

DEVELOPMENT MANAGEMENT COMMITTEE

1 SEPTEMBER 2016

Present: Councillor R Martins (Chair)
Councillors D Barks, S Bashir, N Bell, J Fahmy, A Grimston,
A Joynes, J Maestas and D Scudder

Also present: Councillors Hofman and Mills

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

1 APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP

There were a number of changes to this committee: Councillor Fahmy replaced Councillor Johnson, Councillor Grimston replaced Councillor Sharpe and Councillor Scudder replaced Councillor Watkin.

2 DISCLOSURE OF INTERESTS (IF ANY)

Councillor Bashir advised the Committee that, although he lived close to Burton Avenue, he had not received any information from local residents about application 16/00787/FUL, and had not provided any advice.

3 MINUTES

The minutes of the meeting held on 27 July 2016 were submitted and signed.

4 16/00768/FUL 32 LANGLEY 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 (MS) introduced the item, explaining that full planning permission was sought for retaining a shop unit on the ground floor (incorporating some basement space), some rear extensions and the conversion of the premises from one to three flats, including the conversion of loft space. The works would include the insertion of roof-light windows and the installation of an external staircase and a balcony.

The Chair invited Mr Martin Yallop, a local resident, to speak against the application. Mr Yallop expressed concerns about the negative impact of the application on the Nascot Conservation Area. The area had been identified as having special character and appearance and he considered that this application was an unattractive overbuild in one of the conservation area's main gateways.

Citing Watford Borough Council's Nascot Conservation Area Appraisal, Mr Yallop drew the committee's attention to the problem of unsympathetic alterations within the conservation area.

In addition, Mr Yallop raised issues about diminished light levels and overlooking into a number of neighbouring gardens as a result of the development.

The Chair invited Mr Adrian Hoy, the agent for the application, to speak in support. Mr Hoy advised that designating houses and shops as part of a conservation area did not mean that no development could be undertaken. The applicant had worked proactively with planning officers to devise an acceptable proposal, which maintained the existing shop and added extra accommodation in a highly sustainable area.

Mr Hoy noted that Watford Borough Council's Urban Design and Conservation Manager had not raised any objections to the proposed scheme.

Mr Hoy also drew the committee's attention to the unilateral undertaking agreed by the applicant, which would remove parking rights for any future occupants of the proposed flats, thereby ensuring that the development would not exacerbate parking congestion on local streets.

The Chair then invited Councillor Hofman, Nascot Ward Councillor, to speak to the committee. Councillor Hofman expressed local residents' concerns about the loss of the corner shop. The proposed design was considered unsatisfactory, affording poor access and storage, no open space or parking and cramped living accommodation. Councillor Hofman urged the committee to seek a more sympathetic development for this iconic location.

Clarifying the question of overlooking, the Principal Planning Officer advised that permanent screening would be required as part of the planning permission to protect the privacy of neighbouring properties to the side. In addition, in response to concerns about overdevelopment, the number of bedrooms in the loft flat had been reduced.

The Chair invited comments from the committee.

Committee members considered that there were no planning grounds to refuse the application. Privacy issues had been addressed; room sizes conformed to required dimensions; and the Urban Design and Conservation Manager had not raised any concerns in regard to the impact on the Nascot Conservation Area. The committee was also satisfied that sufficient controls were in place to prevent the loss of the iconic shop frontage.

The Chair moved the officer recommendation.

RESOLVED –

That, pursuant to a planning obligation under s.106 of the Town and Country Planning Act 1990 as per the unilateral undertaking that has been submitted in support of the application, conditional 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 shall be carried out in accordance with the following drawings, unless otherwise approved in writing by the Local Planning Authority. Please note that some of these are amended drawings which have superseded versions that were originally submitted with the application:

Drawing LRW.PLAN1 - revised version dated 17/08/2016

Drawing LRW.PLAN2 - revised version dated 29/06/2016

Drawing LRW.PLAN3 - revised version dated 29/06/2016

Drawing LRW.SP500 - block plan

Drawing LRW.LP1250 - site location plan

Design and access statement

Green travel plan

3. The first floor rear balcony shall be built with the side wall, as shown on drawing LRW.PLAN2, and that side wall shall be retained thereafter.
4. No work shall commence above the level of the damp-course until full details of the materials listed as follows have been submitted to and approved in writing by the Local Planning Authority. Physical samples

labelled with the manufacturer and model shall be submitted of the roof slates, the window frames and rainwater goods. In the case of the rooflight windows it will be acceptable to submit written details from a manufacturer's brochure or website rather than physical samples. The development shall be carried out in accordance with the approved details. The rendered walls shall be coloured white, cream, off-white, or such other colour as has been agreed in writing by the Local Planning Authority.

