

DEVELOPMENT MANAGEMENT COMMITTEE

13 JUNE 2017

Present: Councillor P Jeffree (Chair)
Councillor S Johnson (Vice-Chair)
Councillors D Barks, S Bashir, N Bell, P Kent, R Laird, I Sharpe and
M Turmaine

Officers: Development Management Section Head
Development Management Team Leader (PB)
Committee and Scrutiny Support Officer (IM)

1 APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP

There were no apologies.

2 DISCLOSURE OF INTERESTS (IF ANY)

There were none.

3 MINUTES

The minutes of the meeting held on 10 May 2017 were submitted and signed.

4 17/00443/FUL 28, BEECHPARK WAY

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 Development Management Team Leader introduced the report explaining that the application was for the erection of a new detached dwelling house of a similar scale and design to the existing housing on the road. Access would be from a short spur off Beechpark Way. There would be two parking spaces provided on the driveway in front of the house.

It was noted that some photographs had been submitted by local residents objecting to the application. These had been circulated to committee members prior to the meeting.

The Chair invited Mr David Bowsher, a local resident, to speak against the application. Speaking on behalf of local residents, Mr Bowsher drew the committee's attention to the parking concerns of those living around the access spur to the proposed development.

Acknowledging that there was a growing trend for households to have several vehicles, Mr Bowsher explained that these additional vehicles were often parked on the road, restricting access and visibility on the highway. The situation was exacerbated by visitors and trades people to properties. Residents were concerned about the highway safety implications of adding a further household to this site.

In response to a query from the Chair, the Development Management Team Leader confirmed that concerns about highway safety were considered carefully in the planning process. However, Beechpark Way was a cul de sac and had no through traffic. The road was sufficiently wide to accommodate on-street parking without obstructing the flow of traffic. There was good visibility and no parking restrictions. All houses had integral garages and driveways providing on-site parking.

Thanking the speaker, the Chair invited comments from the committee.

The committee expressed sympathy with residents' frustration about current parking arrangements in Beechpark Way. Parking was a problem for many residents across the borough. However, it was noted that Hertfordshire County Council as Highway Authority had not raised any objections to the development. The proposed parking provision was also in line with the council's own policies.

Committee members observed that the proposed house would be very similar in scale and design to the existing house in the site and to the houses on Beechpark Way. Therefore, it would not harm the character and appearance of the area.

There were no grounds to refuse planning permission.

Moving the officer's recommendation, the Chair reiterated the committee's view that parking was an irritation for many residents in the town. He advised that parking control measures, which lay outside planning control, might provide a solution to current concerns. This process could be assisted by local ward councillors.

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:-

Sheet 2, Sheet 4

3. No development shall commence until details of the bricks to be used for the walls and the tiles to be used for the roofs 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 soakaways shall be constructed to serve the development until details of the siting, size and depth of the soakaways (having particular regard to the preserved trees on and adjoining the site, have been submitted to and approved in writing by the Local Planning Authority. The soakaways shall only be constructed in accordance with the approved details.

Informatives

1. You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, 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, any works associated with the development which are audible at the site boundary 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 entering and leaving the site comply with the stated hours of work.

Further details for both the applicant and those potentially affected by construction noise can be found on the Council's website at:

https://www.watford.gov.uk/info/20010/your_environment/188/neighbor_complaints_%E2%80%93_construction_noise.

2. 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 (semeta.bloomfield@watford.gov.uk).

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.

3. All new developments 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.
4. 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.

5

17/00091/OUT THE TECH SITE, WOODSHOTS MEADOW, HATTERS 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 Development Management Team Leader explained that this item was an outline application for the demolition of the existing buildings and erection of four new office buildings, ancillary staff amenity building, and car parking (with access to be determined). This was a duplicate application to Three Rivers District Council.

Before inviting comments from the committee, the Chair emphasised the value of undertaking site visits prior to committee discussions. He strongly encouraged members of the committee to attend future visits, which would be accompanied by a planning officer. The visits would be particularly important ahead of committee discussions on any major or controversial schemes.

