

## PART A

Report of: **DEVELOPMENT MANAGEMENT SECTION HEAD**

Date of Committee:	<b>16<sup>th</sup> December 2014</b>
Site address:	<b>Land at Dodd Road, Leggatts Green</b>
Reference Number:	<b>14/01231/FULM</b>
Description of Development:	<b>Development for 10 residential units (Class C3), including the erection of a new apartment block together with the conversion of the vacant ground floor of the existing neighbourhood centre, with associated access, parking, amenity space and landscaping.</b>
Applicant:	<b>Taylor Wimpey North Thames</b>
Date received:	<b>12<sup>th</sup> November 2014</b>
13 week date (major):	<b>11<sup>th</sup> February 2015</b>
Ward:	<b>Leggatts</b>

### **SUMMARY**

This application is for the creation of 10 new dwellings within the existing Leggatts Green estate. It comprises 2 elements: the conversion of the vacant ground floor commercial units within the neighbourhood centre into 7 flats, and the erection of a detached block of 3 flats adjacent to this. The provision of new flats on this site is acceptable in principle within this recently completed residential estate. The loss of the 6 commercial units is considered acceptable in this case given their poor location, the lack of interest in them by commercial

operators and the fact that they have remained vacant for over 2 years since their construction.

The design of the ground floor elevations comprising the conversion includes front doors and habitable room windows on the front elevations facing Dodd Road with kitchen and bathroom windows on the rear elevations, facing the car park. The existing ashlar style render at ground floor will be retained and the overall appearance of the building will be enhanced. The new detached block is 2 storeys with a pitched roof, designed to reflect the existing surrounding development within the estate. It is located on an open and unused paved area of land adjacent to the neighbourhood building, intended as a delivery and servicing area for the vacant commercial units. This will no longer be required with the conversion of the commercial units to residential. It, too, incorporates front doors and habitable room windows on the front elevation facing the footpath to Leggatts Way. This block, together with the ground floor conversion, will significantly improve the character and appearance of this part of the estate, giving active frontages to the public realm and removing an area of unused land. The siting and design of the block will ensure that it will have no adverse impact on surrounding residential properties.

All of the proposed flats will have acceptable internal areas and layouts and will provide a good level of amenity for future occupiers. The scheme includes the provision of 13 on-site parking spaces for the 10 flats proposed, which is in accordance with the Council's current maximum parking standards. Overall, the proposal will accord with the policies of the development plan and is considered to be acceptable.

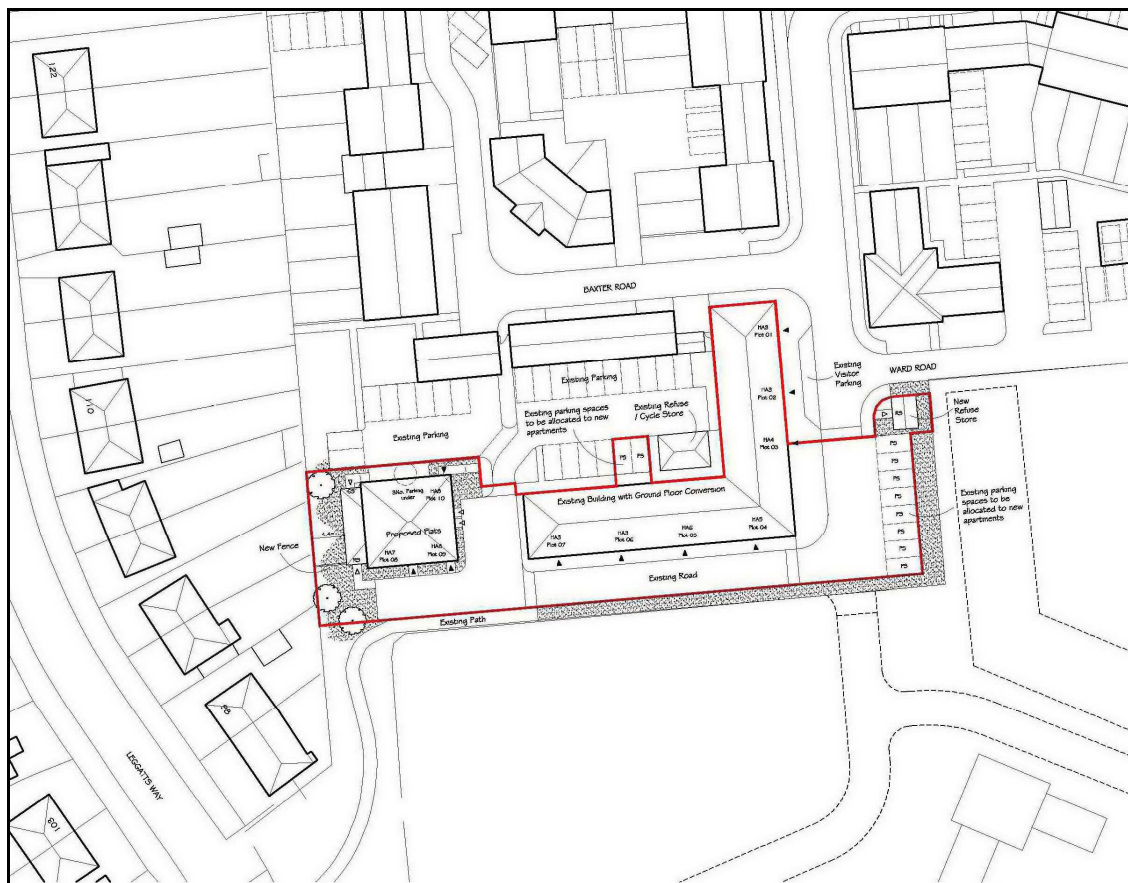
The Development Management Section Head therefore recommends the application be approved, subject to the completion of a planning obligation and appropriate conditions, as set out in the report.