5. The front ground floor and basement unit which is labelled on the plans as 'office' may be used only for a purpose falling within the following Use Classes of the Town and Country Planning (General Permitted Development) Order 2015 (or subsequent amendments thereof): classes A1 (shops), A2 (financial and professional services) or B1 (offices), and not for any other use.

Informatives

1. For details of how the Local Planning Authority has reached its decision on this application please refer to the planning officer's report, which can be obtained from the Council's website www.watford.gov.uk, where it is appended to the agenda of the Development Management Committee meeting of 31 August 2016; and also to the minutes of that meeting.
2. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.
3. The development that is hereby approved is liable for contributions under the Community Infrastructure Levy (CIL). Please contact the Planning Support team at Watford Borough Council (tel 01923 278327) if you have any queries about the procedure to be followed as regards making those contributions prior to the commencement of the development.

4. This planning permission is accompanied by a planning obligation in the form of a unilateral undertaking, which is binding upon the owners and their successors in title. It obliges the owners to make certain contributions to the varying of the local traffic order when work commences on implementing this permission. It includes an obligation to inform the Local Planning Authority when work commences by contacting the Section 106 Co-Ordinator in the Planning department. The effect of the planning obligation will be to exclude the flats from entitlement to permits for the local Controlled Parking Zone.
5. This permission does not remove the need to obtain any separate consent, which may be required under the Buildings Act 1984 or other building control legislation. Nor does it override any private rights which any person may have relating to the land affected by this decision. To find more information and for advice as to whether a Building Regulations application will be required please visit www.watfordbuildingcontrol.com.
6. This planning permission does not remove the need to obtain any separate consent of the owner of the adjoining property prior to commencing building works on, under, above or immediately adjacent to their property (e.g. foundations or guttering). The Party Wall Etc Act 1996 contains requirements to serve notice on adjoining owners of property under certain circumstances, and a procedure exists for resolving disputes. This is a matter of civil law between the two parties, and the Local Planning Authority are not involved in such matters. A free guide called "The Party Wall Etc Act 1996: Explanatory Booklet" is available on the website of the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/393927/Party_Wall_etc_Act_1996_-_Explanatory_Booklet.pdf
7. You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health and 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/neighbour_complaints_%E2%80%93_construction_noise

8. 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.

5 **16/00661/FUL 462-464 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 (SH) introduced the item. He explained that the application sought permission for a change of use for an existing rear extension from an office to a single residential dwelling.

The Chair invited Mr Ijaz Akhster to speak against the application. Explaining to the committee that he owned an adjacent business to the application site, Mr Akhster expressed concerns about parking and about the build up of rubbish at the rear entrance. He considered that the development of the flats would exacerbate these problems.

The Chair invited Mr Edward Verrall, the agent for the application, to speak in support. Mr Verrall explained that this was an underutilised building in a sustainable location. Its redevelopment accorded with national planning policy objectives. Parking provision was not required under Watford Borough Council guidelines and there was good access to local transport options.

A new refuse and recycling facility would be put in place as part of the planning permission and it was hoped that this would alleviate current concerns.

Following a query from the Chair, the Principal Planning Officer confirmed that the refuse and recycling storage unit would not be secure, however there would be a roof covering to prevent odours.

The Chair invited comments from the committee.

Committee members considered that there were no planning grounds to refuse the application. However, some security concerns were raised about access via the rear entrance and the potential for anti-social behaviour in the side alley. Following advice from the Head of Development Management, it was agreed that it would be unreasonable to impose a condition on this issue.

The Chair moved the officer recommendation.

