

DEVELOPMENT MANAGEMENT COMMITTEE

31 JANUARY 2018

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 Aga Dychton, Councillor Jane Johnson, Councillor
Ahsan Khan, Councillor Rabi Martins and Councillor Peter
Taylor

Officers: Deputy Managing Director and Director of Place Shaping and
Corporate Performance
Development Management Section Head
Development Management Team Leader
Principal Planning Officer
Principal Planning Officer
Committee and Scrutiny Support Officer

55 APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP

There were no apologies for absence.

56 DISCLOSURE OF INTERESTS (IF ANY)

Councillor Turmaine advised that his wife worked for TJX, the current occupant of the site at 50 Clarendon Road. Councillor Bell advised that he had spoken to one of the speakers for application 17/01399/FUL Oxhey Park North, but had not expressed any opinion on the proposals.

57 MINUTES

The minutes of the meeting held on 3 January 2018 were submitted and signed.

58 17/01686/FUL 4-6, LOWER PADDOCK 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 (PB) introduced the report explaining that the application proposed the erection of 3 dwellings with access, parking, landscaping and associated works.

Attention was drawn to the update sheet which included details of some additional representations and a local petition which had been submitted after publication of the officer's report.

It was noted that an appeal date had been received by Watford Borough Council for the previous scheme on this site, which had been refused by the committee on 6 September 2017.

The Chair invited Stephen Clarke, a local resident, to speak against the application. Mr Clarke commented that the current scheme did not overcome the objections of local residents. They were not against development per se, but considered this application would do little to alleviate housing need and would have a harmful impact on the Oxhey conservation area.

Local residents were concerned about the visual dominance and impact on the street scene of the proposed properties, despite alterations in the design to, inter alia, the roof height and the brickwork. In addition, the distances between the proposed properties and existing houses in Lower Paddock Road were too close and had been misrepresented in the developer's CGIs.

Local residents considered that granting planning permission would set an unwelcome precedent, exacerbating existing demands from developers for land to progress further inappropriate schemes in the conservation area. They also questioned the logic of refusing some external small scale home improvements by local residents against the significant development represented by the current application.

The Chair invited Charlotte Hutchison from Icen projects to speak to the committee. Speaking on behalf of the applicant, Ms Hutchison advised that the developer had responded positively to the committee's reasons for refusal on the previous application for this site in September 2017. As a consequence, there had been a reduction in the ridge and eaves height and in the number of storeys. The houses had also been redesigned to maintain a contemporary feel whilst adopting a more traditional appearance, in keeping with the views of local people.

Ms Hutchison acknowledged the strength of local opinion, but reminded the committee that no objections had been received from the statutory and technical consultees.

The committee agreed that Oxhey Ward Councillor Peter Taylor could address the meeting. Councillor Taylor commented that the overwhelming majority of responses to the application had objected to the proposed scheme. Citing the saved Policies U18 and U19 of the Watford District Plan 2000, Councillor Taylor suggested that the development would have an unacceptably harmful effect on the Oxhey conservation area. Objections to the cramped development included its design, closeness to adjacent dwellings on Lower Paddock Road and the lack of private amenity space in non-compliant gardens.

Picking up the theme of the council's refusal to permit some external small scale improvements to properties in the conservation area, Councillor Taylor questioned whether the reasons behind this type of refusal i.e., that further cumulative replications would have the effect of harming the conservation area, could not also be applied to the current application since its approval would give a green light to developers seeking to achieve similar schemes locally.

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

Members of the committee accepted that there was no rule forbidding back garden development and that steps had been taken to address the previous reasons for refusal. In particular, it was noted that significant changes had been made to reduce the number of storeys, to remove the large picture windows at first floor level and to address the expanse of blank brickwork in the original proposal.

Despite changes to the design, there was some debate amongst committee members as to whether the current proposal could be considered an appropriate form of development. Some members considered that, whilst changes had been made to address the previous reasons for refusal, specifically its height and bulk, the design of current application would still have a harmful impact on the conservation area.

Other members of the committee argued that all the previous reasons for refusal had been overcome in the current proposal. Design was a subjective issue and had been improved in this scheme. The proposed properties were now subservient to the existing houses and, as a consequence, would be less obvious from Lower Paddock Road. As such it could not be argued that there would be a harmful impact on the conservation area.

