

DEVELOPMENT MANAGEMENT COMMITTEE

29 NOVEMBER 2017

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

Also present: Councillor Stephen Bolton, Councillor Mark Hofman and
Councillor Jane Johnson

Officers: Deputy Managing Director and Director of Place Shaping and
Corporate Performance
Development Management Section Head
Development Management Team Leader (PB)
Principal Planning Officers (AR, SH)
Democratic Services Manager

40 APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP

There were no apologies.

41 DISCLOSURE OF INTERESTS (IF ANY)

Councillor Stephen Johnson stated that Councillor Jane Johnson, his wife, would be speaking against one of the applications on the agenda, but that he had not made any predetermination and would remain open to the outcome of the debate.

42 MINUTES

The minutes of the meeting held on 1 November 2017 were submitted and signed.

43 17/01218/FUL 29 TUNNEL WOOD CLOSE

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 (AR) introduced the report explaining that the application proposed the demolition of the existing bungalow and the erection of two detached houses. Tunnel Wood Close was accessed from Tunnel Wood Road. The officer explained that No29 was a triangular plot with a detached bungalow built circa 1958. The houses would have accommodation over three floors with an excavated front garden. House B would be a mirror image of house A. The development would not create a loss of light or outlook which would be harmful or create an overbearing impact. The design was contemporary and a character assessment was included within the report. Within the character assessment, out of 13 points this design met 10. The plot width would be halved but remained at more than 8m which was recognised as a character of the area. The key differences were the roof form, materials used and the windows. It was explained that schemes could respect character but be architecturally different in style. Planning should not stifle innovation; all sites were different and had their own considerations. In conclusion it was a more efficient use of the site to create family sized dwellings.

Attention was drawn to the update sheet which included some additional information and a further condition.

The Chair invited Irun Khan-Williams from IT Planning Consultants to speak against the application. Speaking on behalf of local residents, Ms Khan-Williams stated that the proposed scheme would cause harm to the character of the area and create parking problems. The road had a distinct character and any subsequent enlargements of the other properties had been carried out sympathetically. It was pointed out that the height of the proposed development would be three storeys which was out of character as there were no other examples of three storey buildings in this area. With regard to the urban grain, the density was low but the cramped and contrived layout of the proposal did not reflect this. Whilst the application was described as detached it shared a party wall at lower ground level. The subdivision of the plot meant that the plot width was materially narrower and the gaps to neighbouring properties were not generous. Ms Khan-Williams considered that the development would not comply with 8 of 13 features of the character of the area. The increase in height, mass and bulk would result in a cramped development which would not comply with policy UD1.

The Chair invited Mrs Nicki Pinder, the applicant, to speak for the application. Mrs Pinder explained that they were not developers but a family of 5, and the purpose of the application was to build a modern family home. They had purchased the home in 2013 and loved the safe, quiet close. However, they knew the bungalow required significant work. They had received approaches from developers keen to purchase land for multiple developments. An architect

was engaged to replace the 1950s bungalow. The architect had 20 years' experience including working on the Olympic stadium.

The proposed plan maintained privacy whilst allowing natural light. There were highly insulated walls and glazing. The main structure of the house would be constructed in three weeks per house, rather than 20 weeks for a traditional build. The current bungalow was not an efficient use of a large site. Mrs Pinder had spent years planning and had been guided by the planning team. There was a continual dialogue to deliver high quality sustainable materials. The two houses had an equal stature and both would enjoy more than 4.5 times the minimum requirement of space for a five bed home. They had been open with the neighbours and had spoken to them all. However, they were saddened by the nature and tone of the objections. Mrs Pinder appreciated people did not want the disruption, however, other than the personal opinions there were no credible objections. The design process had been well thought through and produced an appropriate design.

The Chair invited Nascot Ward Councillor Jane Johnson to speak to the committee. Councillor Johnson commented that throughout the planning officer's report it stated that the proposed dwellings were not consistent with surroundings; however, this could be overridden when the development was considered to be of high quality. She questioned what was meant by high quality. The report gave details of the site's planning history, but gave little weight to the reasons for a previously declined application. A change in the housing policy was not a reason to disregard other areas. With regards to the character features, the application met just 5 out of 13.

With regards to impact on neighbours, the development would materially affect No31 as it was over dominant, would create a sense of enclosure and loss of light. There would be large windows which would face both neighbouring properties. The balconies at first floor level would be large and the proposed screening would be inadequate. Councillor Johnson concluded that the development did not comply with UD1 of the Core Strategy and was cramped and over dominant, detrimental to character and amenities.

The Chair invited Nascot Ward Councillor Mark Hofman to speak to the committee. Councillor Hofman discussed the impact on highways and parking. It was a narrow road, and there had been issues in the past with boundary walls knocked down accidentally. The site was located in zone 4 of the district plan, therefore three parking spaces per dwelling were required for planning to be granted. The report stated there were four spaces, but no spaces were shown on the drive ways. The proposed garages would have tight internal dimensions, due to the triangular shape of the plot with insufficient width to park two cars. Safe on-street parking was impossible due to reduced width and Tunnel Wood

Road already suffered from unsafe parking. The development would not provide safe parking and turning without endangering pedestrians.

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

Members of the committee considered the design to be innovative, creative and of high quality. The existing architecture was mid twentieth century but they considered that current development should say something of the architecture of its time and that design and innovation should not be stifled. With regards to density it was not unusual to have 20 or 200 dwellings per hectare, the application would be 8 per hectare. The roads were very quiet and the Highways Authority had not objected. Large family homes were considered to be positive and the development did not cause significant harm.

Other members of the committee considered whether the design was right for the location and if the site was cramped. It was commented that the development would project back a further 5m which would introduce bulk to the design and there was concern about massing on the site with two buildings.

In response to members' questions regarding the proposed balconies, the Principal Planning Officer explained that it would not create an overlooking impact as the side flank walls would have balustrades. This would prevent views straight onto the neighbouring garden. However, it would maintain the view of the end of the neighbour's garden which was common in urban areas.

It was also clarified that the character of the area was wider than just the Close on which the bungalow was sited. The gaps to the side boundaries were larger than some of the extended properties already in the Close. The space at third floor was the same as the roof accommodation and dormer windows in other bungalows.

Councillor Johnson moved a motion to refuse on the grounds of the size and siting of the design and its height which would result in an over dominant development which was detrimental to the character and amenities of the area. The footprint of the development was detrimental to the open character and it did not comply with UD1 of the Core Strategy.

On being put to the committee, the motion was LOST

The Chair moved the officer's recommendation subject to the additional condition included in the update sheet.

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:-
 - 1606_P001 Rev00
 - 1606_P002 Rev00
 - 1606_P003 Rev00
 - Design and Access Statement
3. No construction works shall commence until details and samples of the materials to be used for all the external finishes of the building, including walls, roofs, doors, windows, garage doors and balcony screens, 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 the materials and drainage of all hardstanding and the site boundary treatments 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 development on site shall commence until details and a method statement in respect of tree protection measures (including ground protection) relating to trees located within and adjacent to the site have been submitted to and approved in writing by the Local Planning Authority. The tree protection measures approved under this condition shall be implemented prior to the commencement of any works and shall be maintained as such at all times whilst the construction works take place.

