

DEVELOPMENT MANAGEMENT COMMITTEE

16 MAY 2018

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

Also present: Councillor Mark Hofman and Councillor Jane Johnson

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

85 APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP

There were no apologies for absence.

86 DISCLOSURE OF INTERESTS

There were no disclosures of interest.

87 MINUTES

The minutes of the meeting held on 25 April 2018 were submitted and signed.

88 17/01395/FUL 17 BUCKS AVENUE

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

The Development Management Team Leader (HN) introduced the report explaining that the application included revised plans for the erection of a new three bedroom dwelling to the rear of 17 and 19 Bucks Avenue.

In the absence of any speakers, the Chair invited comments from the committee.

Committee members welcomed the application which was considered to be broadly in keeping with the character of the area. Following a query regarding the colour of the external bricks, it was confirmed that details of the materials to be used were subject to approval by planning officers.

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. No development shall commence within the site until full details or samples of the materials to be used for the external surfaces of the building, including doors, and windows have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall only be implemented in accordance with the approved details.
3. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any modification or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, F and G of the Order shall be carried out to the dwelling hereby approved without the prior written permission of the Local Planning Authority.
4. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any modification or re-enactment thereof), no window on the flank elevation of the extension hereby approved shall be installed without the prior written permission of the Local Planning Authority.
5. No development shall commence on site until a hard and soft landscaping scheme for the site (including a detailed method statement covering tree planting, tree, shrub and grass specie, planting size and density and all hard surfacing materials) shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping shall be carried out prior to the first occupation of any part of the development and shall be retained at all times. The soft landscaping shall be carried out not later than the first available planting and seeding season after

completion of the development. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.

6. No external lighting shall be installed on the site except in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.
7. The development shall not be occupied until the scheme for parking and manoeuvring and layby indicated on the drawing hereby approved (or any subsequent amendment agreed in writing by the Local Planning Authority) has been laid out and made available for use and that area shall not thereafter be used for any other purpose.
8. The development shall be carried out in accordance with the following drawings, BD/18/02/1B, 2B & 3C and site location plan unless otherwise agreed in writing by the Local Planning Authority.
9. Prior to the occupation of the development hereby permitted, the driveway and parking area shall be surfaced by permeable paving.

Informatives

1. This planning permission does not remove the need to obtain any separate consent of the owner of the adjoining property prior to commencing building works on, under, above or immediately adjacent to their property (e.g. foundations or guttering). The Party Wall Etc. Act 1996 contains requirements to serve notice on adjoining owners of property under certain circumstances, and a procedure exists for resolving disputes. This is a matter of civil law between the two parties, and the Local Planning Authority are not involved in such matters. A free guide called "The Party Wall Etc. Act 1996: Explanatory Booklet" is available on the website of the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/393927/Party_Wall_etc_Act_1996_-_Explanatory_Booklet.pdf
2. This permission does not remove the need to obtain any separate consent, which may be required under the Buildings Act 1984 or other building control legislation. Nor does it override any private rights which any person may have relating to the land affected by this decision.

To find out more information and for advice as to whether a Building

Regulations application will be required please visit www.watfordbuildingcontrol.com.

3. You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health and Safety at Work Act 1974, The Clean Air Act 1993 and The Environmental Protection Act 1990. In order to minimise impact of noise, any works associated with the development which are audible at the site boundary should be restricted to the following hours:

- o Monday to Friday 8am to 6pm
- o Saturdays 8am to 1pm
- o 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

89

18/00295/FUL 23 GREEN LANE

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

The Development Management Team Leader (PB) introduced the report. He explained that planning permission was sought for the demolition of the existing detached house and erection of a detached building comprising 6 x 2 bedroom apartments and associated amenities.

There were no speakers. In response to a query from the committee, the Development Management Team Leader confirmed that the facing bricks would be more varied and not as dark as appeared in the images presented to the committee.

The Chair moved the officer's recommendation.

RESOLVED –

that planning permission be granted subject to the following conditions:

1. The development to which this permission relates shall be begun within a period of three years commencing on the date of this permission.