The Chair moved the officer's recommendation.

RESOLVED –

that planning permission be granted subject to the following conditions:

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

1639-A PL-02-003E, 004E, 005E, 006E

1639-A-PL-04-003E, 004E

3. Prior to commencement of the development, 1 dusk emergence/dawn re-entry survey of building B1 and trees T1 and T2 (as identified in the 2017 Bat Roost Assessment) should be undertaken between May - August (inclusive), to determine whether bats are roosting and will be affected by the proposals. If bats are found to be roosting, no development shall commence until an amended outline mitigation strategy has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with these approved details and within the constraints of any relevant European Protected Species licence.
4. No removal of trees, scrub or hedges shall be carried out on the site between 1st March and 31st August in any year unless a suitably qualified ecologist has previously searched the trees, scrub or hedges and certified in writing to the Local Planning Authority that such works of removal may proceed.
5. No development shall commence until details of the external materials to be used for the development (both the retained dwellings at nos. 4 and 6, Lower Paddock Road and the new dwellings) 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.
6. No development shall commence until details of the tree protection measures to be installed to protect the retained trees numbered 1, 6, 7, 8 and 9 on drawing no. SPH/SN/5837-01/10.05 (Tree Surveys) as shown on approved drawing no. 1639-A-PL-02-003E, have been submitted to and approved in writing by the Local Planning Authority. No materials, vehicles, fuel or any other items shall be stored or buildings erected or works carried out inside this fencing and no changes in ground level shall be made within the spread of any tree without the prior written approval of the Local Planning Authority. These measures shall be retained as approved at all times during the development works.

7. No dwelling (including the retained dwellings at nos. 4 and 6, Lower Paddock Road) shall be occupied until the following works have been carried out in full:
 - i) The construction of the modified access junction to Lower Paddock Road and the internal access road as shown on drawing no. 1639-A-PL-02-003E;
 - ii) The construction of the 10 car parking spaces (numbered 02-11) as shown on drawing no. 1639-A-PL-02-003E;
 - iii) The construction of the communal bin store as shown on drawing no. 1639-A-PL-02-003E.

8. No dwelling (including the retained dwellings at nos. 4 and 6, Lower Paddock Road) shall be occupied until a detailed hard landscaping scheme for the site, including details of all site boundary treatments and external lighting, has been submitted to and approved in writing by the Local Planning Authority, and the works have been carried out in accordance with the approved details. The detailed scheme shall be based upon approved drawing no. 1639-A-PL-02-003E.

9. No dwelling (including the retained dwellings at nos. 4 and 6, Lower Paddock Road) shall be occupied until a detailed soft landscaping scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall be based upon approved drawing no. 1639-A-PL-02-003E. The approved soft landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of development. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.

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

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

The Head of Development Management introduced the report. He explained that the application was for the provision of a play, skate and cycling park, including a new café and community facilities, and improved walking and cycling routes through the park.

Attention was drawn to the update sheet which included details of two petitions, one in objection and one in support of the scheme, which had been received after publication of the officer's report.

The Chair invited Sue Sleeman, a local resident, to speak to the committee in opposition to the application. Ms Sleeman explained that, in a few short hours of consultation over the previous week, a large number of local residents had expressed concerns about the relocation of the skate park. It was noticeable that those closest to the development had expressed greatest concern and arguable that the views of these residents should attract more weight.

Local residents wished to preserve the opportunity for quiet enjoyment in the park and were concerned that the skate park would create noise and disturbance to other park users. There were also fears of anti-social behaviour. Residents questioned the viability of the café and what uses it would be put to if unsuccessful as a business. It was requested that more consultation be undertaken to take into account the views of local residents.

The Chair invited Amy Carr, a local resident, to speak for the application. Ms Carr explained that skateboarders were wrongly typecast by members of the public who mostly rarely came into contact with them. The proposed skate park would house a range of activities for all abilities which would benefit young people who, in her experience, were broadly supportive and encouraging of one another.