As a result of his own visit to the proposed Tech Site, the Chair advised the need for good car park design. Although matters of appearance had been reserved for subsequent approval, he urged that elevations of the buildings facing the river be given equal consideration to the appearance of the two other outward facing elevations. The Chair added that the design treatment of the car park should be of high quality in itself and not rely solely on planting to screen its appearance from the road.

Members of the committee welcomed the employment opportunities represented by the proposed development, which would also improve the quality of available office floor space in the town.

Some members of the committee expressed concerns about the impact of the proposed development on local traffic levels. It was noted that the surrounding road network was constrained and that mitigation measures around two key junctions, which were the subject of a Section 278 Agreement (Highways Act), would be put in place to address these concerns. However, committee members agreed that the mitigation measures, and the pressure on parking ratios within the site, would need to be monitored closely.

In response to concerns about the extent of environmental, ecological and archaeological appraisals undertaken on the site, the Development Management Team Leader confirmed that the relevant authorities within Hertfordshire County Council had been consulted and comments submitted.

Councillor Sharpe proposed that an informative note be added to provide guidance to the developer in regard to the design of the main elevations of the proposed multi-storey car park. It was agreed that this action should be delegated to officers to complete outside the meeting.

The Chair moved the officer's recommendation.

RESOLVED –

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

Section 106 Heads of Terms (Provisional)

- i) To secure a financial payment to Hertfordshire County Council of £20,000 towards off-site highway mitigation works at the Ascot Road/Morrison's Access roundabout, as detailed on drawing no. 16037-01-208 (Markides Associates).
- ii) To secure a financial payment to Hertfordshire County Council of £6,000 for the long term monitoring of the proposed Travel Plan for the site.

Conditions

1. No development shall commence until details of the reserved matters of layout, scale, appearance and landscaping have been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.
2. Applications for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. Development shall commence before the expiration of two years from the date of approval of the final reserved matters application.
3. Notwithstanding the description of the application and the approved drawing no. 050_05 (Access Plan – Site), the approval of the access relates only to the 2 junctions on Hatters Lane and the junction on Blackmoor Lane and not to the internal road layout and car parking areas. The reserved matters applications pursuant to this permission shall be made in accordance with the approved access junctions.
4. Details of the reserved matter of layout shall include final details of the internal access road, car parking areas and servicing areas, showing vehicle swept paths for manoeuvring and turning.
5. No building approved under the reserved matters shall be occupied until the approved access junctions and internal road arrangements have been implemented in full.

6. No development shall commence until a Section 278 agreement under the Highways Act 1980 has been completed for the carrying out of the highway mitigation measures at the Whippendell Road/Ascot Road roundabout, as detailed on drawing no. 66006-TA-005 (Development Transport Planning). No building approved under the reserved matters shall be occupied until the highway mitigation measures have been implemented in full.
7. No building approved under the reserved matters shall be occupied until details have been submitted to and approved by the Local Planning Authority for the improvement of the 2 bus stops outside the site on Hatters Lane, and these works have been implemented in full.
8. The development hereby permitted in outline shall not exceed 5 levels of floor space for any building containing Class B1(a) office floor space.
9. The maximum gross external floor space (GEA) of the buildings on the site shall not exceed 40,000m².
10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and any subsequent legislation that amends or supersedes this Order, the floor space hereby approved shall only be used for office purposes within Class B1(a) of the Town and Country Planning (Use Classes) Order 1987 (as amended), with the exception of the 'staff amenity building' which shall only be used for purposes ancillary to the approved office use.
11. The provision of car parking for each individual phase of the development, submitted for reserved matters approval, shall not exceed 1 space per 45m² of gross external floor space (GEA).
12. No development shall commence until a detailed surface water drainage scheme has been submitted to, and approved in writing by, the Local Planning Authority. The surface water drainage system shall be based on the submitted Flood Risk Assessment and the Drainage Strategy and Water Quality Management Report (both by AKSWard, dated January 2017, ref. X162030).

