

DEVELOPMENT MANAGEMENT COMMITTEE

18 FEBRUARY 2016

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

Also present: Councillor Stephen Bolton, Councillor Shirena Counter and
Councillor Derek Scudder

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

66 APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP

There was a change of Membership for this meeting; Councillor S Williams replaced Councillor N Bell.

Apologies had been received from Councillor M Turmaine.

67 DISCLOSURE OF INTERESTS (IF ANY)

The Chair asked whether there were any disclosures of interests.

Councillor Sharpe informed the Committee that, with regard to item five on the agenda (reference number 15/01542/FUL), it was impossible not to have had some engagement with the community; but this would not cause him to prejudge the matter. Councillor Johnson explained that he had similar issues in relation to item six on the agenda (reference number 15/00849/FULM); but again this would not cause him to prejudge the matter. Councillor Derbyshire commented, also with regard to agenda item five; that a member of the public had wanted to discuss the issue with him but he would nevertheless keep an open mind.

68 MINUTES

The minutes of the meeting held on 28 January 2016 were submitted and signed.

69 14/00954/FULM 112-114, THE PARADE, 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 proposal was to retain the ground floor commercial units and to largely remove the upper floors and extend these to create 15 flats over three levels. The site was located within the Town Centre and there was no objection in principle to new residential dwellings on the upper floors of this building. The site was also located within the Civic Core Conservation Area which was characterised by buildings exhibiting a restrained municipal style. The proposed scale and design of the building had been assessed in this context and, subject to the use of appropriate materials, the proposal was considered to enhance the character and appearance of the conservation area. Whilst the site was subject to significant noise impacts, appropriate mitigation measures had been provided to address all potential effects. The level of amenity of two of the flats would be compromised by the proximity of JSA House immediately to the south, particularly in respect of outlook and natural light. However, it was not uncommon in high density town centre environments, such as this, for a limited number of flats to have a lower level of amenity.

The Chair invited Peter Young, Chair of the Town Centre Residents Association, to speak in objection to the application.

Mr Young said that he was surprised the application was submitted in 2014 as he could not find any changes on the Council's website. He commented that the proposal appeared to be adding another floor on top of the building. He said that pictures of the proposed development showed a grey building out of keeping with the area and also an unsuitable roof terrace. He considered the roof terrace a total mistake as it could result in a battle between those using the space and those on the ground outside. He questioned whether there was a parking space at the rear and suggested that inhabitants of the development should not be given parking permits. Furthermore, having regard to the additional floor being proposed, he was not sure how this would affect the adjacent property. He explained that local residents were concerned about how the works in developing the site would impact on the community. Overall, he was not happy with the design, suggesting that this could be improved and emphasising that the roof terrace be removed.

The Chair invited Danielle St Pierre, agent for Aimrok Developments Limited, to speak for the application.

Ms St Pierre introduced herself informing the Committee that she was a planning consultant. She said that the property had been vacant for a number of years and suggested that it was an excellent location for services and transport and ideal for developing as housing. She asserted that the concept complied with Policy HS3 of the Watford Local Plan Core Strategy 2006-31 and would add to the vitality of the area. She explained that that the plans had been subject to re-design. For example, the roof would now have red clay tiles and not a grey colour as originally proposed. Also, three less flats would be provided than those suggested in 2014. There had been a general improvement in quality and

in access. She advised the Committee that the roof terrace was solely for people in the development and there would be no interaction with individuals on the pavement. In addition, there would be an increase in glazing thereby complementing the Civic Core Conservation Area. The waste bin area of the development had also been improved.

She acknowledged the site was close to bars and restaurants; hence why a robust strategy had been put in place to assist with the noise issues (including in relation to the electricity sub-station). There was good insulation on all floors. The site would provide five 'affordable' properties with £67,800 in Community Infrastructure Levy contributions. She concluded that the development would improve the appearance of the area, was of high quality and would deal with all of the noise issues. It would not compromise businesses and should be approved.

The Chair thanked the speakers for their contributions. He then invited Councillor S Bolton, Central Ward Councillor, to speak to the Committee.

Councillor Bolton explained that he had been using an older document that was not on the Council website. He considered that the development would cause conflict between the Night Time Economy (NTE) and residents. He was aware that a report on noise issues had been commissioned but considered that in the warm weather windows would be opened causing a noise nuisance to residents. He wondered whether air conditioning was being installed to help solve this issue. He was aware that the development was car free but suggested that this would not guarantee that there would be no parking at the location. Overall, he felt that there was too much conflict between the NTE and residents; particularly in relation to noise.

The Chair opened the debate to Committee Members.

Councillor S Williams wondered what the term 'affordable housing' really meant. He was not against people residing above The Parade. His main concerns were the two rooms below standard; he considered that these needed to be addressed. He discussed the possible implications of new legislation on this aspect and asked for clarification.

The Chair requested the Development Management Team Leader (PB) to address the issue; including who the affordable housing units were earmarked for as it would seem inappropriate that the below standard rooms be used for this purpose.

The Development Management Team Leader (PB) explained that the two flats concerned were Flat Four on the first floor and Flat Four on the second floor - both adjacent to the wall at JSA House. The new design had gone some way to address the issues but the bedrooms would not have much outlook or light. However, one had to consider the function of the rooms; they were not normally used to sit in and were less critical than the main living areas. All of the other flats in the development had a good outlook. He argued that there was often a need to compromise in town centre locations; it was a balancing exercise. He

explained that it was not possible to dictate which units were designated as 'affordable'. However, it was likely all units on one floor would be so designated; leaving two floors private. Consequently, one of the below standard flats would be affordable and the other private.