Interest in skateboarding as a sport was growing and it would be included as an Olympic sport in Tokyo in 2020. Indeed, trials for the UK skateboarding team would be held in Hemel Hempstead and it was suggested that the provision of facilities in Oxhey Park could help to promote local talent. Watford Borough Council's continued investment in its parks was welcomed.

However, Ms Carr argued that the total regeneration of the area would provide leisure opportunities for the entire community; as well as wheeled sports activities, the enhancement of the park would benefit walkers, young children,

bike riders and those seeking a venue to meet friends and share time over refreshments.

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

Committee members welcomed the investment in wheeled sports activities in the town and the focus which was being given to facilities for young people. Although some members suggested that an alternative location should have been considered, it was pointed out that the proposed site would be more accessible to local transport options.

Members of the committee acknowledged that the regeneration of the park would lessen the space available for quiet enjoyment and for dog walkers, however there were ample alternative opportunities in close proximity, including Oxhey Grange, Riverwell, Watford Fields and the Ebury Way.

Any detrimental impact on local residents close to Oxhey Park was not thought to be overwhelming by the committee. However, in order to minimise the risk of anti-social behaviour in the park, it was proposed that an extra informative should be included requiring a park management plan to be agreed and put in place prior to the new facilities being opened.

The Chair moved the officer's recommendation, subject to the inclusion of an extra informative regarding the park management plan.

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 car parking layout shall be completed in accordance with the plans hereby approved prior to the skate park is brought into use.
3. No development shall commence within the site until full details and samples of the materials to be used for the external surfaces of the community building including doors, and windows and roof details have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall only be implemented in accordance with the approved details.
4. The development permitted by this planning permission shall be carried out in accordance with the approved flood risk assessment (FRA) 'Watford

Borough Council: Oxhey Park North: Proposed cycle Hub/ BMX Track /Sate Park Updated Flood Risk Assessment' produced by Hydro-Logic services Ltd (ref: L0071/1, November 2017) and compensatory flood storage measures detailed within the FRA. 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.

5. No development shall commence within the site shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority:
 - (1) A preliminary risk assessment which has identified:
 - (i) all previous uses;
 - (ii) potential contaminants associated with those uses;
 - (iii) a conceptual model of the site indicating sources, pathways and receptors;
 - (iv) potentially unacceptable risks arising from contamination at the site.
 - (2) A site investigation scheme, based on (1), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - (3) The results of the site investigation and detailed risk assessment referred to in (2) 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.
 - (4) 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 (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
6. The development hereby permitted shall not be brought into use until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also

include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

7. No development within the site 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. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the Local Planning Authority.
8. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has:
 - (a) submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination is to be dealt with; and,
 - (b) obtained written approval from the Local Planning Authority for that remediation strategy. The remediation strategy shall be implemented as approved.
9. No development shall commence within the site until such time as a scheme to dispose of foul and surface water has been submitted to and approved in writing by the Local Planning Authority. The scheme shall make provision for roof drainage from the building to be sealed at ground level. The scheme shall be implemented as approved.
10. Piling or any other foundation designs using penetrative methods shall not be used on site 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 groundwater. The development shall be carried out in accordance with the approved details.

11. No development shall commence on site until a detailed survey of the application site has been undertaken to assess the existing ground conditions and the extent of any land contamination and if necessary appropriate measures shall be incorporated into the development to ensure adequate protection for future occupants of the development and occupiers of existing adjoining premises from contamination. Such measures shall be agreed in writing with the Local Planning Authority prior to any works commencing on the site and shall be incorporated into the development before any part of the approved development is first brought into use.
12. No development commence within the site until the detailed design of the vehicular access to the site 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 detailed design.
13. No works shall commence on the site until such time detailed plans of access junction shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. All construction works shall be carried out in accordance with the approved plans. The access junction detailed plan should be to scale for a Stage 1 safety audit and the details shall include: a. Access junction with entry/exit radii (not drop kerb) b. Width of the access suitable for two large vehicles to pass one another c. Proposed location of any entrance barriers and the operation details. d. Proposed right turning lane, width, alterations to lane markings and alterations to local road signs. e. Visibility splays.
14. Prior to the first occupation of the development hereby permitted access shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority, in consultation with the Highway Authority.
15. Before being brought in to use the new parking areas hereby approved shall be surfaced in durable bound material and arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge in to highway.

