

DEVELOPMENT MANAGEMENT COMMITTEE

1 NOVEMBER 2017

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

Also present: Councillor Stephen Cavinder, Councillor Karen Collett,
Councillor Ahsan Khan, Councillor Asif Khan and Councillor
Rabi Martins

Officers: Committee and Scrutiny Support Officer (IM)
Deputy Managing Director and Director of Place Shaping and
Corporate Performance
Development Management Section Head
Development Management Team Leader (PB)

33 APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP

There was a change of membership for this committee: Councillor Watkin replaced Councillor Laird.

34 DISCLOSURE OF INTERESTS (IF ANY)

There were none.

35 MINUTES

The minutes of the meeting held on 4 October 2017 were submitted and signed.

36 17/01269/FUL UNITS N-Q, 100, CECIL STREET

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 demolition of units N-Q and J-M and construction of 7 new houses with access from Judge Street and 8 parking

spaces. This was an amended scheme. It followed the committee's refusal of a separate application on 6 September 2017 (reference 17/00943/FUL) on the grounds that it provided inadequate parking and would exacerbate existing parking problems in the surrounding area. The current scheme was considered to overcome the reason for refusal.

Attention was drawn to the update sheet which included information on an additional letter of objection.

In recommending the application for approval, the Development Management Team Leader advised that an additional condition should be added removing permitted development rights to future occupants.

The Chair invited Callowland Ward Councillor Ahsan Khan to speak. Councillor Khan considered that the new application did not resolve local concerns about chronic parking problems in the area. Citing the most recent census information about car ownership in Watford, he suggested that 14 spaces were required to mitigate any impact on Judge Street residents.

Councillor Khan noted that parking demand on local streets was exacerbated by all day commuters and shoppers using nearby facilities. No consideration appeared to have been made about these impacts in the planning assessment.

In response to a query from the Chair, the Development Management Team Leader clarified that council standards on parking represented a maximum number rather than a policy requirement. The proposed development was in a highly sustainable location, close to local shops and transport facilities and the level of parking provision was therefore considered appropriate.

The Chair invited comments from the committee.

Committee members considered the proposed development to be a good quality design, in keeping with the character and appearance of the area. However, two key issues were identified for greater discussion: the adequacy of parking provision and the level of amenity for future occupiers of two properties with more restricted garden space.

Some members of the committee argued that local parking problems were chronic and would be unacceptably impacted by the parking provided in the proposed development. Moreover, they considered that the council should be more mindful of its own parking standards in devising the number of parking spaces. As such, a more appropriate level of parking provision would be 14 spaces.

Other committee members argued that the former industrial site offered brownfield land in a sustainable location with good access to local shops and transport links as well as to the mainline railway station and town centre facilities. In addition, by increasing the number of parking spaces to one per household with one visitor space, the proposed development had overcome the committee's previous reasons for refusal.

However, the committee agreed that other methods of measuring current levels of car ownership in the town should be sought by officers, rather than relying on increasingly outdated census data.

Addressing the question of amenity, some members of the committee felt that the reduced garden sizes in two of the properties to accommodate additional parking on the site would result in insupportable levels of amenity for future occupiers.

Whilst regretting the limited amenity space, other members of the committee argued that this consideration was outweighed by the benefit to existing Judge Street residents by the inclusion of additional parking spaces in the development. It was important to consider the totality of the scheme.

The Chair invited Councillor Bashir to move a motion for refusal. Councillor Bashir proposed that the application be refused on the grounds that its failure to provide adequate car parking and amenity space in some properties contravened the council's Residential Design Guide and policy UD1 of the Watford Local Plan Core Strategy 2006-31.

On being put to the committee, the motion was LOST.

The Chair moved the officer's recommendation subject to an additional condition restricting future occupiers' permitted development rights:

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015, as amended (or any modifications or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E and G of the Order shall be carried out to the dwellings hereby approved without the prior written permission of the Local Planning Authority.