Councillor Sharpe said that he viewed the application very positively. Currently, there was a poor building on an improved parade. Historically, it was difficult getting flats located above shops - it was a positive change that it was now possible to do this. He suggested that people residing in the town centre would help create life and safety in the environment. He added that it was sensible that the noise issues had been addressed in the design. With regard to the roof terrace; it would be up to residents when to use it; having regard to how noise would affect them. It was unfortunate that all of the rooms were not of a good standard; but the greater good came first. He hoped that the development would go ahead.

Councillor Derbyshire considered that the premises, as currently configured, needed more than just 'tender loving care'. He felt that the present Tudor style was a little out of context with the part of The Parade in which it was located. Therefore, it was a good thing to have something that would improve upon the design. It would enhance the attractiveness of a location where improvements had already been made. He considered the application a step forward.

Councillor Johnson agreed with the comments made by Councillors Sharpe and Derbyshire. He said that the term 'affordable housing', in the context of this application, meant that the Council would have five additional premises and be able to get people out of temporary housing; all of benefit financially.

The Chair then moved the officer recommendation.

RESOLVED -

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

Section 106 Heads of Terms

- i) To secure a financial payment to the Council of £2,000 towards the variation of the Borough of Watford (Watford Central Area and West Watford Area) (Controlled Parking Zones) (Consolidation) Order 2010 to exclude the site from the controlled parking zone, thereby preventing residents' parking permits being allocated to this site.
- ii) To secure 5 of the one bedroom units as affordable rented housing.

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

Conditions

1. The development to which this permission relates shall be begun within a period of three years commencing on the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings:-
1304/P01a, P02, P03e, P04b, P05g, P06c
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 a Construction Environmental Management Plan has been submitted to and approved by the Local Planning Authority. This Plan shall include details of temporary access for construction vehicles, contractors parking, the delivery and storage of materials, measures to mitigate noise and dust, wheel washing facilities, plant and equipment and a contact procedure for complaints. The Plan as approved shall be implemented throughout the construction period.
5. No construction works shall commence until details of the materials to be used for all the external finishes of the building, including walls, roofs, doors, windows and dormer 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.
6. The development shall only be constructed in accordance with the specification set out in paragraph 4.2 of the report '112-114, The Parade, Watford – Acoustic Report (Ver.1, dated 02-04-2015) by Entran Limited, unless otherwise agreed in writing by the Local Planning Authority. No flat shall be occupied until documentary and photographic evidence has been provided from the manufacturer or authorised contractor that the approved system has been installed in full.
7. No development shall commence until a scheme of glazing for the windows to Flats 1, 2 and 3 at first, second and third floor levels (as shown on the approved drawing no. 1304/P03e) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed to achieve the following sound reduction levels (where OBCF is the Octave Band Centre Frequency):

OBCF, Hz	125	250	500	1k	2k	4k	Overall Rw dB
	30	39	43	48	44	48	45

The scheme shall also include details of a mechanical ventilation system to the affected rooms to demonstrate that the background and purge ventilation requirements of the Building Regulations can be achieved without compromising the internal acoustic design target so that windows can be kept closed. None of the dwellings referred to in this condition shall be occupied until the approved scheme of glazing and approved mechanical ventilation system have been installed in full.

8. No development shall commence until a scheme of glazing for the windows to Flats 4 and 5 at first, second and third floor levels (as shown on the approved drawing no. 1304/P03e) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed to demonstrate that the sound from the nearby electricity sub-station does not exceed 38 dB in the 100 Hz one-third octave frequency band within any habitable room of any of the dwellings, with windows closed. The information to be provided with the scheme shall include data about the relevant façade sound level from the sub-station; the proposed glazing system (including the expected sound reduction across the frequency range of 63 Hz to 4 kHz) and the calculated expected internal sound level, over the same frequency range, taking account of the sound insulation provided by the building envelope. Information shall be provided for each room potentially affected. The scheme shall also include details of a mechanical ventilation system to the affected rooms to demonstrate that the background and purge ventilation requirements of the Building Regulations can be achieved without compromising the internal acoustic design target so that windows can be kept closed. None of the dwellings referred to in this condition shall be occupied until the approved scheme of glazing and approved mechanical ventilation system have been installed in full.

9. No part of the building shall be occupied until full details of a hard landscaping scheme, including details of the railings to the site boundary, 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.

10. No part of the building shall be occupied until details of the design, materials and construction of the bin stores and the cycle stores, shown on drawing nos. P03e and P05g, to ensure they are secure 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 stores shall be retained at all times and shall not be used for any other purpose.

11. The external flue shown on the approved drawings shall not be installed until full details of the size and specification of the flue and the associated extraction system for odour control have been submitted to and approved in writing by the Local Planning Authority. The flue shall only be installed as approved.
12. No external plant or equipment shall be installed on the building without the prior written approval of the Local Planning Authority.

Informatives

1. This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 to secure 5 units of affordable housing and the exclusion of the development from the local controlled parking zone, to ensure future occupiers are not entitled to parking permits. The agreement also requires the provision of 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 undertook extensive 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.
- (B) That, in the event that a planning obligation under s.106 of the Town and Country Planning Act 1990 is not completed by 4th March 2016, the Head of Development Management be authorised to refuse planning permission for this application for the following reasons:
1. The proposed development fails to make provision for affordable housing and as such is contrary to Policy HS3 of the Watford Local Plan Core Strategy 2006-31.
 2. The proposal fails to make appropriate provision to restrict on-street parking in the surrounding Controlled Parking Zone and for

the remarking of parking bays on Granville Road and, as such, is contrary to saved Policy T24 of the Watford District Plan 2000.

3. The proposal fails to make provision for fire hydrants to serve the development and as such is contrary to Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and saved Policy H10 of the Watford District Plan 2000.