RESOLVED –

That planning permission be granted subject to the conditions listed below:

1. The existing unauthorised flats shall be removed and the development to which this permission relates shall be begun within a period of six months commencing on the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings: 14395/Location Plan Rev A; 14395/Block Plan; 14395/52 Rev G – amended plan received 19.08.16; 14395/53 Rev F – amended plan received 09.06.16; 14395/54 Rev C; 14395/60 Rev A; 14395/61 Rev A; 14395/62.
3. The residential unit hereby approved shall not be occupied until the refuse, recycling and cycle storage provision, as detailed on the plans hereby approved, has been installed and made available for use. In the event of the approved storage provision not being achievable, details of an alternative means of storage shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the unit. Any alternative means of storage approved by this condition shall be installed and shall be made available for use prior to the occupation of the unit.

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. This permission does not remove the need to obtain any separate consent, which may be required under the Buildings Act 1984 or other building control legislation. Nor does it override any private rights which any person may have relating to the land affected by this decision.

To find out more information and for advice as to whether a Building Regulations application will be required please visit www.watfordbuildingcontrol.com.

3. You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health and 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

16/00680/FUL LAND ADJACENT TO 10 NASCOT WOOD ROAD

The committee received the report of the Head of Development Management. This included the relevant planning history of the site and details of the responses to the application.

The Development Management Team Leader introduced the item, explaining that the application sought planning permission for the erection of a detached five bed dwelling with private access from Nascot Wood Road.

It was noted that there was an error in Informative 4, which would be corrected in the minutes.

The Chair invited Councillor Hofman, Nascot Ward Councillor, to speak to the committee. Councillor Hofman outlined local residents' concerns about the size and scale of the proposed application, which followed earlier developments on this plot. Cramped space on the site would restrict manoeuvrability and require visitors to the property to reverse out onto the highway.

In addition, residents considered that the proposed property would follow the wrong building line and provide inadequate screening to adjacent properties.

Clarifying the question of the building line, the Head of Development Management advised that the site was an unusual shape in an area of generous set backs from the road. The main planning consideration was whether the proposed development fitted in with the character of other surrounding properties. He considered that this was achieved with the proposed application.

In a further clarification, the Head of Development Management outlined the steps taken in the design of the property to address privacy concerns. These included the use of obscured glazing towards the nearest dwelling at (No. 10) and were considered sufficient to satisfy planning requirements.

The Chair invited comments from the committee.

The committee regretted the loss of green space in the area and reiterated opposition to back or front garden developments. However, the current application was on a large plot which had already seen a number of previous developments. Much greenery and the prominent tree line would remain.

Committee members were satisfied that the proposed design had taken into account potential concerns about overlooking and the loss of privacy to

neighbouring properties. They also considered that the design of the development was in keeping with the character and the appearance of the area.

The Chair moved the officer recommendation.

RESOLVED –

That conditional 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 only with the following approved drawings:-
 - PL103 Rev B 12 July 2016
 - PL106 Rev B
 - PL105 Rev B
 - PL104 Rev B 12 July 2016
3. Prior to commencement of the development hereby permitted details of the boundary treatment, the access /egress road serving the site and visibility splays shall be submitted to the planning authority for approval in writing. Thereafter the boundary treatment shall be installed and maintained in accordance with the approved details unless otherwise approved in writing by the Council.
4. Prior to the commencement of development details of the route of proposed sub-surface services including soakaways and temporary connections during construction shall be submitted to and approved in writing by the local planning authority.
5. The dwelling shall not be occupied until full details of a hard & 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.

6. The first floor windows in the north-west facing side elevation of the building hereby approved shall be permanently fixed closed below 1.7m internal floor level and shall be fitted with obscured glass at all times, and shall be permanently maintained as such, unless otherwise agreed in writing by the Local Planning Authority.
7. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development)(as amended) Order 2015 (or any modification or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E or F of the Order shall be carried out to the new house without the prior written permission of the Local Planning Authority.
8. No development shall commence within the site until full details and samples of the materials to be used for the external surfaces of the building, including windows have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall only be implemented in accordance with the approved details.
9. No part of the development shall be occupied until details of the siting, size and design of refuse, recycling and cycle storage have been submitted to and approved in writing by the Local Planning Authority and the storage facilities have been installed in accordance with the approved details. The storage facilities shall be retained at all times thereafter.
10. 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.

Informatives

1. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended. The Council also gave pre-application advice on the proposal prior to the submission of the application and undertook discussions with the applicant's agent during the application process.