Informatives

1. For details of how the Local Planning Authority has reached its decision on this application please refer to the report of the Development Management Section Head to the Development Management Committee,

which can be obtained from the Council's website www.watford.gov.uk, where it is appended to the agenda of the committee meeting of 3rd January 2018; and please refer also to the minutes of that meeting.

2. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.
3. This permission does not remove the need to obtain any separate consent, which may be required under the Buildings Act 1984 or other building control legislation. Nor does it override any private rights which any person may have relating to the land affected by this decision. To find more information and for advice as to whether a Building Regulations application will be required please visit www.watfordbuildingcontrol.com.
4. You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health and Safety at Work Act 1974, The Clean Air Act 1993 and The Environmental Protection Act 1990. In order to minimise impact of noise, any works associated with the development which are audible at the site boundary should be restricted to the following hours: Monday to Friday 8am to 6pm, Saturdays 8am to 1pm. Noisy work is prohibited on Sundays and bank holidays. Instructions should be given to ensure that vehicles and plant entering and leaving the site comply with the stated hours of work. Further details for both the applicant and those potentially affected by construction noise can be found on the Council's website at:
https://www.watford.gov.uk/info/20010/your_environment/188/neighbor_complaints_%E2%80%93_construction_noise
5. The applicants are reminded that works affecting the public highway, including any alterations to the existing vehicular access to the site, will require a separate agreement with Hertfordshire County Council (the Highway Authority) under Section 278 of the Highways Act 1980.
6. The applicants are reminded that the storage of materials: 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

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

7. The applicants are reminded that the obstruction of public highway land: 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 <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
8. The applicants are reminded that 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 <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 123 4047.
9. You are advised that there should be a management plan in place to deal with among other issues antisocial behaviour prior to the skate park being brought into use.

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17/01433/FULM 50 CLARENDON ROAD

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

The Principal Planning Officer (AR) introduced the report, explaining that the application was for the redevelopment of the site to provide a mixed use scheme including 100 residential units, circa 5,945m² office floor space and an ancillary flexible use unit at ground floor level, with associated cycle parking, car parking and landscaping.

Attention was drawn to the update sheet which included some corrections to the officer's report and changes to the conditions.

The Chair invited Deborah Harvey, a local resident, to speak to the committee. Mrs Harvey explained that the proposed application would detrimentally impact her house in Estcourt Road. The scheme's size and bulk were out of proportion and context with the Estcourt conservation area which it bordered. Whilst residents accepted that parts of Clarendon Road would be characterised by tall buildings, more modest buildings of 8-10 storeys should be located closer to residential areas.

Mrs Harvey continued that due to its height and bulk, day and sunlight would be restricted to her property and she would be overlooked. This effect would be exacerbated by the siting of the flats to the rear of the development, 10 metres closer than the existing buildings.

In addition, Mrs Harvey highlighted the concerns of residents about the impact on local facilities, such as GP surgeries and schools. There were also questions about parking and congestion in the area with few off-street parking opportunities and the likelihood of car ownership amongst future residents of the car-free development. This would be particularly acute outside the CPZ hours of operation.

The Chair invited Peter Jeffery, JLL, to speak for the application. Mr Jeffery explained that this was an ambitious mixed use development which would provide a number of benefits: increased and higher quality office floor space in a designated employment area; 100 new dwellings in a highly accessible and sustainable location; and 33% affordable housing of mainly two and three bed units which were in greatest demand. In addition, the developer would make a financial contribution towards environmental improvements on Clarendon Road.

Countering the suggestion that a tall building was inappropriate in this location, Mr Jeffery explained that it would be in keeping with other developments which had been approved recently by the committee, including the TJX site and Gresham House. Although there would be an impact on local residents, the development included landscaping proposals which should make the relationship more acceptable.

The Chair invited County Councillor for Central Watford and Oxhey Stephen Giles-Medhurst to speak to the committee. County Councillor Giles-Medhurst stated that the development would have undue harm on the Estcourt conservation area. The height and massing of the buildings would be

exaggerated by the local topography and the design would allow overlooking on residential houses in neighbouring streets.