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15/01542/FUL 37, BUCKS AVENUE, 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 majority of the application site, including the proposed houses comprising the development, was sited within Hertsmere Borough; who had yet to determine their application. The only part of the development falling within Watford Borough, and therefore within the jurisdiction of the Committee, related to the modified access junction and the first section of the access road before it became a shared surface. He commented that the access and highways impacts had been subject to significant scrutiny. The design of the access had been the subject of two road safety audits; one by the County Council and one by Gateway, a consultant appointed by the Oxhey Village Environment Group (OVEG). The County Council was satisfied that the modified access junction was safe and adequate to serve the proposed development of 34 dwellings.

The application was also supported by a detailed Transport Assessment which was subject to scrutiny by an independent transport consultant, Milestone Transport Planning, also appointed by OVEG. Having considered both of these reports, the County Council was satisfied that the impacts of the proposed development on the local highway network was acceptable and would not justify a refusal of planning permission. Members had received additional information from OVEG since the agenda was published; with much of the information already reviewed by the County Council and referenced in the report. The County Council had now reviewed all of the additional information submitted and had confirmed that their recommendation remained unchanged. He concluded by saying that Condition 4 in the report should refer to the latest drawing; which was 2H and not 2G.

The Chair invited Kim Baxter, representing OVEG, to speak in objection to the application.

Ms Baxter questioned whether it was correct to say that there had been significant consultation on the numerous amendments to the scheme. OVEG did not believe that compromise could be made on public safety with regard to the access arrangements. She explained that the consultants employed in the process had said that the plans were severely flawed and a danger. She outlined the following objections to the scheme:

- Access to the site was too narrow and would not accommodate entry by fire appliances in an emergency.
- The pavements were also far too narrow and would cause conflict and be difficult for the elderly to use.
- Visibility for traffic would be difficult owing to the entrance sited near to a blind bend with eight pinch points – particularly during rush hour.
- Parking had been reduced from 74 to only 70 vehicles.
- People travelling along Sherwoods Road would not see traffic exiting the site and it would be difficult for those exiting the site to see traffic in Sherwood Road.

She added that the consultants, Milestone Transport Planning, had commented that the proposals did not comply with relevant guidance; such as in regard to road safety and were in conflict with highways infrastructure. She concluded by saying that if there was a fire on the site this would likely result in deaths. An independent audit had indicated that the plans were dangerous. The proposals did not meet planning laws and were a danger to the public.

The Chair invited Iain Taylor, from Clovercourt Fusion, to speak for the application.

Mr Taylor explained that there were two main issues; firstly that the design of the access was acceptable and secondly that traffic would not have an adverse impact.

With regard to the first point, Hertfordshire Highways had reviewed all of the submissions and access arrangements had been finessed with all recommended changes made. The Highways Authority was satisfied with the design and safety. He considered that all aspects for pedestrians and traffic were one hundred percent satisfactory. In fact some elements of the scheme improved on the current access arrangements and were safe and suitable for the environment.

With regard to traffic; there had been extensive review - with visibility at the bend and at the junction being acceptable. Traffic flow would not affect safety at the location. The objections raised in this regard were not sufficiently serious to justify refusal of the application. He concluded by saying that the project was for additional housing and with a 37 percent footprint on the site. The proposal would make the Green Belt more accessible with a more direct route to Merry Hill.

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

Councillor Counter explained that this was a difficult application as there were two conflicting professional opinions. She reiterated concerns about the apparent narrowness of the road access (which had been reduced further) arguing that this presented a potential safety risk. In addition, the footways had insufficient space and were not meeting standards. She raised the issue of

Hertfordshire Fire and Rescue access, previously discussed by OVEG, commenting that if entry was not head on, a four metre road width would be required. She added that Hertfordshire County Council had not apparently mentioned any consultation with the Fire Service in their deliberations. She concluded in saying that one could not be pragmatic about safety and that this was a 'show stopper'; and the Committee should turn down the application.

The Chair opened the debate to Committee Members.

Councillor Sharpe suggested that one would have to confront reality in this application. He had found the arguments of the external consultants persuasive. He believed the location had not been used previously for access and egress by vehicles and the proposed width of the pavement was at an absolute minimum. Also, having traffic in both directions at the junction caused concern. He had concerns both about access for fire engines and about pedestrian and vehicle usage at the location. He would have expected a four metre carriageway width. He considered it would be better to be safe than sorry and that perhaps other methods to acquire land to increase the road width could be considered. He felt that the professional guidance on these matters should not be ignored and as this suggested the proposals were dangerous (coupled with Member's own knowledge of the site) he wished to move a motion to refuse.

The Chair advised the Committee on its role when considering the views of differing professional opinions and in determining the levels of risk.

Councillor Bashir suggested that the Members needed to exercise balance on what they had heard. It was not uncommon for two sets of experts to have different views. Opinions held by the County Council, who had visited the site on three occasions, were that they did not consider the application would have a detrimental impact on road safety. He considered the statutory body had demonstrated an objective and balanced view. Consequently, he questioned how a decision to dismiss could be upheld at appeal.

The Chair asked the Development Management Team Leader (PB) to advise the Committee whether the letter from Debenhams Ottaway Solicitors was correct in suggesting that the proposed access was contrary to Policy T21 of the Watford District Plan. Also, to advise whether Hertfordshire Fire and Rescue had been consulted.

The Development Management Team Leader (PB) explained that Policy T21 related to having adequate access and it was the role of Hertfordshire County Council to ensure this was the case. He suggested that the view of the solicitors was contrary to the County Council's submission and to national standards. With regard to Hertfordshire Fire and Rescue; the planning authority did not consult with them. However, he assured the Committee that the County Council would be aware of the width requirements in this regard. He explained that the intention was for one vehicle to pass through the access at a time; with priority for those entering the site. It was the view of the County Council that the proposed 3.2 metre width was satisfactory. The maximum width of a fire appliance was three metres (with mirrors extended) and there would be no need

for a vehicle to mount the pavement to gain access. Also, access to the site was straight. The Head of Development Management added that it was a requirement of building regulations that there should be safe access.

