

## **DEVELOPMENT MANAGEMENT COMMITTEE**

**26 JULY 2017**

Present: Councillor P Jeffree (Chair)  
Councillor S Johnson (Vice-Chair)  
Councillors D Barks, S Bashir, P Kent, Ahsan Khan, Asif Khan,  
R Laird and M Parker

Also present: Councillors Turmaine and Watkin

Officers: Head of Development Management  
Committee and Scrutiny Support Officer (IM)

### **13 APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP**

There were three changes to the committee for this meeting: Councillor Ahsan Khan replaced Councillor Turmaine, Councillor Asif Khan replaced Councillor Bell and Councillor Parker replaced Councillor Sharpe.

### **14 DISCLOSURE OF INTERESTS (IF ANY)**

There were none.

### **15 MINUTES**

The minutes of the meeting held on 5 July 2017 were submitted and signed.

### **16 17/00558/FULM 64 AND 73-77, CLARENDON 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 Head of Development Management introduced the report explaining that the application was for the redevelopment of the site, comprising the removal of protected trees, construction of a new 12 storey office building, high-level footbridge link, hard and soft landscaping, basement car parking, new access arrangements and highway improvements.

Attention was drawn to the update sheet which included an amendment to the Section 106 agreement.

The Chair invited Phil Marsden from Savills to speak for the application. Mr Marsden explained that he was a planning consultant speaking on behalf of the applicant, TJX. The company was seeking to consolidate its current offices to establish a compact campus, including a new landmark European headquarters building opposite Watford Junction Station. The application included a footbridge link over Clarendon Road to number 64, Clarendon Road which was already in the ownership of the applicant.

TJX was seeking an ambitious expansion of its business, which would see a doubling of its workforce to 3,000 employees in the town over the next 5-10 years. Mr Marsden suggested that this would make a significant contribution to Watford Borough Council's Core Strategy requirement to provide at least 7,000 new jobs by 2031.

The applicant had worked closely with the Council during the pre-application phase, making a number of changes to the proposed building. The result was a high quality, iconic design, which, with its improvements to the public realm, would provide a blueprint for Clarendon Road.

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

The committee welcomed the application, which represented a significant investment in the town's economy, would generate a large number of new jobs both directly and indirectly, and increase the amount of quality floor space in one of Watford's main employment areas.

Committee members considered the design to be iconic and reminiscent of landmark buildings to be found in London. It was suitable for this prominent site.

Although the committee regretted the loss of the last two remaining Victorian villas on Clarendon Road, it was noted that these were now in a poor state of repair. In addition, committee members felt that the benefits of the proposed scheme outweighed the loss of these buildings, which had been agreed in principle by the committee in January 2017.

Some members of the committee questioned the displacement parking effect on surrounding roads, despite the provision of underground parking facilities in the new building. There was some discussion about the applicant's travel plan and the need for this to be closely monitored by Hertfordshire County Council to

ensure that it delivered sustainable modes of travel to the site for employees and visitors.

The committee questioned the impacts on surrounding properties, particularly to residential properties on Verulam Passage and on Westland Road. In clarification, the Head of Development Management considered the loss of daylight/sunlight, outlook, privacy and noise. He explained that for most properties the habitable space was on the opposite side of the building to the development site. Greater impacts would be felt by the single storey property on Verulam Passage.

Moving the officer's recommendation, the Chair proposed that the design details in conditions 3 and 4 (relating to the external facing materials and to the footbridge) should be brought to the committee for final approval. An informative note would be added setting out this requirement.

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

- i) 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.
- ii) To secure a contribution (consisting of financial, off-site highway works and/or scheme development costs [including for example survey data, design work etc]) towards improving the public realm at Watford Junction/Clarendon Road.

