



Watford Borough Council

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TOWN AND COUNTRY PLANNING ACT 1990

DECISION NOTICE

Planning Ref. No. 15/00919/FULM

Watford Community Housing Trust
C/O Pollard Thomas Edwards
Mr Alexis Butterfield
Diespeker Wharf
38 Graham Street
London
N1 8JX

Conditional Planning Permission

Applicant	Watford Community Housing Trust
Development	Demolition of 10 bungalows, existing shopping parade comprising 10 commercial units and residential accommodation above (9 maisonettes and 2 flats), estate office, MOT service garage and 27 garages plus garages/stores behind the shopping parade. Construction of 133 new dwellings, including a 50 bed extra care scheme, new shops plus associated works to landscape, parking and service access roads.
Location	Central Meriden Estate The Gossamers Watford WD25 9

In pursuance of their powers under the above Act and the Orders and Regulations in force thereunder, the Council hereby grants the development proposed by you in your application received with sufficient particulars on 30th June 2015.

This permission is granted subject to the following 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:

101_PL_001A, 002B, 003D, 004A, 005A, 006B, 007A, 008A, 009A, 010A, 011A, 012A, 013B, 014A, 015B, 016B, 017B, 018B, 019B, 020A, 021A, 022A, 025D, 026D, 027E, 028E, 029E, 030D, 031D, 032B, 033B, 034B, 035C, 036C, 037A, 038A, 039B, 040B.

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, or at any time on Saturdays, 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 improvement works to be undertaken within the highway;
- iv) 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 an 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 demolition/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 as approved in the Development Phasing Plan until a Site Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority for that phase. This Plan shall include demolition and construction works within each phase. The Plan as approved shall be implemented throughout the demolition/construction period for each phase.

Reason: To minimise the waste generated by the development and ensure the sustainable re-use and management of waste within the county.

- 8 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.

- 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 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.

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

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

Reason: To protect highly sensitive groundwater resources. The Preliminary Risk Assessment submitted with this application indicates the presence of polluting substances from the previous uses (former petrol filling station now used as MOT & service centre, electrical substations and garages). The site is located within Source Protection Zone 1, indicating that groundwater beneath the site will reach the public drinking water supply within 50 days and is therefore highly sensitive to pollution.

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

Reason: To protect highly sensitive groundwater resources. The Preliminary Risk Assessment submitted with this application indicates the presence of polluting substances from the previous uses (former petrol filling station now used as MOT & service centre, electrical substations and garages). The site is located within Source Protection Zone 1, indicating that groundwater beneath the site will reach the public drinking water supply within 50 days and is therefore highly sensitive to pollution.

- 14 No development should take place until a long-term monitoring and maintenance plan in respect of contamination including a timetable of monitoring and submission of reports to the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the Local Planning Authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect highly sensitive groundwater resources. The Preliminary Risk Assessment submitted with this application indicates the presence of polluting substances from the previous uses (former petrol filling station now used as MOT & service centre, electrical substations and garages). The site is located within Source Protection Zone 1, indicating that groundwater beneath the site will reach the public drinking water supply within 50 days and is therefore highly sensitive to pollution.

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

Reason: To protect highly sensitive groundwater resources. The Preliminary Risk Assessment submitted with this application indicates the presence of polluting substances from the previous uses (former petrol filling station now used as MOT & service centre, electrical substations and garages). The site is located within Source Protection Zone 1, indicating that groundwater beneath the site will reach the public drinking water supply within 50 days and is therefore highly sensitive to pollution.

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

Reason: To protect highly sensitive groundwater resources. The Preliminary Risk Assessment submitted with this application indicates the presence of polluting substances from the previous uses (former petrol filling station now used as MOT & service centre, electrical substations and garages). The site is located within Source Protection Zone 1, indicating that groundwater beneath the site will reach the public drinking water supply within 50 days and is therefore highly sensitive to pollution.

- 17 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect highly sensitive groundwater resources. The Preliminary Risk Assessment submitted with this application indicates the presence of polluting substances from the previous uses (former petrol filling station now used as MOT & service centre, electrical substations and garages). The site is located within Source Protection Zone 1, indicating that groundwater beneath the site will reach the public drinking water supply within 50 days and is therefore highly sensitive to pollution.

- 18 No development shall commence until a drainage strategy, detailing any on and/or off site drainage works, has been submitted to and approved by, the Local Planning Authority. The proposed foul water discharge rates to every connection point must be included in the drainage strategy. If initial investigations conclude that the existing sewer network is unlikely to be able to support the demand anticipated from this development, an Impact Study must be undertaken to inform the drainage strategy. No discharge of foul or surface water from the site shall be accepted into the public system until all works referred to in the approved drainage strategy have been completed in full.

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

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

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

- 20 No development shall commence until a Stage 2 Road Safety Audit for the proposed highway improvements and access junctions has been submitted to and approved in writing by the Local Planning Authority. The development shall only be constructed in accordance with the approved works.

Reason: In the interests of highway safety.

- 21 No demolition or construction works shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:

- a) Construction vehicle numbers, type, routing;
- b) Traffic management requirements;
- c) Construction and storage compounds (including areas designated for car parking);
- d) Siting and details of wheel washing facilities;
- e) Cleaning of site entrances, site tracks and the adjacent public highway;
- f) Timing of construction activities to avoid school pick up/drop off times;
- g) Provision of sufficient on-site parking prior to commencement of construction activities;
- h) Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way.