7. Neither building shall be occupied until the bin storage for the building, as shown on drawing nos.1606_P002 Rev00 and 1606_P003 Rev 00 has been installed in accordance with the approved details. The bin and cycle stores shall be retained as such unless otherwise approved in writing by the Local Planning Authority.
8. The first floor windows in the south-west and north-east side elevations of House A and the west and east side elevations of House B shall be installed and retained with obscure-glazing, and shall be non-opening other than in parts of the windows which are more than 1.7 metres above the floor of the room in which the window is installed.
9. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any modification or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B, C, D and H of the Order shall be carried out to the dwelling(s) hereby approved without the prior written permission of the Local Planning Authority.
10. Before being brought in to use the new parking areas hereby approved the applicant shall provide adequate measures for surface water from the site to be intercepted and disposed of separately so that it does not discharge in to highway.

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 during the application process.

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. 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.
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/393927/Party_Wall_etc__Act_1996_-_Explanatory_Booklet.pdf
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

5. 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.

6. This development may be considered a chargeable development for the purposes of the Community Infrastructure Regulations 2010 (as amended). The charge is non-negotiable and is calculated at the time planning permission is granted. The charge is based on the net increase of gross internal floor area of the proposed development.

A person or party must assume liability to pay the levy using the assumption of liability form 1 which should be sent to the CIL Officer, Regeneration and Development, Watford Borough Council, Town Hall, Watford, WD17 3EX or via email.

If nobody assumes liability to pay the levy this will default to the land owner. A Liability Notice will be issued in due course. Failure to adhere to the Regulations and commencing work without notifying the Council could forfeit any rights you have to appeal or pay in instalments and may also incur fines/surcharges.

44

17/00654/FULM LAND TO REAR OF YE CORNER

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 report. He explained that the application proposed the demolition of existing buildings and redevelopment of the site to create 15 residential units with associated works. The site was an irregular shaped parcel of land. It was a challenging site to bring forward for development. However, careful design had innovatively responded to the site. The car free proposal was suitable due to the sustainable location.

The Chair invited Mr Alun Evans, the agent, to speak for the application. Mr Evans stated that the site was unique as it was almost invisible from the highway. The existing buildings had reached the end of their life and there was no economic benefit in their continued use. The character of the area was becoming more established as residential. The proposal had been submitted in early June and had been reviewed in detail by planning officers. The scheme was car free which was of material benefit to highway safety. The scheme was designed to account for considerable level changes across the site and minimise

impact on the locally listed buildings. With regards to affordable housing, the scheme had been reviewed by an independent advisor who had concluded that due to the build costs in the scheme it was unviable to provide any financial contribution at this stage. The developer was taking on a risk to bring forward the scheme and it would take 18 months to construct the buildings.

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

Committee members considered that it was an attractive modern scheme, however, the extensive use of unprotected timber had not weathered well in other developments in the town due to the level of pollution. The developer was encouraged to steer away from using timber and replace it with something that would weather well.

With regards to being a car free development the committee commented that although the development was close to Bushey station it was often difficult to get onto the crowded trains and there were already parking problems in Oxhey Village. There was also disappointment at the lack of affordable housing as there was a need for this in Watford; members expressed a wish to view the viability report.

The Chair moved the officer's recommendation.

RESOLVED –

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

Section 106 Heads of Terms

- i) To secure a review mechanism of the viability of the scheme for a contribution up to a maximum total contribution of £600,916 towards the provision of affordable housing in the Borough of Watford, subject to the review demonstrating the improved viability of 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: 16668-Topo Rev A – amended plan received 26.07.17; 16668-MBS; 000 Rev P3 – amended plan received

12.10.17; 102 Rev P6 – amended plan received 17.10.17; 105 Rev P6 – amended plan received 17.10.17; 106 Rev P3 – amended plan received 26.07.17; 107 Rev P3 – amended plan received 17.10.17; 108 Rev P3 – amended plan received 17.10.17; 110 Rev P3 – amended plan received 12.10.17; 111 Rev P3 – amended plan received 17.10.17; 112 Rev P4 – amended plan received 12.10.17; 113 Rev S1; 200 Rev P4 – amended plan received 17.10.17; 201 Rev P2 – amended plan received 17.10.17; 300 Rev P3 – amended plan received 12.10.17; 301 Rev P3 – amended plan received 26.07.17; 302 Rev P3 – amended plan received 26.07.17; 303 Rev P2 – amended plan received 26.07.17; 600 Rev P2 – amended plan received 24.10.17; 601 Rev P2 – amended plan received 24.10.17; 1237-001 Rev A – amended plan received 04.08.17; 1237-002 Rev A – amended plan received 04.08.17; 1237-003; 1237-004.

3. Notwithstanding the information already submitted, 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 buildings, including all walls, roofs, doors, windows, balconies, rainwater and foul drainage goods (including samples where considered necessary by the Local Planning Authority) and details of the reveal treatment to be applied around windows and doors 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 details.
4. No dwelling shall be occupied until a scheme detailing the external lighting to be installed within the site (including free standing light fixtures and any external lighting attached to buildings) has been submitted to and approved in writing by the Local Planning Authority. All external lighting shall be installed prior to the first occupation of the development in accordance with the specifications and locations set out in the scheme, and shall be maintained thereafter in accordance with the approved scheme. Under no circumstances should any other external lighting be installed without the prior written approval of the Local Planning Authority.
5. The development permitted by this planning permission shall be carried out in accordance with the approved Surface Water Drainage Strategy prepared by Ambiental Technical Solutions – Reference 3136 SWDS, Version Draft v4.0 (dated April 2017) and the following mitigation measures detailed within the drainage strategy:
 - i) Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event;

- ii) Implementing appropriate drainage strategy based on attenuation and discharge into Thames surface water sewer including SuDS features as indicated on drawing No. Lower Level, Revision 2 – Preliminary Surface Water Drainage Strategy Layout, dated 05/07/2017 and drawing No. Upper Level, Revision 2 – Preliminary Surface Water Drainage Layout, dated 05/07/2017;
- iii) Limiting surface water discharge off the site at a maximum allowable rate of 5.0 l/s/ha for the 1 in 100 year plus 40% for climate change event;
- iv) Clarification and indication in the drawing where exactly the filter drain connects with the existing infrastructure;
- v) Incorporation of the upper parking site in the system and provision of updated calculation considering this area;
- vi) Final detailed scheme with updated calculation including all site area.

