

Item 4:	07/21/0276/F	
Location:	Former Gala Bingo Hall, 88-102 High Street, Waltham Cross, EN8 7BX	
Description:	A mixed-use development incorporating 92no. residential units, internal shared space, communal amenity space and a flexible commercial use space	
Applicant:	Mr P Petrou	
Agent:	N/A	
Date Received:	08.03.2021	Date of Committee: 28.07.2021
Officer Contact:	Marie Laidler	Expiry Date: 08.06.2021
Ward Councillors:	Cllr Waters, Cllr Norgrove and Cllr Bowman	

RECOMMENDED that planning permission be granted subject to the conditions set out at the end of this report and completion of a S106 Agreement

1.0 CONSULTATIONS

- 1.1 HCC Lead Local Flood Authority
- No Objection – Subject to conditions.
- 1.2 HCC Highway Authority
- No Objection – Subject to conditions
- 1.3 BoB Waste Management
- A waste collection service can be achieved at the site subject to compliance with the Supplementary Waste Planning Guidance
- 1.4 BoB Environmental Health
- No objection subject to conditions in relation to land contamination, asbestos, electric vehicle charging points, a noise survey (and any subsequent ventilation strategy), sound insulation, Construction Environmental Management Plan,
- 1.5 BoB Housing
- Affordable housing is required
- 1.6 East & North Hertfordshire Clinical Commissioning Group
- Contributions should be sought towards health care provision
- 1.7 Herts & Middlesex Wildlife Trust
- No objection subject to a condition requiring integrated bird boxes to be installed

2.0 PUBLICITY

2.1 The application was advertised by means of site notices on 26 March 2021, a press advert on 25 March 2021 and 53 individual neighbouring letters were sent to the following properties:

- 36 - 54 (even nos.) Abbey Road;
- Harold House, 73 High Street (Flats 1 – 10);
- 75, 76 – 78, 76A – 76C, 77, 77A, 78A – 78C, 79A, 79 – 81, 80 – 82, 82, 82A (Flats 1 – 4), 84, 86, 86A, 86B, 104 (The Moon & Cross PH), 106 High Street;
- Regent Gate, 1, 2, 3, 4 (Flat 1), 12 – 13, 83 High Street.

3.0 REPRESENTATIONS

3.1 No representations from neighbouring residents have been received to date.

4.0 RELEVANT LOCAL PLAN POLICIES

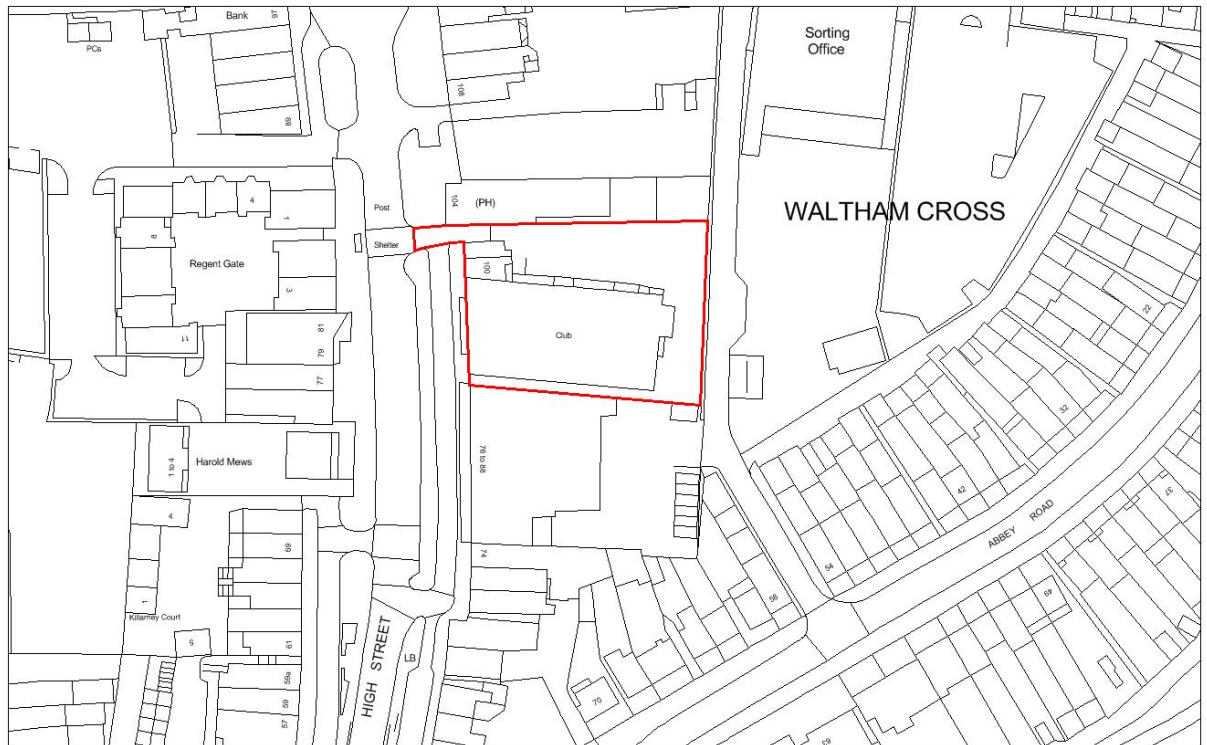
4.1 The following policies of the Borough of Broxbourne Local Plan 2018 – 2033 apply:

WC1	Waltham Cross Town Centre
WC4	Waltham Cross Renaissance Area Action Plan
PO1	Planning Obligations
INF1	Infrastructure
DSC1	General Design Principles
DSC2	Extensions and alterations to existing development
DSC3	Design affecting the public realm
DSC4	Management and Maintenance
DSC5	Sustainable Construction
DSC6	Designing Out Crime
H1	Making Effective Use of Urban Land
H2	Affordable Housing
H3	Conversion of non-residential buildings to residential use
H4	Housing Mix
RTC2	Development within town, district and local centres, neighbourhood centres and shopping parades
W4	SuDS
W5	Flood Risk
EQ1	Residential and Environmental Quality
EQ2	Air Quality
EQ3	Lighting
EQ4	Noise
NEB1	General Strategy for Biodiversity
NEB4	Landscaping and Biodiversity in New Developments
TM1	Sustainable Transport
TM2	Transport and New Developments
TM3	Access and Servicing
TM4	Electric Vehicle Charging Points
TM5	Parking guidelines

- 4.2 The Borough-Wide Supplementary Planning Guidance (SPG) (August 2004) (updated in 2013) is relevant in this case as it provides design guidance for all forms of development.
- 4.3 The Borough-Wide Waste Supplementary Planning Guidance (August 2019) provides the details for the provision of refuse and recycling at residential and commercial properties, it is therefore relevant for all forms of development.
- 4.4 The Waltham Cross Town Centre Strategy (March 2015) was produced to help guide the development and regeneration of the town centre over a period of five to ten years. It is therefore directly relevant to this application.
- 4.5 The Technical Housing Standards – nationally described space standards (March 2015) is relevant as it sets out the space standards for residential dwellings.
- 4.6 The National Planning Policy Framework (NPPF) 2019 also needs to be considered as it sets out the Government’s planning policies for England and how these are expected to be applied. The local planning policies listed above are generally considered to accord with the policies and principles of the NPPF.

5.0 LOCATION AND DESCRIPTION OF SITE

- 5.1 The application site is located within Waltham Cross Town Centre along the High Street to the south of the Eleanor Cross Memorial. It is set within an active street frontage hosting a range of shops and services. Vehicular access is available off the High Street along a service road directly to the front of the building with on-street parking. The site is set adjacent to a public house to the north and a parade of shops to the south with residential flats above. To the rear (east) exists a service road leading off Abbey Road to the south east which provides access to the rear of the shopping parade and also the Royal Mail sorting depot further to the east. The service road also allows pedestrian access to Eleanor Cross Road to the north.