#### Conditions

- 1. The development to which this permission relates shall be begun within a period of 3 years commencing on the date of this permission.
- 2. The development hereby permitted shall be carried out in accordance with the following approved drawings:-

TJX-SRA-XX-XX-DR-A-00-001A, 00-002A, 00-003A, 00-004A, 00-010A,  
00-011A, 00-101A, 00-102A, 00-103A, 00-104A  
TJX-SRA-BT-XX-DR-A-10-001A, 10-002A, 10-003A

TJX-SRA-BT-XX-DR-A-20-120A, 20-121A, 20-123A, 20-124A, 20-130A, 20-131A, 20-132A, 20-133A, 20-134A, 20-135A  
TJX-SRA-BT-B2-DR-A-20-098A, 20-099A, 20-100A, 20-101A, 20-102A, 20-103A, 20-104A, 20-105A, 20-106A, 20-107A, 20-108A, 20-109A, 20-110A, 20-111A, 20-112A  
TJX-SRA-BT-XX-DR-A-21-402A, 21-404A, 21-406A, 21-420A, 21-423A  
TJX-SRA-BT-XX-DR-A-79-100A  
5549\_PL\_101, 201, 401, 501

3. No external facing materials shall be installed on the building until full details and samples of the materials to be used for all the external surfaces, including the plant enclosures at roof level, have been submitted to and approved in writing by the Local Planning Authority.
4. Notwithstanding the approved drawings, no construction works associated with the approved footbridge across Clarendon Road shall commence until full details of the bridge design and appearance have been submitted to and approved in writing by the Local Planning Authority. The bridge shall be constructed only in accordance with the approved details.
5. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Stage 2 Report carried out by Ramboll dated July 2017, submitted and the following mitigation measures detailed within the FRA:
  - i) Limiting the surface water run-off rates to maximum of 49L/s with discharge into Thames Surface Water sewer.
  - ii) Provide a minimum of 170m<sup>3</sup> attenuation to achieve the maximum agreed discharge rate of 49L/s for all rainfall events up to and including the 1 in 100 year + climate change event.
  - iii) Implementing the appropriate drainage strategy based on attenuation and discharge, using appropriate SuDS measures, as indicated on drawing no. 1620002979-RAM-XX-DR-C-00100 Rev P2.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

6. No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The scheme shall also include;

- i) Detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations.
  - ii) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.
- 7. No part of the development shall be occupied until the servicing/delivery area adjoining the southern boundary of the site and the refuse and recycling store to serve the development, as shown on the approved drawings, have been constructed and made available for use. These facilities shall be retained as approved at all times.
- 8. No part of the development shall be occupied until a detailed hard landscaping scheme for the site, including details of all site boundary treatments and external lighting, has 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. The detailed scheme shall be based upon approved drawing nos. 5549\_PL\_101, 201 and 501 by LDA Design.
- 9. No part of the development shall be occupied until a detailed soft landscaping scheme for the site, including details of the high level Living Wall and appropriate irrigation systems, and a landscape management and maintenance plan, has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall be based upon approved drawing nos. 5549\_PL\_101 and 401 by LDA Design. The approved soft landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of 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.
- 10. No part of the development shall be occupied until cycle parking facilities for 210 cycles for employees and visitors have been provided in accordance with the approved drawings. These facilities shall be retained at all times.
- 11. Within 3 months of the first occupation of the development, a detailed Travel Plan for the development, based upon the Hertfordshire County Council document 'Hertfordshire Green Travel Plan Guidance', shall be

submitted to the Local Planning Authority for approval. The approved plan shall be implemented as approved at all times, unless otherwise agreed in writing by the Local Planning Authority.

12. No part of the development shall be occupied until the modified access and egress arrangements from Station Road, Verulam Passage and Clarendon Road, as shown in principle on the approved drawings, have been completed in full.
13. No part of the development shall be occupied until an appropriate acoustic barrier around Terrace 4 has been installed, meeting the requirements detailed in paragraph 1.8.3 of the Noise Impact Assessment produced by Ramboll dated 14 April 2017. This barrier must be retained at all times, unless otherwise agreed in writing by the Local Planning Authority.
14. All external plant and equipment shall only be sited within the designated plant enclosures shown on the approved drawings, unless details have been submitted to and approved in writing by the Local Planning Authority. Any details submitted for approval shall include size, appearance, siting and technical specifications relating to noise.
15. No deliveries or collections shall take place within the service/delivery area or from Verulam Passage between 23.00 hours and 07.00 hours on any day.
16. The noise levels of the roof mounted plant enclosures shall not exceed the levels set out in paragraph 1.8.1 of the Noise Impact Assessment produced by Ramboll dated 14 April 2017. No part of the development shall be occupied until onsite testing has been carried out for each plant enclosure to demonstrate that the noise levels have been complied with, and a report detailing this testing has been submitted to and approved in writing by the Local Planning Authority.