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:-

100 CS 001D, 100K, 101G, 102E, 104A, 201G

3. No demolition of the existing buildings or construction of the development shall commence until a detailed scheme to deal with the risks associated with the potential contamination of the site has been submitted to and approved in writing by the Local Planning Authority. That scheme shall include all of the following elements:

- i) a preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site;
- ii) a site investigation scheme, based on (i) above, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site;
- iii) the results of the site investigation and risk assessment referred to in (ii) above 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;
- iv) 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 (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

No changes to these components shall be undertaken without the written approval of the Local Planning Authority. All works shall be carried out in accordance with the approved details.

4. No construction works shall commence until a verification report demonstrating completion of the works set out in the approved

remediation strategy (see Condition 3 above) 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.

5. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to, and obtained written approval from, the Local Planning Authority for a remediation strategy detailing how this unsuspected contamination is to be dealt with. All works shall be carried out in accordance with the approved details.
6. 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
 - i) The programme and methodology of site investigation and recording;
 - ii) The programme and methodology of site investigation and recording as suggested by the archaeological evaluation;
 - iii) The programme for post investigation assessment;
 - iv) Provision to be made for analysis of the site investigation and recording;
 - v) Provision to be made for publication and dissemination of the analysis and records of the site investigation;
 - vi) Provision to be made for archive deposition of the analysis and records of the site investigation;
 - vii) 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.

7. No development shall commence until details of the external materials to be used for 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.
8. No dwelling shall be occupied until the following works have been carried out in full:

- i) The construction of the new access from Judge Street and the internal access drive as shown on drawing no. 100 CS 101G;
 - ii) The construction of the 8 car parking spaces as shown on drawing no. 100 CS 101G;
 - iii) The construction of the bin stores as shown on drawing nos. 100 CS 101G and 104A;
9. No dwelling 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.
10. No dwelling shall be occupied until a detailed soft landscaping scheme for the site has been submitted to and approved in writing by the Local Planning Authority. 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.
11. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015, as amended (or any modifications or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E and G of the Order shall be carried out to the dwellings hereby approved without the prior written permission of 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

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 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. 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 on the proposal and sought amendments during the application process.

37

17/01222/FUL 127-129, HIGH 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 Development Management Team Leader introduced the report. He explained that the application was for the creation of new boundary to garden of two existing semi-detached houses and erection of two new 3 bedroom semi-detached houses with off-street car parking.

Attention was drawn to the update sheet, which included some amended drawing numbers and conditions.

The Development Management Team Leader advised that an additional condition should be added removing permitted development rights to future occupants of the two properties.

The Chair invited Mr David Moore, a local resident, to speak against the application. Mr Moore expressed residents' widespread dismay and anger about repeated attempts to build on the land attached to the two Denbigh Cottages. The latest back garden development was considered out of keeping with the two cottages and other properties on Chapel Close. It would result in an unacceptable loss of trees and open space in the area and, by generating a dangerous blind corner, raised safety concerns for children walking to and from the local primary school.

Mr Moore also commented that residents were concerned about the prospect of future occupants expanding the properties to four-bedroom dwellings – an overdevelopment of the land – with insufficiently sized gardens.

In response to a query from the Chair, the Development Management Team Leader clarified that the development was not a typical back land site, since it had frontage to Chapel Close. Whilst the gardens of the two properties fell short of the minimum standards specified in the Residential Design Guide (by some 3m² and 3.5m² respectively), the properties were otherwise policy compliant.

The Chair invited Christophe Spiers, Thomas & Spiers Architects, to speak for the application. Mr Spiers outlined the revisions to the planned scheme which had been undertaken in response to comments from council officers, the appeal

inspector and local residents. The result provided well designed, flexible living accommodation over three levels, with good garden space and off street parking.

Addressing the concerns of local residents, Mr Spiers advised that the development would include landscaping and tree planting proposals to mitigate the loss of greenery. In addition, it was proposed to remove the garden fence on the bend of the road to improve visibility and reduce safety concerns.

The Chair invited Woodside Ward Councillor, Karen Collett, to speak. Councillor Collett expressed concerns about the loss of openness which would be experienced by Chapel Close residents if this development were permitted. Chapel Close had a uniqueness which would be lost.

Council policy sought schemes which respected and enhanced the character and appearance of an area – this scheme did neither. A protracted planning process had resulted in a development which was incompatible with existing Chapel Close properties.

