

DEVELOPMENT MANAGEMENT COMMITTEE

25 JULY 2018

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

Also present: Councillors S Bolton and Dhindsa

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

13 APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP

There was a change of membership for this committee: Councillor Bashir replaced Councillor Smith.

14 DISCLOSURE OF INTERESTS

Councillor Dhindsa advised that he had an interest in application 18/00579/FULM (Land at 87 Cassio Road) and would not participate in, and would leave the room for, discussions on this item.

Councillor Bell advised that he had held some discussions with residents in roads close to Vicarage Road, but had not expressed any opinions on application 18/00614/FULM (56D, 56E, 58 and 58A, Vicarage Road).

The Head of Development Management drew the committee's attention to the update sheet which included a summary of important revisions to the National Planning Policy Framework (NPPF) published on 24 July 2018. In particular he drew their attention to the need to apply the weighted test set out in paragraph 11d) of the NPPF having regard to matters of housing supply.

15 MINUTES

The minutes of the meeting held on 4 July 2018 were submitted and signed subject to an alteration requested by Councillor Williams:

Item 12 – 18/00580/FUL 36A Purbrook Avenue. Following some comments from the committee, the Chair moved the officer’s recommendation.

16

18/00614/FULM - 56D, 56E, 58 AND 58A, VICARAGE 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 redevelopment of the site to provide a mixed use scheme comprising 33 residential units (Class C3), flexible commercial floor space (Class A1/A2/B1/D2) associated cycle parking, landscaping and associated works.

Attention was drawn to the update sheet, which included information on an additional representation to the application.

The Chair invited Sam Hine, the agent, to speak for the application. Mr Hine advised the committee that the principle of redeveloping this brownfield site aligned with Watford Borough Council and national government planning policies. The existing buildings detracted from the area and the proposed scheme, developed in close cooperation with officers and the local community, provided a carefully designed mixed use scheme, which was fully policy compliant. It would provide much needed residential units in a central location.

The proposals incorporated some additional mitigation measures to enhance privacy levels and the design’s transition in height would enable adjacent sites to come forward in the future.

The application included a commuted sum in lieu of affordable housing of £350,000.

Mr Hine also read out a statement from a local resident, in attendance with him at the meeting, who had been impressed by the applicant’s engagement with residents and was supportive of the scheme.

The Chair invited Vicarage Ward Councillor Jagtar Singh Dhindsa to speak to the committee. Councillor Dhindsa welcomed the development of the site, but expressed concern at the submitted scheme. This was considered too high at four/five storeys in an area of predominantly one and two storey buildings.

In addition, Councillor Dhindsa outlined the unacceptable strain that future occupants of the development would place on already overstretched local services, particularly schools, and on parking in congested surrounding streets. He also emphasised the need for affordable, particularly social rent, housing in Vicarage Ward.

Before seeking comments from the committee, the Chair expressed some reservations about the scheme. Whilst the principle of development was acceptable, this was being achieved at the expense of a locally listed building and on a scale which was disproportionate with the surrounding area, including the Square Conservation Area. Although not advocating the use of Victorian pastiche, the Chair considered the design lacked texture and detail. He particularly regretted the use of external timber cladding.

Members of the committee welcomed the regeneration of the site and the benefits that this would bring to the street scene. They noted the consultation and engagement which the developer had undertaken with the local community, however were disappointed that this had not resulted in the provision of affordable housing in the scheme which was in great demand in the area.

Echoing the views of the Chair, committee members considered that the height of the proposed development was disproportionate in an area more typically characterised by two or three storey buildings.

Concerns were also raised about the potential impacts on parking and on traffic congestion, particularly in light of the need to service the building from the heavily congested Vicarage Road. The comparable density of the proposed scheme with surrounding buildings was also questioned.

The Head of Development Management advised the committee to be mindful of the guidance provided in the new NPPF, particularly that:

- the council did not have a five year supply of housing and had to determine the application in accordance with the weighted test at paragraph 11 d) which meant it should be approved unless any adverse impacts significantly and demonstrably outweighed the benefits;
- that section 11 now made it a requirement for planning decisions to ensure they made effective use of land suggesting in most cases it would be appropriate and encouraged for new buildings to be larger and make better use of land than those previously on a site;
- that the NPPF now made clear that applications that could demonstrate early, proactive and effective engagement with the community should be

looked on more favourably than those that could not, and that this appeared to be the case with the current application;

- that where design of development accorded with expectations in planning policies, design should not be used by the decision maker as a valid reason to object to development.