Site location plan



Aerial photo of the application site

5.2 The existing building at 88-102 High Street is a prominent structure within the street and the wider town centre. This reflects its former use as the Embassy Cinema when it was originally constructed and opened in 1937. The building underwent

various alterations and was last operated by MGM Theatres until September 1993 when it was redecorated for use as a bingo hall by the Gala Bingo Club. The bingo hall closed in January 2017 and remains unused.



Historic photo of the building operating as a cinema



Existing frontage



Wider street frontage perspective



Existing rear of building and service road



Rear boundary and service road



North elevation



Existing car parking area and northern boundary



Existing access

- 5.3 The elaborate original features of the cinema have been removed or covered up, however the basic art deco façade to the front of the building remains evident. The building is of predominantly red brick with a tall flat roofed front parapet wall hiding

a hipped, corrugated cement boarded roof behind. Internally, the original cinema features have been stripped from the building and the bingo hall remains. The building is spread over four floors with a basement; however the submitted application states that it is equivalent to five modern storeys plus the roof due to its historical land use.

- 5.4 The building occupies the majority of the overall application site which is rectangular in shape and measures approximately 40m in width and 54m in depth. Access to the north of the building serves existing parking spaces that wrap around the rear of the building. A refuse area is also located near to the access.
- 5.5 The building is set on level ground however there is a drop in ground level to the rear service road of around 1.5m. Overall, the site amounts to approximately 0.22ha. The site is bounded by metal fencing and boundary walls and there is some unmaintained tree and hedge coverage along the eastern boundary to the rear of the site.
- 5.6 The site is located within Flood Zone 1 with a low probability of flooding.

6.0 PROPOSAL

- 6.1 The application proposes a mixed-use redevelopment of the site incorporating 92 residential dwellings and 301sqm of flexible commercial use. The proposal incorporates internal shared space, communal external amenity space and car parking in an undercroft car park. The proposals seeks to retain the frontage of the building and will include extensions above the existing built form, to the rear and to the northern elevation.
- 6.2 Members may recall previous applications at this site. Planning permission was granted in March 2019 along with a signed Section 106 agreement under reference 07/18/0512/F. That proposal involved the redevelopment of the building to provide a mixed use scheme with a 119 bed apart-hotel, 24 hour gym, and café. The proposal involved the removal of the existing asbestos hipped roof, the removal of the central area of the building above ground floor level and the erection of three additional floors along with an extension to the footprint of the building at the rear of approximately 3m. The resulting building was to be a 'U' shaped design over six floors with a roof-top garden terrace. The application was presented to the Planning and Regulatory Committee in September 2018 and was subsequently approved.
- 6.3 A further application to vary the plans within the original permission was submitted in August 2019 to increase the number of guest rooms from 119 to 135 units and to provide two units for staff accommodation (reference 07/19/0745/F). This was submitted in response to the applicant progressing an agreement with a Hotel Operating Company. The additional rooms were to be incorporated through the insertion of an extra floor. The overall scale and mass of the building was to remain the same as previously approved and resulted in a seven storey building instead of six with window amendments to serve the additional floor. The proposal also removed the roof top terrace and café previously approved. The revised application was presented to the Planning and Regulatory committee in October 2019 and was subsequently approved.

- 6.4 The applicant now wishes to expand on the available development and investment opportunities and is no longer pursuing the apart-hotel and gym uses of the site. The main envelope of the building and number of floors will remain as previously approved with some minor amendments that are considered in the sections below. The proposal would now incorporate an extension to the north elevation that would be five storeys in height. This extension is proposed to be in a contrasting brick colour to that of the main building.



Front elevation CGI of the approved scheme (ref. 07/19/0745/F)



Proposed Front Elevation (Image 1 of 2)



Proposed front elevation (image 2 of 2)



Rear elevation CGI of the approved scheme (ref. 07/19/0745/F)



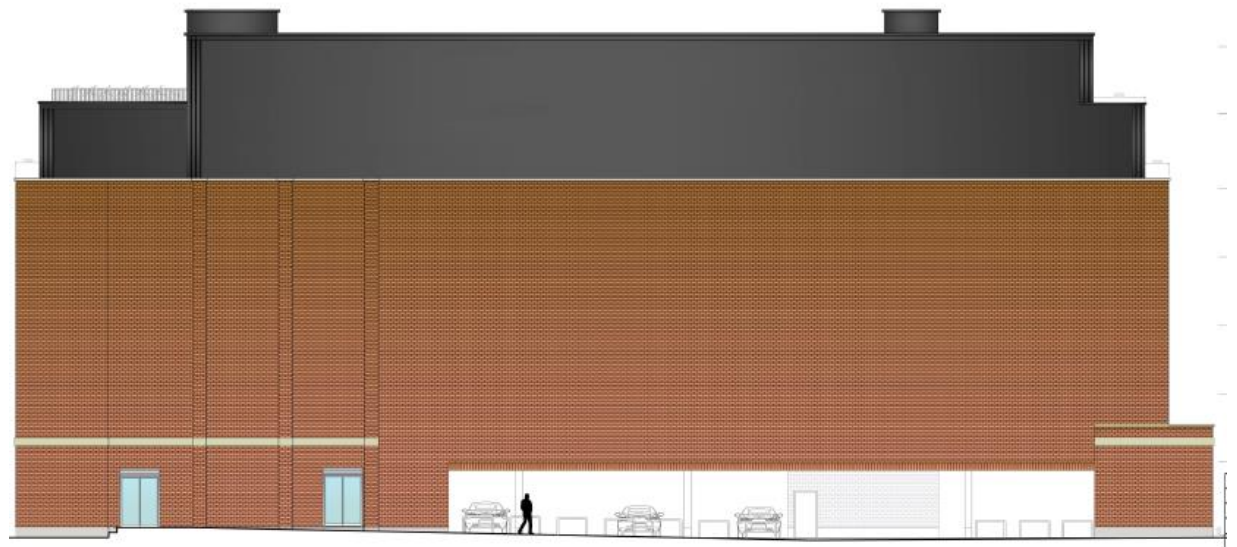
Proposed rear elevation



Proposed internal courtyard and west elevation of proposed extension



Proposed north elevation



Proposed south elevation



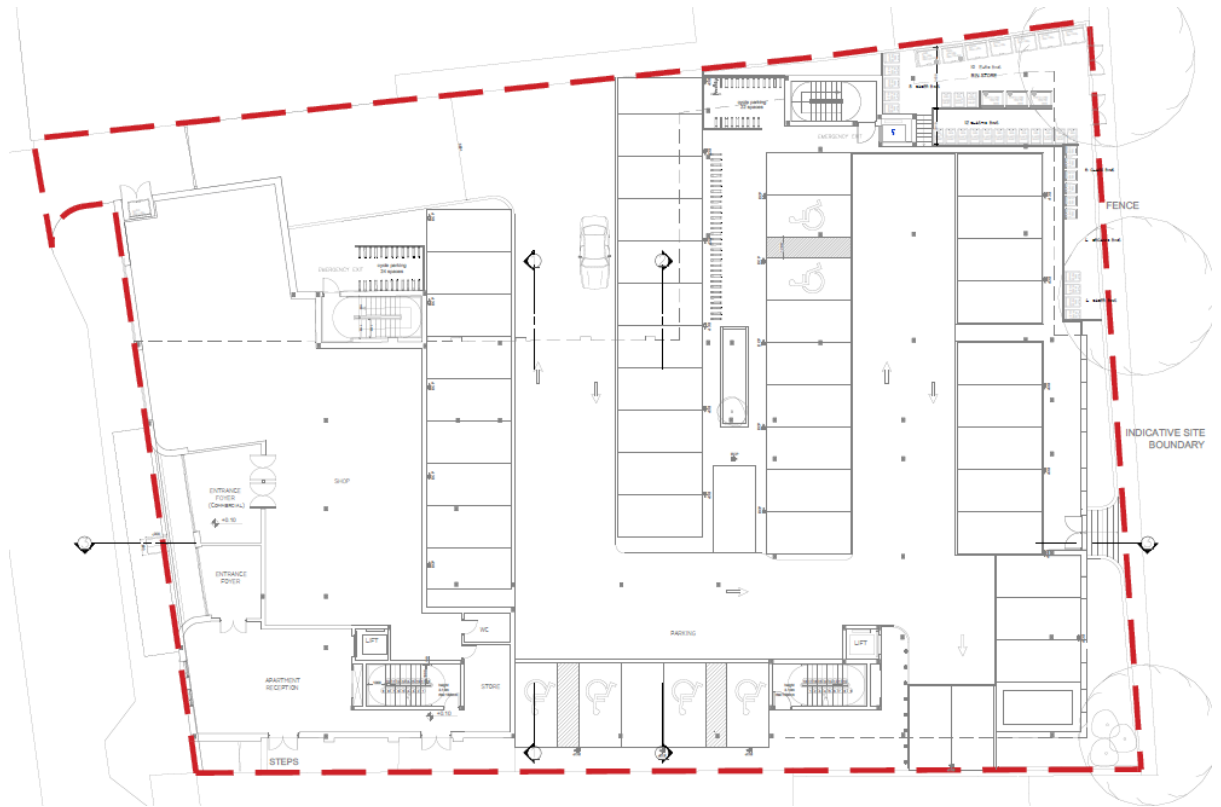
Proposed east elevation of the frontage High Street block