2. 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 in the highway.
3. 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 authorization from the highway authority, Hertfordshire County Council.
www.herts.org/services/transtreets/highways or phone 0300 1234047 to arrange.
4. The applicant is advised that they may need to enter into a S278 legal agreement under the Highway Act to construct the access road. The completion of a S278 agreement may take up to 14 weeks.
5. 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.
6. In order to minimise the impact of noise and general construction, work should be restricted to the following hours:
 - Monday to Friday 8am to 6pm
 - Saturdays 8am to 1pmNoisy work is prohibited on Sundays and bank holidays.

7

16/00702/FULH 10 ROUGHWOOD CLOSE

The committee received the report of the Head of Development Management, which included the relevant planning history of the site and details of the responses to the application.

The Principal Planning Officer (SH) introduced the item, explaining that the application proposed the conversion of the garage into a habitable space, the installation of rooflight windows to the front roofslope, the addition of a bay window to the front elevation and works to infill the existing semi-open porch.

The Chair invited Mr William Murray, a local resident, to speak against the application. Speaking on behalf of local residents, Mr Murray outlined a long history of planning applications from the current owner and the impact of on-going alterations to surrounding properties.

Residents were particularly concerned about the roof elevation, which appeared to have been raised, and about the loss of trees and landscaping to the garden. These were considered to be out of keeping with surrounding properties.

The Principal Planning Officer advised that officers had inspected the property and concluded that there had been no appreciable change in the height of the roof. Moreover, any change that may have occurred was insufficient to impact on the character or appearance of the property.

The Chair invited comments from the committee.

Whilst sympathetic to the disruption caused to, and concerns of, local residents, committee members did not consider that there were planning grounds to refuse the current application.

The committee concluded that changes proposed in the application were largely cosmetic and in keeping with the character of the area.

The Chair moved the officer recommendation.

RESOLVED –

That planning permission be granted subject to the conditions listed below:

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: 13/16-02-LP01; 13/16-02-PL01 Rev B – amended plan received 04.08.16; 13/16-02-PL02 Rev B – amended plan received 11.08.16; 13/16-02-PL03 Rev B – amended plan received 08.08.16; 13/16-02-PL04 Rev G – amended plan received 09.08.16.
3. All the external surfaces shall be finished in materials to match the colour, texture and style of the existing building. In the event of matching materials not being available, details of any alternative materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the development shall only be carried out in accordance with any alternative details approved by this condition.

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. This planning permission does not remove the need to obtain any separate consent from the owner of the adjoining property prior to commencing building works on, under, above or immediately adjacent to their property (e.g. foundations or guttering). The Party Wall Etc Act 1996 contains requirements to serve notice on adjoining owners of property under certain circumstances, and a procedure exists for resolving disputes. This is a matter of civil law between the two parties, and the Local Planning Authority are not involved in such matters. A free guide called "The Party Wall Etc Act 1996: Explanatory Booklet" is available on the website of the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/39377/Party_Wall_etc_Act_1996_-_Explanatory_Booklet.pdf

3. This permission does not remove the need to obtain any separate consent, which may be required under the Buildings Act 1984 or other building control legislation. Nor does it override any private rights which any person may have relating to the land affected by this decision.

To find out more information and for advice as to whether a Building Regulations application will be required please visit www.watfordbuildingcontrol.com.

4. You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health and 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/neighbour_complaints/%E2%80%93_construction_noise

8

16/00777/FULH 11 THE PIPPINS

The committee received the report of the Head of Development Management. This included the relevant planning history of the site and details of the responses to the application.

The Principal Planning Officer introduced the item. He explained that the application was for a loft conversion involving the construction of a dormer on the rear roofslope and the installation of rooflight windows on the front roofslope.

The Chair invited Mrs Sue Saunders, a local resident, to speak against the application. Speaking on behalf of local residents, Mrs Saunders outlined the negative impact of the proposed development. The size of the loft extension was considerable and would adversely affect the character and appearance of the area.

In particular, residents were concerned about the proposed dormer windows. These were not common locally and would overlook neighbouring properties affecting privacy. Residents questioned whether roof lights would not be more appropriate.

The Chair then invited the applicant, Mr Chris Templeton, to speak in support of the application. Mr Templeton explained that he had a large and growing family which he needed to accommodate in their current dwelling.