The Head of Development Management expressed concern that a design reason for refusal would not be robust or appropriate having regard to the relevant policies. He advised that this was a matter for the committee to reach a view on, but reminded them that they must do so having taken into account the correct test and policies.

The Chair invited Councillors Johnson and Bell to move a motion to refuse the application. Councillors Johnson and Bell proposed that planning permission be refused on the grounds that by reason of its height, scale and massing the proposed development would adversely affect the character of the neighbouring residential area and as such would be contrary to Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

RESOLVED –

that planning permission be refused on the grounds that by reason of its height, scale and massing the proposed development would adversely affect the character of the neighbouring residential area and as such would be contrary to Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

17

18/00579/FULM - LAND AT 87 CASSIO ROAD

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

The Head of Development Management introduced the report explaining that the application was for the demolition of a temporary building and its redevelopment to provide 25 residential apartments.

Attention was drawn to the update sheet, which included some additional representations, information and proposed alterations to the reasons for refusal.

The Chair invited Councillor Steve Bolton, reading a statement on behalf of Dr Tim Robson, a local GP and associated with homelessness services in Watford, New Hope and the site at Cassio Road for over 30 years, to speak to the committee.

Dr Robson's statement outlined the history of the Meadowell surgery, which was founded on its present Cassio Road site in 2003. This had proved an ideal location (easily accessible, away from the immediate town centre and close to other relevant services) to meet the needs of vulnerable members of the community at risk of addiction and early death. The West Herts Sports Club had been an excellent landlord.

Whilst accepting that it was sensible for the sports club to realise this asset and invest in its facilities to ensure its future sustainability, Dr Robson explained that the unique suitability of this site for essential homelessness services had been confirmed following a fruitless search for a new location. An alternative development plan for the site was being prepared by the surgery and local health service. Dialogue with the club would be welcomed.

The Chair invited Christopher Waumsley, Head of Planning and Environment at Freeths solicitors, to speak in support of the application. Mr Waumsley highlighted the council's opposition to the development which was based on a designation of the land as open space. He questioned whether this was the case since the Watford Local Plan Core Strategy 2006-31 did not identify the land as part of the open space network for the town. The land had anyway not been used as such in over 30 years and temporary planning permission remained in place for the site.

Mr Waumsley noted that no objections had been received from Sport England. He argued that the size, shape and location of the land made it unsuited to sporting activity. The club was seeking to maintain and improve its facilities. Its rules did not allow any funds, including payments for land or property, to be distributed to members or to be used for any purposes other than promoting the club's sporting objectives. A list of planned works and facilities had been included in the application and the club was prepared to enter into a legally binding agreement to ensure their realisation.

Responding to a query from the Chair, the Head of Development Management confirmed that the site was clearly shown as open space on the Proposals Map of the Watford District Plan 2000, which had been saved, alongside relevant policies, by the Secretary of State in 2007 in accordance with relevant procedures. The protections had been carried forward to further documents, including the NPPF, and there had been no alterations to the Proposals Map nor had there been any formal decision to remove the land from it.

The Head of Development Management further advised that the temporary planning permissions had been granted on the understanding that the land would subsequently be reinstated to its previous open space use.

Commenting on the club's draft unilateral undertaking to meet affordable housing provision and other obligations in the refusal reasons, the Head of Development Management explained that this had not been approved by the council's lawyers, had not been signed and further discussions would be required. The refusal reasons therefore remained.

Before inviting comments from the committee, the Chair advised that in addition to concerns about the loss of open space, he had reservations about the scale of the hybrid design and the affordable housing provision.

The Chair invited comments from the committee.

Given the late submission of representations by the applicant, committee members considered whether it would be sensible to defer a decision on the application. Following advice from the Head of Development Management, it was agreed that the main issue to be considered was the lawful long term use of the site as open space. Committee members noted that some of West Herts Sports Club's proposals were likely to require separate planning permissions and the considerations associated with these would be too numerous to assess through a deferral of the application.