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

1706-B-01B, 1706-B-02A, 1706-B-03A

3. No demolition or construction works shall commence until the tree protection fencing has been installed in full, in accordance with the Tree Protection Plan and Arboricultural Report by Andrew Day Arboricultural Consultancy dated 2nd November 2017. The demolition and construction works shall only be carried out in accordance with the recommendations in Appendix 3 of the Arboricultural Report, unless otherwise agreed in writing by the Local Planning Authority.

4. No development shall commence until details of side privacy screens for the balconies at first floor level have been submitted to and approved in writing by the Local Planning Authority. The development shall only be constructed in accordance with the approved details and the approved privacy screens shall be retained at all times.

5. All the external surfaces of the approved building shall be finished in the following materials, as detailed in the submitted Design and Access Statement:

Ibstock Borrowdale Blend facing bricks

Marley Equitone [pictura] fibre cement cladding

Colourcoat Urban metal standing seam roof in Anthracite colour (RAL 7016)

Velfac 200 aluminium windows and doors colour coated in RAL 7016

Details of any alternative materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the development shall only be carried out in accordance with any alternative details approved by this condition.

6. The hard and soft landscaping of the site shall be carried out in accordance with approved drawing no. 1706-B-01B unless otherwise agreed in writing by the Local Planning Authority.

7. No flat shall be occupied until full details of the bin store and cycle store have been provided submitted to and approved in writing by the Local Planning Authority. The development shall only be constructed in

accordance with the approved details and the approved bin store and cycle store shall be retained 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. All new units granted planning permission and to be constructed require naming or numbering under the Public Health Act 1925. You must contact

Watford Borough Council Street Naming and Numbering department as early as possible prior to commencement on streetnamenumbers@watford.gov.uk or 01923 278458. A numbering notification will be issued by the council, following which Royal Mail will assign a postcode which will make up the official address. It is also the responsibility of the developer to inform Street Naming and Numbering when properties are ready for occupancy.

4. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended.

90

18/00192/FUL LAND ADJACENT TO 4A BAY TREE WALK (FORMERLY 10 NASCOT WOOD 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 introduced the report explaining that the application sought the construction of a new 7 bedroom house on land formerly part of 4A Bay Tree Walk (formerly known as 10 Nascot Wood Road) and alterations to the previously approved dwelling (16/00680/FUL – amended plans submitted).

The Chair invited Andy Marsden, a local resident, to speak to the committee in opposition to the application. Mr Marsden expressed the concern of local residents about the scale, design, dominance and overbearing impact of the proposed dwelling, which would result in overshadowing and a loss of light and privacy to neighbouring properties contrary to the council's Residential Design Guide. They considered it would be out of keeping with the character and appearance of the area.

Residents disputed the officer's report, particularly the extent of changes to the size and scale of the proposed dwelling, the dominance of the property on the streetscene and the legitimacy of its siting close to the front boundary with Nascot Wood Road. They also raised concerns about the adequacy of parking provision and the potential for spill over parking in Bay Tree Walk.

Local residents expressed a willingness to meet with the developer to find a more workable solution for the site.

In response to a query from the Chair, the Principal Planning Officer advised that whilst a first floor feature window would breach the 27.5 metre privacy arc described in the council's Residential Design Guide, the requirement to use obscure glazing would mitigate any overlooking concerns and therefore no harm to the neighbour would be caused. He further clarified that some internal amendments to the plans had altered the number of bedrooms approved under the 2016 planning application, but these had not altered the total amount of residential accommodation. Lastly, the Principal Planning Officer confirmed that the maximum parking standard for this site was three spaces.

The Chair invited Alex Gilli-Ross, the agent, to speak in support of the application. Mr Gilli-Ross reminded the committee that the application was for alterations to the appearance and layout of the previously approved scheme. The applicant was seeking to build a bespoke family home on a site where the principle of a large dwelling had been accepted.

Mr Gilli-Ross maintained that the alterations proposed would result in a policy compliant dwelling which would be in keeping with the character and appearance of the surrounding area. The proposals included landscaping and planting to provide screening for the property and could result in the placing of some tree preservation orders.

