

## **DEVELOPMENT MANAGEMENT COMMITTEE**

**28 JANUARY 2016**

Present: Councillor R Martins (Chair)  
Councillor G Derbyshire (Vice-Chair)  
Councillors S Bashir, S Johnson, I Sharpe, M Turmaine and  
T Williams

Also present: Councillor Keith Crout, Councillor Mark Hofman, Councillor  
Derek Scudder and Councillor Linda Topping

Officers: Head of Development Management  
Development Management Team Leaders  
Principal Planning Officer  
Committee and Scrutiny Support Officer

### **57 APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP**

Apologies had been received from Councillor Bell.

No apologies had been received from Councillor Whitman.

### **58 DISCLOSURE OF INTERESTS (IF ANY)**

There were no disclosures of interests.

### **59 MINUTES**

The minutes of the meeting held on 7 January 2016 were submitted and signed.

### **60 15/01634/FULM 28-46 HEMMING WAY, WATFORD**

The Committee received the report of the Head of Development Management, including the relevant planning history of the site.

The Development Management Team Leader (PB) introduced the item, explaining that the application followed the refusal of application 15/00719/FULM by the Committee on 29 October 2015 on the grounds of design. The current proposal was identical to the previous scheme in all respects other than the design of the proposed buildings and the size of some of the two bedroom flats.

He drew attention to the update sheet, which included a review of the amended design from Design South East.

The Chair invited Mrs Jane Owen of Save the Bungalows to speak in objection to the application.

Mrs Owen explained that she was speaking on behalf of the Hemming Way community, which strongly opposed the revised proposal. Despite assurances that local residents would be consulted on the changes, Watford Community Housing Trust had submitted its amended application prior to speaking with residents.

There was widespread local opposition to the new design, which looked like an office block, restricting light and views to surrounding properties. Changes were cosmetic. The resulting design was out of character and an overdevelopment of the area. Residents were concerned that it would set an unwanted precedent for future developments.

Mrs Owen reiterated residents' issues about the loss of green space and the encroachment the development would make onto the children's play area. There were additional concerns about the loss of social housing, as well as practical concerns about the lack of public transport links in the local area and access difficulties along narrow roads for refuse and emergency vehicles.

The Chair invited Mr Gareth Lewis from the Watford Community Housing Trust (WCHT) to speak for the application.

Mr Lewis commented that, set against a pressing need for housing in the Borough, the principal issue was whether the amended design met the previous concerns of the Development Management Committee.

Following the Committee's comments at its October meeting, when the previous application had been considered, WCHT had responded positively, including consulting with the Elected Mayor's design champion. The resultant design sought to reduce the visual impact of the buildings, utilising new materials to reflect the appearance of the surrounding buildings.

The result was a 100% affordable housing scheme, which would attract a significant grant from the Housing and Communities Agency.

Mr Lewis drew the Committee's attention to the fact the statutory consultees as well as officers at Watford Borough Council had not raised any objections to the revised design.

The Chair thanked the speakers for their contributions. He then invited Councillor Crout, Stanborough Ward Councillor, to speak to the Committee.

Councillor Crout added his concerns about WCHT's lack of consultation with local residents on their amended application. The result was that local residents felt their issues regarding the inappropriate development of this quiet residential area had been ignored. He urged WCHT to continue dialogue with residents.

Whilst he had sympathy for WCHT in the light of diminishing funding from central government to meet local housing requirements, Councillor Crout expressed the view that the need for social housing in Watford had been overlooked. He was concerned that Watford was becoming a town in which only the affluent could afford to live.

The Chair opened the debate to Committee members, reminding them that it was important to focus on the design issues of the application, since these were the grounds given for the original refusal.

Councillor Williams commented that the amended application appeared very similar to that placed before the Committee in October. Although he shared residents' concerns about the impact on local highways and the strain on sewerage provisions in the Leavesden Green area, the statutory consultees had not raised objections. Despite this, he continued to have significant concerns about the design of the development and wished to move a motion to refuse.

Following a question from Councillor Turmaine, the Development Management Team Leader clarified that issues regarding the process undertaken to relocate tenants from the bungalows to alternative accommodation was not a planning matter and could not form part of the Committee's deliberations.

Members acknowledged that firm grounds for refusal were required which the council could defend if the application went to appeal. The Committee needed to make its decisions in a climate where there was an overriding presumption in favour of development. Whilst the amended design still represented a major change of character for the local area, WCHT had made a number of changes in response to the points that were the basis of the committee's decision to refuse the original application. These changes could not be described as merely cosmetic.