The loss of parking was also a concern to local residents, who were feeling the impact of growing school numbers in the recently expanded local school.

The Chair thanked the speakers and invited comments from the committee.

Committee members considered that the proposed development had responded positively to previous criticism. The resultant design was more in keeping with surrounding properties and should be broadly acceptable to residents. Although there were some concerns about the shortfall in garden sizes, the committee welcomed a proposal to add a condition withdrawing the permitted development rights of future occupiers. This would ensure that four bedroom properties with substandard sized gardens could not be built on the site.

Despite residents' safety concerns, it was noted that Hertfordshire County Council (Highway Authority) had not raised any objections to the proposed scheme.

The Chair moved the officer's recommendation subject to an additional condition restricting future occupiers' permitted development rights and the amended drawing numbers in the update sheet:

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015, as amended (or any modifications or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E and G of the Order shall be carried out to the dwellings

hereby approved without the prior written permission of the Local Planning Authority.

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:-

P149_SP_01 P3

P149_GA_01 P4, 02 P4, 03 P4, 04 P4, 05 P4, 06 P4

3. No construction works shall commence until details of the materials to be used for all the external finishes of the building, including walls, roof, doors and windows 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. The new dwellings hereby approved shall not be occupied until full details of a soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the retention of the existing trees along the western boundary, measures to protect these trees during construction works, and new tree planting within the site. The approved tree protection measures shall be implemented before construction works commence and shall be retained throughout the construction period. The approved planting 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. The new dwellings hereby approved shall not 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. The new dwellings hereby approved shall not be occupied until a sustainable drainage scheme for the drainage of the car parking spaces has been submitted to and approved in writing by the Local Planning Authority and the approved scheme has been implemented in full.
7.
 - i) The first floor window to the study void in the east facing elevation of House 2 facing towards nos. 127-129, High Road, shall be non-opening and fitted with obscured glazing at all times.
 - ii) The first floor windows to the study in the south facing elevation of House 2 shall be fitted with metal angled extrusions as shown on the approved drawings and shall be non-opening at all times.
8. The flat roof areas of the single storey rear extensions of both houses shall not be used as a terrace or amenity area or for any other purpose.

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 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 streetnamenumber@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 on the proposal and sought amendments during the application process.

38

17/00470/FULM 37-39, 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 Development Management Team Leader introduced the report, explaining that the application was for a mixed use development comprising up to 11,180 m² of office space on 8 floors, 154 residential units on 23 floors, up to 496 m² of café/restaurant space on the ground and 9th floors, 1st floor gym, basement car and cycle parking, access, landscaped rooftop amenity space and associated works.

It was explained that the proposal included a maximum £6,156,313 off site contribution towards affordable housing provision (required by the council's draft affordable housing SPD), should the development viability permit this on the basis of an open book review, with a minimum £1,400,000 towards affordable housing provision should the development go ahead, regardless of viability. In addition, there would be a £600,000 contribution towards public realm improvement works in Clarendon Road and a £1,574,580 contribution (based on floor space) as a community infrastructure levy under the council's CIL charging schedule. The building would enhance the surrounding area and secure much needed housing and jobs within the borough.

The Development Management Section Head demonstrated a virtual 3D model of the street scene on Clarendon Road. This enabled the proposed scheme to be viewed in context, including a number of developments in receipt of planning permission, but as yet unbuilt.

Attention was drawn to the update sheet, which included some additional comments from the council's housing service, an amended section 106 heads of terms and two additional conditions.

The Chair invited Mrs Jean McNerney, a local resident, to speak in objection to the application. Acknowledging the significant investment proposed in this development, Mrs McNerney commented that the council's policy on tall buildings TB1 placed a restriction on the height of buildings in the town. This proposal exceeded that limit significantly.

Due to the height of the proposed 23 storey tower, Mrs McNerney argued there would be a material impact on the amount of daylight to her apartment according to BRE guidance. The tower would generate a shadow and loss of daylight in the afternoon/evening to her main habitable room and only outdoor balcony space.

Mrs McNerney also raised concerns about overlooking.