In response to a question from Councillor Derbyshire, the Development Management Team Leader (PB) confirmed that the issue of Hertfordshire Fire and Rescue access was not mentioned in the report. However, the County Council had to consider access by all vehicles; hence why there was no specific consultation with the Fire Service.

Councillor Derbyshire suggested that the Fire Service aspect should have been reflected in the report in that access for fire engines was clearly a major issue for residents. He concurred that the application was complex having regard to the various views expressed by the parties. Whilst he recognised the professionalism of the County Council, it was not to say he agreed with them on this occasion.

The Chair reminded the Committee that they had been advised by officers that building regulations would require adequate access.

Councillor Johnson commented that whilst Members were not experts, it was common sense that the proposed pavement was too narrow. He agreed with Councillor Sharpe that the application should be turned down.

Councillor S Williams raised concerns about possible parking problems emanating from the site and suggested that the 'user experience' may be different to the theory - drawing an analogy in relation to the use of footpaths. He asked what constituted a 'main road'.

The Development Management Team Leader (PB) explained the County Council had outlined that the roads surrounding the development were local roads serving 194 properties; and all adopted highways. The Development Management Section Head added that a main road was likely to be a principal transport road; such as the Hempstead Road and Rickmansworth Road. These would be where people had to travel a long way; otherwise it would be considered a local distributor road. He suggested that the proposed site would not be on a main road.

The Chair commented that there was clearly a reluctance to pass the application having regard to the concerns about safety (which he shared).

Councillor Sharpe said that he hoped he had made it clear why the application should be refused. It would be a significant step to go against the County Council's recommendations but the matter was a combination of local knowledge and expert evidence. He reiterated his concerns about the width of the pavement and the road. He suggested that the committee should be bold in the interests of safety.

The Head of Development Management advised that this was a decision for Members; although he cautioned about going against the access width

prescribed by engineers in the report.

The Chair re-emphasised the concerns about the safety of the scheme and invited Councillor Sharpe to propose a motion to refuse the application on the grounds of the narrow road and pavement widths and apparent danger to the public. On being put to the Committee, the motion was agreed.

RESOLVED –

The proposed access to the site, by reason of the narrow width of the roadway and the narrow width of the footpath, fails to accord with the recommended standards in Roads in Hertfordshire and Manual for Streets. As such, the access is considered detrimental to vehicular and pedestrian safety, contrary to saved Policy T21 of the Watford District Plan 2000.

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15/00849/FULM WATFORD CAR SALES, DOME ROUNDABOUT, 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 (HN) introduced the item, explaining that the proposal involved land currently used as a car show room (and formally used as a petrol filling station). The proposal involved the erection of a part three and part four storey building to provide 18 flats, including six affordable housing units (and 18 car parking spaces). The scheme was presented to the last Committee meeting on 28 January 2016. However, due to some inaccuracies in the report presented at this time, the scheme was deferred. The Committee also required further analysis with respect to a number of other issues (including how revisions had helped to overcome the design officer's original objection to the scheme) that has now been conducted.

He explained that the design was not based on a semi-detached style; but nevertheless reflected the context of the locality. The proposal was now for a high quality residential dwelling that had taken on board the design issues raised previously; such as having bay windows to the front elevation. It was now more in keeping with the existing site. The side and rear elevations were articulated and parking spaces had been reduced. The floor space was generous, although some of the flats were single aspect. He concluded by informing the Committee that the Section 106 planning obligation had not yet been signed.

The Chair invited Diane Graham, a local resident, to speak in objection to the application.

Ms Graham introduced herself explaining that she was a long term resident. She raised the following objections to the application:

- There was not enough parking on the site for residents or visitors which would result in an overspill on to nearby roads.
- Access to the site was on a bend from the main A41 highway.
- There would be more vehicles in Purbrock Avenue with access difficult for emergency and refuse vehicles.
- The design was out of character for the area in that the proposed buildings were too high.
- The roof garden would lead to adverse privacy issues.
- The old filling station petrol tanks would still be underground leading to contamination.
- The Dome Roundabout would become congested.

She commented that this had been a hastily compiled objection as she had only known about the planning application for a week. However, she had consulted with other residents and the Committee should take regard of their views. She recommended that the application be refused.

The Chair thanked Ms Graham for her contribution. He then invited Councillor Scudder, Stanborough Ward Councillor, to speak to the Committee.

Councillor Scudder thanked Members for visiting the site. He asked that the Committee refuse the application on the following grounds:

- The design was poor; with bland looking office style buildings.
- The design bore no relationship to the area that was predominantly semi-detached housing.
- The building was not balanced and would 'jar the senses'.
- The design did not knit with the buildings located on either side of the development.

He said that the application should also be refused on the size of the buildings (the three and four storeys being inappropriate) and he discussed the negative impact the site may have on Purbrock Avenue. He added that residents in the area had not been properly consulted. He concluded by saying that the development had a forbidding fortress style appearance that would result in parking problems in the area. He had no objection to houses being built but the present application would result in an unattractive building that was too large and would have a negative impact on residents.

The Chair asked the Development Management Team Leader (HN) to explain how notification of the application had been given to residents and how the context of the proposed building related to the locality.

The Development Management Team Leader (HN) explained that the adjoining properties (numbers 70 and 80) had been notified together with appropriate homes in Purbrock Avenue. Furthermore, there had been two rounds of consultation as required.