The Chair invited Nascot Ward Councillor Jane Johnson to speak to the committee. Councillor Johnson expressed concern that the significant changes proposed to the property were being diminished. They would result in a substantial sized property on a relatively small plot, unacceptably close to surrounding dwellings. The property would dominate the streetscene, be overbearing to neighbouring properties and be out of character with the neighbourhood.

Councillor Johnson questioned the adequacy of parking provision and the safety implications of a large number of car movements for children walking to and from the nearby school.

In a clarification by the Principal Planning Officer, it was confirmed that the increase in floor space in the current application was mainly due to alterations to the loft space to accommodate two further bedrooms. In addition, he confirmed that officers did not consider the proposals would adversely impact on the street line; the property remained suitably set back from Nascot Wood Road.

Thanking the speakers the Chair invited comments from the committee.

Some members of the committee considered that the proposed amendments to the property were excessive and that the resultant property would be out of keeping with the surrounding area. In addition, due to site constraints, the dwelling would be too close to neighbouring properties raising concerns about privacy and overlooking.

Other committee members expressed the view that the scheme should be judged against the council's policies and it was necessary to demonstrate that harm would be caused by its development. The proposal was for a large family house on a good sized plot with adequate parking provision. Although previous applications had been refused for a variety of reasons, the current proposal had been demonstrated to be policy compliant. There were no grounds for refusal.

A question was raised as to whether the building could be used for multiple accommodation (HMO) or flats in the future and the Head of Development Management stated that a planning application would be required in both instances.

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:-

Location plan; 3189 PL1 G; and 3189 PL2 I.

3. No construction works above damp proof course level shall commence until details of the materials to be used for all the external finishes of the building, including walls, roofs, doors, windows and fascias, 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 work shall commence until full details of a soft and hard landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include details (including a plan and method statement) of all existing trees to be retained or removed, details of proposed planting including tree, shrub

and grass specie, planting size and density. The approved soft 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. The hard landscaping scheme shall include details of the construction of the vehicular access and driveway, pathways and amenity areas; details of all site boundary treatments, and all fencing or enclosures within the site. The approved hard landscaping shall be carried out prior to the first occupation of the development and shall be retained at all times unless otherwise agreed in writing by the Local Planning Authority.

5. No work shall commence until details of the disposal of surface water from the parking area have been submitted to and approved in writing by the Local Planning Authority. The dwelling hereby approved shall not be occupied until the works for the disposal of surface water have been constructed in accordance with the approved details.
6. A 2m x 2m pedestrian visibility sight splay, free from obstruction between a height of 600mm and 2.0m and relative to the back of the footway shall be provided on both sides of the vehicular access prior to the operational use and thereafter.
7. No work shall commence until details of tree protection measures, including details of the height, type and location of tree protection fencing to all retained trees on site and details of the no-dig area of construction within the root protection zone of the protected trees within Group G1 of TPO No. 262 T1 have been submitted to and approved in writing by the Local Planning Authority. The approved tree protection measures shall be implemented for the duration of the construction work, unless otherwise agreed in writing by the Local Planning Authority.
8. No work shall commence until details of the routing of all below ground services and cabling (electricity, gas, television, telephone, water etc.) have been submitted to and approved in writing by the Local Planning Authority. The routing of the below ground services and cabling shall then be laid out in accordance with the details approved by this Condition.
9. No part of the development shall be occupied until details of the siting, size and design of refuse, recycling and weatherproof cycle storage facilities have been submitted to and approved in writing by the Local Planning Authority and the storage facilities have been installed in

accordance with the approved details. The storage facilities shall be retained at all times thereafter.

10. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any modification or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E and F of the Order shall be carried out to the dwellinghouse without the prior written permission of the Local Planning Authority.
11. No work shall commence until details of the existing and proposed ground levels and the finished ground floor level of the dwelling hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall only be constructed in accordance with the approved details.
12. The ground floor and first floor windows in the north-eastern facing rear elevation (facing No.4A Bay Tree Walk) of the dwelling hereby approved shall be permanently fixed closed below 1.7m internal floor level and shall be fitted with obscured glass at all times, and shall be permanently maintained as such, unless otherwise agreed in writing by the Local Planning Authority.
13. The first floor window in the north-western facing side elevation serving 'Bedroom-01' as shown on the approved plans (facing Nos. 2 and 4 Bay Tree Walk) of the dwelling hereby approved shall have the part of the window that is less than 1.7m above the internal floor level fitted with obscured glass at all times, and shall be permanently maintained as such, unless otherwise agreed in writing by the Local Planning Authority.

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.
2. 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.

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

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

4. This planning permission does not remove the need to obtain any separate consent of the owner of the adjoining property prior to commencing building works on, under, above or immediately adjacent to their property (e.g. foundations or guttering). The Party Wall Etc Act 1996 contains requirements to serve notice on adjoining owners of property under certain circumstances, and a procedure exists for resolving disputes. This is a matter of civil law between the two parties, and the Local Planning Authority are not involved in such matters. A free guide called "The Party Wall Etc Act 1996: Explanatory Booklet" is available on the website of the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/393927/Party_Wall_etc_Act_1996_-_Explanatory_Booklet.pdf
5. You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health and Safety at Work Act 1974, The Clean Air Act 1993 and The Environmental Protection Act 1990.

In order to minimise impact of noise, any works associated with the development which are audible at the site boundary should be restricted to the following hours:

Monday to Friday 8am to 6pm
Saturdays 8am to 1pm

Noisy work is prohibited on Sundays and bank holidays

Instructions should be given to ensure that vehicles and plant entering and leaving the site comply with the stated hours of work.

Further details for both the applicant and those potentially affected by construction noise can be found on the Council's website at:

https://www.watford.gov.uk/info/20010/your_environment/188/your_complaints_%E2%80%93_construction_noise

6. New or amended crossover: Construction standards for new/amended vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.
7. 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.
8. 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.
9. Mud on highway: 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 1234047

91 **17/01104/FULM 99 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 Development Management Team Leader (HN) introduced the report. He explained that the application was for the redevelopment of the former Lloyds Bank site, with the retention of the front façade of the bank building to provide a mixed use scheme with a four storey extension on the roof for 14 residential units and retail units on the ground floor.

The update sheet included a correction to the floor space figures and comments from Hertfordshire County Council.

The Chair invited David Marshallsay, the architect and agent, to speak in support of the application. Mr Marshallsay explained that the current proposal was the result of two years' dialogue with planning officers to devise a scheme which would retain and integrate the locally listed building in a high quality mixed use development.

In addition to retaining the bank façade, the proposed scheme would incorporate a number of design features reflecting the original building. In accordance with local and national planning policies, it would enhance the character of area and would not harm the Nascot Conservation Area. The development would provide 14 much needed residential units, although due to viability constraints would not include any affordable housing.

The Chair invited Nascot Ward Councillor Mark Hofman to speak to the committee. Councillor Hofman questioned the need for further flatted, particularly one-bedroom, developments in central Watford. He argued that that saturation point had been reached and that greater focus should be given to providing two and three bedroom properties.

Councillor Hofman disputed the costs outlined by the developer in his viability appraisal, which had resulted in no affordable housing units and no section 106 contributions being included in the scheme. In addition to concerns about the modern, out of keeping design, Councillor Hofman suggested that future developments of this type should be required to ensure better energy efficiency.

Thanking the speakers, the Chair made some opening comments about the different development options for the site. He asked the committee to consider the merits of retaining the façade as well as the implications of the current scheme for future proposals that might be brought forward for adjacent sites.

In a clarification, the Deputy Managing Director advised the committee that the proposed scheme should be considered on its own merits. The application was not part of a wider master plan and adjacent development opportunities were not therefore a consideration, unlike schemes that were in a masterplan area e.g. Watford Junction, where wider considerations could be taken into account. However it should be noted that thought had been given to adjacent developments in the internal design layouts.