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## BACKGROUND

### Site and surroundings

The application site is located in the south-western corner of the recently completed Leggatts Green estate on the former West Herts College site. It comprises the vacant, ground floor commercial units of an existing 3 storey, mixed-use block which has two floors of residential units above (Picasso Court) and the adjoining servicing/parking areas for the commercial units. The Leggatts Green estate is sited to the south of North Western Avenue, which forms the main vehicular access to the site, and to the east of Leggatts Way, accessed via a footpath link. To the south of the site is the vacant site of the former Bill Everett Centre, now demolished.



Site layout

### **Proposed development**

Full planning permission is sought for the following:

- i) The conversion of the 6 vacant commercial units on the ground floor of Picasso Court into 7 flats, comprising 6 x 1 bed and 1 x 2 bed units.
- ii) The erection of a detached block on the unused servicing/parking area adjoining Picasso Court to the west to provide 3 flats, comprising 1 x 1 bed and 2 x 2 bed units, and 3 undercroft parking spaces, a bin store and cycle store.

### **Planning history**

07/01268/FULM – Application for full planning permission for redevelopment of the former West Herts College site, comprising 248 dwellings (172 no. 2-bed flats, 17 no. 3-bed houses and 59 no. 4-bed houses) a neighbourhood centre, public open space and associated parking and landscaping. This application was recommended for refusal but was withdrawn by the applicant before a decision was made.

08/01207/FULM – Application for full planning permission for redevelopment of the former West Herts College site, comprising 235 dwellings (22 no. 1-bed flats, 89 no. 2-bed flats, 1 no. 3-bed flat, 56 no. 3-bed houses and 67 no. 4-bed houses), a neighbourhood centre, play space, alteration to accesses from Leggatts Way and North Western Avenue, car parking, refuse and cycle stores. Application was refused on 11<sup>th</sup> December 2008.

09/00835/FULM – Application for full planning permission for redevelopment of the former West Herts College site, comprising 217 dwellings (47 no. 1-bed flats, 104 no. 2-bed flats, 2 no. 3-bed flat, 28 no. 3-bed houses and 36 no. 4-bed houses) a neighbourhood centre, play space, alterations to accesses from Leggatts Way and North Western Avenue, car parking, refuse and cycle stores. Application was refused on 28<sup>th</sup> January 2010 for reasons relating to the character and appearance of the area and the mix of dwelling types. This refusal

was appealed. The appeal was upheld and planning permission was granted by letter dated 21<sup>st</sup> July 2010. This permission has now been implemented and is known locally as Leggatts Green.

### **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

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

No relevant policies.

#### **Hertfordshire Minerals Local Plan Review 2002-2016**

No relevant policies.