With regard to the context; the building lines met with the language of the area. The locality was dominated by the arterial road, so a large building was

appropriate. However, the design had not ignored the style of housing in Purbrock Avenue; it had picked up features of the local area. He argued that it was better making use of the site as residential accommodation as opposed to a garage.

The Chair opened the debate to Committee Members.

Councillor T Williams thanked the resident for her contribution. He made reference to page 72 of the report, asking whether all of the underground petrol tanks had been removed. He suggested that there should be an environmental report and a planning condition that the tanks be taken out.

The Head of Development Management said he believed that the petrol tanks had been removed but it would be appropriate to have such a condition. This would ensure decontamination.

Councillor T Williams said that it did not seem that the County Council realised that the Dome Roundabout had traffic issues and that the proposed development would add to the problems. He added that the development would result in over parking in Purbrock Avenue. He said that whilst residential accommodation was better than a garage, the present design was not satisfactory; its orientation and size did not sit comfortably at the location. The building was too tall, having four storeys, and would result in problems with television aerials and signals due to its size. He considered that the building was appalling and objected to the application on the grounds of the proposed development's size, siting and design and also in relation to the highways issues.

The Chair asked the Head of Development Management to comment on the aerial issue raised by Councillor T Williams.

The Head of Development Management explained that this could be a planning consideration. However, such problems normally related to much taller buildings and he had not encountered them in respect of four storey buildings.

Councillor Derbyshire suggested that the proposed development was in a key location and was a gateway building. The development was a better use of the site than as a car showroom. He said that the Council's design officer had made a significant impact on the design and that the development was now an attractive building - including in relation to the building materials to be used. Overall, he considered the proposal to be an addition to the landscape.

Councillor Sharpe said that he sat between the views expressed by Councillors Derbyshire and T Williams. Whilst he was not particularly enamoured with the design, one needed to be clear as to what was unacceptable. Similarly, there was a need to be aware of what would be acceptable on appearance. It was unfortunate that the development was located at Purbrock Avenue. However, there was a need for professional evidence to turn down the application; this could not be done on a hunch. He considered an appeal would be lost if the application was refused on highways grounds. He concluded by saying that the government was consistently commenting that parking should not be considered

a planning issue - in that the market would decide locally through the introduction of parking controls.

The Chair asked the Head of Development Management to advise the Committee on the parking, traffic and design issues.

The Head of Development Management explained that the scheme complied with the adopted parking policies, he also advised that in regard to highways refusal reasons the National Planning Policy Framework set a very high test that developments should only be refused where the residual cumulative impacts of the development were severe. He explained that it would be difficult to argue that the number of vehicle movements arising from this development would cause severe harm when considered against the existing number of vehicle movements on the highway network in this location.

With regard to the matters being raised on design; he was concerned a little about this. The design was for residential accommodation on the Dome Roundabout and the large scale nature of the transport infrastructure and commercial uses formed part of the context which needed to be taken into account. He outlined the history of previous decisions which were of similar scale and more commercial in character. In his view the wish for the building design had to be primarily led by the residential character of Purbrock Road and would not have full regard to the context and be inconsistent with previous decisions. He considered that to articulate a design reason to refuse the application on these grounds would be difficult and that it would be necessary to explain why the committee as decisions makers were reaching a differing view on the weighting of the residential and commercial contexts.

The Chair asked whether steps could be taken to mitigate the privacy issues emanating from the roof garden and to protect residents from the potential television signal problems.

The Development Management Team Leader (HN) advised that the television aerial issue was difficult. However, some of the roof garden had been landscaped; so only a limited area would be used by residents.

Councillor T Williams re-emphasised his concerns about the height of the proposed development; commenting that it was larger than that approved before. He repeated his concerns about the orientation of the building; saying that the application should be opposed on siting, height and design issues.

The Head of Development Management advised that, in his view, the building line in the previously approved scheme was worse than that in the current application.

The Chair invited Councillor T Williams to propose a motion to refuse the application on the grounds of the proposed development's unsuitable size, siting and design. On being put to the Committee, the motion was LOST.

The Chair then moved the officer recommendation; with an additional condition

that any remaining underground petrol tanks be removed from the site.

RESOLVED -

(A) Grant planning permission subject to terms of legal agreement and the condition as set out in the report.

- 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:- 15/3365/6B, 15/3365/7D, 15/3365/8B, 15/3365/9A, 15/3365/11B and site location plan.
- 3 Construction of the development hereby permitted shall not take place before 8am or after 6pm Mondays to Fridays, before 8am or after 1pm on Saturdays and not at all on Sundays and Public Holidays.
- 4 Notwithstanding the information already submitted, no construction of the approved buildings shall commence until details of the materials to be used for all the external finishes of the buildings including all external walls, roofs, doors, windows, balconies and canopies, rainwater and foul drainage goods have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the details approved under this condition.
- 5 No demolition or construction works shall commence within the site until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This 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. The Plan as approved shall be implemented throughout the relevant demolition and construction periods.
- 6 The development permitted by this planning permission shall be carried out in accordance with the drainage strategy produced LANMOR Consulting, reference 150714/DS/NJ/KBL/01 dated 24th November 2015 and mitigation measures detailed within the FRA
 - Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 5 l/s during the 1 in 100 year event + climate change event.
 - Providing underground 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 11.2 m³ of total storage volume in underground attenuation tanks and permeable pavements, as shown point 4.4.5 of the drainage strategy.

- Discharge of surface water from the site into the Thames Water sewer network.

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.