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 for the site, based on the approved Surface Water Drainage Strategy, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- i) Provision of a fully detailed drainage plan showing pipe diameters, pipe runs, outlet points and location of SuDS features and supporting calculations;
- ii) Detailed engineered drawings of the proposed SuDS features including their, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling;
- iii) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

7. Notwithstanding the information already submitted, no dwelling shall be occupied until details of the siting, type, size and finish of the refuse, recycling and cycle storage enclosures have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the approved refuse, recycling and cycle storage enclosures have been constructed and made available for use. These facilities shall be retained as approved at all times thereafter.
8. No dwelling shall be occupied until a detailed soft landscaping scheme for all the land within the site has been submitted to and approved in writing by the Local Planning Authority. This shall include details of new tree and shrub planting including their location, species, size (container size where applicable) and planting density. The approved 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.
9. No dwelling shall be occupied until a detailed hard landscaping scheme for all the land within the site 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 hard surfacing, other than that approved under Condition 9, shall be laid/installed within the site.
11. No dwelling shall be occupied until the proposed private amenity areas, communal amenity space and soft landscaped areas have been laid out as shown on the approved drawings. These areas shall be retained as such at all times thereafter and shall not be used for car parking, manoeuvring or for any other purpose.
12. Notwithstanding the information already submitted, no dwelling shall be occupied until details of the siting, height, type, materials and finish of all fencing, walls, gates or other means of enclosure around the boundaries of the site and within the site have been submitted to and approved in writing by the Local Planning Authority. All fencing, walls, gates or other means of enclosure shall be provided in accordance with the approved details prior to the first occupation of any part of the development and shall be maintained as such at all times thereafter. Notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and Country

Planning (General Permitted Development) Order 2015 (as amended) no gates, walls or means of enclosure, other than those approved under this condition, shall be erected or installed on the site without the prior written approval of the Local Planning Authority.

13. No dwelling shall be occupied until the on-site loading/unloading bays and manoeuvring area have been laid out and constructed in accordance with the approved drawings (and those details approved under conditions 5, 6 and 9) and made available for use. These facilities shall be retained as approved at all times.
14. Notwithstanding the information already submitted, no construction of the approved buildings shall commence until detailed plans showing the existing and new or altered ground levels within the site and the floor levels of all the proposed buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the details approved under this condition.
15. The proposed first floor window in the northeast-facing elevation of the westernmost building (serving the stairwell – as detailed on drawing number 112 Rev P4 – amended plan received 12.10.17) 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.
16. No parts of the flat roofs of the development shall be used as terraces, balconies or other open amenity spaces.
17. Details of a ‘no-dig’ method of construction for the proposed bin store and other works within the root protection zone of the group of trees referred to as Group “G1” within the submitted Arboricultural Statement, prepared by RJ Tree Services Ltd (Ref. ARBORSURVEY01_Ye Corner dated 06.02.17), and as detailed on the accompanying Arboricultural Survey & Constraints Plan 01, shall be submitted to and approved in writing by the Local Planning Authority before any excavations are carried out in this root protection zone. The development shall only be carried out in accordance with the details approved under this condition.
18. No works associated with the development shall be carried out to existing trees within and/or surrounding the site until a detailed schedule of such works has been submitted to and approved in writing by the Local Planning Authority. The tree works shall only be carried out in accordance with the approved details.

19. 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. No aerials or satellite dishes, other than those approved by this condition, shall be installed within the site.
20. No dwelling shall be occupied until a detailed scheme showing the provision of fire hydrants serving the development (as incorporated into the provision of the mains water services for the development whether by means of existing water services or new mains or extension to or diversion of existing services or apparatus) has been submitted to and approved in writing by the Local Planning Authority. The approved fire hydrant provision shall be installed and made available for use prior to the first occupation of any dwelling forming part of the development and shall be maintained as such thereafter.
21. No construction works above damp proof course level shall commence until a noise mitigation scheme for each of the residential dwellings, based upon the recommendations of the Noise Assessment prepared by MoirHands (Report No. 3249/25/17) dated 24th March 2017, 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 and the performance of acoustic trickle vents for all bedroom windows. An updated noise assessment shall be submitted to demonstrate that the proposed measures achieve the required internal noise levels. 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.
22. No construction works above damp proof course level shall commence until the specification of a mechanical air supply/extract system for each of the residential dwellings 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 respective dwelling remaining 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. Noise from the external plant associated with this system, when combined with any building services plant, must not exceed limit of 39dB(A) during the daytime and 27dB(a)

night time, one metre from the nearest residential façades. In addition, when in operation, the sound pressure level within each flat shall not exceed the internal noise levels contained in BS8233:2014 1 metre from any associated inlet or outlet. No dwelling shall be occupied until the approved ventilation system has been installed in full, unless otherwise agreed in writing by the Local Planning Authority.

23. No construction works above damp proof course level shall commence until a specification for the building services plant, to operate in combination to a noise emission limit of 39dB(A) during the daytime and 27dB(a) night time, one metre from the nearest residential façades, has been submitted to and approved in writing by the Local Planning Authority. Any building services plant must not compromise the sound insulation of the façades. The applicant shall submit details of the building services plant, up to date plans and an updated Noise Assessment demonstrating that these noise emissions limits are met by the proposed plant.
24. Notwithstanding the information already submitted, no development shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. This strategy shall include the following components:
 - 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; and
 - potentially unacceptable risks arising from contamination at the site.
 - ii) A site investigation scheme, based on (i) 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 the detailed risk assessment referred to in (ii) 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.

25. No construction works shall commence until a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.
26. No development shall take place until a long-term monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to, and approved in writing by, the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the Local Planning Authority.
27. 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 a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.
28. No infiltration of surface water drainage into the ground is permitted other than with the prior written consent of the Local Planning Authority. The development shall be carried out only in accordance with the approved details.
29. No piling, deep foundations, investigation boreholes or other deep intrusive groundworks using penetrative methods shall be carried out until a method statement (detailing the depth and type of piling, boreholes, foundations or other groundworks to be undertaken and the methodology by which such works will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, measures to prevent harm to groundwater resources and the programme for the works) has been submitted to and approved in

writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details.

30. Prior to any part of the development hereby approved being brought into use, a scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The development shall be carried out only 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 2015. The Council entered into pre-application discussions with the applicant and requested amendments during the consideration of the application.
2. 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.

3. All new developments granted planning permission and to be constructed require naming or numbering under the Public Health Act 1925. You must contact Watford Borough Council Street Naming and Numbering department as early as possible prior to commencement on streetnamenumbers@watford.gov.uk or 01923 278458. A numbering notification will be issued by the council, following which Royal Mail will assign a postcode which will make up the official address. It is also the responsibility of the developer to inform Street Naming and Numbering when properties are ready for occupancy.
4. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
5. It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
6. It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
7. You are advised that appropriate arrangement should be made within the site to provide for:

- a.) Servicing and Delivery associated with the construction
- b.) Parking for workers and contractors associated with the construction
- c.) Wheel washing to prevent the spread of debris onto the public highway.

Failure to make such provisions may be contrary to the Highways Act and/or require a separate licence from the Local Highway Authority.

- 8. With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.
- 9. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921.
- 10. There are public sewers crossing or close to the area in which the development is proposed. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted for extension to existing buildings. The applicant is advised to visit thameswater.co.uk/buildover for further details.
- 11. This development may be considered a chargeable development for the purposes of the Community Infrastructure Regulations 2010 (as amended). The charge is non-negotiable and is calculated at the time planning permission is granted. The charge is based on the net increase of gross internal floor area of the proposed development.