- 22 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment carried out by Conisbee Engineers dated 24 August 2015 (Revision 1.2, reference 150340/TG), drawing no.C103 and the response letter to the LLFA received on the 10 September 2015 and the following mitigation measures detailed within the FRA:

- i) Limiting the surface water run-off generated by the 1 in 100 year + 30% for climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
- ii) Restricting the surface water run-off rates to each discharge point into the existing sewer network in accordance with Table 6.1 within the FRA.
- iii) Implement a range of SuDS measures in accordance with the FRA including permeable paving, swales, rain gardens and tanks.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To provide a betterment to flood risk by reducing the overall surface water run-off rates from the new development and ensuring the satisfactory disposal of surface water from the site, in accordance with Policy SE30 of the Watford District Plan 2000.

- 23 No individual dwelling in any given block of houses or flats, as identified on the approved drawings, shall be occupied until a detailed soft landscaping scheme for all the land within and adjoining the respective part of the site, has been submitted to and approved in writing by the Local Planning Authority. This shall include the retention of existing trees and hedging where possible and measures to enhance the ecological biodiversity of the site. The approved landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of the respective block forming part 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 wider area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

- 24 No individual dwelling in any given block of houses or flats, as identified on the approved drawings, shall be occupied until a detailed hard landscaping scheme for all the land within and adjoining the respective part of the site, including details of all site boundary treatments and internal plot boundaries, has 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 wider area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

- 25 No individual dwelling in any given block of houses or flats, as identified on the approved drawings, shall be occupied 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.

- 26 No individual dwelling in any given block of houses or flats, as identified on the approved drawings, 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 occupants 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.

- 27 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015, no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, F 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.

- 28 At least four months prior to the first occupation of the development, details of the proposed Travel Plan for the residential elements of the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To promote a sustainable development in accordance with Local Plan policies and highway authority requirements.

- 29 At least four months prior to the occupation of any commercial unit, details of a Delivery and Servicing Management Plan for the development shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the size of delivery vehicles, the locations for parking delivery vehicles and the times during which deliveries shall take place.

Reason: To protect highway safety and the amenity of other users of the public highway and rights of way and to protect the amenities of neighbouring residential properties.

- 30 No access shall be brought into use until it has been laid out and constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and convenience.

- 31 No plant or equipment associated with the commercial uses in Blocks E1, E2 and E3 or the communal kitchen in Block D shall be sited on the external elevations of the buildings unless details of the plant or equipment has been submitted to and approved in writing by the Local Planning Authority. The details shall include size, appearance, siting and technical specifications relating to noise and odour control as appropriate.

Reason: In the interests of the appearance of the buildings and the amenities of adjoining residential properties.

- 32 The commercial units within the development shall only be used for the following uses within the Town and Country Planning (Use Classes) Order 1987 (as amended), unless otherwise agreed in writing by the Local Planning Authority:

- a) The unit labelled as 'hairdresser' in Block D shall only be used for purposes within Class A1 (Shops).

- b) The unit labelled as 'café' in Block E1 shall only be used as a café within Class A3 (Restaurants and cafes) or for purposes within Class A1 (Shops).
- c) Units 1-8 in Block E2 shall only be used for purposes within Class A1 (Shops) with the exception of one unit which may be used as a launderette (Sui generis), one unit which may be used for purposes within Class A2 (Financial and professional offices) and two units which may be used for purposes within Class A5 (Hot food takeaways).
- d) Unit 9 in Block E3 shall only be used for purposes within Class A1 (Shops).

Reason: To ensure an acceptable range of uses to serve the local community.

- 33 No commercial unit within Blocks E1, E2 and E3 shall be open to the public before 0700 hours or after 2200 hours on any day.

Reason: In the interests of the amenity of neighbouring residential properties.

- 34 No construction works shall commence to Block D, Block E2 or Block F1 until an acoustic report, assessing any noise impacts on the proposed dwellings from the adjacent existing electricity sub-stations and proposing any necessary mitigation measures, has been submitted to and approved in writing by the Local Planning Authority. No dwelling in these blocks shall be occupied until any respective mitigation measures have been installed in full. These measures shall be retained at all times.

Reason: To ensure acceptable internal noise levels are achieved for the future occupiers of the proposed flats.

- 35 No construction works shall commence on Block D until measures to prevent overheating of the dwellings in this block facing south have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the approved mitigation measures have been implemented in full. These measures shall be retained at all times.

Reason: To ensure acceptable internal levels of amenity for the future occupiers of the proposed flats.

INFORMATIVES :-

- 1 This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 to secure the provision of a minimum of 89 affordable housing units and the 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.
- 3 Before commencing the development the applicant shall contact Hertfordshire County Council Highways (0300 123 4047) to obtain i) their emission/requirements regarding access for vehicles involved in the demolition of the existing building; ii) a condition survey of any adjacent highways which may be affected by construction vehicles together with an agreement with the highway authority that the developer will bear all costs in reinstating any damage to the highway.
- 4 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer.



Signed _____

1st February 2016

Jane Custance
Head of Regeneration and Development