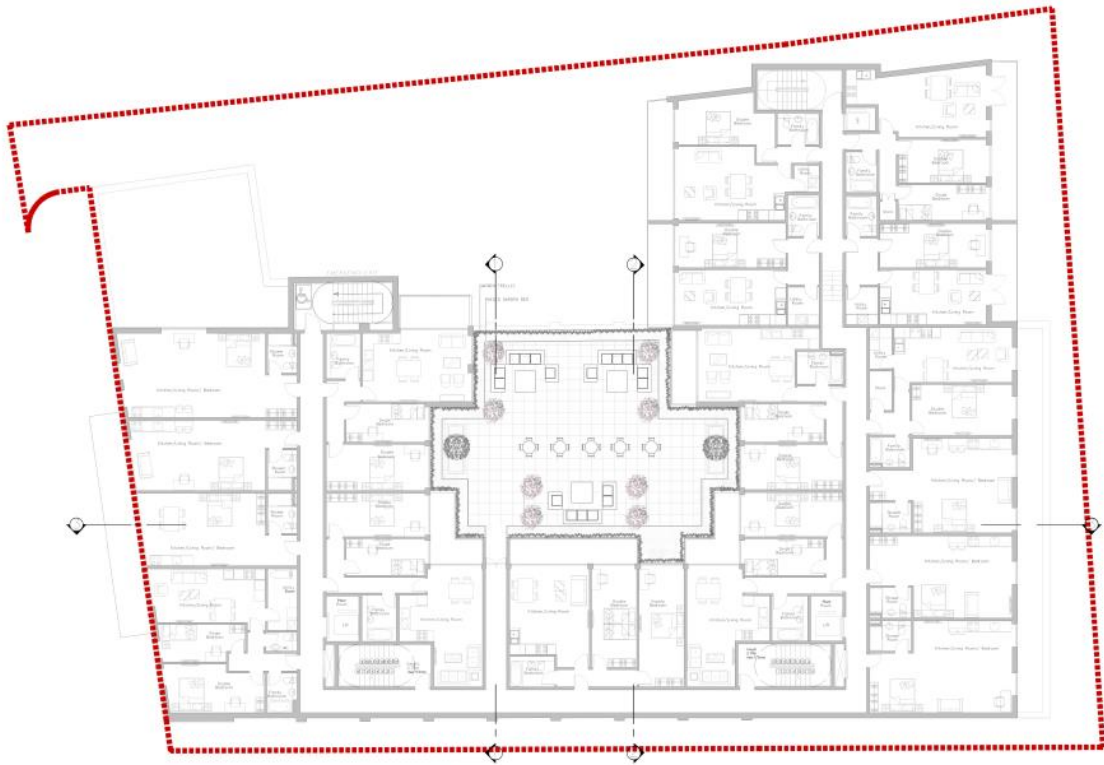
Proposed west elevation of the rear block



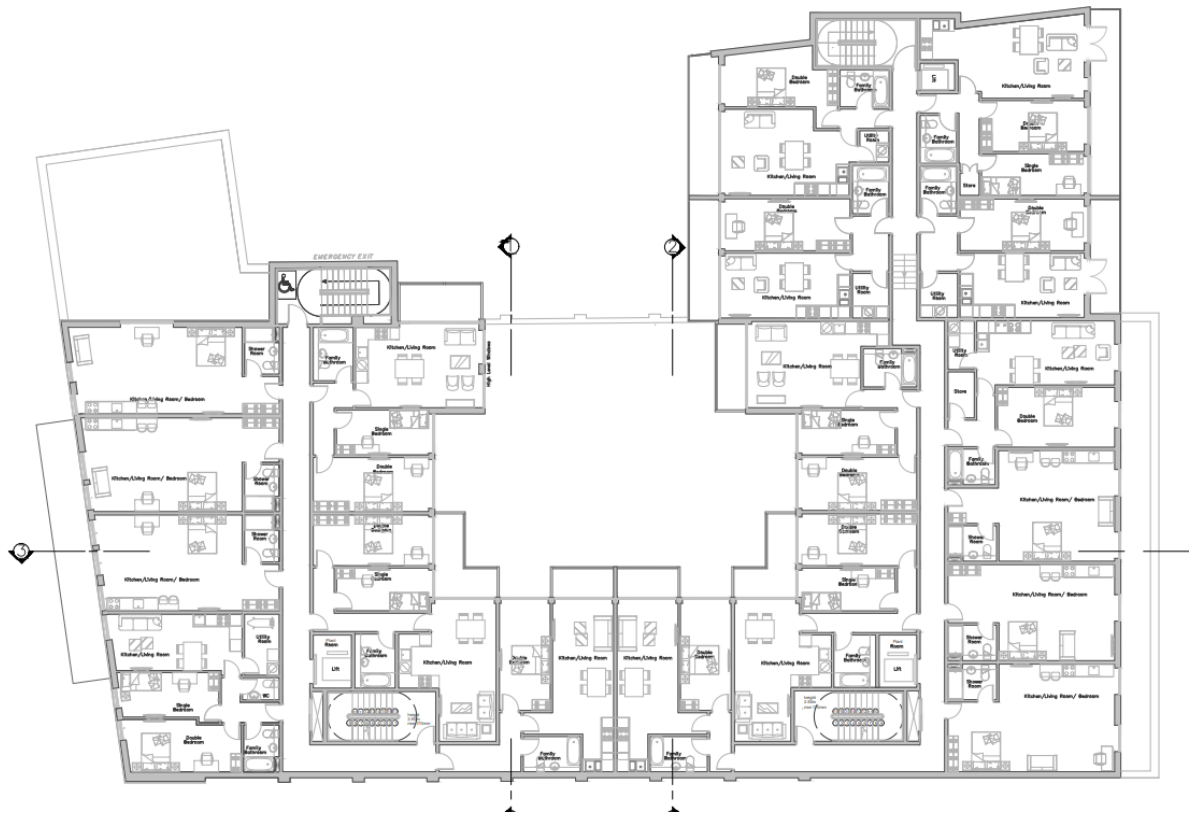
Proposed rear elevation with cross-section