With due regard to guidance in the new NPPF, members of the committee further agreed that it was important to guard against the loss of valued community facilities and sport and recreation facilities. As such, committee members noted that short term permission for the existing Meadowell community facility would expire in 2024 after which time the site's lawful use would return to open space.

Members of the committee also expressed concerns about the design of the proposed scheme and its impact on the neighbouring residential area. The Chair invited Councillor Williams to propose an additional reason for refusal on these grounds.

Councillors Williams proposed a further objection about the height, scale and massing of the proposed application which would adversely affect the neighbouring residential area and as such was contrary to Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

The Chair moved the officer's recommendation, subject to the amended reason 2 on the update sheet, the omission of reason 5 and the committee's objection on design grounds.

RESOLVED –

that planning permission be refused for the reasons listed below:

1. In the short term (up until 2024) the proposal would result in the loss of a community facility which is currently operated and required by the NHS to meet the health needs of vulnerable people. The loss of the facility would be contrary to “saved” Policies CS3 and CS9 of the Watford District Plan 2000, Priority 3 (Provide for our vulnerable and disadvantaged communities) of the Watford Borough Council Corporate Plan to 2020, and the social objectives set out in paragraph 7 and Section 8 of the National Planning Policy Framework. In the longer term the proposal would result in the permanent loss of designated Open Space (as shown on the “saved” Proposals Map of the Watford District Plan 2000). The proposed development includes no measures to improve the overall quality of green infrastructure and the social and environmental harm caused by the loss of Open Space clearly outweighs the benefits of providing additional housing. The proposal is therefore contrary to Policies GI1 and HS1 of the Watford Local Plan Core Strategy 2006-31 and paragraph 74 of the National Planning Policy Framework.
2. The proposed development, by virtue of the very close proximity of the habitable windows in the rear wing of the building to the boundary, would be likely to experience light pollution from the future installation of floodlights (approved under reference 14/00385/FUL) at the adjacent tennis courts. The proposal would therefore fail to provide an acceptable standard of amenity for future occupants of the proposed development, contrary to “saved” Policy SE23 (light pollution) of the Watford District Plan 2000, Policy SS1 of the Watford Local Plan Core Strategy 2006-31 and paragraph 17 of the National Planning Policy Framework which states, among other things, that planning should always seek to secure a good standard of amenity for existing and future occupants of land and buildings.
3. In the absence of a Unilateral Undertaking for the provision of affordable housing, the removal of permit entitlement in the Controlled Parking Zone for future occupiers of the development, and the provision of fire hydrants to serve the development, the proposal is contrary to Policies HS3 and INF1 of the Watford Local Plan Core Strategy 2006-31 and "saved" Policies T24 and T26 of the Watford District Plan 2000.
4. The application fails to demonstrate that adequate measures could be put in place to prevent indiscriminate parking within the application site which would be harmful to highway safety and the quality of the

residential environment. The proposal is therefore contrary to “saved” Policies T21, T24 and T26 of the Watford District Plan 2000.

5. By reason of the height, scale and massing the proposed development would adversely affect the character of the neighbouring residential area and as such is contrary to Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

Informatives

1. In dealing with this application, Watford Borough Council has considered, in a positive and proactive manner, whether the planning objections to this proposal could be satisfactorily resolved within the statutory period for determining the application, 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. However, for the reasons set out in this decision notice, the proposal is not considered to achieve an acceptable and sustainable development.

18

17/01511/FULM - LAND TO THE SOUTH OF THOMAS SAWYER WAY COMPRISING THE WATERSIDE AREA AND FORMING PART OF THE WATFORD RIVERWELL DEVELOPMENT

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

The Head of Development Management introduced the report, explaining that the application was for the redevelopment of the site to provide 408 residential dwellings with associated landscaping, amenity space, access and parking.

Attention was drawn to the update sheet which included some amendments to the conditions and informatives.