He had no desire to upset his neighbours and had taken advice from planning officers to determine what was permissible under current planning rules.

The Principal Planning Officer confirmed that some permitted development rights had been removed from the property. This had been done to ensure that any future applications were considered in the light of current design guidelines. He confirmed that the proposed application complied fully with these guidelines, including the separation distances between the upper floor windows and the property's rear boundaries.

The Chair invited comments from the committee.

Although there were some questions about the relevant planning history of the site, the committee considered that there were no planning grounds to refuse the application.

Noting the concerns of local residents, the committee determined that the application met with all distance and design criteria set out in Watford Borough Council's Residential Design Guide.

The Chair moved the officer recommendation.

RESOLVED –

That planning permission be granted subject to the conditions listed below:

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: 1232/10 - 15 Sheet 1 of 2 Rev 1 – amended plan received 27.07.16; 1232/10 - 15 Sheet 2 of 2 Rev 1 – amended plan received 27.07.16.
3. The external wall surfaces of the dormer shall be finished in materials that have a similar appearance to those used on the existing building. In the event of materials of a similar appearance not being available, details of any alternative materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the development shall only be carried out in accordance with any alternative details approved by this condition.

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. This planning permission does not remove the need to obtain any separate consent of the owner of the adjoining property prior to commencing building works on, under, above or immediately adjacent to their property (e.g. foundations or guttering). The Party Wall Etc Act 1996 contains requirements to serve notice on adjoining owners of property under certain circumstances, and a procedure exists for resolving disputes. This is a matter of civil law between the two parties, and the Local Planning Authority are not involved in such matters. A free guide called "The Party Wall Etc Act 1996: Explanatory Booklet" is available on the website of the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/393927/Party_Wall_etc__Act_1996_-_Explanatory_Booklet.pdf
3. This permission does not remove the need to obtain any separate consent, which may be required under the Buildings Act 1984 or other

building control legislation. Nor does it override any private rights which any person may have relating to the land affected by this decision.

To find out more information and for advice as to whether a Building Regulations application will be required please visit www.watfordbuildingcontrol.com.

4. You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health and 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

9 **16/00787/FUL 29 BURTON AVENUE**

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 item, explaining that the application proposed the conversion of the existing warehouse into five flats, comprising two studio flats and three one-bed flats.

The Chair invited a local resident, Mrs Anita Baker, to speak against the application. Mrs Baker outlined a number of concerns, both about the current usage of the application site and the future impact of proposed changes.

In particular, Mrs Baker considered that the proposed flat conversion was an overdevelopment of the site, which would result in significant overlooking and a loss of privacy to surrounding properties.

Mrs Baker expressed additional concerns about the impact of parking, despite its sustainable location. Although there would be provision for bicycle storage, parking spaces were at a premium in the area and it was unlikely that the narrow access road would not be used for this purpose.

The Chair invited Councillor Mills, Vicarage Ward Councillor, to address the committee. Councillor Mills reiterated concerns about the overdevelopment of the site and expressed frustration about the lack of family accommodation in the area.

Councillor Mills further described the significant parking problems in Vicarage Ward which the proposed scheme would exacerbate.

The Chair invited comments from the committee.

Although accepting that the proposed development complied with design standards, the committee expressed concerns about the warehouse's current use. It was hoped that the change to residential use would remove the problems experienced by local residents.

The committee particularly welcomed the condition requiring a landscaping scheme to be maintained at the property. It was further agreed that, in order to mitigate overlooking and privacy concerns, a Grampian condition should be imposed on the development regarding the design of one of the proposed windows.

The Chair moved the officer recommendation, subject to the inclusion of a new Grampian condition to replace condition 8 on the recommendation:

Notwithstanding the plans hereby approved, no development shall commence until details of alternative south facing windows for flats 1 and 4 have been submitted to, and approved in writing by, the Local Planning Authority. The alternative windows shall be designed to reduce overlooking of properties in Durban Road West. Thereafter, the development shall be carried out in accordance with the approved details and maintained in perpetuity.

RESOLVED –

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

Section 106 Heads of Terms

- i) To exclude future residents of the development from entitlement to resident parking permits for the controlled parking zones in the vicinity of the application site.
- ii) To secure the provision of fire hydrants as required by the County Council to serve the development.