County Councillor Giles-Medhurst continued that the main tower would be the tallest structure on Clarendon Road and would cause a considerable loss of day and sunlight to properties on Estcourt Road. If the development were approved, it could encourage other very tall buildings to be proposed to the further detriment of local residents and contrary to the council's own planning policies.

The committee agreed that Central Ward Councillor Aga Dychton could address the meeting. Reiterating the points made previously, Councillor Dychton outlined that local residents were concerned about the impact on the Estcourt conservation area. The height, massing and scale of the proposed development would be extremely harmful. Residents were concerned about the knock-on effect of permitting this development and questioned where a limit on acceptable building height would be set.

In a clarification by the officer, it was confirmed that the distances from the new development to houses on Estcourt Road were policy compliant. Indeed the removal of the existing out buildings and introduction of some landscaping would provide a more pleasing outlook for residents.

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

Members of the committee welcomed the redevelopment of this site to provide high quality office space in one of the town's key employment areas. In addition, they welcomed the affordable housing provision and particularly its inclusion of two and three bed units, which were in greatest demand by the council's housing team.

Some committee members were particularly concerned about the impact on surrounding residents, both in terms of the dominance of the building and the impact on congestion in local streets. They suggested that the height of the main tower should be reduced to avoid a precedent being set for future developments on Clarendon Road. It was also suggested that a more stepped approach closer to the residential buildings should be introduced.

Other members, whilst acknowledging these concerns and those raised by local residents, considered that the development was policy compliant and an attractive addition to Clarendon Road. Moreover, the benefits of the scheme, particularly its affordable housing provision, outweighed any potential harm. There was a short discussion about the possibility of seeking access to office car parking for residents outside normal office hours, however this was considered an unworkable arrangement.

The Chair moved the officer's recommendation.

RESOLVED –

that planning permission be granted, subject to the following conditions:

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 all 33 units in the eastern block of the development to be Affordable Housing units comprising social rented units, affordable rented units and intermediate with a tenure mix of social rent 20%; affordable rent 65% and intermediate 15%.
- ii) To secure a financial contribution to the Council of £300,000 towards the environmental improvement of Clarendon Road;
- iii) To secure a financial payment to the Council of £2,000 towards the variation of the Borough of Watford (Watford Central Area and West Watford Area) (Controlled Parking Zones) (Consolidation) Order 2010 to exclude the site from the controlled parking zone, thereby preventing residents' parking permits being issued to this site;
- iv) To secure the provision of fire hydrants to serve the site as required by Hertfordshire County Council;
- v) To secure a financial payment to Hertfordshire County Council of £6,000 for the long term monitoring of the proposed Travel Plan for the site.

Conditions

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

Drawing No	Rev	Title
050-000	P02	Site Location Plan
050-002	P02	Block Plan

050-001	P01	Existing block plan
050-011	P02	Proposed car park level
050-012	P02	Proposed ground floor
050-013	P01	Proposed Level 01
050-014	P01	Proposed Level 02
050-015	P01	Proposed Level 03
050-016	P01	Proposed Level 04
050-017	P01	Proposed Level 05
050-018	P01	Proposed Level 06
050-019	P01	Proposed Level 07-13
050-020	P01	Proposed Level 14-16
050-021	P01	Proposed Level 17
050-022	P02	Roof plan
050-301	P02	Proposed north elevation
050-302	P02	Proposed east elevation
050-303	P01	Proposed south elevation
050-304	P01	Proposed west elevation
050-305	P01	Proposed section elevation east
050-306	P02	Proposed section elevation west
050-307	P01	Proposed section A
050-308	P01	Proposed section B
050-309	P02	Proposed section C
050-701	P01	Detail Bay 01
050-702	P01	Detail Bay 02
050-703	P01	Detail Bay 03
050-704	P01	Detail Bay 04
050-E100	P01	Existing basement
050-E101	P01	Existing ground floor
050-E102	P01	Existing first floor plan
050-E103	P01	Existing second floor plan
050-E104	P01	Existing third floor plan
050-E105	P01	Existing fourth floor plan
050-E106	P01	Existing roof plan
050-E107	P01	Existing elevations north and west
050-E108	P01	Existing elevations south and east
050-E109	P01	Existing sections 1 and 2
050-E110	P01	Existing sections 3 and 4
050-V01 E	-	Existing View St Johns Road
050-V01 P	P01	Proposed artist's impression
091178-L-102 A		Landscape General Arrangement Plan Ground floor
091178-L-103 A		Landscape General Arrangement Plan Podium Level
091178-L-104 A		Landscape General Arrangement Plan Roof Level
091178-L-105 A		Hard Landscape General Arrangement Plan Ground floor