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

2. 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](mailto: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.
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 2010, as amended. The Council entered into extensive pre-application discussions with the applicant and completed a Planning Performance Agreement for the application.
4. You are advised that in determining this application the Development Management Committee requested that details submitted in relation to conditions 3 and 4 of this permission be referred to the Development Management Committee for determination. These conditions will not therefore be dealt with by officers under delegated powers and you are encouraged to take into account the additional time implications of a Committee decision in preparing these submissions.

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#### **17/00478/FUL 77 AND 77A, EASTBURY 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 Head of Development Management explained that the application was for the erection of two storey extensions to 77 and 77a Eastbury Road and conversion to flats. In addition, it was proposed to erect a detached building comprising 2 flats. The development would include new parking provision plus associated garden areas and landscaping.

There were no speakers and the Chair invited comments from the committee.

Members of the committee expressed reservations about the design of the proposed extensions, which were considered bulky and unattractive. However, it was acknowledged that the design complied fully with the guidelines in the Residential Design Guide and did not provide grounds for refusal.

The committee also noted the pressures on parking in the local area, which would be exacerbated by the development despite the provision of six parking spaces.

The Chair moved the officer's recommendation.

RESOLVED –

That planning permission be granted subject to the following conditions:

1. The development to which this permission relates shall be begun within a period of three years commencing on the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings:-  
  
900/16/03, 04, 05, 06
3. No development shall commence until details of the materials to be used for the external walls and the roof 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 dwelling hereby approved shall be occupied until the following works have been carried out in full:
  - i) The construction of the 6 car parking spaces and associated crossovers as shown on drawing no. 900/16/05;
  - ii) The construction of the 3 cycle/bin stores as shown on drawing



- nos. 900/16/05 and 900/16/10;
- iii) The formation of the private garden areas, including all fencing and paved areas, as shown on the approved Landscape Scheme drawing dated 28<sup>th</sup> March 2017.
5. The soft landscaping scheme, as shown on the approved Landscape Scheme drawing dated 28<sup>th</sup> March 2017, shall be carried out in the first available planting season following the completion off 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.

#### 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](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](mailto: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 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](mailto: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. The Council also gave advice and sought amendments during the application process.

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#### **17/00486/FUL 9, STATION 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 Head of Development Management introduced the report explaining that the application was for a change of use of first floor commercial space to allow it to be used as a coffee shop and a wine bar. This will allow the same range of uses at first floor as has recently been approved at ground floor (ref. 16/01582/COU).

In the absence of any speakers or comments from the committee, the Chair moved the officer's recommendation.

RESOLVED –

that planning permission be granted subject to the following conditions:

1. The development to which this permission relates shall be begun within a period of three years commencing on the date of this permission.
2. Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, the commercial floor space shall only be used for purposes within Use Classes A1, A2, A4, B1(a) and D1 of the Town and Country Planning (Use Classes) Order 1987, as amended, or as a coffee shop (serving hot and cold drinks, sandwiches and other light refreshments, and reheated/warmed food such as soup and paninis, for consumption on or off the premises) and for no other purpose;
3. No primary cooking of unprepared food shall be carried on within the premises. Only reheated food that has been prepared elsewhere or cold food shall be served within the premises.
4. No live music or live performances of any kind shall take place at ground or first floor within the commercial unit.
5. All windows to the first floor commercial floor space shall be fixed shut at all times.
6. No amplified music shall be played at ground or first floor level within the commercial unit unless it is played through a single sound limiter device that has been approved by the Local Planning Authority. The music sound level shall not exceed 83dB L<sub>Amax</sub> one metre from any speaker. The sound limiter device shall be located in a separate and remote lockable cabinet from the volume control fitted to any musical amplification system and set at a level approved by the Local Planning Authority. The operational panel of the sound limiter device shall be secured to the satisfaction of the Local Planning Authority. The sound limiter device shall not be altered without the prior written approval of the Local Planning Authority.

Informative

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 undertook discussions with the applicant's agent during the application process.

Chair

The Meeting started at 7.30 pm  
and finished at 8.05 pm