A person or party must assume liability to pay the levy using the assumption of liability form 1 which should be sent to the CIL Officer,

Regeneration and Development, Watford Borough Council, Town Hall, Watford, WD17 3EX or via email (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.

12. Information for developers and guidance documents in relation to land contamination can be found online at:
https://www.watford.gov.uk/info/20011/business_and_licensing/349/contaminated_land and the contaminated land pages on gov.uk.
13. This planning permission is accompanied by a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure a review mechanism of the viability of the scheme for a contribution towards the provision of affordable housing in the Borough of Watford, subject to the review demonstrating the improved viability of the development.

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17/00685/FULM 1A, 9-13 ALDENHAM 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 the demolition of the existing industrial/commercial building and erection of a single building comprising 15 residential units. The development was close to the junction with Pinner Road and adjoined the Railway Arms public house. It was in the Oxhey conservation area. The design was contemporary and incorporated a flat roof and buff brick in common with materials in the conservation area. The application had been subjected to a viability review and the applicants had agreed a commuted sum which equated to a 19% provision of affordable housing. It was a car free development due to it being a highly accessible and sustainable location, close to Bushey station and multiple bus routes, local facilities and a small convenience food store. The location was also within easy walking distance of Lower High Street and the town centre.

Attention was drawn to the update sheet, which included a correction and an amended condition.

The Chair invited Ms Stephanie O'Callaghan from Laguna Properties Ltd, to speak for the application. Ms O'Callaghan explained that, during consultation issues were raised which suggested that scale, design and parking were concerns. With regards to car parking, the surrounding residential roads experienced high levels of parking. However the proposed development would have less intensive vehicle use than present. The site was highly accessible. In terms of scale the new building was only one storey higher than the existing structure. In the design of the development understated colours had been used. The current building detracted from the locally listed building. The scheme would deliver new homes and develop brownfield land. There would also be a substantial financial contribution to affordable housing in the borough.

The Chair invited comments from the committee.

Members of the committee complimented the design and commented that it would be replacing something currently unattractive. However, there was apprehension about a car free development. The issue of viability was raised and officers were asked for clarification.

Officers explained that there had been extensive discussion on the existing use value of the site as it was now vacant and derelict. The applicant had agreed to make a payment of an amount recommended by the council's consultants.

The Chair moved the officer's recommendation subject to the additional condition 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 financial payment of £322,292 towards the provision of affordable housing in the Borough of Watford.

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:-

A2801-200 R15, 201 R13, 202 R13, 203 R11, 400 R6, 401 R5, 402 R5

3. No development shall commence until a construction management plan, to include dust management and noise management, has been submitted to and approved in writing by the Local Planning Authority. In relation to the dust management include mitigation measures detailed in tables 6 and 7 of the Air Quality Assessment prepared by XCO2, 17 May 2017. In relation to the noise management consideration must be given to the principles in BS5228.
4. 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
 - i) a site investigation scheme, based on the Desk Study report by Geotechnical and Environmental Associates Limited dated 4th May 2017 (ref. J17057), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site;
 - ii) the results of the site investigation and risk assessment referred to in (i) 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;
 - iii) 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 (ii) 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.

5. 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.

6. 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.
7. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and SuDS Strategy Report (Version 3, dated August 2017) by Graphic Structures and the following mitigation measures detailed within the Flood Risk Assessment:
 - i) Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
 - ii) Implementing appropriate drainage strategy based on discharge into Thames Water sewer.

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.

8. No development (excluding demolition works) 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 include:
 - i) Detailed engineered drawings of the proposed SuDS features including their size, volume, depth and any inlet and outlet features including any connecting pipe runs and manholes.
 - ii) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.
9. No development (excluding demolition works) shall commence until the specification of a mechanical air supply/extract system for each of the residential dwellings 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 respective dwelling remaining closed. The system must not compromise the sound insulation of the façades. The air delivered to the occupiers of the residential dwellings with windows facing Aldenham Road through

this system should have an annual mean nitrogen dioxide (NO₂) concentration of 40µg/m³ or less. 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. Noise from the external plant associated with this system, when combined with any building services plant, must not exceed limit of 39dB(A) during the daytime and 27dB(a) night time, one metre from the nearest residential façades. In addition, when in operation, the sound pressure level within each flat shall not exceed the internal noise levels contained in BS8233:2014 1 metre from any associated inlet or outlet. No dwelling shall be occupied until the approved ventilation system has been installed in full, unless otherwise agreed in writing by the Local Planning Authority.

10. No development (excluding demolition works) shall commence until a noise mitigation scheme for each of the residential dwellings, based upon the recommendations of the Environmental Noise Survey by Hoare Lea dated 5th September 2017 (Revision 04), 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 façades. An updated noise assessment shall be submitted to demonstrate that the proposed measures achieve the required internal noise levels. 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.
11. No development (excluding demolition works) shall commence until a specification for the building services plant, to operate in combination to a noise emission limit of 39dB(A) during the daytime and 27dB(a) night time, one metre from the nearest residential façades, has been submitted to and approved in writing by the Local Planning Authority. Any building services plant must not compromise the sound insulation of the façades. The applicant shall submit details of the building services plant, up to date plans and an updated Noise Assessment demonstrating that these noise emissions limits are met by the proposed plant.
12. No development (excluding demolition works) shall commence until full details and samples of the materials to be used for the external surfaces of the building (including walls, roofs, windows, doors, balconies) have been submitted to and approved in writing by the Local Planning Authority.

13. No development (excluding demolition works) shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:
- i) Existing and proposed land levels;
 - ii) Design and appearance of the retaining walls to the boundaries of the site;
 - iii) Cross-sections of the building in relation to the adjoining land, retaining walls and existing boundary treatments on all boundaries of the site;
 - iv) Boundary treatments to prevent overlooking between the proposed building and adjoining land.
14. No dwelling shall be occupied until a detailed soft landscaping scheme for all the land within the site has been submitted to and approved in writing by the Local Planning Authority. This shall include new tree and shrub planting to replace trees to be lost. The approved 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.
15. No dwelling shall be occupied until a detailed hard landscaping scheme for all the land within the site 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.
16. No dwelling shall be occupied until the refuse and recycling store and the cycle stores to serve the dwellings, as shown on the approved drawings, have been constructed and made available for use. These facilities shall be retained as approved at all times.
17. No dwelling shall be occupied until the existing vehicular crossover on Aldenham Road serving the site has been removed and the footpath reinstated.
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 3 windows at first floor level and the 3 windows at second floor level shown to be obscure glazed on approved drawing nos. A2801-201 R13, 202 R13 and 400 R5 shall be non-opening and fitted with obscured glass at all times.

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. 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.
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 requested amendments during the consideration of 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.

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17/00593/FULM AND 17/00594/LBC FORMER GAS HOLDER SITE AND FROGMORE HOUSE, LOWER 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 Chair explained that as there were two applications covered in the report then a speaker had been allowed per application.

The Development Management Team Leader introduced the report.

17/00593/FULM - The application was for the redevelopment of the former gas works, involving the renovation and the use of Frogmore House for offices and associated external alterations, the construction of a food store with 92 car parking spaces, a residential building comprising 92 apartments with car parking and associated external alterations, landscaping and alterations to flood defences and riverbanks.