#### **Watford Local Plan Core Strategy 2006-31**

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

## **Watford District Plan 2000**

SE7	Waste Storage and Recycling in New Development
T10	Cycle Parking Standards
T21	Access and Servicing
T22	Car Parking Standards
T24	Residential Development
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 (2014)  
SPG10 Open Space Provision

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## **CONSULTATIONS**

### **Neighbour consultations**

Letters were sent to 61 properties in Dodd Road, Baxter Road, Broad Road, Ward Road and Leggatts Way. Ten replies have been received with one letter raising no objection to the proposal. The other 9 letters make the following objections to the proposal:

- Already insufficient car parking for the current residents and visitors. One space for 2 bed flats is unrealistic. Parking is a major problem.
- Spaces proposed for ground floor flats already being used for overspill and visitors parking.
- Number of flats should be reduced with proper provision for visitors' parking. No provision for visitors parking in the new scheme.

- Dodd Road is already used as a through road for traffic accessing Leggatts Way. More dwellings will worsen this situation and increase the risk of accidents. Dodd Road has become dangerous and hazardous at the pinch points and corners.
- Proposal will increase traffic, congestion and parking problems.
- Vacant commercial units should be given to the community to provide community facilities lost on the closure of the Bill Everett Community Centre.
- The commercial units have not been marketed properly.
- The extra dwelling will affect light coming into properties on Baxter Road.
- Proposed new building an overdevelopment of the site.
- Loss of outlook from existing properties.

In addition to these objections, one person makes the following additional comments regarding the proposed conversion:

- No objection to the conversion of the vacant commercial units into residential. Estate not really suitable for any commercial units, would be unattractive to traders as there is very little (if any) daytime passing trade.
- Empty units are detrimental to the estate.

### **Advertisements in local paper/site notices**

Two site notices were put up outside the site on 9<sup>th</sup> September 2014. A public notice also appeared in the Watford Observer on 19<sup>th</sup> September 2014.

### **Consultations**

#### **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.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Hertfordshire County Council (Highway Authority)

The proposed site (10 residential units) is a small development. The Highway Authority does not consider the additional units will materially increase traffic movements on the neighbouring roads therefore the development is unlikely to result in a significant impact on the safety and operation of the adjacent highway. The proposal results in 10 additional flats and the applicant should be advised that this development would attract a contribution towards but not limited to sustainable transport measures identified in the South West Hertfordshire Transportation Plan and subsequent transport plans. Under these circumstances I have no objection to this proposal and recommend permission is granted subject to the completion of an agreement to secure a financial contribution of £6,625 and subject to conditions.

Crime Prevention Design Advisor

Secured by Design: I am pleased that on page 18 of the Design and Access Statement the applicants will reflect the principles of Secured by Design including physical security. Building to the physical security of Secured by Design, which is the police approved minimum security standard, will reduce the potential for burglary by 50-75%. I would encourage the applicants to seek Secured by Design certification to this standard when it is built.

Carports: I would encourage the car ports to be garages, as vehicles parked within will then be more secure, rather being hidden away where the users will be unable to see their vehicle.



Fence: I am pleased with the new fence shown between the bin store of the new block of flats and the side perimeter fence, which will help stop casual intrusion around the block and keep people to the public areas better.

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## **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 is located within a primarily residential area on the Proposals Map of the Watford District Plan 2000. There is no objection in principle to the introduction of additional residential development on this site subject to satisfying the relevant policies.

### **Retail policies**

The Leggatts Campus and Bill Everett Community Centre Planning Brief was adopted in 2007 and required a local centre to be provided as part of any redevelopment of these sites. It was anticipated that these 2 sites would come forward at the same time but allowance was made for the sites to be developed separately. In reality, only the former college site was sold for development with the site of the former Bill Everett Community Centre (now demolished) remaining in the ownership of Hertfordshire County Council. As a result of the development of the former college site in isolation, no vehicular access to Leggatts Way was possible and the proposed local centre, shown within the Brief to be sited

adjacent to the main access from Leggatts Way, was located away from Leggatts Way within the site. Only a pedestrian footpath link to Leggatts Way was possible, with the main vehicular access being from North Western Avenue (utilising the existing college access). As a result of this siting, the commercial units are not visible from either Leggatts Way or North Western Avenue.

The local centre comprises 6 units of 57m<sup>2</sup> (4 units), 70m<sup>2</sup> and 129m<sup>2</sup> fronting on to Dodd Road. These units were completed in August 2012 and were actively marketed by Brasier Freeth until October 2013. Although some 31 enquiries were received during this time, none of them progressed to a letting of a unit and all the units remain vacant. The main reasons given by enquirers for not proceeding to a letting included poor access, poor visibility, too tucked away, lack of passing trade and units not of suitable size and/or layout. Many of the enquirers did not follow up their initial interest once particulars had been received.