Although welcoming the efforts of the architect to retain and integrate the locally listed building, members of the committee considered that the resultant design was too dominant and failed to retain a coherent relationship between its two parts. This was an important and prominent gateway site at the entrance to the Nascot Conservation Area and a different approach was required.

In considering some much larger schemes in recent months committee members had seen a number of detailed viability appraisals. Notwithstanding this fact, members of the committee considered the viability assessment provided by the developer in this case to be insufficient. It was questioned why a commuted sum in lieu of affordable housing had not been offered.

The Head of Development Management explained that the council's own consultant had carried out a detailed financial viability assessment and concluded that the scheme would not be financially viable to provide any affordable housing by either an off-site contribution or on-site provision. The Deputy Managing Director advised the committee that in these circumstances members should steer away from considering refusing the scheme on affordable housing/viability grounds.

The Chair invited Councillor Johnson to propose a motion to refuse planning permission.

Councillor Johnson proposed that planning permission be refused on the grounds that the proposed building by virtue of its design, scale and bulk would introduce an incongruous building which failed to appropriately preserve or enhance the character and appearance of the Nascot Conservation Area or relate appropriately to the retained elements of the locally listed building. It would therefore be contrary to Policies UD1 and UD2 of the Core Strategy and Sections 7 and 12 of the NPPF.

RESOLVED –

That planning permission be refused on the grounds that the proposed building by virtue of its design, scale and bulk would introduce an incongruous building which fails to appropriately preserve or enhance the character and appearance of the Nascot Conservation Area or relate appropriately to the retained elements of the locally listed building. It would therefore be contrary to Policies UD1 and UD2 of the Core Strategy and Sections 7 and 12 of the NPPF.

92

18/00269/FULM WHIPPENDELL MARINE, WHIPPENDELL 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 sought the redevelopment of the site to provide 81 apartments in 3 apartment buildings.

In the absence of speakers, the Chair invited comments from the committee.

Members of the committee welcomed the development which was considered to be in scale with surrounding buildings, made pleasing design reference to the previous industrial building on the site, and provided good levels of affordable housing and parking.

Some committee members expressed concern about the likely impact on local traffic levels in the area, particularly at peak times. The Development Management Team Leader advised that a cumulative transport assessment had been undertaken as part of the recent planning application for the redevelopment of the commercial site at the eastern end of Sydney Road, which included the former Watford Laundry site and the Whippendell Marine site (based on a pre-application scheme). The transport assessment for the current application had shown that the predicted difference in two-way traffic flows in the peak periods would be slightly less than that predicted in the cumulative transport assessment. Despite this, some committee members continued to be concerned about traffic impacts and suggested alternative access options should be considered to the site.

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 24 flats as affordable housing comprising 5 flats (2 x 2 bed and 3 x 3 bed) for social rent, 15 flats (15 x 2 bed) for affordable rent and 4 flats (3 x 2 bed and 1 x 3 bed) for low cost home ownership;
- ii) 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;
- iii) To secure a financial payment to the County Council of £2,000 for the monitoring of an approved Travel Plan;
- iv) To secure the provision of fire hydrants to serve the site as required by Hertfordshire County Council;
- v) To secure 1 parking space for the use of a car club vehicle.

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:-

01258_P_00 P2, P_01 P1, P_02 P1, P_03 P1, P_04 P1, P_05 P1
01258_EL_01 P2, EL_02 P1, EL_03 P1, EL_04 P1, EL_05 P1, EL_08 P1
01258_S_00 P1, S_01 P1, S_02 P1, S_03 P1
01258_SOA_01 P1
01258_SP_00 P1, SP_01 P1, SP_02 P1, SP_03 P1
D0328_001A, 002B, 003B
3. No demolition of the existing buildings or construction of the development shall commence until a detailed scheme to deal with the risks associated with the potential contamination of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- 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 risk assessment referred to in (ii) above and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;
- iv) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

4. No construction works shall commence until a verification report demonstrating completion of the works set out in the approved remediation strategy (see Condition 3 above) and the effectiveness of the remediation has been submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.
5. The development hereby permitted may not commence until a 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.