17/00594/LBC - Listed Building Consent for demolition of a single storey rear extension, internal and external alterations, refurbishment and restoration works to enable the conversion of Frogmore House into offices.

The Development Management Team Leader explained that the rear extension to Frogmore House was a later addition to the building. Works on the house would seek to retain all the existing fabric within the building including timber staircases and panelling. It would also include work to the boundary wall, removal of the concrete render to be replaced with lime render. The windows would be replaced with timber sash windows and a disabled access ramp would be installed. The developers had also agreed to make a payment of £15,000 to enable the council to appoint an independent consultant to act on the council's behalf to agree and oversee the restoration works.

The Development Management Team Leader continued that there were a number of significant planning benefits including the refurbishment of Frogmore House which had been on the Historic England building at risk register for many years. Improvements to the riverbank would reduce flood risk and enhance the river. The site would be decontaminated. There would be provision of 92 new dwellings, a Lidl store and a commuted sum of £750,000 towards affordable housing. There would also be a Community Infrastructure Levy charge of £1.85m towards new infrastructure.

With regards to the commuted payment towards affordable housing, the Development Management Team Leader explained that the council's consultant had reviewed the viability and held a series of discussions with the developer. The site was unusual and there were clear mitigating factors regarding the planning benefits, for example the restoration of Frogmore house, works to the river bank and decontamination of the site which would be significant costs. There were also considerable risks involved as the site was unusual and had multiple environmental constraints which was an additional level of risk for the developer. The contribution had been agreed on the basis that there were

significant other costs and the development would deliver benefits which the council had sought to achieve for many years. The figure equated to 7% provision of affordable homes but with other benefits which added to the package.

Attention was drawn to the update sheet which included clarifications.

The Chair invited Richard Searle, a local businessman to speak against the application. Mr Searle explained he was the owner of Quality Lounge Suites which had been there for 30 years. Mr Searle had two main concerns regarding traffic and flooding. The road was already congested and the development would affect the new main route for ambulances. There was no provision for traffic lights at the entrance/exit. Mr Searle suggested that the Chalk Hill lights should always be green to improve traffic flow with a pedestrian crossing. With regards to flooding, the Lower High Street had had two major floods which included properties being flooded. If plans were passed then ambulances, residents and commuters would be worse off.

The Development Management Team Leader responded that the application was subject to detailed a traffic assessment. The applicant had engaged with Hertfordshire Highways from pre-application stage and they had accepted the conclusions. During peak traffic time it was accepted that anyone going to the Lidl store would likely already be on the traffic network which was already congested at this time. With regards to access to the hospital there would be improvements carried out to the Dalton Way junction as part of the Health Campus planning permission. The transport assessment acknowledged that the road and junctions operated at close to and above maximum capacity.

Addressing the flooding concerns the Development Management Team Leader explained that at pre application stage a meeting had been held with the Environment Agency flood risk team. The proposed flood risk work would satisfy both the council and the Environment Agency and would reduce the risk of flooding.

The Chair invited Suzannah Fleming, Chair of the Temple Trust to speak against the application. Ms Fleming explained that since 2009 the Trust had endeavoured to secure restoration of Frogmore House. In 2010 the Trust had successfully identified and rescued the missing front door case which was a principle feature and held this component for safe keeping. There were various other elements missing from the house and garden. Ms Fleming expressed strong objections to the demolition of the kitchen extension as parts of this dated from the early 19th century and included a ladder and hatch which gave access to the roof during World War Two. There were concerns whether the

council had adequate resources to engage a conservation advisor and the authority must be prepared to review and enforce the planning conditions.

The Chair invited Sean Ellis to speak for the application. Mr Ellis, the Chairman of St William, explained it was a joint venture between the Berkeley Group and National Grid. Over the past two years they had worked with the council, consultees and public to develop a high quality scheme. It was a technical and challenging site as Frogmore House had fallen into disrepair, there were extensive works required to the flood defence wall and further remediation work was required to make the site suitable for redevelopment. The development would provide Frogmore House with a new lease of life following engagement with Historic England, the council, Temple Trust and Herts Garden Trust. There had been public exhibitions held where the majority of comments were in support of the development. The combined elements of the development represented significant investment and 40 new jobs through Lidl as well as construction jobs and training.

The Chair invited Central Ward Councillor Steve Bolton to speak to the committee. Councillor Bolton commented that the development of the whole site would be a benefit. However, he had some concerns and was proposing a deferral rather than rejection of the development. Councillor Bolton noted the report from Hertfordshire Highways which stated that the junctions were operating close to capacity but that the development would have minimal impact. There would be funds for the monitoring of a travel plan but it was unclear what that would be for, there was also mention of a yellow box but not how that might help. The deliveries to store would be between 7am-11pm, however, if lorries arrived at peak times this would increase traffic problems further. Hertfordshire Highways had suggested a servicing and delivery plan prior to commencement of the development and it would be helpful if ward councillors could see this when it was available. Councillor Bolton felt that the design of the flats was plain and did not do justice to the site with a grade II* listed building. With regards to affordable housing, it had been explained that the site was unique and challenging but was 7% appropriate or should it be revisited? A deferral would allow time for further information to be provided.

The Head of Development Management responded that a restriction to control the movement of vehicles on the highway was not something that could be done by a planning condition as it could not be monitored or enforced. A condition could prevent vehicles entering the site at certain times but this could cause problems on the highway, for example, if a lorry arrived early and then had to wait outside.

The Development Management Team leader explained that the box junction was suggested as part of the transport assessment and the modification would be an

improvement on the existing junction. The box junction should prevent traffic queuing across the junction at peak times which would allow vehicles to exit the site. It would also be subject to safety audits from the Hertfordshire Highways team.

The Chair invited comments from the committee.

The committee welcomed the application and the combination of uses. The works to Frogmore House were positively received along with the opportunity to bring it back into use and protect it for the future. The flood prevention measures were also welcomed. The design of the flats was discussed and whilst some members of the committee were not in favour of the design, others considered that their plain design provided an appropriate background to Frogmore House. Concerns were expressed about traffic congestion, air pollution and the demolition of the Frogmore House extension.

In response to concerns, the Development Management Team Leader explained that Historic England had been consulted regarding the restoration of Frogmore House, whilst the extension was several hundred years old it was a later addition. With regards to air quality, an Air Quality Management Area (AQMA) was designated where air quality exceeded national levels for residential property. The residential block of the proposed development was away from the Lower High Street and not affected by air quality issues. AQMAs applied more to those houses which were right against the highway.

The Chair moved the officer's recommendations for both applications.

RESOLVED –

17/00593/FULM - 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 financial payment to the Council of £750,000 towards the provision of affordable housing in the Borough of Watford;
- iii) 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;

- iii) To secure a financial payment to Hertfordshire County Council of £10,000 for the improvement of the bus stop on Lower High Street adjoining the site;
- iv) To secure a financial payment to Hertfordshire County Council of £15,000 for the improvement of the public footpath on Lower High Street adjoining the site;
- v) To secure a financial payment to the Council of £15,000 for the appointment of a conservation consultant to undertake regular site visits during the works to Frogmore House on behalf of the Council;
- vi) To secure the completion of the works to Frogmore House by a specified time in relation to the completion of the residential building.