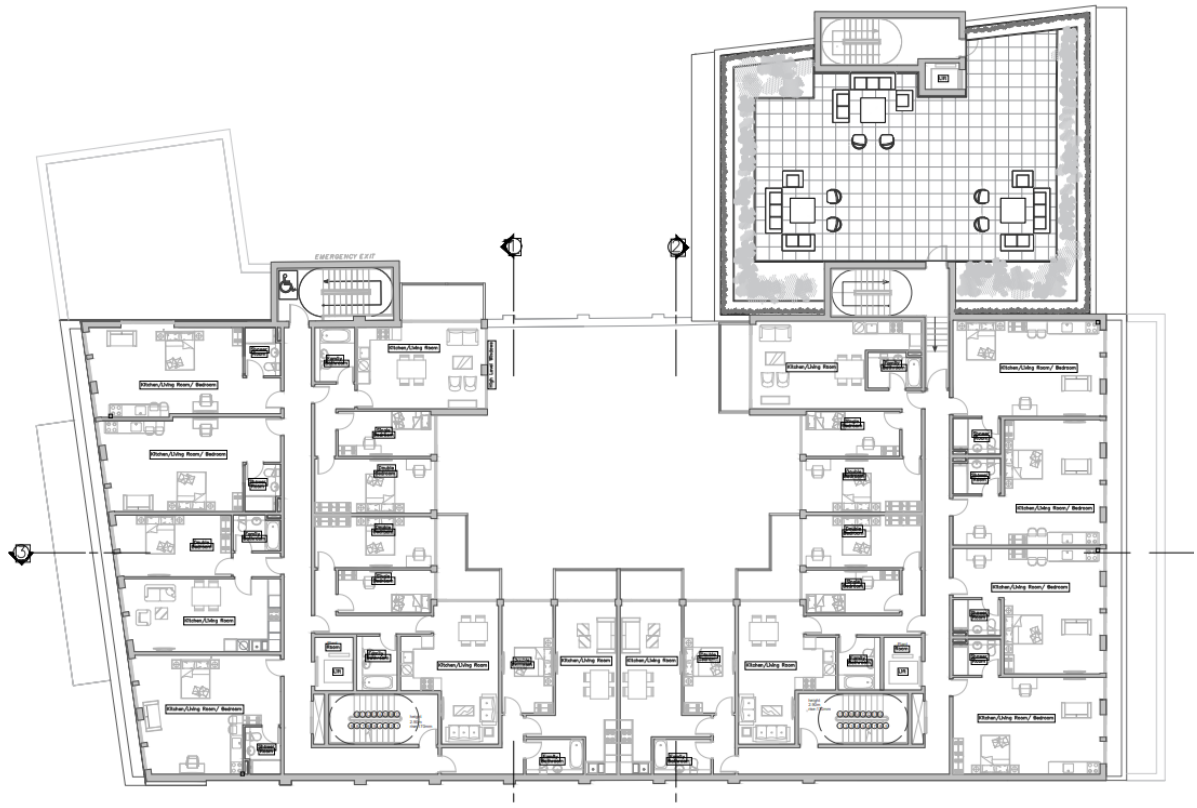
Proposed site plan and ground floor plan