The nearest local or neighbourhood centres to the site are located at Orbital Crescent and Courtlands Drive. Both are within easy walking distance. Orbital Crescent comprises a small local centre located to the north of the site, accessed via a footbridge over North Western Avenue from Heather Lane. This has only a small number of units but does contain a convenience store. Courtlands Drive is located to the west of the site, accessed via the residential section of North Western Avenue. This is a larger neighbourhood centre and includes a good range of local shops including a convenience store, chemist, post office, newsagent, off-licence, dry cleaners, barbers/hairdresser and various restaurants and take-aways.

Paragraph 22 of the National Planning Policy Framework (NPPF) says that:

Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment

use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

Although the existing building on the application site is allocated for retail use rather than employment use, per se, nevertheless the import of paragraph 22 is still relevant to the current application.

Having regard to the length of time the units have been vacant, the lack of interest from the marketing campaign, the lack of visibility of the units from both Leggatts Way and North Western Avenue, the reasonable proximity of existing local shopping parades and the policy statement in paragraph 22 of the NPPF, there is considered to be no planning reason to resist the conversion of these units to residential use.

### **Housing policies**

The principle of new residential development within a primarily residential area is acceptable.

The proposal will provide a mix of one and two bedroom flats suitable for 2 and 3 persons which is acceptable.

All of the proposed flats exceed the Council's internal space guidelines and have acceptable internal layouts. The table below sets out the minimum requirements:-

Number of bedrooms (and persons)	Minimum floor area (exc. bathrooms and circulation) (RDG)	Total floor area provided in scheme
1 bed (1 or 2 persons)	37m <sup>2</sup>	53-68m <sup>2</sup>
2 bed (3 or 4 persons)	61m <sup>2</sup>	62-71m <sup>2</sup>

The flats in the conversion are dual aspect although have only obscured bathroom windows or high level kitchen windows facing to the rear. All the habitable room living and bedroom windows face to the front, overlooking Dodd Road. The flats in the new block are all single aspect, with 2 of the flats overlooking the footpath to Leggatts Way. All of the flats will provide a good level of residential amenity in terms of outlook, privacy and natural light for future occupiers. Due to the nature of the proposal, involving the conversion of vacant commercial units within an existing development, it is not possible to provide private amenity space for the units. This is the same situation for the flats above the commercial units which also do not have access to any private amenity space. However, they do have access to open space within the estate immediately to the north along Dodd Road, which was provided as part of the main development, and to the playing fields which adjoin the development to the east.

As the proposal is for 10 dwellings, there is a requirement to provide 35% affordable housing, which can be secured by a Section 106 planning obligation. In this case, however, it is the applicant's intention that all of the flats would be affordable as it is intended that the application be linked with a second application within the estate off North Western Avenue (ref. 14/01230/FULM) which, if granted, would involve the provision of some of the affordable housing for the development on this site. This application will be the subject of a separate report to Committee.

### **Design and appearance**

The estate has a distinct character and appearance of its own, being developed as a coherent development by the applicant. The proposed conversion will retain the existing ashlar render finish at ground floor level and utilise the same style of windows and doors. This will enhance the appearance of the building. For the new building, this will be of the same style, design and materials as Picasso Court so that it is read as an integral part of the overall development.

### **Impact on neighbouring properties**

The conversion of the ground floor commercial units to flats will have no impact on the flats on the upper floors. The siting of the proposed new building will also have no impact on these flats.

The new building will be sited 7m from the rear boundary of the houses on Leggatts Way and 21.5m from the rear elevation of the nearest house at its closest point. It will have no windows at ground or first floor level on this elevation so will not give rise to overlooking or loss of privacy. The scale and siting of the building, due east of the gardens, will ensure it will have no adverse impact on outlook or natural light to these houses or their garden areas.

Within the development, the nearest property is a first floor flat due north of the new building, sited over two garages and an archway leading to the existing rear parking area which adjoins the application site. This flat has all its habitable room windows facing north over Baxter Road with only a small kitchen window facing to the rear. This window faces the gap between the existing Picasso Court and the proposed new building and is overlooked only by a bedroom at an oblique angle. As such, the proposed building will not give rise to any significant overlooking of this flat.

