

DEVELOPMENT MANAGEMENT COMMITTEE

18 MAY 2016

Present: Councillor R Martins (Chair)
Councillors S Bashir, N Bell, S Johnson, I Sharpe, M Turmaine
and T Williams

Also present: Councillor M Hofman and Councillor J Johnson

Officers: Development Management Section Head
Senior Planning Officer
Committee and Scrutiny Support Officer

87 APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP

It was noted that there were two vacancies on Development Management Committee for this meeting.

88 DISCLOSURE OF INTERESTS (IF ANY)

There were none.

89 MINUTES

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

90 15/01662/FULM 14 STRATFORD ROAD, WATFORD

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

The Principal Planning Officer introduced the item, explaining that the application proposed the demolition of the existing building and the erection of 4 houses and 34 apartments with associated parking, amenity space and landscaping.

Attention was drawn to the update report, which included some clarifications, additional comments, and changes to the conditions and informatives. This had been supplemented with some late comments from the Urban Design and Conservation Manager.

It was reported that the committee had undertaken a site visit prior to the meeting.

The Chair invited Catherine Maxwell to speak in objection to the application. Professor Maxwell explained that she was speaking on behalf of local residents, including those in Salters Gardens and Prince Michael of Kent Court, who were

not opposed to development of the site, but sought changes to the proposed scheme.

Residents considered that the application was an overdevelopment of the site in height and scale, threatening the privacy and outlook of surrounding properties and contrary to policy UD1 of the Watford Local Plan Core Strategy.

This part of Stratford Road was a peaceful area, providing many retirement dwellings for elderly and vulnerable people. The development would increase traffic and footfall, and impact on highway safety. Residents questioned the conclusions of the transport statement submitted with the application.

Additional concerns were expressed about the loss of trees and green screening, which were a key part of the quality of life experienced by local residents.

The Chair then asked Alan Ward to speak in support of the application. Mr Ward explained that Chase New Homes had consulted extensively with council officers and residents during the pre-application stage. This had resulted in a large number of changes to the original plans.

Mr Ward argued that the scale of the proposed scheme was not out of character with surrounding buildings. Care had been taken in the design near to the development's boundaries to take into account concerns about privacy and overlooking. He noted that the latest comments from the Urban Design and Conservation Manager were supportive of the proposed scheme.

Addressing residents' concerns about tree loss, Mr Ward drew the committee's attention to the replanting proposals in the application.

Thanking the speakers, the Chair invited Councillor Hofman, Nascot Ward Councillor, to speak to the committee. Councillor Hofman commented that there had been limited consultation with the local community about the loss of the NHS facility, which had occupied the site previously. Fundamentally, residents considered the proposed scheme to be an overdevelopment, sited too close to Salters Gardens.

Councillor Hofman expressed some frustration at the late circulation of comments from the Urban Design and Conservation Manager, particularly since her previous remarks had been very persuasive against compromising the nearby conservation area and adjacent almshouses.

The Chair then invited Councillor J Johnson, Nascot Ward Councillor, to speak to the committee. Councillor Johnson expressed equal frustration at the late information provided to residents and the committee in the update report and Urban Design and Conservation Manager's comments. Sufficient time should be allowed for proper consideration of the revised information.

Councillor J Johnson reiterated concerns about the overbearing height of the so-called Gate House, which would be sited some four metres from Salters Gardens, and suggested its removal from the proposal.

The Chair invited comments from the committee.

The committee concurred with criticism of the lateness of the paperwork for the meeting, however it was noted that openness in the decision-making process required there to be the possibility of some late changes to the papers.

Committee members welcomed the quality of the design, which had been amended after wide-ranging consultation and in the light of concerns raised by residents and officers. The development was considered to be a good use of the site, which was no longer required by the NHS.

Addressing concerns about the height of the Gate House, members considered that there were existing tall developments in the surrounding area, including Salters Gardens, The Spinney, Willow Grange and Cala Homes. The height of the proposed scheme would not therefore set an unwelcome precedent.

Moreover, whilst residents currently enjoyed open vistas from their properties, the distances between dwellings did not compromise privacy nor did they breach light deficiency levels within properties. The proposed scheme included landscaping proposals and whilst some mature trees would be lost many would be retained to help minimise the impact of the works on the character of the area.

Clarification was sought on the mix of affordable housing in the proposed scheme, which fell slightly short of the 35% target established by Watford Borough Council. The Principal Planning Officer advised that the mix had been agreed in conjunction with the Housing Supply Manager and complied with current need in the Borough.