The Chair invited Councillor Williams to propose a motion to refuse the application on similar grounds to the previous refused application, particularly that it was out of character, having the appearance of being overdeveloped. On being put to the Committee, the motion was LOST.

The Chair then moved the officer recommendation.

RESOLVED –

That, pursuant to a planning obligation under s.106 of the Town and Country Planning Act 1990 having been completed to secure the following Heads of Terms, planning permission be granted subject to the conditions listed below:

Section 106 Heads of Terms

- i) To secure all 32 of the units as affordable housing for affordable rent and social rent.

- ii) To secure the provision of fire hydrants as required by the County Council to serve the development.

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.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings:-  
  
0408 DD 010  
0408 PL 011, 020, 050, 100, 101, 102, 103, 110, 200, 201, 202, 300, 400  
ALA265 L01 PL5, L03 PL2, L05 PL3, L06 PL1.
3. No demolition or construction of the 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.
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 for the relevant demolition and construction phase. Each Plan shall include details of temporary access for demolition/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. Each Plan as approved shall be implemented throughout the relevant demolition and construction periods.
5. No impact piling shall take place 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.
6. 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 balcony railings, 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.
7. No construction works shall commence until details of the window and door reveals, recessed panels and capping to the walls, 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 details.

8. The development permitted by this planning permission shall only be carried out in accordance with the drainage strategy prepared by Price and Myers dated October, 2015 and the mitigation measures detailed within the drainage strategy:
- i) Implementing appropriate SuDS measures giving priority to above ground measures such as green and brown roofs, permeable pavements and soakaways, as shown in Appendix D of the new drainage strategy prepared by Price and Myers.
  - ii) Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 120.9 m<sup>3</sup> of total storage volume in two soakaways, as shown in appendix C of the revised surface water drainage strategy.
  - iii) Discharge of surface water via infiltration from the two soakaways.
  - iv) Commitment by the applicant to the SuDS maintenance programme included in section 4.5 of the revised FRA

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.

9. No construction works shall take place until the final design of the soakaways, permeable pavements and green and brown roofs, and the drainage network has been submitted to and approved in writing by the Local Planning Authority. Between both soakaways, a storage volume of 120.9 m<sup>3</sup> should be provided. The design of all SuDS elements including the detailed engineering design should be in line with best practice standards as shown in *The SuDS Manual* (CIRIA C-697).
10. 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. 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 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.
11. No part of the development shall be occupied until full details of a hard landscaping scheme, including details of all site boundary treatments and all fencing within the site, 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.

12. No part of either building shall be occupied until details of the size, design and appearance of the respective bin store and the cycle store for that building, as shown in principle on drawing no.0408 PL 020, have been submitted to and approved in writing by the Local Planning Authority and the respective bin store and cycle store have been constructed in accordance with the approved details. The bin and cycle stores should be designed to be weatherproof and secure.
13. No part of the development shall be occupied until the 48 car parking spaces shown on drawing no.0408 PL 020, including the access junctions with Hemming Way, have been laid out and constructed in full. These spaces shall be retained for parking cars at all times.
14. No part of the development shall be occupied until the section of Hemming Way within the application site has been stopped up and the new vehicle accesses, pedestrian footpaths and parking arrangements have been constructed in full, as shown in principle on drawing no. 0408 PL 020.

#### 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 32 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 permission/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.

**15/01343/FUL 114, HEMPSTEAD ROAD, WATFORD**

The Committee received the report of the Head of Development Management, including the relevant planning history of the site and details of responses to the application.

The Development Management Team Leader (PB) introduced the item, explaining that the application was to demolish the existing detached dwelling and erect two, two-storey blocks comprising nine flats with 20 car parking spaces.

The Chair invited Mr Waqar Rashid to speak on behalf of local residents in objection to the application.

Mr Rashid explained that he had lived on Hempstead Road for some 10 years and was speaking on behalf of a wide range of local residents in the surrounding roads to the application site. Whilst residents were not against a development *per se*, they felt that the current application was not acceptable.

Residents were critical of the size and scale of the proposed units and did not feel that their concerns had been taken on board adequately during the pre-application phase, particularly regarding loss of light and overlooking. Moreover, there were issues regarding vehicular access and the detrimental impact this would have on the ability of neighbouring properties to enjoy their back gardens.