091178-L-106 A	Hard Landscape General Arrangement Plan Podium Level
091178-L-107 A	Hard Landscape General Arrangement Plan Roof Level
091178-L-108 A	Illustrative Masterplan
091178-L-200 A	Soft Landscape General Arrangement Plan Ground floor
091178-L-201 A	Soft Landscape General Arrangement Plan Podium Level
091178-L-202 A	Soft Landscape General Arrangement Plan Roof Level
091178-L-300 A	Landscape Typical Sections

3. Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.
4. No external facing materials shall be installed on the building until full details and samples of all the materials to be used for the external surfaces of the building have been submitted to and approved in writing by the Local Planning Authority.
5. No part of the development shall be occupied until a detailed hard landscaping scheme for the site, including details of the roof gardens, site boundary treatments and external lighting has been submitted to and approved in writing by the Local Planning Authority, and the works have been carried out in accordance with the approved details. The detailed scheme shall be based upon the Landscape Proposals of the approved drawings.
6. No part of the development shall be occupied until a detailed soft landscaping scheme for the site, including details of the roof gardens and appropriate irrigation systems, and a landscape management and maintenance plan, has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall be based upon the Landscape Proposals of the approved drawings. 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.

7. No part of the development shall be occupied until details and siting of bollards at the northern end of the proposed shared servicing area 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.
8. No part of the development shall be occupied until the modified access and egress arrangements from Clarendon Road, as shown in principle on the approved drawings has been completed in full.
9. The applicant is required to provide swept path assessments for private cars for the internal layout of the basement car park. The swept path assessments should demonstrate that private vehicles can enter the site in a forward gear, manoeuvre within it and depart in a forward gear. Swept path assessments should also illustrate the movements associated with larger vehicles such as refuse collection vehicles which will serve the site from St John's Road.
10. No dwelling within the development shall be occupied until the following facilities have been provided for the use of residents, in accordance with the approved drawings:

- i) the bin store for waste and recycling;
- ii) the 100 lockable storage cages within basement
- iii) the roof gardens at 7th floor level

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

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

- i) the secure cycle storage for at least 80 cycles and shower/locker facilities for employees;
- ii) the bin store for waste and recycling;

These facilities shall be retained at all times.

12. No development shall commence until a scheme to reduce noise from the plant room entering the neighbouring flats has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed to demonstrate that the sound from the plant room does not exceed 38 dB (Z) in the 100 Hz one-third octave frequency band and

35dB(A) max within any habitable room of any of the dwellings. Information shall be provided for each room potentially affected. None of the dwellings referred to in this condition shall be occupied until this condition is discharged. All plant shall be adequately isolated to prohibit vibration.

13. 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.
14. No part of the development shall be occupied until the measures of the Travel Plan dated October 2017, prepared by Markides Associates (ref R02A) has been implemented as approved, unless otherwise agreed in writing by the Local Planning Authority.
15. All residential units shall achieve the recommended maximum internal noise levels under BS 8233 through the provision of a good quality window units with a Rw of at least 33 dB in accordance with the noise assessment dated 27th September 2017 by Hawkins Associates.
16. 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.
17. The ground floor commercial unit adjoining the office entrance (northern unit) shall only be used as a café/restaurant within Class A3 or as offices within Class A2 or Class B1(a) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose. The use shall not be open to the public before 0800 hours or after 2300 hours on any day.
18. No outdoor seating areas associated with the flexible use unit shall be installed until a detailed plan for the layout of the area has been submitted to and approved in writing by the Local Planning Authority. The areas shall be used only in accordance with the approved details. The areas shall be cleared of customers and furniture between the hours of 2300 hours and 0800 hours on any day.
19. The development permitted by this planning permission shall be carried out in accordance with the approved the SUDS Strategy carried out by Pringuer-James Consulting Engineers reference L2262-REP-002 dated 13 November 2017 the following mitigation measures;