### **Transportation, access and parking**

The site will be accessed from North Western Avenue via Dodd Road in the same way as the existing development on the site. Hertfordshire County Council as the Highway Authority has raised no objection to the proposal on the grounds of traffic generation or highway safety. Servicing of the proposed flats will take place from Dodd Road as existing, with a turning head provided in front of the new building. One bin store is provided off Dodd Road to the east to serve the flats in the ground floor of Picasso Court. A second bin store is provided as part of the new building to serve these 3 flats. Both stores are of adequate size for the number of flats served and are easily accessible both to the residents and for collection.

The provision of 13 parking spaces for the scheme accords with the Council's maximum standards, which would allow a maximum of 13.25 spaces to be provided. Ten of the spaces are those that were originally allocated for use of the commercial units, 8 on Dodd Road to the east and 2 in the rear parking area. A further 3 spaces are provided in the undercroft of the new building, accessed from the existing parking area via Baxter Road. Ten of the spaces will be allocated to the flats with 3 spaces for visitors.

The new building incorporates a secure, communal cycle store for 10 cycles to serve all of the proposed flats, which is acceptable and will further encourage sustainable, non-car travel. The applicant has also agreed to a contribution of £6,625 towards wider sustainable transport measures in Watford.

### **Planning obligation**

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

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

Policies T3, T4, T5 and INF1 of the Watford Local Plan Core Strategy and saved Policies L8, L9 and H10 of the Watford District Plan 2000, together with *SPG 10: Open Space Provision*, recognise that cumulative small developments within the

urban area of Watford can produce significant additional demands for services and facilities in the same way that a smaller number of larger developments would. However, unlike larger developments which can often accommodate some provision of these services and facilities within the site, smaller developments are clearly unable to do so and it would be unreasonable to expect them to. It is therefore reasonable to expect the applicant in such cases to make a financial contribution towards improved services and facilities within the Borough.

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

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

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

i) Community facilities

- Secondary education      £1,379
- Primary education      £3,303
- Nursery education      £761
- Childcare      £223
- Youth      £47
- Libraries      £762

ii) Open space and children's playspace

The wider site includes the playing fields to the east which are also in the applicant's ownership. This area of land significantly exceeds any requirement for open space arising from the development. As part of the development of Leggatts Green, additional open space and an equipped children's play area (LEAP) were provided off Dodd Road, which is also sufficient to serve the proposed development. As such, no contributions are sought towards open space and children's playspace.

iii) Sustainable transport

- Sustainable transport      £6,625



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

**Consideration of objections received**

<b>Objections</b>	<b>Officer's response</b>
<p>Already insufficient car parking for the current residents and visitors. One space for 2 bed flats is unrealistic. Parking is a major problem.</p>	<p>The level of parking proposed is close to the maximum standard for the development proposed and is acceptable.</p>
<p>Spaces proposed for ground floor flats already being used for overspill and visitors parking.</p>	<p>These spaces are allocated to the commercial units and do not form part of the parking provision for the existing residential properties.</p>
<p>Number of flats should be reduced with proper provision for visitors parking allocation. No provision for visitors parking in the new scheme.</p>	<p>Three of the spaces proposed will be for visitor use.</p>
<p>Dodd Road is already used as a through road for traffic accessing Leggatts Way. More dwellings will worsen this situation and increase the risk of accidents. Dodd Road has become dangerous and hazardous at the pinch points and corners.</p>	<p>The existing estate roads will remain unchanged. The level of additional traffic generated by the proposed development will be insignificant.</p>

Proposal will increase traffic, congestion and parking problems.	The level of additional traffic generated by the proposed development will be insignificant. The proposed parking provision is close to the maximum standard for the development proposed and is acceptable.
Vacant commercial units should be given to the community to provide community facilities lost on the closure of the Bill Everett Community Centre.	It is unlikely a community organisation would be willing and able to undertake the fit out, running and management of these units solely for community use. No enquiries were received from community organisations in response to the marketing.
The commercial units have not been marketed properly.	An appropriate and acceptable marketing campaign has been undertaken.
The extra dwelling will affect light coming into properties on Baxter Road.	The proposed development will have no adverse impact on existing properties.
Proposed new building an overdevelopment of the site.	The new building will occupy an area of open land no longer required and is appropriate in its scale for this plot.
Loss of outlook from existing properties.	The proposed development will have no adverse impact on existing properties.