Mr Rashid suggested that Council housing targets should not be met at the expense of good design.

The Chair thanked the speaker for his contribution. He then invited Councillor Hofman, Nascot Ward Councillor, to speak to the Committee.

Councillor Hofman expressed concerns about the bulk and scale of the proposed development. Hempstead Road was a good, well connected location. Whilst he accepted the need for development of the site, an application for family housing would have been more appropriate.

There was a danger that, if approved, the development would have a domino affect on future applications. The local area would become dominated by large, overbearing flats, which had little regard for local communities.

Councillor Hofman questioned the view of Hertfordshire County Council as the Highway Authority that the development would not generate significant additional car journeys on an already congested main artery.

The Chair opened the debate to Committee members.

Following a query from the Chair, the Development Management Team Leader clarified that there was a range of different housing styles in the area. As such, it was difficult to defend a suggestion that the proposed development would have a negative impact on the character of the area.

In a further query, the Development Management Team Leader advised that with any development some oblique overlooking was inevitable. However, the spacing in the proposed application was significantly in excess of design guide requirements.

Committee members expressed some frustration at the narrow grounds on which they were able to refuse applications and the presumption in favour of development, which had been discussed during deliberations on the previous application. It was agreed that the level of harm to surrounding properties voiced by local residents did not provide sufficient grounds to refuse the application.

The Chair moved the officer recommendation.

RESOLVED –

That planning permission be granted subject to the following conditions:

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.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings:-  
  
Site location plan  
15/109/101B, 102B, 103B, 104B, 201B
3. No demolition or construction of the development hereby permitted shall take place before 8am or after 6pm Mondays to Fridays, or at any time on Saturdays, Sundays and Public Holidays.
4. No demolition or construction works shall commence within the site until an Environmental Management Plan has been submitted to and approved by the Local Planning Authority. This Plan shall include the timing of deliveries and collections by heavy goods 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 development period.
5. No demolition or construction works shall commence until details for the formation of a temporary access for construction vehicles across the root protection zones of the protected trees at the front of the site have been submitted to and approved in writing by the Local Planning Authority and the approved measures have been installed. These measures shall be retained at all times during demolition and construction works.



6. No demolition or construction works shall commence until a detailed tree protection plan (based upon the submitted Phase II Arboricultural Impact Assessment (Ref.835)) for the protection of all trees and hedges to be retained on the site (including the preserved trees on the Hempstead Road frontage and existing trees and hedges along the southern and northern boundaries of the site) has been submitted to and approved in writing by the Local Planning Authority and the approved measures have been installed. These measures shall be retained at all times during demolition and construction works.
7. No construction works shall commence until details for the no-dig construction of the permanent access road, the 3 parking spaces in front of Block A and the entrance path to Block A, all within the root protection zones of the protected trees at the front of the site (as shown on the Tree Protection Plan in Appendix 2 of the Phase II Arboricultural Impact Assessment) have been submitted to and approved in writing by the Local Planning Authority. These details shall utilise the InfraWeb Tree Root Protection System (or other similar system agreed by the Local Planning Authority) and shall include site specific installation method statements. No dwelling shall be occupied until the approved measures have been installed in full.
8. No construction works shall commence until details of a sustainable surface water drainage scheme for the development has 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.
9. No construction works shall commence until a detailed scheme for the provision of mains water services to serve the development, including, where necessary, fire hydrants, has been submitted to and approved in writing by the Local Planning Authority. No occupation of the development shall take place until the approved mains water scheme been provided in full.
10. No construction works shall commence until detailed plans showing the existing and proposed ground levels within the site and the ground floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.
11. No construction works shall commence within the site until details of the routing of all below ground services and cabling (electricity, gas, telephone, foul water, surface water, etc), including any temporary connections for site huts, showing depth, width and routing of all trenches, have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

12. No dwelling shall be occupied until the new access junction to Hempstead Road, as shown in principle on approved drawing no. 15/109/201B has been constructed in full.
13. No construction works shall commence until details of the materials to be used for all the external finishes of the buildings, including walls, roofs, doors and windows 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.
14. No construction works shall commence until details of an external lighting scheme for the site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be installed as approved before the first occupation of any part of the development.
15. No dwelling shall be occupied until details of the design and materials of the bin stores and the cycle stores, as shown in principle on drawing no.15/109/201B, have been submitted to and approved in writing by the Local Planning Authority and the bin stores and cycle stores have been constructed in accordance with the approved details. The bin stores and cycle stores shall be retained as approved at all times.
16. No dwelling 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.
17. No dwelling shall be occupied until full details of a hard landscaping scheme, including details of 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.
18. No dwelling shall be occupied until the 18 car parking spaces, as shown on approved drawing no.15/109/201B, have been constructed in full. These spaces shall be retained for the parking of cars at all times.
19. The windows on the north and south facing elevations of Block A and Block B, shown on the approved drawings as being 'fixed obscure glazing' shall have non-opening, fixed lights and be fitted with obscured glazing at all times.