In addition to the above comments, Mrs McNerney made some brief remarks on behalf of intu Watford. These centred on concerns about the potential impact of the café/restaurant on the ground and 9th floors of the new office building on the company's existing and proposed café and restaurant outlets in the town centre and the Charter Place redevelopment.

Clarifying a query from the Chair about overshadowing, the Development Management Team Leader advised that BRE guidelines addressed both daylight and sunlight impacts. The guidelines used a complex formula to assess the different light levels, which would vary throughout the day and year. In this

case, the extent of overshadowing to Mrs McInerney's apartment would not be deemed significant based on these guidelines.

The Chair invited Mr Douglas Bond, Woolf Bond Planning, to speak to the committee. Mr Bond outlined the benefits that the proposed scheme would bring to Watford following extensive consultation. These included the largest delivery of high quality office accommodation in some 30 years, generating around 1,000 new jobs and bringing economic prosperity to the town. Coupled with this, the development would make an important contribution towards the council's planned public realm improvements to Clarendon Road and would become a landmark building in the area.

In lieu of affordable housing provision on site, the development would make a significant contribution towards social housing provision to enable the council to deliver accommodation elsewhere.

The Chair invited Central Ward Councillor Rabi Martins to speak to the committee. Councillor Martins expressed his disappointment at the proposed scheme. He questioned the viability arguments put forward by the developer and argued that it was important that planning decisions did not become too commercially driven, ignoring the importance of people and communities.

Before inviting questions from the committee, the Chair commented that whilst welcoming the proposal for a new development on this prominent site, the scheme did not push the design boundaries. It was important for the committee to consider whether the current application justified exceeding the council's emerging guidelines on tall buildings, in particular whether it was of sufficiently high architectural quality.

Members of the committee welcomed the proposed scheme, which would see the regeneration of a long underused location in the heart of the town. Although some concerns were expressed about the height of the tower, the design was considered acceptable as a landmark building.

Some reservations were expressed about the inclusion of residential accommodation in a designated employment zone, however it was acknowledged that similar mixed schemes had been approved previously on Clarendon Road.

The committee questioned the developer's viability appraisal and expressed exasperation at the protracted deliberations it generated. However, the open book review was welcomed. It was accepted that providing affordable housing was about meeting need and there was considerable benefit to the council in

agreeing a commuted sum to enable the provision of housing in the right location and in the right configuration.

The Chair moved the officer's recommendation subject to the additional conditions on the update sheet.

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 secure a contribution of up to a maximum of £6,156,313 for the provision of affordable housing in the Borough of Watford, the final amount to be calculated on an open book viability assessment and to be no less than £1,400,000 irrespective of that viability assessment;
- ii) To secure a financial contribution to the Council of £600,000 towards the environmental improvement of Clarendon Road;
- iii) To secure a financial payment to the Council of £2,000 towards the variation of the Borough of Watford (Watford Central Area and West Watford Area) (Controlled Parking Zones) (Consolidation) Order 2010 to exclude the site from the controlled parking zone, thereby preventing residents' parking permits being issued to this site;
- iv) To secure the provision of fire hydrants to serve the site as required by Hertfordshire County Council;
- v) 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. 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:-

PL_10, 100B, 101B, 102, 103B, 104B, 105B, 106A, 107B, 108A, 109A, 110A, 111A, 112, 120A, 121A, 122A, 130, 131, 132, 133, 134, 135, 200, 201A, 202, 501, 502, 503, 504

3. The development permitted by this planning permission shall be carried out in accordance with the approved Drainage Strategy Report by SLR Consulting (ref. 402.06661.00004 Version 2.0 dated July 2017) and the following mitigation measures detailed within the FRA:
 - i) Limiting the surface water run-off rates to maximum of 54.3l/s for the 1 in 100 year rainfall event with discharge into Thames Surface Water sewer.
 - ii) Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
 - iii) Implementing the appropriate drainage strategy 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.