Conditions

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

Location plan; 15/2935/01; 15/2935/02; 15/2935/03; 15/2935/04;
15/2935/09; 15/2935/10A; 15/2935/11; 15/2935/12A.
3. No construction works shall commence until details of the materials to be used for all the external finishes of the development 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 part of the development shall be occupied until full details of a soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. 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.
5. No part of the development shall be occupied until full details of a hard landscaping scheme, including details of all site boundary treatments and

all fencing within the site, have been submitted to and approved in writing by the Local Planning Authority, and the works have been carried out in accordance with the approved details.

6. No part of the development shall be occupied until details of the siting, size and design of refuse, recycling and cycle storage have been submitted to and approved in writing by the Local Planning Authority and the storage facilities have been installed in accordance with the approved details. The storage facilities shall be retained at all times thereafter.
7. The ground floor and first floor windows in the south-western rear elevation of the building 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.
8. 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.

9. All remediation or protection measures identified in the Remediation Statement referred to in Condition 9 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.

10. No part of the development shall be occupied until details of the reinstatement of the kerb and pavement to the front of the site have been submitted to and approved in writing by the Local Planning Authority and the kerb and pavement have been reinstated in accordance with the approved details, unless otherwise agreed in writing by 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 exclude future residents of the development from entitlement to resident parking permits for the controlled parking zones in the vicinity of the application site.
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.
3. 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.

4. This permission does not remove the need to obtain any separate consent, which may be required under the Buildings Act 1984 or other building control legislation. Nor does it override any private rights which any person may have relating to the land affected by this decision.

To find out more information and for advice as to whether a Building Regulations application will be required please visit www.watfordbuildingcontrol.com.

5. This planning permission does not remove the need to obtain any separate consent of the owner of the adjoining property prior to commencing building works on, under, above or immediately adjacent to their property (e.g. foundations or guttering). The Party Wall Etc Act 1996 contains requirements to serve notice on adjoining owners of property under certain circumstances, and a procedure exists for resolving disputes. This is a matter of civil law between the two parties, and the Local Planning Authority are not involved in such matters. A free guide called "The Party Wall Etc Act 1996: Explanatory Booklet" is available on the website of the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/393927/Party_Wall_etc__Act_1996_-_Explanatory_Booklet.pdf
6. 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.
7. The applicant is advised that storage of materials associated with the development should take place within the site and not extend into within 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.
8. 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. Where works are required within the public highway the highway authority require the construction of such works to be undertaken to their specification and by a contractor who is authorised to work in the public highway. Please see the Hertfordshire County Council guidance at http://www.hertfordshire.gov.uk/services/transtreets/highways/highway_sinfo/hiservicesforbus/devmanagment/dmhwaysec278/
10. You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health and 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/neighbour_complaints_%E2%80%93_construction_noise

10 **16/00868/FUL 7 ELFRIDA ROAD**

The committee received the report of the Head of Development Management. This included the relevant planning history of the site and details of the responses to the application.

The Development Management Team Leader introduced the item. He explained that the application proposed the demolition of an existing bungalow and the construction of a two storey building to provide four one-bed flats.

In the absence of comments or clarification from the committee, the Chair moved the officer recommendation.

RESOLVED –

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

Section 106 Heads of Terms

- i) To exclude future residents of the development from entitlement to resident parking permits for the controlled parking zones in the vicinity of the application site.
- ii) To secure the provision of fire hydrants as required by the County Council to serve the development.

Conditions

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

Location plan; and un-numbered proposed plan.
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 building, including walls, roofs, doors, windows and balcony balustrades, 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 part of the development shall be occupied until full details of a soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. 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.
5. No part of the development shall be occupied until full details of a hard landscaping scheme, including details of all site boundary treatments and

all fencing 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.

6. No part of the development shall be occupied until details of the siting, size and design of refuse, recycling and cycle storage have been submitted to and approved in writing by the Local Planning Authority and the storage facilities have been installed in accordance with the approved details. The storage facilities shall be retained at all times thereafter.
7. The first floor windows in the north-western side elevation of the building 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.

Informatives

1. This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 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.
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.
3. 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.
4. This permission does not remove the need to obtain any separate consent, which may be required under the Buildings Act 1984 or other building control legislation. Nor does it override any private rights which

any person may have relating to the land affected by this decision.