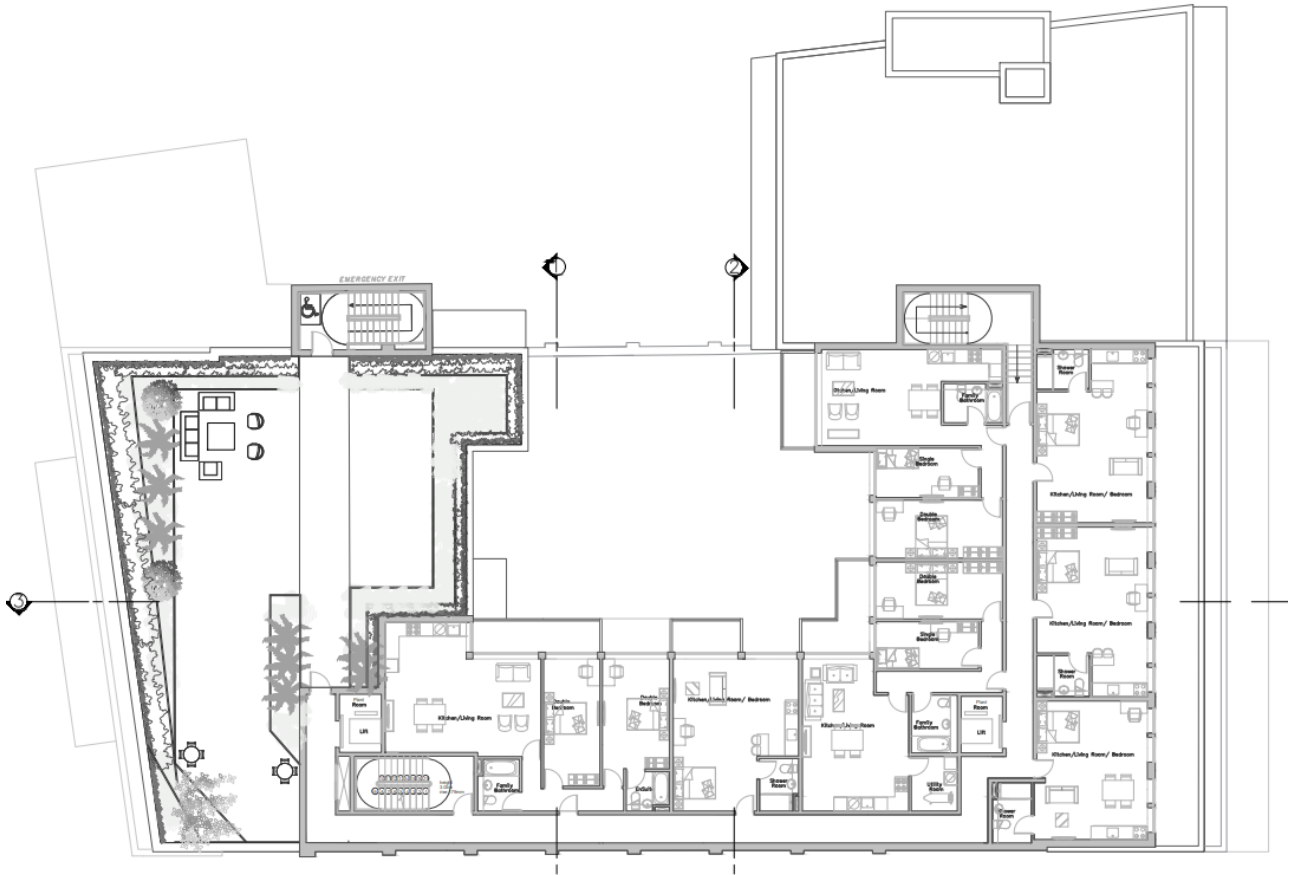
Proposed first floor plan



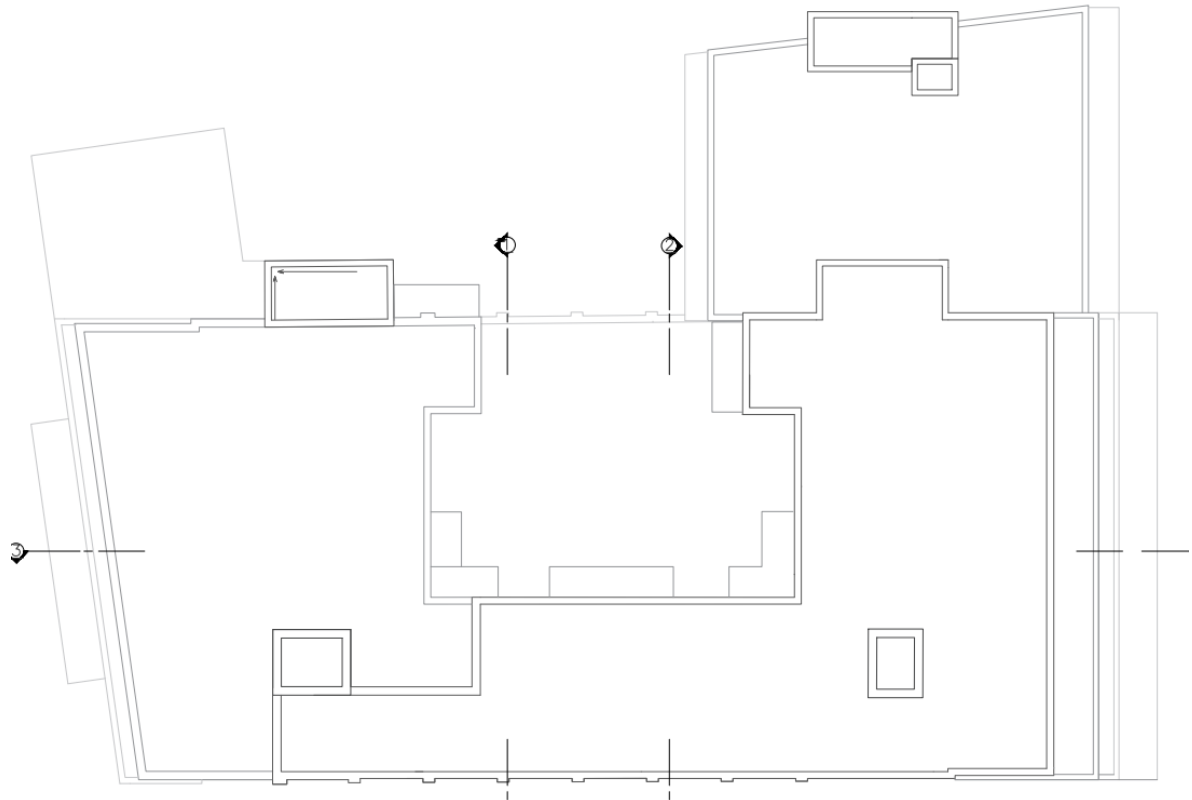
Proposed second, third and fourth floor plan



Proposed fifth Floor Plan



Proposed sixth Floor Plan



Proposed Roof Plan

6.3 The application is supported by a suite of documents comprising:

- Design and Access Statement
- Planning Statement
- Transport Assessment and Travel Plan
- Surface Water Strategy
- Viability Report

6.4 The applicant received pre-application advice to the effect that Officers' would support the general appearance of the building.

7.0 RELEVANT PLANNING HISTORY

7.1 07/19/0745/F - Variation to condition 2 of planning permission 07/18/0512/F to allow extra room space to approved plans with submitted additional information for conditions 3, 4, 5 and 6. This application was approved on 12 December 2019 following the completion of a Deed of Variation of the agreement made below.

7.2 07/18/0512/F - Change of use from D2 (Bingo Hall) to Mixed Use building with aparthotel with internal cafe and gym on ground floor with additional new build elements and alterations to existing building. This application was approved on 14 March 2019 following the signing of a Bilateral Undertaking.

7.3 07/17/1298/O - Outline planning application for conversion of the existing restricted D2 use building to a mixed use building with 3 floors of commercial space and replacement of the existing pitched asbestos roof with 2 floors of C3 flats. The ground floor will require an unrestricted all hours D2 use to be used as a gym, the

first floor will require a D2 use and the second floor will require a flexible commercial use. The top 2 floors will provide 12 self-contained 2 bedroom flats with private amenity space and communal courtyard. Windows will be inserted into the existing building to bring in natural light and original windows on the front facade will be reinstated. This application was withdrawn by the applicant on 13 February 2018.

- 7.4 7/0943/07/F/WX - Erection of awning and wall mounted rest and bollards at rear. Approved 29 November 2007.
- 7.5 7/0399/07/F/WX - Erection of canopy and wall mounted rest. Refused 28 June 2007.
- 7.6 7/0393/06/F/WX - Two wall mounted external condenser units. Approved 15 June 2009.
- 7.7 7/297/2001 – Continued use as a bingo hall. Approved 5 June 2001.

Various applications prior to the above are associated with the use of the building as a bingo hall.

8.0 APPRAISAL

8.1 The main issues for consideration in this case are as follows:

- Principle of development;
- Design, layout and appearance;
- Highways/Car Parking;
- Impact to residential amenity;
- Refuse and Recycling;
- Planning Obligations;

These matters will be appraised in turn, below.

Principle of Development

8.1 The proposal would include the physical alterations previously approved under reference 07/19/0745/F that were granted in December 2019 for an apart-hotel complex (containing 137 bedrooms) and a gym. The principle of the redevelopment of the site is acceptable, however the alternative use is now considered. The National Planning Policy Framework (NPPF) supports the Government's objective to "boost significantly the supply of housing" (para. 59). Development of this site for housing would contribute to that supply. The Broxbourne Local Plan (2018 – 2033), specifically Policies H1 (Making Effective Use of Urban Land) and WC1 (Waltham Cross Town Centre), is generally supportive of residential development in existing urban areas. Furthermore,

housing delivery within Broxbourne over the last 3 years has been at a level of 74% of the Council's housing need. This triggers the "presumption in favour of sustainable development" within the NPPF which means that housing developments should be approved without delay if they accord with the Local Plan.

- 8.2 The application site area lies close to the heart of Waltham Cross Town Centre within easy access to a range of local transport options. The proposal would involve the conversion and redevelopment of a redundant building bringing it into use within an active street frontage of the Town Centre. The scheme has the potential to support the objectives of the 2015 Waltham Cross Town Centre Strategy which is reflected in the Broxbourne Local Plan through policies WC1 and RTC2. The proposals would meet the Council's priorities of improving the public realm, providing additional town centre homes and the enhancement of a historic feature within the High Street. They would also provide a commercial unit at the ground floor level street frontage, opening up a currently blank wall with glazing to serve the unit. This element of the scheme would add to the vitality of the town centre and provide a commercial unit that would be compatible with the High Street uses. Other associated matters relating to access, servicing, car parking and residential amenity are considered in the following sections.
- 8.3 The site is located within the area to be covered by the Waltham Cross Renaissance Area Action Plan (Local Plan Policy WC4). This will consider the long term future of land in the vicinity of Waltham Cross Railway Station, however it is not anticipated that wide scale redevelopment would commence until towards the end of the Local Plan period. There is great potential for this area to deliver substantial numbers of new homes and jobs in the full regeneration of the eastern end of Waltham Cross. Policy H1 states that the Council will optimise potential for housing delivery especially within the broad area of the Area Action Plan (AAP) provided that this will not impede the delivery of a strategic approach to development, in particular around transport hubs. The principle of redevelopment of this site has been established under an extant planning permission. The proposal is now for housing and a commercial unit rather than an apart-hotel and gym. This revised proposal will support the aims of the wider development of the AAP and would be a benefit to the town centre bringing back into use a site that has been vacant for over 4 years.
- 8.4 **The principle of the proposed development is acceptable as it is considered to accord with Local Plan Policies WC1, WC4, RTC2 and H1 and the National Planning Policy Framework.**

Design, Layout and Appearance

- 8.5 As previously approved, the proposal would involve the removal of the large hipped roof structure and an increase in the height of the building resulting in a flat roof predominantly brick built structure with the top two floors set back from the main façade of the building. The front aspect would maintain six floors rising to seven floors at the rear of the site. This proposal would follow the same format. The only amendments to the front elevation would be the introduction of two large shop windows to the north of the entrance that would serve the proposed shop unit and the existing steps to the front entrance would be removed. A level access into the building would be provided. This removes the requirement for the mechanical accessibility lift at the entrance steps. The fifth floor would be set back from the

front façade and the stepped arrangement of the fifth and sixth floor to the rear would be maintained. The sixth floor is partially set further forward than previously proposed, however a set back from the front elevation of 7.5m would still be maintained. The stairwell that projects from the building to the north would now extend taller to serve the sixth floor roof terrace, however this would be set 10.5m back from the front edge of the building and does not detract from the characterful front elevation. To the rear there would be a reduction in stone work around the entrance. The art deco features previously displayed for the redevelopment would be maintained along with 'The Embassy' signage.