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. No development shall commence on the site until a condition survey of the flood defence wall has been submitted to and approved in writing by the Local Planning Authority. Should the approved survey report determine that repairs to the flood defence wall are required, these must be carried out in accordance with the approved survey report. No building within the approved development shall be occupied until the repair works have been completed in full.
3. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:
 - 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; and;
 - potentially unacceptable risks arising from contamination at the site.
 - ii) A site investigation scheme, based on (i) 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 the detailed risk assessment referred to in (ii) 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.

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

- 4. Prior to any part of the permitted development being brought into use a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be 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. The development hereby permitted shall not commence until a monitoring and maintenance plan with respect to groundwater contamination, including a timetable of monitoring and submission of reports has been submitted to and approved in writing by the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the groundwater monitoring, shall be submitted to and approved in writing by the Local Planning Authority.
- 6. 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 a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.
- 7. Piling using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.
- 8. A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall

provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to each phase of development being brought into use.

9. No drainage systems for the 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 approved details.

Conditions relating only to the foodstore (blue hatched land on drawing no. SK_133 D01)

10. The foodstore hereby permitted shall be carried out in accordance with the following approved drawings:-

5644-BR-V01-XX-DR-A-010110, 010111, 010112, 020110

11. No development works shall commence on the foodstore until a construction environmental management plan has been submitted to and approved by the Local Planning Authority. The plan shall include measures recommended within the submitted Air Quality Assessment dated May 2017 by WSP Parsons Brinckerhoff and measures to mitigate the impacts of noise and vibration on the properties adjoining the site.
12. No development works shall commence on the foodstore until the tree protection measures detailed on the Tree Protection Plan by Ian Keen Limited (drg. no. 8971-KC-XX-YTREE-TPP02RevA) have been installed in full. These measures shall be retained at all times during development works, unless otherwise agreed in writing by the Local Planning Authority.
13. No development shall commence on the foodstore until an archaeological written scheme of investigation has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and
 1. The programme and methodology of site investigation and recording;
 2. The programme and methodology of site investigation and recording as suggested by the archaeological evaluation;
 3. The programme for post investigation assessment;
 4. Provision to be made for analysis of the site investigation and recording;

5. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
6. Provision to be made for archive deposition of the analysis and records of the site investigation;
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

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

14. The development of the foodstore shall be carried out in accordance with Flood Risk Assessment prepared by Aecom dated 27 April 2017 and the following mitigation measures as detailed within the surface water drainage strategy for the northern part of the site:

- The scheme must provide sufficient source control and storage to accommodate the 1:30 year rainfall event in conjunction with the 1:30 year modelled river levels for all the storm water remains within the system without flooding.
- The piped network and SuDS system should provide as a minimum 450 m³ of storage.
- The runoff from the site will be restricted by flow controlled devices at 7.3 l/s for the northern outfall.
- Adequate management treatment train is to be provided by a combination of below and above ground SuDS to ensure water quality as shown on the drawings 40-02 P4 Preliminary Residential Surface Water Drainage Strategy and 3071-S110A Proposed SW Drainage GA (1)
- Emergency flood plan and any required mitigation measures will be implemented to ensure the safety of the future site users.

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.

15. No development works shall commence on the foodstore shall take place until a final detailed drainage strategy has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full detailed engineering drawings of the design of all the proposed SuDS measures, in line with the latest edition of the SuDS Manual by CIRIA.

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

16. No development works shall commence on the foodstore until a detailed scheme for the provision of mains water services to serve the development, including, where necessary, fire hydrants, has been submitted to and approved in writing by the Local Planning Authority. No occupation of the development shall take place until the approved mains water scheme has been provided in full.
17. Upon completion of the drainage works in the northern part of the site, an updated management and maintenance strategy for the all the SuDS features and structures must be submitted and shall include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.
18. No external facing materials shall be installed on the foodstore until full details and samples of all the materials to be used for the external surfaces of the building have been submitted to and approved in writing by the Local Planning Authority.
19. No part of the foodstore shall be occupied until a detailed hard landscaping scheme for the northern part of the site, including details of the 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 Statement dated April 2017 by LDA Design.
20. No part of the foodstore shall be occupied until a detailed soft landscaping scheme for the northern part of the site 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 Statement dated April 2017 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.
21. No part of the foodstore shall be occupied until the modified access junction on Lower High Street and the internal access road serving the

food store, as shown in principle on the approved drawings, have been completed in full.

22. No part of the foodstore shall be occupied until the following facilities have been provided for the use of employees and customers, in accordance with the approved drawings:
- i) cycle parking for customers for at least 12 cycles;
 - ii) secure, covered cycle parking for employees for at least 8 cycles;
 - iii) 92 car parking spaces.

These facilities shall be retained at all times for the use of customers and staff.

23. No part of the foodstore shall be occupied until a detailed Travel Plan for the use, 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.
24. All plant and equipment associated with the foodstore 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.
25. No part of the foodstore shall be occupied until a noise impact assessment has been carried out, in accordance with BS4142, of the proposed plant and equipment within the plant enclosure, and any recommended mitigation measures have been installed in full. The purpose of the noise impact assessment is to demonstrate that the operation of the proposed plant at full capacity, with any mitigation measures as appropriate, will not adversely impact on the residential occupiers at Frogmore Cottages and the approved residential building within the development.
26. The foodstore hereby approved shall only be used for purposes within Class A1 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 07.00 hours or after 23.00 hours on any day.

27. No deliveries or collections relating to the foodstore hereby approved shall take place before 07.00 hours or after 23.00 hours on any day.

Conditions relating only to the residential building (pink land on drawing no. SK_133 D01)

28. The residential building hereby permitted shall be carried out in accordance with the following approved drawings:-

S_01 P1

MP_01 P1, 02 P1, 03 P1, 04 P1, 05 P1

BA_00 P1, 01 P1, 02 P1, 03 P1, 04 P1, 05 P1, 06 P1

BE_00 P1, 01 P1

BX_00 P1

29. No development works shall commence on the residential building until a construction environmental management plan has been submitted to and approved by the Local Planning Authority. The plan shall include measures recommended within the submitted Air Quality Assessment dated May 2017 by WSP Parsons Brinckerhoff and measures to mitigate the impacts of noise and vibration on the properties adjoining the site.

30. No development shall commence on the residential building until an archaeological written scheme of investigation has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and

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

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

31. The development of the residential building shall be carried out in accordance with Flood Risk Assessment prepared by Aecom dated 27 April 2017 and the following mitigation measures as detailed within the surface water drainage strategy for the southern part of the site:

- The scheme must provide sufficient source control and storage to accommodate the 1:30 year rainfall event in conjunction with the 1:30 year modelled river levels for all the storm water remains within the system without flooding.
- The piped network and SuDS system should provide as a minimum 305 m³ of storage.
- The runoff from the site will be restricted by flow controlled devices at 6.1 l/s for the northern outfall.
- Adequate management treatment train is to be provided by a combination of below and above ground SuDS to ensure water quality as shown on the drawings 40-02 P4 Preliminary Residential Surface Water Drainage Strategy and 3071-S110A Proposed SW Drainage GA (1)
- Emergency flood plan and any required mitigation measures will be implemented to ensure the safety of the future site users.