#### Informatives

1. 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.

2. Construction standards for works within the highway. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

62

#### **15/00849/FULM WATFORD CAR SALES, DOME ROUNDABOUT**

The Committee received the report of the Head of Development Management, including the relevant planning history of the site and details of responses to the application.

The Development Management Team Leader (HB) introduced the item, explaining that the application involved the erection of a part three and part four storey building providing 18 flats, of which six would be affordable housing units. The scheme included 18 car parking spaces, an amenity space plus bins and cycle storage space.

During his introduction, the Development Management Team Leader drew the Committee's attention to the update sheet, which listed two amendments to the papers as well as two additional conditions.

He further advised that the report had stated, in error, that the development was in Meriden rather than Stanborough ward. This fact had not affected the neighbour and statutory consultations carried out by Watford Borough Council.

The Chair invited Councillor Scudder, Stanborough Ward Councillor, to speak to the Committee.

Councillor Scudder expressed some dismay about the errors contained in the report, as well as frustration at the difficulty of finding accurate information about the responses to the public consultation on the Council's website. He

considered that these issues undermined confidence in the report and should provide grounds for refusal.

Looking at the detail of the application itself, Councillor Scudder commented that the proposed redevelopment of the Dome Roundabout site was ugly and out of scale and character with the area. It would dominate surrounding dwellings, particularly those located on Purbrock Avenue.

He urged the Committee to refuse the application.

The Chair opened the debate to Committee members.

Committee members shared Councillor Scudder's concerns about the inaccuracies in the report. In addition, they were keen to receive some clarification about the rationale behind the officer's recommendation to approve the application, despite objections raised in the statutory consultations, particularly from Hertfordshire County Council Highways and Environmental Health.

Members also drew attention to the comments from the Urban Design and Conservation Manager and it was suggested that a site visit might be useful to assess the impact of the development on this prominent site to the character and appearance of the area.

The Chair proposed that the application be deferred to a later meeting, to enable officers to provide the clarification requested by the Committee. This deferment might also afford an opportunity to arrange a site visit.

On being put to the vote, the application was deferred.

63

#### **15/01203/FULM 200 AND 204 RICKMANSWORTH ROAD, WATFORD**

The Committee received the report of the Head of Development Management, including the relevant planning history of the site and details of responses to the application.

The Principal Planning Officer introduced the report, explaining that the application was to demolish the existing buildings at 200-202 (industrial buildings) and 204 (a Ford car dealership) Rickmansworth Road. A new, larger car showroom would be built on the site.

The Chair invited Margaret Walsh to speak on behalf of local residents in objection to the application.

Mrs Walsh explained that she was representing the concerns of a local residents to the application site. These centred on a number of detailed concerns, including:

- contamination from the fuel tanks from the former filling station, which had been inadequately addressed in the applicant's Remedial Strategy document. Residents considered that further investigative work should be undertaken by the Environment Agency
- the need for greater noise abatement in the form of a requirement for the garage to keep its doors closed
- parking issues, particularly the displacement effect of vehicles to the surrounding streets during the frequent vehicle deliveries. In addition, local residents expressed on-going concerns about parking by workers and visitors to the garage on local roads. This was particularly problematic at Royal Court
- detrimental impact of external lighting
- disturbance caused by engines idling.

Residents considered that the site would be better used for housing rather than industrial purposes.

Following a request from the Chair to clarify the issues about the contamination assessment, the Principal Planning Officer commented that the Council had accepted residents' concerns and included an additional condition (4) in the officer recommendation.

In response to Councillor Bashir's query about whether it would be possible to impose a further condition to meet residents' concerns about noise abatement by requiring that the doors of the vehicle serving workshop be kept closed at all times, the Principal Planning Officer advised that any conditions would need to be reasonable and enforceable. It would not be possible to monitor the garage all the time to impose such a condition.