In response to concerns about traffic levels, it was noted that the committee relied on the advice of the Local Highway Authority, which had raised no objection to the proposal on highways grounds subject to conditions. The developer had agreed to enter into a Section 106 Planning Obligation to remove permit entitlement for future occupants of the proposed dwellings within the surrounding controlled parking zones. This would help to ensure that the scheme did not increase local parking pressures.

The Chair moved the officer recommendation.

RESOLVED –

- (A) 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 13 of the units as affordable housing for social rent, affordable rent and intermediate tenure.
- ii) To exclude future residents of the development from entitlement to resident parking permits for the controlled parking zones in the vicinity of the application site.
- iii) To secure the provision of fire hydrants as required by the County Council to serve the development.

That planning permission be granted subject to the following 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: 200 Rev P2 – amended plan received 20.01.16; 16 001-1; 203 Rev P4 – amended plan received 03.03.16; 204 Rev P4 – amended plan received 03.03.16; 205 Rev B – amended plan received 18.03.16; 206 Rev P1; 207 Rev P4 – amended plan received 03.03.16; 208 Rev P4 – amended plan received 03.03.16; 209 Rev P4 – amended plan received 03.03.16; 05-400 Rev P – amended plan received 14.04.16; 05-401 Rev P – amended plan received 05.04.16; 05-402 Rev P – amended plan received 05.04.16; 05-403 Rev P – amended plan received 05.04.16; 05-404 Rev P – amended plan received 05.04.16; 05-405 Rev P – amended plan received 05.04.16; LP/14SRWH/020 C.
3. No construction works above damp proof course level shall commence until details of the materials to be used for all the external finishes of the buildings, including all walls, roofs, doors, windows, balconies, fascias, soffits, rainwater and foul drainage goods (including samples where considered necessary by the Local Planning Authority) 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.
4. No construction works above damp proof course level shall commence until detailed drawings of the elevations including the window reveal treatment and window dressing technique to be used 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.

5. The development permitted by this planning permission shall only be carried out in accordance with the approved surface water drainage assessment carried out by iDLimited reference IDL/780/DS/01 dated January 2016 and the following mitigation measures detailed within the assessment:
 1. Implementing appropriate SuDS measures as indicated on drawing IDL/780/DS/01 Rev A dated November 2015.
 2. 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.
 3. Limiting the surface water run-off to 5l/s with discharge into Thames Water surface water sewer.

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. The soft landscaping shall be carried out in accordance with the details shown on Drawing No. LP/14SRWH/020 C and as set out in the accompanying document Appendix A – Landscape Plan (prepared by David Clarke). The proposed planting shall be completed not later than the first available planting and seeding season after the first occupation of any part of the development. For the purposes of this condition a planting season is the period from 1 October in any one year to 31 March in the next following year. 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 in writing by the Local Planning Authority.
7. Notwithstanding the information shown on Drawing No. LP/14SRWH/020 C and as set out in the accompanying document Appendix A – Landscape Plan (prepared by David Clarke), no part of the development shall be occupied until full details of a hard landscaping scheme, including details of all hard surfacing, all site boundary treatments and all fencing or enclosures 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.

8. No works to create the pathways within the site shall commence until details of the construction methods to be used for those parts of the proposed paths that lie within the root protection areas of retained trees 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.
9. No works shall commence until details of the type, height and location of tree protection fencing have been submitted to and approved in writing by the Local Planning Authority. The approved tree protection fencing shall be installed prior to the commencement of any demolition or construction works on site and shall be maintained as such at all times throughout the period of construction.
10. Prior to any works commencing on site details 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 shall be 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.
11. No part of the development shall be occupied until the car parking, manoeuvring and driveway areas have been laid out and constructed in accordance with the approved drawings and made available for use and these facilities shall thereafter be kept clear of any obstruction and not be used for any other purposes.
12. No development shall commence until details of the existing and proposed ground levels and the finished ground floor levels of the buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall only be constructed in accordance with the approved details.
13. With the exception of the means of enclosure approved under Condition 8, no gates or other means of enclosure shall be erected along the site frontage across the vehicle access or elsewhere on the site without the prior written approval of the Local Planning Authority.
14. The following windows shall be permanently fixed closed below 1.7m internal floor level and shall be fitted with obscured glass at all times unless otherwise agreed in writing by the Local Planning Authority:

- (i) The proposed first and second floor windows on the northeast-facing elevation of the building referred to as Block B (serving the flats referred to as 10 and 12) on the drawings hereby approved;
 - (ii) The proposed first and second floor windows on the northeast-facing elevation of the building referred to as Block F (serving the flats referred to as 32 and 34) on the drawings hereby approved;
 - (iii) The proposed windows on the southwest-facing elevation of the building referred to as Block G (serving the flats referred to as 1 and 2) on the drawings hereby approved;
 - (iv) The proposed first and second floor windows on the northeast-facing and southwest-facing elevations of the houses;
 - (v) The proposed first and second floor windows on the southwest-facing and northwest-facing elevations of the stairwell attached to the southern side of the building referred to as Block E on the drawings hereby approved.
15. None of the units hereby approved shall be occupied until a scheme detailing the external lighting to be installed within the site (including any external lighting attached to the buildings) has been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed, as approved, prior to the first occupation of the development and shall be maintained as such at all times thereafter unless otherwise agreed in writing by the Local Planning Authority.
16. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015, as amended (or any modifications or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, F and G of the Order shall be carried out to the dwellings hereby approved without the prior written permission of the Local Planning Authority.
17. The garages hereby permitted shall be reserved for the parking of vehicles and shall not be converted to provide additional living accommodation or used for any other purpose.
18. Prior to the commencement of the development hereby approved a Phase I Report to assess the actual or potential contamination at the site shall be submitted to and approved in writing by the Local Planning Authority. If actual or potential contamination and/or ground gas risks are identified further investigation shall be carried out and a Phase II report shall be

submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.

For the purposes of this condition:

A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.

A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.

A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

19. All remediation or protection measures identified in the Remediation Statement referred to in Condition 19 shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report 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 permitted.

For the purposes of this condition a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.

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 2015.

2. The proposed development is liable for contributions under the Community Infrastructure Levy (CIL). Please contact the Planning Support Team at Watford Borough Council (telephone number: 01923 278327) if you have any queries about the CIL procedure and how CIL payments are collected.
3. This planning permission is accompanied by a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 to secure the provision of 13 affordable housing units; to exclude future residents of the development from entitlement to resident parking permits for the controlled parking zones in the vicinity of the application site; and to secure the provision of fire hydrants as required by the County Council to serve the development.
4. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the Hertfordshire County Council website at <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
5. 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 construction of the development; 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.
6. All new units granted planning permission and to be constructed require 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.

7. 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.
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. You are advised that appropriate arrangement should be made within the site to provide for:
 - a. Servicing and Delivery associated with the construction
 - b. Parking for workers and contractors associated with the construction
 - c. Wheel washing to prevent the spread of debris onto the public highway.

Failure to make such provisions may be contrary to the Highways Act and/or require a separate licence from the Local Highway Authority.

10. You are advised of the need to comply with the provisions of The Control of Pollution Act 1974 Part IV, The Health & Safety at Work Act 1974, The Clean Air Act 1993 and The Environmental Protection Act 1990.

In order to minimise impact of noise general construction work should be restricted to the following hours:

- Monday to Friday 8am to 6pm
- Saturdays 8am to 1pm
- Noisy work is prohibited on Sundays and bank holidays

Instructions should be given to ensure that vehicles and plant arriving at and leaving the site comply with the stated hours of work.

11. You are advised that any works involving the removal of asbestos will need to be carried out fully in accordance with The Control of Asbestos

Regulations 2012 and/or any other relevant legislation. The removal of asbestos will need to be carried out by a licensed contractor. Should you require further information on the safe removal of asbestos then you should contact the Health & Safety Executive on 0300 003 1747 or visit their website at: <http://www.hse.gov.uk/asbestos/regulations.htm>.

12. You are advised that The Conservation of Habitats and Species Regulations 2010 (as amended), The Wildlife and Countryside Act 1981 (as amended), The Protection of Badgers Act 1992 and The Natural Environment and Rural Communities (NERC) Act 2006 relate to the protection of habitats and species. It is a criminal offence to disturb or destroy protected species and it is the applicant's responsibility to ensure that this legislation is complied with and that suitable measures are put in place in order to safeguard protected species. Your attention is drawn to the measures outlined in the submitted Ecological Assessment (Report No. CSa/2729/01), prepared by CSa Environmental Planning, dated September 2015.

(B) In the event that an acceptable planning obligation under Section 106 of the Town and Country Planning Act 1990 has not been completed by 18th August 2016 in respect of the Heads of Terms set out above, the Development Management Section Head be authorised to refuse planning permission for the application for the following reasons:

1. The proposal fails to make provision for affordable housing on-site and as such is contrary to Policy HS3 of the Watford Local Plan Core Strategy 2006-31.
2. The proposal would exacerbate demand for on-street parking in the Controlled Parking Zone, which already experiences parking problems. The proposal is therefore 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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VOTE OF THANKS

Noting that this was the last meeting of the current cycle, the Chair expressed his thanks to all members of the Development Management Committee for their useful contributions to discussions over the past year.

The Meeting started at 7.30 pm
and finished at 8.15 pm

Chair