- 7 No development shall take place until the final design of the permeable pavements, underground attenuation tanks and the rest of the drainage network is completed and sent to the LPA for approval. An attenuation volume of 11.2 m³ should be provided by permeable pavements and underground attenuation tanks. The design of the permeable pavements should be in line with best practice standards as shown in The SuDS Manual. The design of the drainage scheme shall also include:
 - Details of how the permeable pavements, underground attenuation tanks and the rest of the elements of the drainage network shall be maintained and managed after completion.
 - Detailed engineering details of the design of the proposed permeable pavements in line with The SuDS Manual (CIRIA C-753)
- 8 No development shall commence on site until a hard and soft landscaping scheme for the site (including a detailed method statement covering tree planting, tree, shrub and grass specie, planting size and density and all hard surfacing materials) shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping shall be carried out prior to the first occupation of any part of the development and shall be retained at all times. The soft landscaping 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.
- 9 Prior to the commencement of the use hereby permitted the vehicular access (incorporated into a detailed plan to be produced by the applicant) shall be upgraded / widened to a minimum width of 5.5 metres in accordance with the Hertfordshire County Council residential access construction and in accordance with the Roads in Hertfordshire Highway Design Guideline 3rd edition.
- 10 Prior to the first occupation of the development hereby permitted, a visibility splay measuring 2.4 x 43 metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

- 11 Notwithstanding the information already submitted, details of the size, type, siting and finish of the free-standing refuse and recycling storage enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any part of the development hereby approved. The store approved under this condition shall be installed and made available for use prior to the first occupation of any part of the development and shall be retained at all times for refuse/recycling only and shall not be used for any other purpose.
- 12 Notwithstanding the information already submitted, no construction of the approved buildings shall commence until detailed plans showing the existing and new or altered ground levels within the site and the floor levels of all the proposed buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the details approved under this condition.
- 13 No development shall commence on site until a scheme to protect future residents from smells and odour being discharged from the adjacent hot-food take-away shop has been submitted and approved in writing by the local planning authority. Thereafter the approved scheme shall be implemented prior to the first occupation of the site.
- 14 The dwelling shall not be occupied until the drive, the access, car parking spaces as indicated on the drawings hereby approved have been laid out and constructed in accordance with the approved details and are available for use for the future occupier of the site.
- 15 No external lighting shall be installed on the site except in accordance with the details which have been submitted to and approved in writing by the Local Planning Authority.
- 16 No development shall commence until details of the siting, height and type of fencing or other means of enclosure around the boundaries of the site and within the site have been submitted to and approved in writing by the Local Planning Authority. The fencing or other means of enclosure shall be provided as approved prior to the first occupation of the dwelling hereby approved and shall be maintained as such at all times thereafter.
- 17 No construction works shall commence until a detailed scheme to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. That scheme shall include all of the following elements:
 - i) a preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors

- potentially unacceptable risks arising from contamination at the site;
- ii) a site investigation scheme, based on (i) above, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site;
 - iii) the results of the site investigation and risk assessment referred to in (ii) above and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;
 - iv) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

No changes to these components shall be undertaken without the written approval of the Local Planning Authority. All works shall be carried out in accordance with the approved details.

- 18 No construction works shall commence until a verification report demonstrating completion of the works set out in the approved remediation strategy (see Condition above) and the effectiveness of the remediation has been submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority. The long-term monitoring and maintenance plan shall be implemented as approved.
- 19 If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to, and obtained written approval from, the Local Planning Authority for a remediation strategy detailing how this unsuspected contamination is to be dealt with. All works shall be carried out in accordance with the approved details.

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.

2. 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 6 affordable housing units and the necessary fire hydrants to serve the development.
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 buildings; 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. Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Should there be any obstructions on the public highway, footpath, grass verge, i.e. trees, posted signs, telegraph pole, lamp columns, drainage gullies etc, then permission for removal and/or repositioning will need to be gained before work can commence on site. The applicant will need to be aware that they will/may be required to fund this work. All to the satisfaction of the Local Authority.
4. The Highway Authority requires the alterations to, or the construction of, the vehicle crossover to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. The applicant will need to apply to Highways (Telephone 0300 1234047) to arrange this or use link:-
<https://www.hertsdirect.org/droppedkerbs/>
5. 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.
6. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into

the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

7. Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at www.thameswater.co.uk
8. With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company, The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.
9. All new units granted planning permission and to be constructed requires naming or numbering under the Public Health Act 1925. You must contact Watford Borough Council Street Naming and Numbering department as early as possible prior to commencement on streetnamenumbers@watford.gov.uk or 01923 278458. A numbering notification will be issued by the council, following which Royal Mail will assign a postcode which will make up the official address. It is also the responsibility of the developer to inform Street Naming and Numbering when properties are ready for occupancy.
- 10 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.

(B) In the event that no Section 106 planning obligation is completed by 31st March 2016 in respect of the Heads of Terms set out above, the Head of Regeneration and Development be authorised to refuse planning permission for this application for the following reasons:

1. The proposal fails to make provision for affordable housing and as such is contrary to Policy HS3 of the Watford Local Plan Core Strategy 2006-31.
2. The proposal fails to make provision for fire hydrants to serve the development and as such is contrary to Policy INF1 of the Watford Local

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15/01729/FUL 1, HAMILTON STREET AND ADJOINING GARAGE SITE, 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 report, explaining that the proposal was to demolish the existing bungalow and all the garages and erect nine two storey houses with a new junction and internal access road serving 14 car parking spaces. The houses would be arranged as three semi-detached pairs sited alongside 55 York Road and a short terrace of three houses sited alongside 3 Hamilton Street. Each house would have its own private garden. The proposed development was in accordance with the policies of the Core Strategy and Watford District Plan.

The development would be in keeping with the character and appearance of the area, would provide a significant enhancement of the site, would provide good levels of amenity for occupiers and would have no significant adverse impact on surrounding properties. The level of car parking was acceptable. The exclusion of the development from the local Controlled Parking Zone would help to ensure the development did not exacerbate existing on-street parking problems.