1. Limiting the surface water run-off to a maximum of 40l/s with discharge into the Thames water sewer for the 1 in 100 year event.
 2. 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.
 3. Undertake drainage strategy to include to the use attenuation tank and permeable paving, green roofs and podiums.
20. No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The scheme shall also include;
1. Detailed design of the drainage scheme including detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding discharge and volume calculations/modelling.
 2. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

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 the provision of affordable housing in the Borough, a financial payment to exclude the development from the local controlled parking zone, a financial payment towards the monitoring of a Travel Plan, the provision of necessary fire hydrants to serve the development and a financial contribution towards the environmental improvement of Clarendon Road.
4. All new developments granted planning permission and to be constructed require naming or numbering under the Public Health Act 1925. You must contact Watford Borough Council Street Naming and Numbering department as early as possible prior to commencement on streetnamenumbers@watford.gov.uk or 01923 278458. A numbering notification will be issued by the council, following which Royal Mail will assign a postcode which will make up the official address. It is also the responsibility of the developer to inform Street Naming and Numbering when properties are ready for occupancy.
5. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended. The Council entered into extensive pre-application discussions with the applicant and completed a Planning Performance Agreement for the application.
6. All works required to be undertaken on the highway network will require an Agreement with the Highway Authority. Before commencing the

development the applicant shall contact HCC Highways Development Management, County Hall, Pegs Lane, Hertford, SG13 8DN to obtain their permission and requirements. This is to ensure any work undertaken in the highway is constructed in accordance with the Highway Authority's specification and by a contractor who is authorised to work in the public highway.

61 **17/01555/OUTM 1, NESTON 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 (PB) introduced the report. He explained that the application was an outline application for the demolition of the existing dwelling and adjacent garages and erection of a block of 10 flats with access, parking and amenity space (with only landscaping as a reserved matter).

The Chair invited Mary Stynes, a local resident, to speak against the application. Ms Stynes expressed her dismay at the proposed application which would significantly impact on local residents, particularly the quiet use of their gardens, the loss of privacy, light and sunlight levels, and parking.

Ms Stynes commented that she had lived in the area a long time. It was a beautiful neighbourhood characterised by Victorian houses. The current proposal was poorly designed and would detract from the area.

The Chair invited comments from the committee.

Members of the committee expressed consternation at the application, which was not policy compliant. Its design was considered sub-standard and out of keeping with the character and appearance of the surrounding area. In addition, members were particularly concerned about the lack of affordable housing provision included in the scheme.

The Chair moved the officer's recommendation.

RESOLVED –

that outline planning permission be refused for the following reasons:

1. The proposal is considered to be of poor design quality, having a poor relationship to the street frontage, a dominant and cramped parking area and incorporating inappropriate design features that fails to respect or

enhance the locality. As such, the proposal is out of keeping with the character and appearance of the area, contrary to paragraph 58 of the NPPF and Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

2. The proposed 2 bedroom units all fail to meet the nationally described space standard and will therefore provide an inadequate standard of accommodation. As such, the proposal is contrary to paragraph 17 of the NPPF, Policy UD1 of the Watford Local Plan Core Strategy 2006-31 and the Watford Residential Design Guide 2016.
3. The proposal fails to provide affordable housing units to meet urgent housing needs within the Borough, contrary to paragraph 50 of the NPPF and Policy HS3 of the Watford Local Plan Core Strategy 2006-31.
4. The proposal will result in significant overlooking and a loss of privacy to the properties adjoining the site in Bushey Mill Lane. This will be harmful to the occupiers of these properties, contrary to paragraph 17 of the NPPF and the Watford Residential Design Guide 2016.
5. No sustainable surface water drainage scheme has been incorporated into the proposal to reduce the risk of flooding both in the present and in the future, contrary to paragraphs 99 and 103 of the NPPF and Policy SD2 of the Watford Local Plan Core Strategy 2006-31.

62 17/01516/FULM 765, ST ALBANS ROAD

The chair advised that the applicant had formally withdrawn this application. This item had therefore been withdrawn from the agenda and did not require consideration by the committee.

