

DEVELOPMENT MANAGEMENT COMMITTEE

4 JANUARY 2017

Present: Councillor R Martins (Chair)
Councillor S Johnson (Vice-Chair)
Councillors D Barks, S Bashir, N Bell, J Maestas, I Sharpe and
M Watkin

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

46 **APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP**

Apologies had been received from Councillor Joynes.

47 **DISCLOSURE OF INTERESTS (IF ANY)**

There were none.

48 **MINUTES**

The minutes of the meeting held on 14 December 2016 were submitted and signed.

49 **16/00970/FULM 147 ST ALBANS ROAD**

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 sought planning permission for the conversion and extension of the existing building to provide three new flats and the erection of a new building behind comprising five new flats. The two flats in the existing building at 147 St Albans Road would be retained. This would provide 10 flats in total on the site, five within the extended building and five within the new building.

It was noted that planning permission had been granted for the extension and refurbishment of the existing building at 147 St Albans Road (13/00854/EXT).

Some preparatory ground works had taken place. The current application would maintain the same building footprint and overall proportions of those approved under this previous permission.

The Chair invited Nick Stafford, the agent, to speak in support of the application. Mr Stafford underlined the existing planning permission for the site, as well as the need for housing in the locality. The proposed development would provide a net increase of eight dwellings.

Constructive dialogue had taken place with Council officers, particularly with the Urban Design and Conservation Manager. The result was a sympathetic and fully compliant development which would make a positive contribution to the Nascot Conservation Area.

Mr Stafford advised that this would be a car free residential development. The applicant had entered into a Unilateral Undertaking to ensure that future occupiers of the flats would not be entitled to parking permits in the surrounding Controlled Parking Zone. This would ensure that the development did not result in any significant increase in on-street parking.

The Chair invited comments from the committee.

Members of the committee welcomed the proposed development, which would improve the appearance of the local area. The design blended in well with the Victorian style of the Nascot Conservation Area, and would make a positive contribution to the surrounding terraced street scene.

There was some discussion about the loss of the commercial unit, which had formed part of the previous planning permission. However, it was noted that the existing unit had proved difficult to let and had been left vacant for some time. It was also a single unit, rather than forming part of longer row of shops.

In response to a query regarding boundary distances raised by Network Rail, the Principal Planning Officer explained that the close proximity of the proposed development to the railway land did not necessarily mean that it was unacceptable, but certain procedures had to be followed. He further explained that it was understood the applicant had been liaising with the Asset Protection Engineer at Network Rail to ensure that the necessary procedures were in place. The Principal Planning Officer advised that the necessary measures would have to have been agreed prior to the site clearance works, which had already been undertaken.

Committee members expressed concern about the size of some of the flats in the proposed development, which fell below the minimum internal space

standards set out in the Residential Design Guide. However, it was observed that two were existing flats which were being retained. A further four had been granted permission in 2013, when different minimum standards had been in place.

It was observed that, whilst the applicant was under no obligation to provide affordable housing in the development, it was hoped some provision would be considered.

Concurring with the last comment, the Chair moved the officer recommendation.

RESOLVED –

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: D01; SK147/24 Rev 2; 200 P2 (Drainage Layout); PL200; PL201; PL202; PL900 – received 07.12.16; PL901 – received 07.12.16; PL902 – received 07.12.16; PL903 – received 07.12.16; PL904 – received 07.12.16; PL905 – received 07.12.16; PL906 – received 07.12.16; PL907 – received 07.12.16.
3. The development shall be carried out in accordance with the external materials and finishes detailed on the drawings hereby approved. In the event of any of the specified materials not being available details of alternative materials shall be submitted to and approved in writing by the Local Planning Authority prior to their use/installation and the development shall only be carried out in accordance with any alternative details approved by this condition.
4. The soft landscaping shall be carried out in accordance with the details shown on Drawing No. SK147/24 Rev 2. 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.

5. The second floor windows in the northwest-facing elevation of the proposed building containing those units referred to as Flats 6-10 on the drawings hereby approved, 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.
6. The proposed ground floor window on the southeast-facing elevation of the existing building, that will serve a bedroom within the unit referred to as Flat 2 on the drawings hereby approved, 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.
7. No part of the development shall be occupied until the existing access to Church Road has been stopped up in accordance with the details approved under permission 16/00487/DISCON.
8. Notwithstanding the information already submitted, none of the units hereby approved shall be occupied until details of the type, siting, size and finish of the cycle storage enclosure have been submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be installed in accordance with the details approved under this condition and shall be made available for use prior to the occupation of any of the units. The store shall be maintained as such at all times thereafter and shall not be used for any purpose other than for the storage of cycles.
9. The proposed mitigation measures, as set out within the “Noise & Vibration Assessment for Planning Application” – dated 24th November 2016 (prepared by inacoustic - Ref. 16-193), shall be implemented and/or made available for use prior to the occupation of any of the flats and shall thereafter be maintained at all times unless otherwise agreed in writing by the Local Planning Authority.