Councillor Derbyshire commented that as ward Councillor he had not received any complaints from local residents regarding on-going parking issues in the area as a consequence of the garage business.

The Chair moved the officer recommendation.

RESOLVED –

That planning permission be granted subject to the following conditions:

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.
- 2 Construction of the development hereby permitted shall not take place before 8am or after 6pm Mondays to Fridays, before 8am or after 1pm on Saturdays and not at all on Sundays and Public Holidays.
- 3 The development shall be carried out in accordance with the following drawings and documents, unless otherwise approved in writing by the

Local Planning Authority: drawing AR57015-100 revision E, drawing AR57015-101 revision E, drawing AR57015-102 revision F, drawing AR57015-103 revision F, drawing AR57015-104 revision B, drawing AR57015-105 revision F, drawing AR57015-106 revision A, drawing AR57015-107 revision A, drawing AR57015-110 revision B, drawing 12050-SK005 revision P1, Design and Access Statement, Design Proposal Document, Transport Statement

- 4 No work shall commence at 204 Rickmansworth Road (although it may commence at 200-202) until a Groundworks Specification and Method Statement has been submitted to and approved in writing by the Local Planning Authority, including an analysis of the ground and of any contaminants or potential sources of contamination that are found there, and details of the proposed method for removing them or rendering them safe.
- 5 The vehicle showroom shall not be occupied until details of the refuse and recycling stores have been submitted to and approved in writing by the Local Planning Authority.
- 6 No external lighting shall be installed unless it has been approved in writing by the Local Planning Authority. Any details submitted for approval shall include the position, height and angle of the lighting, the maximum level of illumination in candelas per square metre, and an assessment of its likely impacts on the safety of passing traffic and on the amenity of neighbouring premises
- 7 The development permitted by this planning permission shall be carried out in accordance with the approved drainage strategy report carried out by Campbell Reith Consulting Engineers reference 12050 dated 11 November 2015 and the following mitigation measures detailed within the Drainage Strategy Report:
  1. Limiting the surface water run-off rates to 40l/s.
  2. Implementing appropriate sustainable urban drainage measures as shown on drawing no. 12050-CD02 P3 title Proposed Drainage Layout.
  3. Provide storage volume of 87.4m<sup>3</sup> to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
- 8 The vehicle showroom shall not be occupied until a maintenance plan detailing key operations and management has been submitted to and approved in writing by the Local Planning Authority to demonstrate that the proposed rainwater drainage scheme can be adopted and maintained for its lifetime.
- 9 No loading or unloading of cars to or from any car transporter associated with the use of the site shall take place except within the boundary of the application site as denoted on drawing no AR57015-110 revision B.

## Informatives

- 1 For details of how the Local Planning Authority has reached its decision on this application please refer to the planning officer's report, which can be obtained from the Council's website [www.watford.gov.uk](http://www.watford.gov.uk), where it is appended to the agenda of the Development Management Committee meeting of 28 January 2016; and also to the minutes of that meeting.
- 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 2015. We advised the applicants that the scheme was unacceptable as it had originally been presented, and we allowed an extension of time to enable them to revise their scheme and submit further drawings and supporting documents and to allow for further public consultation.
- 3 The development that is hereby approved is liable for contributions under the Community Infrastructure Levy (CIL). Please contact the Planning Support team at Watford Borough Council (tel 01923 278327) if you have any queries about the procedure to be followed as regards making those contributions prior to the commencement of the development.
- 4 This permission does not remove the need to obtain any separate consent, which may be required under the Buildings Act 1984 or other building control legislation. Nor does it override any private rights which any person may have relating to the land affected by this decision. To find more information and for advice as to whether a Building Regulations application will be required please visit [www.watfordbuildingcontrol.com](http://www.watfordbuildingcontrol.com).

64

### **15/01554/FULM MERCEDES-BENZ, COLNE BRIDGE RETAIL PARK, LOWER HIGH STREET, WATFORD**

The Committee received the report of the Head of Development Management, including the relevant planning history of the site and details of responses to the application.

The Development Management Team Leader (PB) introduced the item, explaining that the proposal involved the erection of a decked car park and a double height external car showroom, adjacent to the existing buildings, sited over the existing surface level parking area within the central part of the site.

The parking deck would increase the number of parking spaces on the site from 131 to 206, providing customer parking, operational parking and the display of used cars for sale.

There were no comments from the Committee and the Chair moved the officer recommendation.