The Chair invited Councillor Stephen Bolton, Central Ward Councillor, to speak to the Committee.

Councillor Bolton said that there were a lot of positives about the development. However, there were concerns from residents. The proposed development would lead to additional parking in York Road and Cannon Road in the evening. He added that the volume of traffic at the locality was on and off in the day; but with the increased parking at this corner there would be traffic problems. He was not convinced that the County Council had covered this point. He said that a resident had commented on potential problems with a fire engine accessing the site and he suggested that the issues with parking would prevent fire appliances turning around.

He said that the 14 parking spaces being provided was insufficient and would lead to overspill with potential accidents on a bend in the road. He suggested that the proposed development had one house too many and that Plot 3 should be removed from the plans. This would improve access to the site, enhance the turning area and help with the parking issues. He concluded by saying that one resident had suggested a one way traffic system on the development and Councillor Bolton proposed that this aspect should be consulted on.

The chair opened the debate to Committee Members.

Councillor Sharpe commented that these types of developments could cause concern regarding density. However, he considered the proposals met parking standards. It was impossible to make a case that the parking impact would be severe. He suggested that excluding people from having resident's permits could significantly resolve parking issues. He felt that the general design of the development and impact on the area was positive. There were no grounds to refuse the application on grounds of parking.

Councillor Derbyshire said that, leaving aside the parking issues raised, the proposed development should fit in the area very well. The materials to be used in construction (London Brick and grey slate) were common in the locality. He considered that having nine new homes for Watford was good. There was no reason to turn down the application.

The Chair summarised the discussions, commenting that it was very satisfactory having houses and not just flats. He then moved the officer recommendation.

RESOLVED -

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

Section 106 Heads of Terms

- i) To secure a payment to the Council of £2,000 towards the variation of the Borough of Watford (Watford Central Area and West Watford Area) (Controlled Parking Zones) (Consolidation) Order 2010 to exclude the site from the controlled parking zone, thereby preventing residents' parking permits being allocated to this site.
- ii) To secure the provision of fire hydrants as required by the County Council in accordance with Policy H10 of the Watford District Plan 2000.

Conditions

1. The development to which this permission relates shall be begun within a period of three years commencing on the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings:-

Site location plan
Site block plan
2015/302/01A, 2015/302/02

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 of the existing building or construction of the development shall commence until a detailed scheme to deal with the risks associated with the potential contamination of the site has been submitted to and approved in writing by the Local Planning Authority. That scheme shall include all of the following elements:
 - i) a preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site;
 - ii) a site investigation scheme, based on (i) above, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site;
 - iii) the results of the site investigation and risk assessment referred to in (ii) above and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;
 - iv) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

No changes to these components shall be undertaken without the written approval of the Local Planning Authority.

All works shall be carried out in accordance with the approved details.

6. No occupation of the development shall take place until a verification report demonstrating completion of the works set out in the approved remediation strategy (see Condition 5 above) and the effectiveness of the remediation has been submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority. The long-term monitoring and maintenance plan shall be implemented as approved.
7. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to, and obtained written approval from, the Local Planning Authority for a remediation strategy detailing how this unsuspected contamination is to be dealt with. All works shall be carried out in accordance with the approved details.
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 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.
10. 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.
11. No dwelling shall be occupied until the new access junction to Hamilton Street, as shown in principle on approved drawing no. 2015/302/01A, has been constructed in full. This shall include

measures to ensure surface water run-off does not enter the highway from the application site.

12. 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.
13. 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.
14. No dwelling shall be occupied until the 14 car parking spaces, as shown on approved drawing no. 2015/302/01A, have been constructed in full. These spaces shall be retained for the parking of cars at all times.

Informatives

1. This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 to exclude the development from the local controlled parking zone, to ensure future residents of the development are not entitled to apply for residents parking permits, and to secure 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. 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.

4. Road Deposits: Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in condition such as not to emit dust or deposit mud, slurry or other debris on the highway. This is to minimise the impact of construction vehicles and to improve the amenity of the local area.
5. The applicant is advised that storage of materials associated with the development should take place within the site and not extend into the public highway without authorisation from the highway authority, Hertfordshire County Council. If necessary further details can be obtained from the County Council Highways via either the website <http://www.hertsdirect.org/services/transtreets/highways/> or telephone 0300 1234047 to arrange this.
6. The developer should be aware that the required standards regarding the maintenance of the public right of way and safety during the construction. The public rights of way along the carriageway and footways should remain unobstructed by vehicles, machinery, materials and other aspects of construction works.

(B) In the event that no Section 106 planning obligation is completed by 21st March 2016 in respect of the Heads of Terms set out above, the Development Management Section Head be authorised to refuse planning permission for this application for the following reasons:

1. The proposal fails to make appropriate provision to restrict on-street parking in the surrounding Controlled Parking Zone and as such is contrary to saved Policy T24 of the Watford District Plan 2000.
2. The proposal fails to make provision for fire hydrants to serve the development and as such is contrary to Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and saved Policy H10 of the Watford District Plan 2000.

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 (HN) introduced the item, explaining that the application followed an earlier proposal for a similar development on the site which was refused planning permission by the Development Management Committee on 8th October 2015 under reference number 15/00413/FULM. The reason for refusal centred on design and character of the area (as outlined in the 'Planning History' section of the report). The current proposal incorporated amendments to the earlier scheme to address the concerns previously raised by Members; including changes to roof finishes and the position of balconies improved.

The Chair invited Kim Gauld-Clark, a local resident, to speak in objection to the application.