4. No development shall take place until the final design of the drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall also include:
 - i) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.
 - ii) Routes of exceedance to be identified for rainfall events that exceed the 1 in 100 year + climate change event.
 - iii) Any areas of informal flooding should the system flood above the 1 in 30 year event.
5. No external facing materials shall be installed on the building until full details and samples of all the materials to be used for the external surfaces of the building, including the plant enclosures at roof level, have been submitted to and approved in writing by the Local Planning Authority.
6. No external facing materials shall be installed on the building until a noise mitigation scheme for all the proposed residential dwellings on the 1st-

6th floors with windows facing Beechen Grove, based upon the recommendations of the Environmental Noise Assessment by SLR dated March 2017 (Ref. No. 403.06661.00003, Version Final), has been submitted to and approved by the Local Planning Authority. The scheme shall include the details and specifications of the sound reduction performance of all glazed and non-glazed elements of the building facades. No dwelling shall be occupied until the approved mitigation measures have been installed in full, unless otherwise agreed in writing by the Local Planning Authority.

7. No external facing materials shall be installed on the building until the specification of a mechanical air supply/extract system for each of the residential dwellings on the 1st-6th floors with windows facing Beechen Grove has been submitted to and approved in writing by the Local Planning Authority. The system must be capable of providing background and rapid ventilation for cooling with the windows of the dwellings being closed. The system must not compromise the sound insulation of the façades. Details of the siting of any air intake; extraction units; generators and other mechanical equipment serving this system that are likely to give rise to noise should be submitted, along with details of noise attenuation measures to be incorporated to ensure these units do not give rise to a noise nuisance. No dwelling shall be occupied until the approved mitigation measures have been installed in full, unless otherwise agreed in writing by the Local Planning Authority.
8. No external facing materials shall be installed on the building until the specification of a mechanical air supply/extract system for each of the residential dwellings on the 8th-11th floors with windows on the south elevation facing Jury's Inn has been submitted to and approved in writing by the Local Planning Authority. The system must be capable of providing background and rapid ventilation for cooling with the windows of the dwellings being closed and be able to filter out cooking odours. The system must not compromise the sound insulation of the façades. Details of the siting of any air intake; extraction units; generators and other mechanical equipment serving this system that are likely to give rise to noise should be submitted, along with details of noise attenuation measures to be incorporated to ensure these units do not give rise to a noise nuisance. No dwelling shall be occupied until the approved mitigation measures have been installed in full, unless otherwise agreed in writing by the Local Planning Authority.
9. No impact piling shall take place 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. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

10. No part of the development shall be occupied until a detailed hard landscaping scheme for the site, including details of the roof gardens, 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 the Landscape Strategy contained within the Design and Access Statement dated 3rd April 2017 by PRC Architecture and Planning.
11. No part of the development shall be occupied until a detailed soft landscaping scheme for the site, including details of the roof gardens 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 the Landscape Strategy contained within the Design and Access Statement dated 3rd April 2017 by PRC Architecture and Planning. 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.
12. No part of the development shall be occupied until the modified access and egress arrangements from Clarendon Road, as shown in principle on the approved drawings, and the servicing and delivery areas to the front and side of the building, have been completed in full.
13. No dwelling within the development shall be occupied until the following facilities have been provided for the use of residents, in accordance with the approved drawings:
 - i) the secure cycle store for at least 154 cycles;
 - ii) the bin store for waste and recycling;
 - iii) the storage cages within the storage rooms on the 1st-6th floors;
 - iv) the roof gardens at 7th floor level and on the roof of the tower.

These facilities shall be retained at all times for the use of the residential occupiers of the dwellings.

14. No part of the office floor space shall be occupied until the following facilities have been provided for the use of residents, in accordance with the approved drawings:

- i) the secure cycle stores for at least 97 cycles and shower/locker facilities for employees;
- ii) the secure cycle stores for at least 24 cycles for visitors;
- ii) the bin store for waste and recycling;

These facilities shall be retained at all times.

15. No part of the office floor space shall be occupied until a detailed Travel Plan for the development, based upon the Hertfordshire County Council document 'Hertfordshire Green Travel Plan Guidance', has been submitted to and approved in writing by the Local Planning. The approved plan shall be implemented as approved at all times, unless otherwise agreed in writing by the Local Planning Authority.