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.

32. No development of the residential building shall take place until a final detailed drainage strategy has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full detailed engineering drawings of the design of all the proposed SuDS measures, in line with the latest edition of the SuDS Manual by CIRIA.

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

33. Upon completion of the drainage works in the southern part of the site, an updated management and maintenance strategy for the all the SuDS features and structures must be submitted and shall include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

34. No development works shall commence on the residential building until a detailed scheme for the provision of mains water services to serve the development, including, where necessary, fire hydrants, has been

submitted to and approved in writing by the Local Planning Authority. No occupation of the development shall take place until the approved mains water scheme has been provided in full.

35. The development of the residential building shall be carried out in accordance with the approved flood risk assessment (FRA) (Former Gas Works dated April 2017 by Aecom) and the compensatory flood storage measures detailed within the FRA. The mitigation measures shall be fully implemented prior to occupation of the residential building 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.
36. No external facing materials shall be installed on the residential building until full details and samples of all the materials to be used for the external surfaces of the building have been submitted to and approved in writing by the Local Planning Authority.
37. No external facing materials shall be installed on the residential building until a noise mitigation scheme for all the proposed residential dwellings, based upon the recommendations of the Noise Assessment Report by Cole Jarman dated 12th May 2017 (Ref. 17/0238/R1), 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.
38. No external facing materials shall be installed on the residential building until the specification of a mechanical air supply/extract system for each of the residential dwellings, based upon the recommendations of the Noise Assessment Report by Cole Jarman dated 12th May 2017 (Ref. 17/0238/R1), 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, 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.

39. No part of the residential building shall be occupied until a detailed hard landscaping scheme for the southern part of the site, including details of the 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 Statement dated April 2017 by LDA Design and shall include the western bank of the River Colne.
40. No part of the residential building shall be occupied until a detailed soft landscaping scheme for the southern part of the site 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 Statement dated April 2017 by LDA Design and shall include the western bank of the River Colne. 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.
41. No part of the residential building shall be occupied until the modified access junction on Lower High Street and the internal access road serving the residential building, as shown in principle on the approved drawings, have been completed in full.
42. No part of the residential building shall be occupied until the western bank of the River Colne adjoining the southern part of the site (between the National Grid bridge and the Lower High Street road bridge) has been re-profiled in accordance with detailed drawings submitted to and approved in writing by the Local Planning Authority.
43. No part of the residential building 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 92 cycles;
 - ii) the bin store for waste and recycling bins;
 - iii) 88 car parking spaces.

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

44. No part of the residential building shall be occupied until a detailed Travel Plan for the use, 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.
45. No part of the residential building 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.
46. 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.

Conditions relating only to Frogmore House (green hatched land on drawing no. SK_133 D01)

47. The development of Frogmore House hereby permitted shall be carried out in accordance with the following approved drawings:-

W106.002, 004, 005, 105 Rev.01, 205 Rev.01, 305 Rev.01 W106.100, 200, 300, 101, 201 Rev.01, 301 Rev.01, 401, 102, 202 Rev.01, 302 Rev.01, 402, 103 Rev.01, 203 Rev.01, 303 Rev.01, 403, 104, 204, 304
48. No development works shall commence on Frogmore House or within its curtilage until the tree protection measures detailed on the Tree Protection Plan by Ian Keen Limited (drg. no. 8971-KC-XX-YTREE-TPP02RevA) have been installed in full. These measures shall be retained at all times during development works, unless otherwise agreed in writing by the Local Planning Authority.
49. No development works shall commence on the Frogmore House until a detailed scheme for the provision of mains water services to serve the development, including, where necessary, fire hydrants, has been submitted to and approved in writing by the Local Planning Authority. No occupation of the development shall take place until the approved mains water scheme has been provided in full.
50. No development works shall commence on Frogmore House until a historic building record of the building in its current condition has been submitted to and approved in writing by the Local Planning Authority.

51. No part of Frogmore House shall be occupied until a detailed hard and soft landscaping scheme for the garden area and land within the curtilage of the building, and a landscape management and maintenance plan, have been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall be based upon the Landscape Statement dated April 2017 by LDA Design. The approved landscaping scheme (hard and soft measures) 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.
52. No part of Frogmore House shall be occupied until the modified access junction on Lower High Street and the internal access road serving the car park to Frogmore House, as shown in principle on the approved drawings, have been completed in full.
53. No part of Frogmore House shall be occupied until details of the following facilities have been submitted to and approved in writing by the Local Planning Authority and provided in full:
- i) a secure and weatherproof cycle store for at least 5 cycles;
 - ii) bin store for waste and recycling bins;
- These facilities shall be retained at all times for the use of the occupiers of and visitors to Frogmore House.
54. No part of Frogmore House shall be occupied until the 5 car parking spaces and turning area have been provided in accordance with the approved drawings. These facilities shall be retained at all times for the use of the occupiers of and visitors to Frogmore House.
55. Frogmore House shall only be used as offices within Class B1(a) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no 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. This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 to secure financial payments to Watford Council and Hertfordshire County Council, the provision of fire hydrants to serve the development, and works to Frogmore House.
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.
7. Under the terms of the Environmental Permitting Regulations a Flood Risk Activity Permit is required from the Environment Agency for any proposed permanent or enabling works or structures, in, under, over or within 8 metres of the top of the Colne, designated a 'main river'. Details of lower risk activities that may be Excluded or Exempt from the Permitting Regulations can be found at: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>. Please contact us at PSO-Thames@environment-agency.gov.uk for further information.

17/00594/LBC - 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, listed building consent be granted subject to the conditions listed below:

Section 106 Heads of Terms

- i) To secure the completion of the works to Frogmore House by a specified time in relation to the completion of the residential building.