Ms Gauld-Clark informed the Committee that she was a chartered town planner and member of the Royal Institute of Town Planners and was also speaking on behalf of neighbours. She considered the location to be a prominent site. She explained that whilst there were two main reasons to object; the principle of development was appreciated with a need for high density housing. The first objection was in relation to the design of Block One on the street scape and street scene. This would be an unusual site for a tall building with Victorian buildings opposite. She considered that the design was contrived. She outlined some suggested improved design features and argued that the current proposal was too modern. She commented that if the application was approved, and should the police station and magistrates court sites opposite the site be re-developed in the future, this could result in further modern style buildings not in keeping with the area. She added that the Watford Character Area Study had commented that the location was to scale for Victorian style houses.

The second objection related to the height of Block Two; this with three story flats and with windows off the second and third floors only 25 metres from existing resident's rear windows. She asserted that guidelines stated that there should be a minimum distance of 27 metres for habitable premises. The proposal would result in an unacceptable loss of privacy.

The Chair invited Ruth Reid, on behalf of the Seventh Day Adventists Association and their architects Jane Duncan Architects, to speak for the application.

Ms Reid introduced herself explaining she was an architect and planning consultant. She considered the proposal to be a strong scheme. She explained that Jane Duncan Architects had engaged in a collaborative process throughout the development of the design solutions. They had re-visited the design and addressed the concerns that were expressed. She outlined the range of improvements proposed including the fifth floor indented, the balconies on the higher block staggered across the elevation and the Corten steel panels replaced with a textured brickwork. She commented that if the Committee

remained unsure about the materials, the matter could be resolved by way of condition. She considered that the revisions, along with other minor additions, had addressed the concerns expressed by the Urban Design Manager about the previous scheme.

She argued that the speculation by the previous speaker in relation to a development of the police station site was not a material planning consideration. She explained that if necessary landscaping of the site would be accepted and the applicant would welcome a condition to this effect. She concluded by saying that this was an important scheme creating a transition between the office blocks in Clarendon Road and the residential development behind it. The application provided much needed housing - with 33 percent 'affordable' provision. She had no reservation in recommending the revised design and asked, on behalf of the applicant and their architect, that it be approved.

The Chair thanked the speakers for their contributions. He then invited Councillor Stephen Bolton, Central Ward Councillor, to speak to the Committee.

Councillor Bolton said that he was disappointed with the comments by the applicant. This was a large scale development out of character for the area. He discussed in particular how the height of Block Two was inappropriate for the locality. He argued that the Committee should turn down the scheme. However, should the application be approved, the following should be considered:

- Further provision for off street parking.
- Members reduce the size of the development.
- Mature trees be planted on boundaries to preserve privacy.

The Chair opened the debate to Committee Members.

Councillor S Williams said that he was not happy with the proposal. It represented an over development of a unique part of Watford. He was concerned about parking for the 40 dwellings and the potential for overspill. He was also concerned about the aesthetics of the design; it being similar to 1980's style buildings that were not suitable for the area. However, his principle worry was about parking.

The Head of Development Management reminded the Committee that the previous application had been refused on a material consideration in relation to design. Consequently, if parking was now being considered as a ground for refusal, Members would need to be robust. The Chair supported this view; advising the Committee that they needed to consider whether the issues around design had been overcome.

Councillor Derbyshire complemented the apparent fair mindedness of Ms Gauld-Clark. However, he considered design issues to be subjective and that the developers had moved significantly forward. In fact the Council's urban design manager had found the revised proposals acceptable; such as the alterations to the roof of Block One. Also, the changes to the brickwork were very good. He

suggested that in terms of design, the proposal was of sufficient quality to approve.

Councillor T Williams took a different view, returning to the point raised previously by Councillor Bolton about the development being large in scale and out of character for the area. He agreed with Ms Gauld-Clark's comments about the overall design and impact on the street scene. He suggested that the Committee should move to refuse the revised proposal on similar grounds to the previous application. Councillor Johnson said that he preferred the new design to the original but it had not gone far enough; he would vote against the application. Councillor Bashir informed the Committee that he supported both Councillor T Williams' and Councillor Johnson's comments and would support refusal.

The Chair asked the Development Management Team Leader (HN) to outline how the design had changed.

The Development Management Team Leader (HN) explained that there would be no pitched roof or dormer windows; the design was not a pastiche. It met today's architecture and this was good practice. From a context build feature; all aspects of the design had been taken on in a modern way. However, it was not a 1950's or 1960's style - the verticals had separation. He said that the height of the buildings had been reduced and he did not consider the site to be an over development. He suggested that account should be taken of what had been received from the architects. He concluded by saying that the buildings had much better form with an improved use of materials.

The Chair asked the Development Management Section Head to clarify what the Committee did not like about the previous application so Members could focus on the wider elements.

The Head of Development Management explained that, previously, there were not high standards of design in relation to the residential buildings and the site was overdeveloped. He clarified that his department applied national guidelines in relation to design. He added that this was a challenging site; having both residential and office buildings, and that regard had to be given to both contexts. Design could be a subjective matter. He advised that the Committee had to decide whether the revised proposal had gone far enough and whether the scale complemented both the existing housing and large office style buildings in the locality.

Councillor S Williams commented that he understood what officers were saying. He considered that the proposed design would fundamentally change the street and characteristics of the area. Councillor T Williams said that he echoed Councillor S Williams's points.

The Chair invited Councillor T Williams to propose a motion to refuse the application on the grounds that it failed to provide high standards of design, it was out of character with the locality and amounted to an over development of the site; and as such was contrary to policy. On being put to the Committee, the

motion was agreed.

RESOLVED –

The proposed development would fail to provide a high standard of design and would be out of character with the residential aspects of the area, having the appearance of being overdeveloped, contrary to the provisions of the Residential Design Guide (RDG) and Policies SS1 and UD1 of the Watford Local Plan Core Strategy 2006-31.

Chair

The Meeting started at 7.30 pm
and finished at 10.20 pm