### **Conclusion**

The provision of new flats on this site is acceptable in principle within this recently completed residential estate. The design and appearance of the new building and the conversion of the ground floor of Picasso Court will ensure the proposed development is sympathetic to, and forms an integral part of, the existing development. All of the proposed flats will have good levels of amenity

and will have no adverse impacts on adjacent dwellings either within the site or adjoining the site. The proposal includes the provision of 13 parking spaces, and bin and cycle stores, all of which are acceptable.

The loss of the 6 commercial units is considered acceptable in this case given their poor location, the lack of interest in them by commercial operators and the fact that they have remained vacant for over 2 years since their construction.

Overall, the proposal accords with the policies of the development plan and is considered to be acceptable.

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#### **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.

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#### **RECOMMENDATION**

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

## Section 106 Heads of Terms

- i) To secure financial payments to the County Council of:
  - a) £6,625 (index linked) towards the implementation of the South West Hertfordshire Transport Strategy and sustainable transport measures in Watford in accordance with Policies T3 and T5 of the Watford Local Plan Core Strategy 2006-31;
  - b) £1,379 (index linked) towards the provision of secondary education in accordance with Policy H10 of the Watford District Plan 2000;
  - c) £3,303 (index linked) towards the provision of primary education in accordance with Policy H10 of the Watford District Plan 2000;
  - d) £761 (index linked) towards the provision of nursery education in accordance with Policy H10 of the Watford District Plan 2000;
  - e) £223 (index linked) towards the provision of childcare facilities in Watford in accordance with Policy H10 of the Watford District Plan 2000;
  - f) £47 (index linked) towards the provision of youth facilities in Watford in accordance with Policy H10 of the Watford District Plan 2000;
  - g) £762 (index linked) towards the provision of library facilities in accordance with Policy H10 of the Watford District Plan 2000;
- ii) To secure 4 of the units (3 x 1 bed and 1 x 2 bed) as affordable housing for affordable rent.

- iii) To secure the provision of fire hydrants as required by the County Council in accordance with Policy H10 of the Watford District Plan 2000.

Conditions

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

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

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

1408/P/101, 102, 103, 104, 105, 106, 107, 108

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

- 3. No development hereby permitted shall take place before 8am or after 6pm Mondays to Fridays, before 8am or after 1pm on Saturdays or at any time on Sundays and Public Holidays.

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

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

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

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

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

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

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

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

7. No part of the development shall be occupied until full details of a soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of the development. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.

Reason: In the interests of the visual appearance of the site and the character and appearance of the conservation area, in accordance with Policies UD1 and UD2 of the Watford Local Plan Core Strategy 2006-31.

8. No part of the development shall be occupied until full details of a hard landscaping scheme, including all boundary treatments, have been submitted to and approved in writing by the Local Planning Authority and the works have been carried out in accordance with the approved details.

Reason: In the interests of the visual appearance of the site and the character and appearance of the conservation area, in accordance with Policies UD1 and UD2 of the Watford Local Plan Core Strategy 2006-31.

9. No flat hereby permitted shall be occupied until the respective bin store and the cycle store, as shown on the approved drawings, have been constructed. These shall be retained as such at all times thereafter and shall not be used for any other purpose.

Reason: To ensure adequate facilities are provided for the future occupiers and in the interests of the visual appearance of the site, in accordance with saved Policies SE7 and T10 of the Watford District Plan 2000 and Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

10. No part of the development shall be occupied until the 13 car parking spaces, as shown on the approved drawings, have been provided in full. These spaces shall be retained at all times thereafter for the parking of cars.

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

### 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 education facilities, childcare, youth facilities, library facilities and sustainable transport measures within the Borough of Watford. The agreement also requires the provision of affordable housing and necessary fire hydrants to serve the development.
2. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended. The Council also gave pre-application advice on the proposal prior to the submission of the application and undertook discussions with the applicant's agent during the application process.

### Drawing numbers

1408/P/101, 102, 103, 104, 105, 106, 107, 108

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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 9<sup>th</sup> February 2015 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, childcare, youth facilities and libraries) in the Borough and as such is contrary to Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and saved Policy H10 of the Watford District Plan 2000.
3. 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.
4. The proposal fails to make provision for fire hydrants to serve the development and as such is contrary to Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and saved Policy H10 of the Watford District Plan 2000.

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