Conditions

1. The works to which this consent relates must be begun not later than the expiration of three years beginning with the date on which this consent is granted.
2. The works hereby permitted shall be carried out in accordance with the following approved drawings and documents:

W106.002, 004, 005, 105 Rev.01, 205 Rev.01, 305 Rev.01

W106.100, 200, 300, 101, 201 Rev.01, 301 Rev.01, 401, 102, 202 Rev.01, 302 Rev.01, 402, 103 Rev.01, 203 Rev.01, 303 Rev.01, 403, 104, 204, 304

Scope of Works report (Bond Davidson)

Method Statement 1 (July 2017, job no. 145.12): Method statement for the repairs to the timber architectural features (Hutton + Rostron)

Method Statement 2 (July 2017, job no. 145.12): Method statement for the repairs to the timber panelling (Hutton + Rostron)

Method Statement 3 (July 2017, job no. 145.12): Method statement for repair of historic plasterwork (Hutton + Rostron)

Method Statement 4 (July 2017, job no. 145.12): Method statement for the repairs to the timber staircases (Hutton + Rostron)

Photographic Survey and Repairs (August 2017) (Montague Evans)

Report on proposed structural works for renovation (May 2017, Issue 2, ref. 39906-022R) (Eastwood & Partners)

Scope of Works for Mechanical and Electrical Services (4th August 2017) (Judd Consulting (UK) Limited)

Replacement window details (3 unnumbered drawings, Mumford and Wood)

3. Before any work commences on site, a site meeting shall be held between the Local Planning Authority (or their nominated representative) and the persons responsible for undertaking the works to ensure that the conditions attached to the Listed Building Consent are understood and can be complied with in full.
4. Before the relevant work begins, details in respect of the following shall be approved in writing by the Local Planning Authority:
 - Detailed drawings (scale 1:5) and sections (scale of 1:2) showing full details of the replacement windows including the relationship with the internal shutters and other features where relevant along with samples of the timber and the finish for the windows.
 - Detailed drawings and sections showing full details of any replacement internal or external doors and a justification for their replacement.

- Details and samples of materials and finishes for new and restored sections of all timber features (including panelling, skirting, door and window architraves, picture rails, dado rails, cornices, doors, stair balusters) in the building.
- A method statement and details of materials for all repairs to and levelling of the internal floors along with samples of proposed finishes and coverings including a justification for the coverings where to be laid over the original floor boards.
- Method statement for the reinstatement of the salvaged doorcase to the western entrance.
- Detailed drawings and sections at 1:20 showing the new access ramp to the secondary entrance.
- Samples of all external materials and surface finishes to be used (including the proposed access ramp).
- Details and samples of materials to be used for new chimney pieces and boarding up of the existing fireplaces?
- Detailed drawings and material samples for the external boundary treatments; cycle and refuse stores and any other enclosures required to house external plant shall be submitted to and agreed in writing by the Local Planning Authority.
- Details showing the type, location and sample materials of all rainwater goods and vent pipes

All works shall only be carried out in accordance with the approved details.

5. Notwithstanding the consent hereby granted, none of the interior features shall be disturbed or removed temporarily or permanently until a scheme identifying the items to be removed; arrangements for temporary secure storage; the person or body specialising in this procedure appointed by the applicant; and a timetable for their reinstatement has been submitted to and approved in writing by the Local Planning Authority. This should include the clear identification and justification of those sections of existing fabric to be replaced. The works shall only be carried out in accordance with the approved scheme.
6. The following loose items shall be retained on site or stored under cover in a secure place until their reinstatement as part of the works hereby approved:
 - Timber features – including sections of coving
7. No demolition of the single storey structure which forms a later addition to the north of the listed building shall be commenced until a method

statement for the demolition, including details for making good exposed areas revealed following the demolition, has been submitted to and agreed in writing by the Local Planning Authority. The demolition works shall only be carried out in accordance with the approved method statement.

8. No works to remove and replace the existing render shall commence until a method statement for the removal of the existing render and a specification for the new render to be used has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the mortar mix, number of coats, the finish and backing material and relationship to existing finishes and openings. Sample panels shall be provided on site showing the proposed render mix and the surface texture and materials and methods approved. Approved sample panels shall be retained on site until the work is completed. The works shall only be carried out in accordance with the approved method statement.
9. No works of repointing shall commence until a method statement detailing the method and extent of repointing has been submitted to and approved in writing by the Local Planning Authority and be carried out accordingly. The works shall only be carried out in accordance with the approved method statement. No other repointing of brickwork is authorised by this consent without prior approval of the details.
10. No works shall commence until full details of all internal and external lighting has been submitted to and approved in writing by the Local Planning Authority. Details should include design and dimensions, level of illumination, cable routes and method and location for fixing. The works shall only be carried out in accordance with the approved details.
11. No works shall commence until full details of the position, type and method of installation of all new and relocated services and related fixtures (for the avoidance of doubt this includes communications and information technology servicing), wherever these installations are to be visible, or where ducts or other methods of concealment are proposed, has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out only 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.

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.

47

LAND TO REAR OF 2-16 (EVENS), SOUTHWOLD 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 concerned a variation of a Section 52 agreement dated 7th July 1989 pursuant to planning permission ref. 9/851/88 to discharge clause 2(b) requiring the granting of an easement for the use of land by local residents.

The Development Management Team leader clarified that the location was in Callowland Ward not Tudor as stated on the report. He explained that section 52 agreements were the predecessor to section 106. There was no formal procedure for discharge or variation and no appeal procedure. The council was considering the request along the same lines as a section 106 agreement. The section 52 agreement required the developer to provide an area of land, then grant by way of easement or otherwise to allow residents of 2-16 Southwold Road to use this for the parking and turning of vehicles. There was no evidence of a formal easement but the land owners had allowed free passage as was originally intended. The surrounding roads experienced high levels of on street parking. The land was secured as part of the wider redevelopment to provide off street parking. A loss of the use of the land would have the potential to exacerbate the parking problems. For this reason there was no planning or legal justification to discharge this clause so it was recommended for refusal

The Chair invited Hannah Sessions, a local resident, to speak against the application. Ms Sessions gave a brief history of the site, when it was redeveloped in 1988-89 there would have been a loss of parking spaces. Residents worked with local councillor Irene Tunstall Dunn who arranged meetings with Fairview Homes. The developer agreed to provide a strip of land

for parking. There were fewer cars then and now the area was often double parked but there had been an amicable arrangement. However, residents had been locked out with a bollard and chains. There was a lockable swing gate that was no longer able to be locked. Residents did use the area for parking at various times of the day as not everyone had a 9-5 job, the area was used and needed.

The Chair invited Jason Blake, the applicant, to speak for the application. Mr Blake represented the Block E freehold company and had experienced problems with the loose agreement for the past seven years. There had been issues with residents running businesses from their homes and a car had been parked there which was vandalised before eventually being removed. Mr Blake questioned if the car had been set alight who would have paid for the damage. The applicants had put up a sign to state the area was not for business purposes and erected bollards. The council had asked them to remove the bollards which had been done. The area was not being used for the purpose intended and was a dumping ground for vehicles. The space was not intended to be used and it was a case of developers not thinking things through properly.

The committee discussed the application and suggested that both parties should speak to each other and if necessary appoint a third party to come to a formal resolution and agreement. There were parking problems in the area and the land was being used for the benefit of off-street parking.

The Chair moved the officer's recommendation.

RESOLVED –

That the request to discharge clause 2(b) of the Section 52 Agreement dated 7th July 1989 be refused for the following reason:

1. The area of land in question provides off-street parking facilities for the owners/occupiers of nos. 2-16 (evens), Southwold Road. This provision has existed since the area of land was formed pursuant to the s.52 agreement. Southwold Road and the surrounding roads experience high levels of parking congestion, particularly during the evening/night-time period, and the loss of this area of land would exacerbate these problems. This would be detrimental to the amenities currently enjoyed by the owners/occupiers of nos. 2-16 (evens), Southwold Road and to the wider highway network in the locality.

Chair

The Meeting started at 7.30 pm
and finished at 10.50 pm