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.

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 groundwater. 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 0800 009 3921.

6. 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 email Thames Water a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to developer.services@thameswater.co.uk to determine if a building over / near to agreement is required.
7. 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.
8. 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. 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.
9. You are advised that appropriate arrangements should be made 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. This planning permission is accompanied by a legal agreement under Section 106 of the Town and Country Planning Act 1990 for the variation of the Borough of Watford (Watford Central Area and West Watford Area) (Controlled Parking Zones) (Consolidation) Order 2010 to exclude future residents of the new flats contained within the development from entitlement to resident parking permits for the controlled parking zones in the vicinity of the site.
11. This development may be considered a chargeable development for the purposes of the Community Infrastructure Regulations 2010 (as amended). The charge is non-negotiable and is calculated at the time planning permission is granted. The charge is based on the net increase of gross internal floor area of the proposed development. A person or party must assume liability to pay the levy using the assumption of liability form 1 which should be sent to the CIL Officer, Regeneration and Development, Watford Borough Council, Town Hall, Watford, WD17 3EX or via email. If nobody assumes liability to pay the levy this will default to the land owner. A Liability Notice will be issued in due course. Failure to adhere to the Regulations and commencing work without notifying the Council could forfeit any rights you have to appeal or pay in instalments and may also incur fines/surcharges.
12. A BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any railway site safety costs, possession costs, asset protection costs / presence, site visits, review and agreement of proposal documents and any buried services searches. The BAPA will be in addition to any planning consent. The applicant / developer should liaise directly with Asset Protection to set up the BAPA. Email: AssetProtectionLNWSouth@networkrail.co.uk
13. The developer is to submit directly to Network Rail a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway. Network Rail would need to be assured the works on site follow safe methods of working and have taken into consideration any potential impact on Network Rail land and operational railway infrastructure. Review and agreement of the RAMS will be undertaken once a BAPA has been set up between Network Rail and the applicant/developer. The applicant /developer is to submit the RAMS directly to: AssetProtectionLNWSouth@networkrail.co.uk. The RAMS will

also need to take into account the works on site with respect to the 25kv overhead lines on the adjacent railway. Induced voltages from 25kv overhead lines may have the potential to impact upon land up to 20m from the lines themselves.

14. The developer will need to serve a Party Wall Act 1996 notification on Network Rail for the works adjacent to the railway boundary. The developer should email the notice (and a plan of the proposal site) to: OperationalPropertyLNW@networkrail.co.uk. The developer will be liable for all costs incurred by Network Rail in facilitating the Party Wall works.
15. In October 2015, Approved Document Q (ADQ) came into force that requires under Building Regulations that dwellings are built to “Prevent Unauthorised Access”. This applies to any “dwelling and any part of a building from which access can be gained to a flat within the building”. Performance requirements apply to easily accessible doors and windows that provide access in any of the following circumstances:
 - a. Into a dwelling from outside
 - b. Into parts of a building containing flats from outside
 - c. Into a flat from the common parts of the building

Achieving the Secured by Design (SBD) award meets the requirements of Approved Document Q (ADQ), and there is no charge for applying for the Secured by Design award. Further details are available from Hertfordshire Police Crime Prevention Design Advisors at 01707-355226.

16. 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.
17. The applicant is encouraged to prepare a Site Waste Management Plan (SWMP). The SWMP should aim to reduce the amount of waste produced on site and should contain information including types of waste removed from the site and where that waste is being taken to. Good practice templates for producing SWMPs can be found at: <http://www.smartwaste.co.uk/> or <http://www.wrap.org.uk/category/sector/waste-management>. SWMPs

should be passed onto the Waste Planning Authority (Hertfordshire County Council Minerals and Waste Team) to collate the data. They can be contacted by telephone on 01992 556254 or by email at spatialplanning@hertfordshire.gov.uk.

50 **02/00650/FUL DE BEERS HOUSE, 56 WILLOW LANE**

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 Head of Development Management introduced this item. He explained that the application sought a Deed of Variation to the existing s106 planning obligation which had accompanied the original planning application for the construction of eight bedsits (02/00650/FUL). This would allow the issuing of a single parking permit to provide a single vehicle to be parked in the surrounding Controlled Parking Zone. The key worker restrictions should also be deleted.

In the absence of any substantive comments from the committee, the Chair moved the officer recommendation.

RESOLVED –

That, a Deed of Variation to the existing s106 Planning Obligation be entered into to:

Section 106 Heads of Terms

- i) To allow a single vehicle to be parked within the surrounding Controlled Parking Zone and the Traffic Regulation Order (Watford Central Area and West Watford Area Controlled Parking Zone Consolidated Order 2010) will be varied accordingly;
- ii) Paragraphs 3 (d) and 3 (e) (Key Worker restrictions) are deleted in their entirety.

Chair

The Meeting started at 7.30 pm
and finished at 7.55 pm