The surface water drainage scheme should include limiting the surface water run-off generated by the 1 in 100 year + climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site:

- i) 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 + 40% climate change event.
- ii) Provide appropriate amount of attenuation to minimise the amount of informal flooding.
- iii) Updated drainage layout, showing the breakdown of the required attenuation volume between the different components. This should be supported by calculations presented in a manner that the link can be made with specific locations on drawing. This should also include all areas of informal flooding.
- iv) Implementing the appropriate drainage strategy based on attenuation and discharge, using appropriate SuDS measures.
- v) Details of how the scheme shall be maintained and managed after completion.
- vi) Detailed engineered drawings of the proposed SuDS measures.

The scheme shall be fully implemented and subsequently maintained, 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.

13. No development shall commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and

- 1. The programme and methodology of site investigation and recording;
- 2. The programme and methodology of site investigation and recording as suggested by the archaeological evaluation;
- 3. The programme for post investigation assessment;
- 4. Provision to be made for analysis of the site investigation and recording;
- 5. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
- 6. Provision to be made for archive deposition of the analysis and records of the site investigation;
- 7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

The development shall only be carried out in accordance with the programme of archaeological works set out in the approved Written Scheme of Investigation.

14. No building approved under reserved matters shall be occupied until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Archaeological Written Scheme of Investigation approved under Condition 13 and the provision made for analysis and publication where appropriate.
15. No development shall commence until a drainage strategy for foul water and surface water, detailing any on and/or off site drainage works, has been submitted to and approved by the Local Planning Authority. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.
16. No development shall commence (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan for biodiversity (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:
 - i) Risk assessment of potentially damaging construction activities.
 - ii) Identification of “biodiversity protection zones”.
 - iii) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - iv) The location and timings of sensitive works to avoid harm to biodiversity features.
 - v) The times during which construction when specialist ecologists need to be present on site to oversee works.
 - vi) Responsible persons and lines of communication.
 - vii) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - viii) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be ahead to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

17. No development comprising site preparation (including but not exclusively demolition of buildings and structures, ground works, ground remediation and service diversions) or construction shall commence until a Site Waste Management Plan (SWMP) for all aspects of waste management during site preparation and construction has been submitted to and approved in writing by the Local Planning Authority. This shall include measures for recycling/disposing of waste resulting from demolition and construction works. The development shall be carried out in accordance with the approved SWMP throughout the period of works for the development.
18. No development shall take place until a scheme for the provision and management of a minimum of an 8 metre wide buffer zone from the top of the bank of the Gade and a minimum of a 5 metre wide buffer zone around the proposed pond shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:
- Plans showing the extent and layout of the buffer zone.
 - Details of any proposed planting scheme (to be planted with native species only).
 - Details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management, plus production of detailed management plan.
 - Details of any proposed footpaths, fencing, lighting etc.
 - Confirmation that there shall be no light from external artificial lighting into the watercourse or adjacent river corridor habitat (to achieve this the specifications, location and direction of external artificial lights should be such that the lighting levels within 8 metres of the top of bank of the watercourse are maintained at background levels which are considered to be a Lux level of 0-2).
19. No development shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved, in writing, by the Local Planning Authority:

(1) A site investigation scheme, based on the submitted Preliminary Risk Assessment (prepared by Jomas dated 14th December 2016; reference P9721J969) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

(2) The results of the site investigation and detailed risk assessment referred to in (1) 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.