RESOLVED –

That planning permission be granted subject to the following conditions:

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.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings:-  
  
P-Site-01 P04, P-Site-02 P02, P-Site-03 P02  
P-00-01 P02P-01-01 P02, P-02-01 P04, P-03-01 P04  
E-01 P02, E-02 P02  
S-01 P02, S-02P 02, S-03 P01, S-05 P01, S-06 P01
3. No development works shall commence until a Phase 2 Ground Investigation Study, detailing any proposed remedial works, has been submitted to and approved in writing by the Local Planning Authority. Where remedial works are proposed, no part of the development shall be occupied until a Verification Report, confirming these works have been completed, has been submitted to and approved in writing by the Local Planning Authority.
4. No development works shall commence until a detailed schedule of external materials and samples to be used for the development has been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.
5. The development permitted by this planning permission shall be carried out in accordance with the approved flood risk assessment (FRA) prepared by Hydrock Ref: R/C151707/001.02 dated October 2015. 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.
6. No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. The details of the drainage scheme shall:
  - i) Provide a fully detailed drainage plan, showing pipe runs, diameters, location of SuDS features and discharge point.
  - ii) Indicate the location of the discharge point.



- iii) Demonstrate that proposed drainage scheme ensures that no flooding will occur during any rainfall event up to and including the 1 in 30 year event.

The approved details shall be managed and maintained thereafter in accordance with the approved details.

7. No loading or unloading of cars to or from any car transporter associated with the use of the site shall take place except within the boundary of the application site as denoted on drawing no. P-Site-01 P04.

#### Informative

1. 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 undertook discussions with the applicant's agent during the application process.

65

#### **15/01670/VAR ROUNTON, 28, NASCOT WOOD ROAD, WATFORD**

The Committee received the report of the Head of Development Management, including the relevant planning history of the site and details of responses to the application.

The Development Management Team Leader (PB) introduced the item, explaining that the application related to the site known as Rounton at 28, Nascot Wood Road which had been granted outline planning permission in July 2013 (13/00450/OUTM). A reserved matters application for the erection of 20 dwellings was approved in June 2014 (14/00497/REM) and the houses were currently under construction.

Condition 20 of the outline permission required the new access junction on Nascot Wood Road, including the removal of the existing chicane and the formation of a raised table across the junction, to be completed before first occupation. The applicant had requested that the time period for the works be extended.

The Development Management Team Leader drew the Committee's attention to the update sheet, which provided details about an agreement reached between Hertfordshire County Council Highways and the applicant about the timing of the junction works.

The Chair invited Victoria Roe from Persimmon Homes to speak for the application.

Ms Roe explained that Persimmon Homes was seeking to vary the condition to allow time for the junction works to be carried out in accordance with the access granted by Hertfordshire County Council, as Highway Authority.

Persimmon Homes understood residents' frustrations at the current arrangement, however it did not present any highway safety issues. No occupations had been permitted on the site pending the Committee's decision.

Ms Roe assured the Committee that Persimmon Homes was seeking to amend, rather than avoid the condition.

The Chair thanked the speaker for her comments and invited Councillor Topping, Nascot Ward Councillor, to speak to the Committee.

Councillor Topping expressed local residents' annoyance at the delay in carrying out the junction works. It was felt that the works should have been required to be carried out prior to the commencement of the development.

She sought assurance that the works would be carried out according to a strict timetable, without slippages. Nascot Wood Road was one of Watford's key arteries and the works progress should be monitored closely.

Councillor Topping further requested that the cycle path be incorporated into the new road arrangement and that the shoulders of the table should not impose on neighbouring properties.

The Chair opened the debate to Committee members.

Committee members expressed their frustration at the current state of affairs, which saw Watford Borough Council caught between the developer and the Highway Authority without any real ability to bring about a resolution. Moreover, there were concerns that an amendment to the condition would remove the Council and County Council's leverage on the developer to complete the works.

The Development Management Team Leader advised that the s278 agreement included a bond payment by the developer which, in the event of Persimmon Homes not carrying out the junction works, could be used to cover the costs of the County Council undertaking the work itself.

The Chair moved the officer recommendation.

