings will complement the existing dwellings, particularly those that have recently benefited from external wall cladding, whilst also forming new landmark buildings within the estate.

The removal of the underused lock-up garages will allow the provision of increased and improved parking facilities across the estate and address existing parking issues identified by residents. Overall, the proposal will significantly enhance the estate in terms of its layout, appearance, landscaping and car parking as well as providing a net increase of 31 affordable dwellings.

HUMAN RIGHTS IMPLICATIONS

The Local Planning Authority is justified in interfering with the applicant's Human Rights in order to alleviate any adverse effect on adjoining properties and their occupiers and on general public amenity. With regard to any infringement of third party Human Rights, these

are not considered to be of such a nature and degree as to override the Human Rights of the applicant and therefore warrant refusal of planning permission.

RECOMMENDATIONS

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

Section 106 Heads of Terms

- i) To secure the provision of fire hydrants as required by the County Council in accordance with Policy H10 of the Watford District Plan 2000.
- ii) To secure all of the 11 new dwellings within Watford Borough as affordable housing.

Conditions

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

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall only be constructed in accordance with the following approved drawings, unless otherwise agreed in writing by the Local Planning Authority:

422_PL_001B, 002B, 003, 004B, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016A, 017A, 018, 019, 020, 050, 051, 052, 053

C-120217-X-00-DRG-100_1.0, 101_1.0, 102_1.0, 103_1.0, 104_1.0, 105_1.0, 106_1.0, 200_1.0, 201_1.0, 202_1.0, 203_1.0, 204_1.0, 205_1.0, 206_1.0

Reason: For the avoidance of doubt as to what has been permitted.

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

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

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 development shall commence until a Development Phasing Plan has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include for each phase a site plan delineating the following works to be undertaken in that phase:

- i) the dwellings to be constructed;
- ii) the parking spaces to be constructed;
- iii) the garages to be refurbished;
- iv) the improvement works to be undertaken within the highway;
- v) the footpath improvement works to be undertaken.

No dwelling shall be occupied in any given phase until all works within that phase and each preceding phase have been completed in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development is undertaken in a way that minimises the impact on existing residents and that each phase of the development has adequate parking and servicing facilities.

6. No development shall commence within any phase as approved in the Development Phasing Plan until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority for that phase. This Plan shall include details of contractors' parking, arrangements for the delivery and storage of materials, any temporary access/egress points to adjoining highways, measures to mitigate noise and dust, and wheel washing facilities. The Plan as approved shall be implemented throughout the construction period for each phase.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring properties and prevent obstruction of the adjoining highway during the time that the development is being constructed, pursuant to Policies T4 and SE22 of the Watford District Plan 2000.

7. No development shall commence within any phase until fencing of a style, height and in a position to be agreed in writing by the Local Planning Authority shall have been erected to protect all trees which are to be retained. No materials, vehicles,

fuel or any other items shall be stored or buildings erected or works carried out inside this fencing and no changes in ground level shall be made within the spread of any tree or shrubs (including hedges) without the prior written approval of the Local Planning Authority.

Reason: To safeguard the health and vitality of the existing trees which represent an important visual amenity during the period of construction works in accordance with Policies SE37 and SE39 of the Watford District Plan 2000.

8. No demolition of the two blocks of flats shown to be demolished (nos. 274-285 and 286-297) shall commence until a further bat survey has been undertaken, to include full internal inspections of the roof voids and a bat mitigation strategy and method statement, and has been submitted to and approved in writing by the Local Planning Authority. The survey shall be undertaken at least 8 weeks prior to the demolition of the buildings. The demolition shall only be undertaken in accordance with the approved bat mitigation strategy.

Reason: All bats and their roosts are legally protected by the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010. If bats are present it is illegal to intentionally or recklessly kill, injure or take any individuals or to deliberately capture or disturb individuals. It is an offence to intentionally or recklessly damage or destroy a roost, to obstruct a roost, and to disturb an individual whilst occupying the roost.

9. No construction works shall commence until full details and samples of the materials to be used for the external surfaces of the buildings (including walls, roofs, windows, doors, balconies and solar panels) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved materials.