63 17/01413/FULM 147A, 149A, 149B AND LAND TO THE REAR OF 149 ST ALBANS ROAD

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

The Principal Planning Officer (MS) introduced the report explaining that the application proposed the redevelopment of the site to provide a mixed use scheme comprising 144 residential units, a flexible commercial unit and use of the Old Station building as an artisan beer tap room and/or community space, alterations to the listed building, associated cycle parking, car parking, play-space and landscaping and associated works.

The application had been deferred from the previous meeting on 3 January 2018 because members had been concerned about the height of Building B. This height had since been reduced from 13 to 11 storeys by the applicant.

The Chair invited Kevin Ambrose from the Nascot Residents Association to speak against the application. Speaking on behalf of local residents, Mr Ambrose stated that local people remained concerned about the height of the buildings within the development site. The revised scheme would include two 11 storey buildings on the north side of St Albans Road, an area characterised by two storey buildings. Mr Ambrose suggested that buildings in the Watford Junction special policy area should be stepped down towards the adjacent residential areas.

Residents were concerned that if planning permission were granted it would set a dangerous precedent. The inadequate design proposed would be incongruous with the Nascot conservation area and provided a piecemeal approach to the redevelopment of the special policy area. It was suggested that a better approach might be to consider the compulsory purchase of other buildings in this part of the conservation area to deliver a high density, low rise development.

The Chair invited Sam Hine from DP9 to speak for the applicant. Speaking on behalf of the applicant, Mr Hine highlighted the quality of design and the changes which had been made to the height of Building B in order to respond to the committee's concerns. The applicant considered that the site remained a suitable location for a tall building and, even with its reduced height, would make a significant contribution to the council's affordable housing need. A low rise development would not prove viable.

Mr Hine explained that the current scheme had been devised following widespread consultation. It would bring a listed building back into use, contribute to improvements in the local area and provide a catalyst for further regeneration of the area in the future.

The committee agreed that Nascot Ward Councillor Jane Johnson could address the meeting. Councillor J Johnson questioned the real difference the design revisions had made to the development. The height, bulk and design of this landmark building continued to be out of keeping with the surrounding area, characterised by traditional two and three storey shops and houses. Councillor J Johnson argued that the proposed development with its tall buildings would have a harmful impact on the Nascot conservation area.

The Chair thanked the speakers and before inviting comments asked them to consider whether the reduction in height in Building B justified the loss of

affordable housing. He advised the committee that the original application, with its 13 storey building, was still in place.

Members of the committee continued to be concerned about the height of Building B and its impact on the Nascot conservation area. It was suggested that 11 storeys was too high in this location, which could more comfortably accommodate a building of eight or nine storeys. They also concurred with the view that a stepped approach to the taller buildings next to the surrounding residential area would be more appropriate.

Other members expressed the view that this was a well-designed development, which, if granted planning consent, would not set a precedent for other tall buildings down St Albans Road. The special policy area was very specific and would allow the formation of a cluster of taller buildings which would be particularly attractive to younger workers commuting in and out of the mainline station. The affordable housing provision was also vitally important.

The Chair invited Councillor S Johnson to move a motion to refuse planning permission. Councillor S Johnson proposed that planning permission be refused on the grounds that by reason of the height, bulk and design of the proposed 11 storey block the development would fail to conserve or enhance the character and appearance of the Nascot Conservation Area and would have an unacceptably harmful effect on the surrounding area. As such, it would be contrary to saved Policy U18 of the Watford District Plan 2000 and Policies SS1, UD1 and UD2 of the Watford Local Plan Core Strategy 2006-2031 and requirements in the National Planning Policy Framework for good design.

On being put to the vote, the motion was CARRIED.

RESOLVED –

that planning permission be refused on the grounds that by reason of the height, bulk and design of the proposed 11 storey block the development would fail to conserve or enhance the character and appearance of the Nascot Conservation Area and would have an unacceptably harmful effect on the surrounding area. As such, it would be contrary to saved Policy U18 of the Watford District Plan 2000 and Policies SS1, UD1 and UD2 of the Watford Local Plan Core Strategy 2006-2031 and requirements in the National Planning Policy Framework for good design.

Chair

The Meeting started at 7.00 pm
and finished at 10.10 pm