- 8.6 The internal configuration of the rooms would be altered to accommodate the flats. The ground floor would comprise of an undercroft car park, bin storage areas, cycle storage areas, 301sqm of commercial floorspace and 100sqm of floorspace for the foyer to the residential flats above. The commercial area and residential foyer would have separate entrances to the front onto the High Street. The residential foyer would have access to a stairway and lift. There are a further two sets of lifts and stairways towards the rear of the building accessed directly from the car park. An emergency stairwell would be provided towards the front and north of the building. A rear entrance to the building would also access the undercroft car park. The car park would contain 48 spaces.
- 8.7 The six floors above ground floor level would contain 92 flats with the following configuration:
- 35 x studios
 - 25 x 1-bedroom flats
 - 32 x 2-bedroom flats

At first floor level the central courtyard area would accommodate a communal space for residents along with a number of flats facing into the area, some with private terraces. The second, third and fourth floors would be similar in layout. The fifth floor would be marginally smaller due to the set back from the frontage and rear façades and would contain a roof terrace above the northern extension. The sixth floor would be confined towards the rear of the building with a roof terrace to the front section. Flats facing inwards over the courtyard from second floor upwards would have balconies with flank screening. The communal amenity spaces would amount to a total of 560sqm. These spaces are indicated to be attractive planted areas with benches. The layout of the proposal is considered to be acceptable within the confines of the approved scheme and the additional extension, each flat can be appropriately accessed from the front and rear and with easy access to the communal spaces.

- 8.8 The main alteration in the appearance of the building from that approved would be the addition of a five storey extension to the northern elevation. The extension would be set back approximately 35m from the High Street frontage at a height 5m lower than the front aspect. Given its set back it would not have a direct presence within the streetscene of the High Street and would only be visible from passers-by at the vehicular entrance and above the single storey northern side element. To the rear the main bulk of the extension would be set back by 1.4m from the main building with the balconies level with it, allowing a suitable connection between the extension and the host. The extension would have a lower height (7.75m lower), contemporary appearance and deferring material that would be a suitable contrast

to the more decorative host building. Whilst the rear aspect of the site is less of a street frontage at present, this may alter in future as sites are developed along the access road. The site would therefore potentially have a more significant presence within the public realm and along with its increased height would be visible from a wider perspective. In any case, this proposal presents an extension to the approved scheme that respects its host and is considered acceptable. Whilst the overall scale and bulk of the building has increased it is not considered detrimental to the wider area that comprises a range of designs of buildings over two and three storey height. A recent approval to the north of the site at 118 High Street also proposed increased heights set back from the High Street with six storeys. It is not considered that the introduction of additional built form to the approved scheme would be harmful to the appearance of the town centre. To the contrary, the proposed scheme would improve the overall townscape and image of the town centre particularly from approach to the south and towards the recently completed Eleanor Square pedestrianised area.

- 8.9 In terms of its immediate surroundings, the proposed extension to the northern boundary would be set in approximately 2.8m, this distance decreases further into the site due to the tapering of the boundary. From the perspective of the rear streetscene this arrangement presents a reasonable separation distance from the neighbouring use to the north as a pub garden. To soften the appearance of a five storey flank wall to the northern boundary, it is proposed to provide a green wall that would break the extent of brick work.
- 8.10 The fenestration within the host building would be as previously approved maintaining a vertical and linear arrangement conducive of an art deco form. The fenestration of the northern extension would be uniformly and horizontally presented at all levels above ground floor and would not compete with the host character. The fenestration is proposed to be heritage casement windows in a grey colour.
- 8.11 The materials that would be considered appropriate would be expected to complement the host building and follow the high quality envisaged within the approved scheme. The previous application set out that the host building would have the brickwork stripped and a new brick skin applied that would be using handmade bricks made to appear as close as possible to existing. However, as this is a revised application and the ground floor sees major alterations in the structure of the built form, it is considered appropriate to include a condition, if approved, that requires the submission of the materials and this should include architectural details, signage, brick detailing and bonding and rainwater goods. It is indicated that the roof, that incorporates the two upper floors, shall be covered in grey single-ply membrane with standing seam detail on the vertical elements. This would add a modern element to the upper floors of the building that would be set back from the main façade and was considered acceptable in the previous submissions.
- 8.12 The surfacing materials for the parking areas are proposed to be grey resin bound surface. This is considered an appropriate finish to the area.
- 8.13 The rear of the building would be landscaped to improve the secondary entrance to the building. Raised planters would be incorporated that would also provide surface water management. In addition, planting of the roof terraces is proposed.

In the event of an approval a condition would be imposed for the submission of a landscaping plan to be agreed.

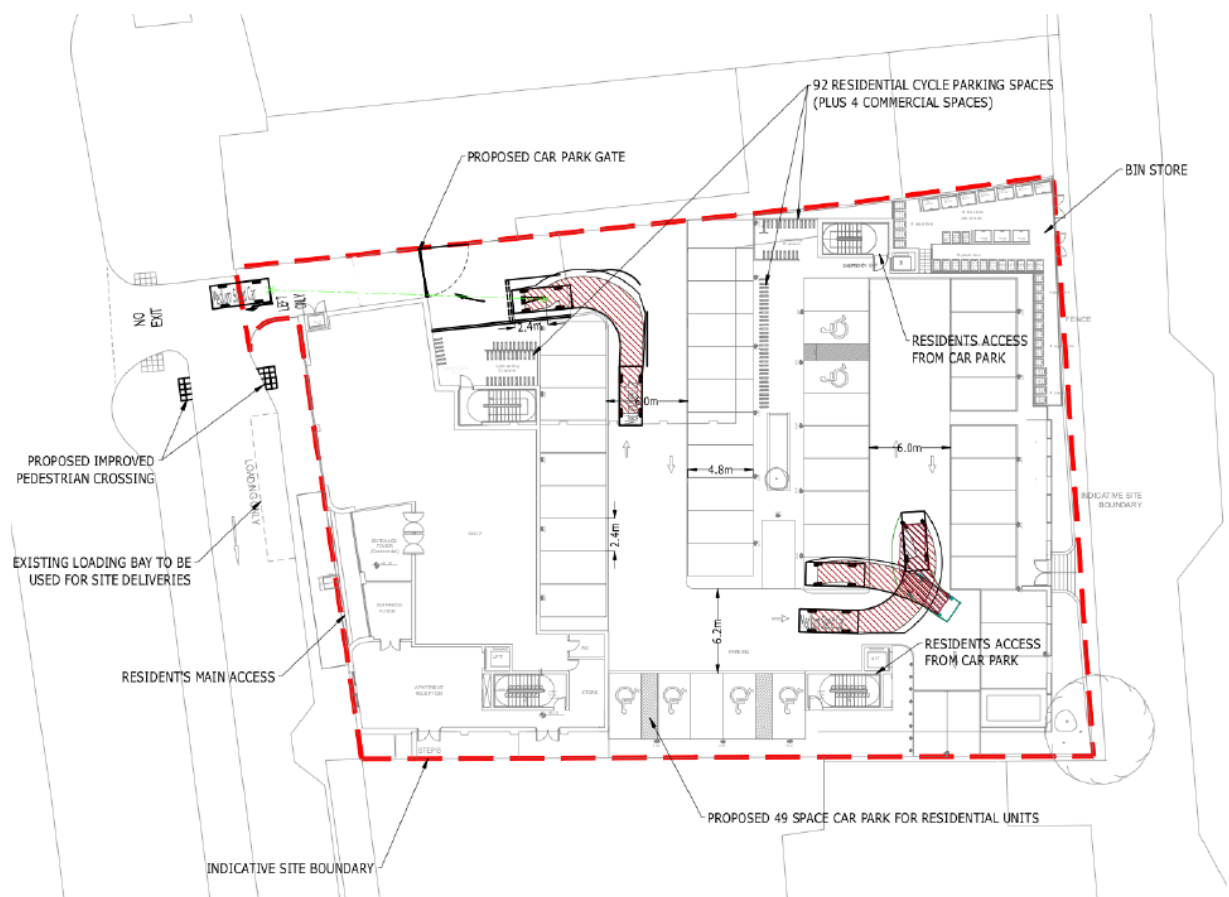
- 8.14 **Overall, the proposal would reinstate the impressive façade of a building that once had an important presence within the Town Centre. In addition, the design would modernise the building whilst respecting the varied character of its surroundings. The additional extension alongside the previously approved renovation is not considered detrimental to the character and appearance of the area. The proposal is considered to comply with Policies DSC1, DSC2, DSC3 and H1 of the Local Plan and the SPG.**