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

10. No construction works shall commence until details of a lighting scheme for the development have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be installed as approved prior to the first occupation of each phase of the development to which it relates.

Reason: To meet the needs for safety and security for users of the site and to ensure no adverse impacts on the adjoining public highways or adjoining properties, in accordance with Policy SE23 of the Watford District Plan 2000.

11. No construction works shall commence until a Design Stage Assessment has been undertaken to demonstrate that the development can achieve, as a minimum, Code Level 3 of the Code for Sustainable Homes and this has been submitted to and approved in writing by the Local Planning Authority. Within 3 months of the occupation of each dwelling, a post-completion certificate, to certify that, as a minimum, Code Level 3 has been achieved, shall be submitted to the Local Planning Authority.

Reason: To accord with Policies SD1, SD2 and SD3 of the Watford Local Plan Core Strategy 2006-31.

12. No removal of trees, scrub or hedges shall be carried out on the site between 1st March and 31st August in any year unless a suitably qualified ecologist has previously searched the trees, scrub or hedges and certified in writing to the Local Planning Authority that such works of removal may proceed.

Reason: In order to avoid harm to nesting birds which are protected.

13. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment and Sustainable Drainage Strategy by Conisbee (ref. 120217/TG dated 16 June 2014) and the approved drainage layout drawings, with each hydro-brake flow control having a maximum discharge flow of 5 litres/second.

Reason: To reduce the risk of flooding by ensuring the satisfactory storage and disposal of surface water from the site and to reduce the impact of flooding on the proposed development and future occupants, in accordance with Policy SE30 of the Watford District Plan 2000.

14. The existing children's play area (within Zone F) shall not be removed until full details of the new play area, including the type of play equipment to be installed, have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the play area provides adequate and acceptable facilities for the intended age group.

15. All hard surfaced areas shall be finished in accordance with the materials and details shown on approved drawing no. L-204, unless otherwise approved in writing by the Local Planning Authority.

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

16. The approved soft landscaping scheme shown on drawing no. L-502 shall be carried out not later than the first available planting and seeding season after completion of each phase of the development to which it relates, unless otherwise approved in writing by the Local Planning Authority. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with

others of similar size and species, or in accordance with details approved by the Local Planning Authority.

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

17. No dwellings shall be occupied in any phase of the development until the respective refuse and recycling facilities and cycle storage facilities to serve the dwellings, as shown on the approved drawings, have been constructed. These facilities shall be retained as approved at all times.

Reason: In the interests of the visual appearance of the site and to ensure that adequate facilities exist for residents of the proposed development, in accordance with Policy SE7 of the Watford District Plan 2000.

18. No dwelling shall be occupied until the respective vehicle parking accommodation, as shown on the approved Development Phasing Plan has been provided and made available for use. This parking accommodation shall be permanently retained and shall not be used for any other purpose than the parking of vehicles of occupants of the development or visitors to the site.

Reason: To ensure that the development makes adequate provision for the parking of vehicles of the future occupiers of the development and their visitors in the interests of highway safety and to accord with Policies T22 and T24 of the Watford District Plan 2000.

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

Reason: To enable the Local Planning Authority to ensure that any such developments are carried out in a manner which will not be harmful to the character and appearance of the proposed development and will not prove detrimental to the amenities of adjoining occupiers in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

Informatives

1. This planning permission is accompanied by an agreement under Section 106 of the Town and Country Planning Act 1990 to secure the provision of affordable housing and the provision of necessary fire hydrants to serve the development.
2. This planning permission grants consent only for that part of the proposed development within Watford Borough. Any development within Three Rivers District can only be granted planning permission by Three Rivers District Council.

Drawing numbers

422_PL_001B, 002B, 003, 004B, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016A, 017A, 018, 019, 020, 050, 051, 052, 053
C-120217-X-00-DRG-100_1.0, 101_1.0, 102_1.0, 103_1.0, 104_1.0, 105_1.0, 106_1.0, 200_1.0, 201_1.0, 202_1.0, 203_1.0, 204_1.0, 205_1.0, 206_1.0

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- (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 12th 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 make provision for affordable housing on-site and as such is contrary to Policy HS3 of the Watford Local Plan Core Strategy 2006-31.
 2. 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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