16. No plant or equipment shall be installed within the roof level plant room until an acoustic assessment has been submitted to and approved in writing by the Local Planning Authority which demonstrates that the sound pressure level from the plant room will be at least 10dB below the lowest LA90 (15 minute) noise level measured at 1m from the adjoining residential flats when all plant and equipment is operational. The assessment shall include appropriate noise mitigation measures. All plant and equipment shall be installed as approved and no plant or equipment shall be brought into operation until the approved mitigation measures have been installed.

17. All plant and equipment shall only be sited within the designated plant enclosure shown on the approved drawings. No plant or equipment shall be installed outside the approved plant enclosure unless details have been submitted to and approved in writing by the Local Planning Authority. Details to be submitted for approval shall include siting, size, appearance and technical specifications relating to noise.

18. No dwelling shall be occupied until details of a communal terrestrial television aerial(s) and satellite dish(es) have been submitted to and approved in writing by the Local Planning Authority.

19. For the avoidance of doubt, no communications development permitted by Class B or Class C of Part 16 of Schedule 2 of the Town and Country

Planning (General Permitted Development) (England) Order 2015 shall be undertaken on the building.

20. The cleaning of the building shall only be undertaken using a monorail and cradle access system with the cradle stored at ground level, in accordance with the submitted details, unless otherwise agreed in writing by the Local Planning Authority.
21. The ground floor commercial unit adjoining the office entrance (eastern unit) shall only be used as a café/restaurant within Class A3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose. The use shall not be open to the public before 0800 hours or after 2300 hours on any day.
22. The ground floor commercial unit adjoining the residential entrance (western unit) shall only be used as a café/restaurant within Class A3 or as offices within Class A2 or Class B1(a) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purposes. The use shall not be open to the public before 0800 hours or after 2300 hours on any day.
23. The commercial unit at 8th floor level on the roof of the office building shall only be used as a café/bar within Class A3/A4 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose. Prior to commencement of the development the hours of public access to this unit and outdoor terrace shall be submitted to and approved in writing with the Local Planning Authority. The use shall only be operated in accordance with the approved hours for public access.
24. Prior to the commencement of development a scheme for the phasing of the construction of the development shall be submitted to and approved in writing by the Local Planning Authority. The construction phasing shall secure the construction of the office building prior to the release of residential units for occupation. The development shall only be carried out in accordance with the approved phasing 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/neighbour_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. This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 to secure a financial payment towards the provision of affordable housing in the Borough, a financial payment to exclude the development from the local controlled parking zone, a financial payment towards the monitoring of a Travel Plan, the provision of necessary fire hydrants to serve the development and a financial contribution towards the environmental improvement of Clarendon Road.

4. 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.
5. 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.
6. 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.

Waiving of Council Procedure Rule 8.0

During the previous debate the Chairman moved that Council Procedure Rule 8.0 be waived to allow the meeting to finish beyond 10.30 pm.

On being put to the meeting the motion was CARRIED.

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52A-56, HIGH STREET

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 a variation of a Section 106 unilateral undertaking

dated 24th March 2015 pursuant to planning permission ref. 14/01617/VAR to vary the affordable housing provision.

The Chair invited Joanna Bowyer, Terence O'Rourke, to speak in support of the application. Ms Bowyer outlined the difficulties encountered by the registered social housing provider, Home Group, to date and the subsequent need to reduce the previously approved number of affordable housing units from 45 (80% provision) to 20 (35% provision). In particular, significant cost increases had impacted on the viability of the scheme. It was Home Group's intention to secure additional funds, which would be assisted by a reduction in the number of affordable housing units.

Ms Bowyer advised that Home Group was in on-going discussions with the council's housing team to agree a tenure mix of accommodation which would meet with current and anticipated housing needs.

There were no comments from the committee and the Chair moved the officer's recommendation.

RESOLVED –

That the Section 106 unilateral undertaking dated 24th March 2015 be varied as follows:

- i) That clause 3(f) be varied to allow the provision of 20 affordable housing units comprising 17 x 2 bed units for affordable rent and 3 x 2 bed units for shared ownership.
- ii) That clause 3(c)(i) be varied to allow the financial contribution of £25,000 to be used towards the provision of affordable housing in the Borough.

Chair

The meeting started at 7.30 pm
and finished at 10.40 pm