RESOLVED –

That planning permission be granted subject to:

- i) the completion of a deed of variation to link the new planning permission to the original s.106 agreement dated 29<sup>th</sup> July 2013, forming part of planning permission ref. 13/00450/OUTM, to ensure the obligations contained in this agreement continue to apply to the new planning permission, and

ii) the conditions as set out below:

Conditions

1. The development shall only be constructed in accordance with the details shown on the following approved drawings:

The development shall only be constructed in accordance with the details shown on the following approved drawings:

11.060.100 Rev.9 (black and white), 11.060.100 Rev.9 (colour),  
11.060.101, 11.060.102 Rev.9, 13.060.103 Rev.9, 13.060.104 Rev.9,  
11.060.105 Rev.A (all Eric Cole Architecture)  
11.060.01A, 02A, 03, 04A, 07A, 08A, 09A, 10A, 11A, 12A, 15A, 16A, 17A,  
18A, 19, 20A, 30A, 31, 32 (all Eric Cole Architecture)  
P694/1 (PFA Consulting)  
100D (hardsurfacing details only), 201D (hard landscaping only), 500D,  
501C, 502B, 701B (arboricultural construction works only) (all RPS)  
Typical Tree and Shrub Palette (RPS)  
Materials Schedule

2. The development shall only be carried out in accordance with the approved schedule of external materials and hard landscaping.
3. The development shall only be carried out in accordance with the tree protection measures shown on approved drawing no. 701 Rev.D (RPS).
4. Construction of the development hereby permitted shall not take place before 8am or after 6pm Mondays to Fridays, before 8am or after 1pm on Saturdays and not at all on Sundays and Public Holidays unless agreed in writing by the Local Planning Authority.
5. The development shall only be carried out in accordance with the approved Construction Environmental management Plan Rev.A dated 26<sup>th</sup> September 2014.
6. The development shall only be carried out in accordance with the ground levels and finished floor levels of the proposed houses as shown on approved drawing no. 5029:02 (MJA Consulting).
7. The routing of below ground services shall only be carried out in accordance with the following approved drawings:  
  
Affinity Water - Drawing no. 44258-01 Rev. T1  
Virgin Media - Unnumbered drawing  
BT Openreach - Unnumbered drawing
8. The foul and surface water drainage scheme, shall only be constructed in accordance with the following approved drawings:

Drawing no. 5029:01E (MJA Consulting)  
Drawing no. 5029:2 (MJA Consulting)  
Drawing no. 5029:22 (MJA Consulting)  
Drawing no. 5029:23 (MJA Consulting)

No dwelling shall be occupied until the drainage scheme has been constructed in accordance with the approved details.

9. No dwelling shall be occupied until a post construction stage final certificate has been submitted to and approved in writing by the Local Planning Authority to demonstrate that the dwelling has achieved code level 3 of the Code for Sustainable Homes.
10. The external lighting scheme for the site shall only be installed in accordance with the approved drawing no. 5029:01E (MJA Consulting) and utilising the DW Windsor DW400 lantern on 5m high columns. The scheme shall be installed as approved before the first occupation of any part of the development.
11. The development shall only be carried out in accordance with the bat mitigation strategy and method statement detailed in the following approved documents:  
  
Bats – Method Statement template to support licence application (Natural England)  
Drawing nos. C5A, C5B, E.2.A, E.3.a, E.4.A, E2A, C.6.B, C.6.C, C.6.D, D (all RPS)
12. No trees, scrub or hedges on the site shall be lopped, topped, felled, grubbed up or otherwise removed from the site between 1st March and 31st August in any year unless a suitably qualified ecologist has previously surveyed the trees, scrub or hedges and certified in writing to the Local Planning Authority that such works of removal are unlikely to harm any protected species.
13. The approved soft landscaping scheme shall be carried out as approved not later than the first available planting and seeding season after completion of each phase 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.
14. Car parking provision for the development provided in accordance with the approved drawings, unless otherwise agreed in writing by the Local Planning Authority. No dwelling shall be occupied until the respective car parking spaces for the occupants and their visitors have been constructed, unless otherwise agreed in writing by the Local Planning

Authority. These facilities shall be retained at all times and shall not be used for any other purpose.

15. The occupation of no more than 14 dwellings shall take place until the vehicular access from Nascot Wood Road sited between nos. 24 and 26, Nascot Wood Road, has been laid out and constructed in accordance with the details shown in principle on drawing no. CS-047357-03-T-001A (Capita Symonds). The existing access sited between nos. 26 and 30, Nascot Wood Road shall only be used to serve up to one dwelling.

Chair

The Meeting started at 7.30 pm  
and finished at 9.50 pm