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. No infiltration of surface water drainage associated with the development is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.
8. Piling or other intrusive ground works (investigation boreholes, tunnel shafts, ground source heating and cooling systems) using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. A piling risk assessment and appropriate mitigation measures should be submitted for approval. The development shall only be carried out in accordance with the approved details.
9. 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 the occupation of any part of the permitted development.
10. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Surface Water Drainage Strategy (133191-R1(1)-FRA, dated February 2018) by RSK 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.

11. 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.

12. No development (excluding demolition works) shall commence until a noise mitigation scheme for each of the residential dwellings requiring acoustic double glazing, based upon the recommendations of the Noise Assessment Affecting the Proposed Residential Development (Report Ref. GA-2017-038-R1-RevA dated 16th February 2018) by Grant Acoustics, 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.

13. No development (excluding demolition works) shall commence until the specification of a mechanical air supply/extract system for each of the residential dwellings requiring acoustic double glazing, based upon the recommendations of the Noise Assessment Affecting the Proposed Residential Development (Report Ref. GA-2017-038-R1-RevA dated 16th February 2018) by Grant Acoustics, 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 dwellings remaining closed. The system must not compromise the sound insulation of the façades. 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.

14. 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 and privacy screens) have been submitted to and approved in writing by the Local Planning Authority. These should be based upon the details given in the Design and Access Statement dated February 2018 by JTP. The development shall only be constructed in the approved materials.

15. No dwelling shall be occupied until a detailed soft landscaping scheme for all the land within the site (based upon the Proposed Landscape Masterplan, drawing no. D0328_003 B dated January 2018, by Neil Tulley Associates) has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the amenity play area and, where practicable, enhanced tree and hedge planting along the western and eastern site boundaries. 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.
16. No dwelling shall be occupied until a detailed hard landscaping scheme for all the land within the site (based upon the Proposed Landscape Masterplan, drawing no. D0328_003 B dated January 2018, by Neil Tulley Associates) 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.
17. No dwelling shall be occupied until the respective refuse and recycling stores and residential 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 and shall be used for no other purpose.
18. No dwelling shall be occupied until the following works have been completed in full:
 - i) the existing vehicular crossover on Whippendell Road at the western end of the site frontage has been removed, the footpath has been reinstated and the controlled parking zone bay has been extended to incorporate this part of the highway.
 - ii) the existing vehicular crossovers on Sydney Road have been removed, the footpath has been reinstated and the controlled parking zone bay has been extended to incorporate these parts of the highway.
 - iii) the new access junction on Sydney Road to serve the development has been constructed in full, as shown on drawing no. 01258_P_00 P2.
 - iv) the servicing bay on Whippendell Road has been formed, to be effective between the hours of 8.00am and 6.30pm, Mondays to

Saturdays only, as shown on drawing no. 171015-02F within Appendix C of the Transport Statement dated February 2018 by Motion.

- v) the 83 parking spaces have been provided as shown on drawing no. 01258_P_00 P2, to include 8 unallocated spaces served by active electric charging points and 1 car club space.
19. No dwelling shall be occupied until a detailed Travel Plan, based upon the Travel Plan by Motion (dated 23 February 2018) submitted with the application and the Hertfordshire County Council document 'Hertfordshire Green Travel Plan Guidance', has been submitted to and approved by the Local Planning Authority. The approved Travel Plan shall be implemented at all times.
20. No dwelling shall be occupied in the respective blocks until details of a communal terrestrial television aerial(s) and satellite dish(es) for the block have been submitted to and approved in writing by the Local Planning Authority.
21. For the avoidance of doubt, no communications development permitted by Classes A, B or C of Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) shall be undertaken on any of the buildings hereby approved.

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 24 flats as affordable housing, the exclusion of the development from the local controlled parking zone, the necessary fire hydrants to serve the development, a monitoring fee for the Travel Plan and a parking space for a car club vehicle.
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.

Chair

The meeting started at 7.00 pm
and finished at 9.30 pm