(3) 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 (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

20. No building approved under the reserved matters shall be occupied until a verification report demonstrating completion of works set out in the approved remediation strategy 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 any 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. The long-term monitoring and maintenance plan shall be implemented as approved. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the Local Planning Authority.
21. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

22. No infiltration of surface water drainage into the ground shall take place other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.
23. No piling or any other foundation designs using penetrative methods shall be carried out until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. The piling method statement must also demonstrate that there will be no resultant unacceptable risk to groundwater. Any piling must be undertaken in accordance with the approved piling method statement.
24. No occupation of any part of the permitted development shall take place until a scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected.
25. At least 3 months prior to the first occupation of any building approved under reserved matters, a detailed Travel Plan for the site, based upon the Hertfordshire County Council document 'Hertfordshire Green Travel Plan Guidance', shall be submitted to the Local Planning Authority. The approved Travel Plan shall be implemented at all times.
26. No building approved under reserved matters shall be occupied until a waste management scheme, detailing the siting, capacity and design of storage areas for waste and recycled materials, and a management plan for collection, has been submitted to and approved in writing by the Local Planning Authority and this scheme has been implemented in full. These facilities shall be retained as approved at all times.

27. No building approved under reserved matters shall be occupied until details of secure and weatherproof cycle storage facilities, based upon the Council's cycle parking standards within the Watford District Plan 2000, have been submitted to and approved in writing by the Local Planning Authority and these facilities have been provided in accordance with the approved details. These facilities shall be retained as approved at all times.
28. No external lighting shall be installed on the site or affixed to any buildings on the site unless the Local Planning Authority has first approved in writing a lighting scheme containing details of the position, height, design, intensity and time restrictions of all lighting. The lighting scheme shall be designed to minimise impacts on wildlife along the River Gade and the adjoining woodland area to the south of the site. All lighting shall be installed and operated thereafter in accordance with the approved scheme.

Informatives

1. You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, 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, any works associated with the development which are audible at the site boundary 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 entering and leaving the site comply with the stated hours of work.

Further details for both the applicant and those potentially affected by construction noise can be found on the Council's website at:
https://www.watford.gov.uk/info/20010/your_environment/188/neighbor_complaints_%E2%80%93_construction_noise.

2. The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.
3. It is an offence to take or disturb the breeding or resting location of protected species, and precautionary measures should be taken to avoid harm where appropriate. If protected species, or evidence of them, is discovered during the course of any development, works should stop immediately and advice sought as to how to proceed. This may be obtained from: Natural England: 0300 060 3900; the UK Bat Helpline: 0845 1300228 or Herts & Middlesex Bat Group: www.hmbg.org.uk ; Herts & Middlesex Badger Group; Hertfordshire Amphibian and Reptile Group, or a suitably qualified ecological consultant.

Badgers are protected under the Wildlife and Countryside Act 1981 (as amended) and the Protection of Badgers Act 1992, which makes it an offence to:

- Wilfully kill, injure or take a badger, or to attempt to do so;
- Cruelly ill-treat a badger; or
- Intentionally or recklessly interfere with a badger sett.

For birds, the removal of trees & shrubs should be avoided during the breeding season (March to September inclusive). If this is not possible then a search of the area should be made by a suitably experienced Ecologist and if active nests are found, then clearance must be delayed until the nesting period has finished.

For reptiles and amphibians, stored materials (that might act as temporary resting places) are raised off the ground e.g. on pallets or batons; and any rubbish is cleared away to minimise the risk of animals using the piles for shelter. Caution should be taken when moving debris piles or building materials as any sheltering animals could be impacted on.

Trenches should have escape ramps to provide an escape opportunity for any animals that may have become trapped.

4. All works required to be undertaken on the highway network will require an Agreement with the Highway Authority. Before commencing the development the applicant shall contact HCC Highways Development Management, County Hall, Pegs Lane, Hertford, SG13 8DN to obtain their permission and requirements. This is to ensure any work undertaken in the highway is constructed in accordance with the Highway Authority's specification and by a contractor who is authorised to work in the public highway.
5. The applicant is advised that the elevation of the multi-storey car park adjacent to Blackmoor Lane should be considered as an important elevation and should be given equal consideration to the appearance of the office buildings. The design treatment of the car park should be of high quality in itself and not rely on planting to screen its appearance from the road.

Chair

The Meeting started at 7.30 pm
and finished at 8.10 pm