Highways/Car Parking

- 8.15 This proposal would result in an increase in vehicular movements to and from the site above that previously approved. Vehicular access is via the existing access to the north of the building off the High Street service road. Forty eight car parking spaces are proposed in an undercroft car park at ground floor level below the building. This equates to 0.52 spaces per dwelling. Whilst the number of spaces is low, this is a town centre location and there is good access to facilities, services and public transport options. There are also public car parks nearby, previous applications at this site showed some spare capacity within the public car parks and the Council are conducting a review of off-site spaces that could be potentially allocated to the development, however that is currently in draft format. In addition, the applicant has provided a Travel Plan that has been revised and meets the County Highway Authority approval, this sets out a range of measures and incentives to facilitate and encourage all users of the site to utilise sustainable modes of travel where possible, including walking cycling, use of public transport, taxis and opportunities for car sharing. These would help to reduce the reliance on car ownership being in a sustainable location.
- 8.16 The application is supported by tracking diagrams demonstrating that vehicles are able to manoeuvre into and out of the car parking spaces.
- 8.17 The existing access to the site is off the High Street and is to remain unchanged. The approved scheme for the apart hotel (with 137 units) and gym contained 20 car parking spaces with greater reliance on public transport and car parking within the wider area for guests. The access is now proposed to serve the undercroft car parking area containing 48 spaces which would result in a significant increase in vehicular activity at the site, beyond that historically seen. The existing access into the site is single width which is likely to result in one or more vehicles waiting on the public highway for exiting vehicles to pass by. This may be hazardous to vehicular movements and also for pedestrians within the High Street slip road. Paragraph 109 of the NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or that there would be a severe impact upon the road network. Similarly, Local Plan Policy TM2 would not permit development where there would be a severe impact on the transport network. The nature of the High Street at the site is generally slowed due to the recently completed pedestrianised area and turning head close to the site and much of the public highway in the immediate vicinity of the site is protected by roadside parking restrictions to maintain the free flow of traffic. The applicant has revised the Transport Statement to address the access issue by including directional signage within and upon exiting the site as well as relocating the

entrance gate further into the site and widening the carriageway internally through kerb realignment. Furthermore, the gates are to be electronically controlled with a traffic light system for exiting vehicles. This would control vehicles entering and exiting at the narrowest area of the entrance to the site as it will require vehicles in both directions to stop whilst the gates open. The gates will be closed the majority of the time with the exception of when a vehicle is entering or exiting. The wider internal area on approach to the gates will enable two way traffic movements so that a vehicle exiting can wait clear of the oncoming traffic entering the site. These measures are collectively considered to remove the likelihood of conflict between vehicles at the entrance. Therefore, it is considered that the arrangement shown is sufficient to serve the proposed development without highway safety implications.

- 8.18 In terms of pedestrian safety, the County Highway Authority raised a concern regarding the lack of suitable pedestrian dropped kerbs outside the site access which would leave pedestrians vulnerable. The Transport Statement has since been revised and following the Highway Authority advice the provision of a new simple pedestrian dropped kerb and tactile paved crossing point outside the site is now proposed. A condition is to be imposed, in the event of an approval, requiring additional detail for dropped kerbs and tactile paving to be submitted for approval.
- 8.19 Regarding the servicing of the site, a refuse collection would be operated at the High Street entrance serving the commercial premise only as per the former arrangement for the bingo hall. The residential refuse storage would be to the rear of the site directly adjacent to the service road, it would be within a lowered section of the site level with the road and accessed through external gates. Refuse vehicles would not be required to enter the site. Delivery vans such as supermarket delivery vehicles may be able to enter the site or alternatively use the loading bay on-street that would be capable of serving such vehicles. Emergency vehicle access would be taken from the High Street slip road or from the service road to the rear.



Proposed measures to address highway matters

- 8.20 The Design and Access Statement sets out that all onsite car parking spaces are to be fitted with electric vehicle charging points as required under Local Plan Policy TM4.
- 8.21 With regards to cycle parking, cycle parking stands are to be provided to the north east corner of the undercroft car parking on the basis of 1 space per dwelling. It is not indicated where the provision for the commercial unit would be located. It is possible that there would be space within this area to accommodate this requirement. In the event of an approval, a condition is proposed requiring this detail to be submitted prior to use of the unit.
- 8.22 **On balance, given the location of the development close to existing shops, facilities and transport links, the shortfall in parking is judged to be acceptable and not a significant reason to recommend refusal of the application alone. Furthermore, there is not considered to be a significant impact upon the surrounding highway network. The proposal is therefore considered to satisfy the requirements of Local Plan Policies TM1, TM2, TM3, TM4 and TM5 T11 and the NPPF.**

Impact Upon Residential Amenity

- 8.23 The previous submissions did not present any issues relating to residential amenity in terms of outlook, privacy and overshadowing. The main part of the building has not substantially increased in scale and mass to otherwise alter that consideration.

Additional windows within the north elevation of the front element of the main building are now proposed that would face towards the blank southern side of the public house. The separation distance would be approximately 13m and would comply with the SPG, furthermore these are secondary windows and do not afford the outlook necessary for the main windows serving these flats. There would be no overlooking concerns arising in this regard or loss of outlook for future residents.

- 8.24 In terms of the proposed extension to the north elevation this would project towards the northern boundary and would be located adjacent to the pub external seating space, there would not be any residential amenity concerns relating to this element of the scheme.
- 8.25 The internal section of the building is a similar arrangement to the apart-hotel which was considered acceptable. The application now being for full residential now introduces balconies into this section of the building. The window-to-window separation distance at the widest section would be 18m. However, the windows are over a communal courtyard that has a more public aspect to it similar to that of street fronting windows. As set out in the SPG, this arrangement would afford a lesser distance between windows than the back-to-back arrangement between dwellings that would require 25m separation distance. Being within the confines of the main building a greater separation distance would not be achievable. The application proposes suitable screening between balconies that project from the main structure. The separation distance at the closest point would be 13m, however part of the rear wall of the frontage section of the building would have high level windows and a green wall that would provide a pleasant outlook for the flats opposite this wall. The dwellings within the proposed northern extension would face towards the High Street to the west with limited obstruction and towards the Royal Mail depot to the east.
- 8.26 The dwelling sizes, bedroom and bathroom sizes would comply with national space standards and the SPG. The studio apartments would have an open plan arrangement to allow flexibility in the living arrangement.
- 8.27 As previously stated, there would be three areas of communal external amenity space within the courtyard terrace and two roof terraces. Several of the flats also have balconies.
- 8.28 With regards to noise, within the previous approval a condition was imposed requiring the submission of a noise assessment. The building is located adjacent to the car park for the Royal Mail depot, neighbouring commercial service yards and there are externally mounted condenser units at neighbouring buildings. However, this is a town centre location where such noise matters are inevitable. Furthermore, concerning noise and air quality there is limited through traffic to the front of the site now that the new pedestrian square has been completed and limited traffic to the rear other than vehicles entering the Royal Mail depot. The applicant advises that double glazing and mechanical ventilation would be put in place throughout the building in order to comply with building regulations. These are considered suitable mitigation measures to alleviate concerns relating to external noise within the town centre and air quality.
- 8.29 With regards to landscaping, the plans indicate that planting would be provided around the rear boundary of the site. This is considered appropriate to provide a level of soft landscaping following removal of existing unmaintained foliage.