To find out more information and for advice as to whether a Building Regulations application will be required please visit www.watfordbuildingcontrol.com.

5. This planning permission does not remove the need to obtain any separate consent of the owner of the adjoining property prior to commencing building works on, under, above or immediately adjacent to their property (e.g. foundations or guttering). The Party Wall Etc Act 1996 contains requirements to serve notice on adjoining owners of property under certain circumstances, and a procedure exists for resolving disputes. This is a matter of civil law between the two parties, and the Local Planning Authority are not involved in such matters. A free guide called "The Party Wall Etc Act 1996: Explanatory Booklet" is available on the website of the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/393927/Party_Wall_etc__Act_1996_-_Explanatory_Booklet.pdf
6. 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.
7. The applicant is advised that storage of materials associated with the development should take place within the site and not extend into within 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.
8. 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 of the need to comply with the provisions of The Control of Pollution Act 1974, The Health and 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

11 **15/00510/FULM CASSIOBURY FARM AND FISHERY, ROUSEBARN 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 introduced the item, outlining that the application proposed the erection of a residential dwelling with linked garage, machinery store and a detached agricultural building for poultry and fish fry.

The Chair invited comments from the committee.

The committee expressed concerns about any further development of Green Belt land, particularly when suitable living accommodation was available within reasonable distance of the agricultural business. During discussions with officers, it was noted that advice had been taken from an agricultural consultant on this issue. This had concluded the requirement for constant monitoring of the animals by a worker living on site.

Additional questions were raised by the committee about the number of parking spaces required for the enterprise. However, it was observed that the total had been reduced from a previous application. Moreover, a number of the parking spaces would be used to accommodate agricultural machinery associated with the farm.

The Chair moved the officer recommendation.

RESOLVED –

That planning permission be granted subject to the conditions listed below:

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. Notwithstanding the drawing hereby approved, no development shall commence within the site until full details and samples of the materials to be used for the external surfaces of the building, including windows, shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.
3. Notwithstanding the drawing hereby approved, no development shall commence within the site until full details of, shiplap timber boarding, window and door reveals as well as a new design with a reduced scale for the porch, shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.
4. No external lighting shall be installed within the site or on any building except in accordance with a detailed scheme which shall have been previously submitted to and approved in writing by the Local planning Authority.
5. The occupation of the dwelling shall be limited to a person solely or mainly working, as an agriculture and fishery worker on this site farm.
6. The development hereby permitted, with the exception for the requirement in respect of conditions 3 and 4 above, shall be carried out in accordance with the drawings 1119/12/B, 13B, 14B and 15A and other documents including Contaminated Land Desk Study Report (June 2014), Construction Management Plan Ecological Management Plan December 2014, and any drawings approved subsequently by the Watford Borough Council local planning authority pursuant to any conditions on this decision letter.
7. 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.

8. No infiltration of surface water drainage into the ground is permitted 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.
9. Prior to the commencement of development a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:
details of treatment of site boundaries and/or buffers around water bodies;
detail extent and type of new planting (NB planting to be of native species);
details of maintenance regimes;
details of any new habitat created on site.

Informatives

1. Under Section 30 of the Salmon and Freshwater Fisheries Act 1975 you are likely to require written consent obtained from the Environment Agency to stock your fishery – you should contact our Fisheries team on 01707 632765 to discuss our requirements.

You will also need to be registered with CEFAS (Centre for Environment, Fisheries and Aquaculture Science). This is to prevent the spread of fish diseases and to minimise damage to fisheries or the environment that may be caused by unregulated or inappropriate fish movements. Application forms can be found on www.efishbusiness.co.uk.

2. “The applicant/developer is advised to contact Neil Owen in our Milton Keynes office on 01908 302 575 in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust “Code of Practice for Works affecting the Canal & River Trust”.

3. 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.
4. This permission does not remove the need to obtain any separate consent, which may be required under the Buildings Act 1984 or other building control legislation. Nor does it override any private rights which any person may have relating to the land affected by this decision.

To find out more information and for advice as to whether a Building Regulations application will be required please visit www.watfordbuildingcontrol.com.

5. You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health and 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

Chair

The Meeting started at 7.30 pm
and finished at 10.00 pm