Planters are also proposed upon the courtyard terrace and roof terraces to provide an attractive environment for future residents. In the event of an approval, a condition is recommended requiring further landscaping details to be submitted as per the previous approval. Furthermore, external lighting of these areas may have potential to cause a light nuisance to nearby neighbouring occupants. In this instance, a condition is recommended requiring the details of the lighting scheme to be submitted for approval prior to occupation.

- 8.30 **Overall, the proposal presents an acceptable level of amenity for both existing and future occupiers in accordance with Local Plan Policies EQ1, EQ2, EQ3, EQ4 and NEB4 and the SPG.**

Surface Water and Drainage

- 8.31 The application site is located within Flood Zone 1 and therefore an area with low probability of flooding. However, the consideration of surface water management is relevant. A Surface Water Strategy report has been submitted that is largely similar to that previously considered acceptable. It is proposed to provide a raised rain water planter or “rain garden” at the base of the rainwater pipes that would serve the attenuation and flow control from the extension at the rear of the building. The planters are considered to offer sufficient storage volume in a storm event that would incorporate an overflow pipe into the existing drain. A geo-cellular system beneath the car park to the north of the building is also proposed. This feature is designed for shallow groundwater storage or infiltration and balances the soil permeability within the area of the system supporting the surface water attenuation within the site.
- 8.32 Herts County Lead Local Flood Authority has raised no objection to the proposal subject to condition requiring the detailed surface water drainage scheme to be submitted for approval showing final detailed engineering drawings and post development calculations.
- 8.33 The applicant has provided confirmation that Thames Water would not object to the surface water disposal into the public sewer as the flows are to be restricted through the proposed drainage strategy. Furthermore, Thames Water has also confirmed that there is sufficient capacity for foul water disposal within the sewer network.
- 8.34 **Overall, the proposal satisfactorily addresses surface water drainage within the site in accordance with Local Plan Policies W4 and W5 and the National Planning Policy Framework.**

Refuse and Recycling

- 8.35 The ground floor plan presents space for the required number of bins to serve the dwellings in response to the Council’s Waste Management advice. The bin storage location is to the north east of the building adjacent to the rear service road. The commercial bin storage would be adjacent to the access point, similar to the arrangement for the former bingo hall. The bin storage locations would be within 10m of the collection points to the front and rear. The bin store would be within 30m of any external door serving the flats.

- 8.36 **Provision has been made for the storage of refuse and recycling that would comply with the Council's Waste Supplementary Planning Guidance.**

Ecology and Biodiversity

- 8.37 The application site is previously developed and located within an existing town centre. There would be limited impact upon existing ecology. There is potential to enhance the opportunity for ecology and biodiversity to a certain extent upon the roof top terraces and within the raised planters to the rear. Furthermore, Herts and Middlesex Wildlife Trust recommend that the building would be suitable for integrated bird boxes – particularly Swift - and that these should be placed high up on the building in the brickwork to the eastern or southern aspects. A condition is therefore recommended requiring the submission of the model and location of these.
- 8.38 **The proposal would provide opportunities to enhance biodiversity within the urban area above that which currently exists in accordance with Local Plan Policies NEB1 and NEB4 and the NPPF.**

Affordable Housing and Planning Obligations

- 8.39 In accordance with Local Plan Policies H2 and PO1, the development would be subject to the provision of affordable housing and contributions towards local infrastructure and community facilities.
- 8.40 The proposal is for market housing in its entirety and no affordable housing is proposed. On sites of more than 10 dwellings 40% affordable housing is sought, this proposal would generate the requirement for 37 affordable units. The sum sought for community contributions in the previous application was £188,901 and the applicant completed a Section 106 to that effect. The same contributions are being offered within this submission. The applicant states that the project would not be viable if any additional housing and infrastructure benefits are sought.
- 8.41 Officers have disputed this claim and commissioned an independent review of the submitted viability assessment. The results of the review found that the £188,901 contribution offered by the applicant is insufficient and that the scheme is capable of supporting a further contribution of £102,713 towards affordable housing off-site. Therefore, the total contribution would be **£291,614**. The applicant has agreed to this sum.
- 8.42 The applicant would be required to enter into a new S106 agreement which would include details required for a management company that would manage and maintain the communal areas, landscaping, parking areas, SuDs features, any mechanical ventilation systems that may be installed and bin storage areas and collections.
- 8.43 **It is considered lawful and appropriate to require planning obligations, provided they are in accordance with the Community Infrastructure Levy Regulations 2010. The obligation is considered to be necessary in planning terms, reasonable in scale, and directly related to the development. As such the obligation is considered to comply with the Community Infrastructure Levy Regulations 2010. The application does not provide any affordable**

housing to meet the needs of the locality and is therefore contrary to Local Plan Policy H2.

9.0 CONCLUSION

9.1 The proposed redevelopment would be a positive contribution to the future aspirations of enhancing the town centre whilst respecting the design of the original building and its historic appearance. The development would bring back into use a vacant building located within the heart of the town centre. The application presents a high quality scheme that would add considerable value to the southern area of the High Street. As such, this revised scheme is not considered to negatively harm the character and appearance of the area. There is not considered to be any highway safety implications arising from the proposal and the car parking provision is considered acceptable. Residential amenity is not considered to be significantly compromised for existing nearby residents and the amenity of future occupants for the units has been suitably considered. The refuse and recycling arrangement is suitably considered. The scheme would enhance the biodiversity of the urban area.

9.2 Contributions are to be sought towards local projects and affordable housing without comprising the quality of the scheme.

10. RECOMMENDED that: planning permission be granted subject to completion of a S106 agreement and the following conditions:

- 1. Time limit.**
- 2. Development in accordance with the numbered plans.**
- 3. External materials (including architectural details for the fenestration, signage, balconies and green walls).**
- 4. Details of the means of enclosure of the roof terraces and courtyard terrace.**
- 5. Details and location to be submitted for the historical commemoration of the historical use of the building**
- 6. Cycle parking to be provided in accordance with approved plans, prior to first use.**
- 7. Refuse/recycling storage areas to be provided and available prior to first use.**
- 8. Landscaping scheme to be submitted and approved prior to commencement (including courtyard area and roof terraces).**
- 9. Landscaping retention.**
- 10. In accordance with the submitted surface water drainage strategy and mitigation measures within.**
- 11. Detailed surface water drainage scheme submitted prior to commencement, to include – detailed engineered drawings of the SuDS features; flow routes for flood events; and final detailed management plan.**
- 12. Prior to first use, all vehicular areas to be surfaced, accessible and marked out etc.**
- 13. Additional plans submitted to show the detailed design of the pedestrian dropped kerbs, tactile paving and signage prior to use and installed as approved.**

- 14. Details of Construction Environmental Management Plan (to include phasing, methods for accessing the site, construction routing/movements, deliveries, highway works, hours of work, construction noise management scheme, wheel washing details, storage of materials, measures to reduce dust/dirt, parking of site operatives, facilities for site operatives, details of any site hoardings, public highway user safety and signage, construction waste management and details of consultation with local businesses/occupants) shall be submitted prior to commencement.**
 - 15. Hours of construction.**
 - 16. No further windows to flank elevations.**
 - 17. Installation of EV charging points prior to occupation.**
 - 18. Land contamination assessment.**
 - 19. In the event contamination is found and not previously identified to be reported to the LPA.**
 - 20. Submission of an asbestos survey prior to demolition.**
 - 21. Model and location of integrated bird boxes to be submitted for approval.**
 - 22. Lighting strategy to be submitted for approval.**
-