The Chair invited Steve Rossouw, the client, to speak in support of the application. Speaking on behalf of the Watford Health Campus Partnership, Mr Rossouw set out the context of the development in the wider Riverwell regeneration scheme. The current phase would deliver over 400 new homes, including 118 affordable units (with a mechanism to increase the number should viability permit), and add to the regeneration of the area. Other benefits of the scheme included contributions to the delivery of a new primary school and to

local secondary schools, the construction of Thomas Sawyer Way, local traffic enhancements and environmental and accessibility improvements.

Working with planning officers, the resultant design was considered robust and visually appealing. Landscaping had been maximised and the building height and density were appropriate for the location as well as the size and scale of the development.

The Chair invited comments from the committee.

Members expressed disappointment about the affordable housing provision, particularly the lack of socially rented properties. Although provision was 29% by unit or 30% by habitable room, this fell short of the council's 35% target.

The Deputy Managing Director advised that rates of provision were likely to vary across the Riverwell site reflecting the different construction costs encountered, for example with the cleaning up of contaminated land. It was anticipated that the next phase, the Farm Terrace allotment site, would achieve affordable housing levels closer to 40%.

In response to additional comments about the scale of the proposed scheme, the Head of Development Management commented that there were substantial differences in topography across the Riverwell site and careful consideration had therefore been given to the siting and design of the various developments. The scheme under consideration was not considered to be out of scale or proportion.

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

RESOLVED –

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:

RWL-LHA-RX-00-DR-A-0001 5
RWL-LHA-RX-01-DR-A-0002 2
RWL-LHA-RX-00-DR-A-0003 06
RWL-LHA-RX-01-DR-A-0004 04
RWL-LHA-RX-RL-DR-A-0005 04
RWL-LHA-RX-ZZ-DR-A-0006 02
RWL-LHA-RX-ZZ-DR-A-0007 01

RWL-LHA-ZZ-00-DR-A-0001 01
RWL-LHA-ZZ-XX-DR-A-0002 01
RWL-LHA-RD-ZZ-DR-A-0001 01
RWL-LHA-RD-ZZ-DR-A-0002 00
RWL-LHA-RD-ZZ-DR-A-0002a 00
RWL-LHA-RD-ZZ-DR-A-0002b 00
RWL-LHA-RD-ZZ-DR-A-0003 00
RWL-LHA-RD-ZZ-DR-A-0004 00
RWL-LHA-RD-ZZ-DR-A-0005 00
RWL-LHA-RD-ZZ-DR-A-0006 00
RWL-LHA-RE-ZZ-DR-A-0001 00
RWL-LHA-RE-ZZ-DR-A-0002 01
RWL-LHA-RE-ZZ-DR-A-0003 00
RWL-LHA-RE-ZZ-DR-A-0004 01
RWL-LHA-RE-ZZ-DR-A-0005 00
RWL-LHA-RE-ZZ-DR-A-0006 00
RWL-LHA-RE-ZZ-DR-A-0007 01
RWL-LHA-RE-ZZ-DR-A-0008 00
RWL-LHA-RE-ZZ-DR-A-0009 01
RWL-LHA-RF-ZZ-DR-A-0001 00
RWL-LHA-RF-ZZ-DR-A-0002 00
RWL-LHA-RF-ZZ-DR-A-0003 00
RWL-LHA-RF-ZZ-DR-A-0004 01
RWL-LHA-RF-ZZ-DR-A-0005 01
RWL-LHA-RF-ZZ-DR-A-0006 00
RWL-LHA-RF-ZZ-DR-A-0007 01
RWL-LHA-RF-ZZ-DR-A-0008 00
RWL-LHA-RF-ZZ-DR-A-0009 01
RWL-LHA-RX-ZZ-DR-A-010 00
RWL-LHA-RX-ZZ-DR-A-011 00
RWL-LHA-RX-XX-RP-A-0001 01
RWL-LHA-RX-XX-SH-A-0001 08
RWL-LHA-RX-XX-SH-A-0002 06
RWL-LHA-RX-XX-SH-A-0003

3. Prior to the commencement of any development, other than works on the access road or open space, a phasing plan shall be submitted to, and approved in writing by, the Local Planning Authority. The phasing plan shall clearly show which areas/parts of the development will be undertaken in each phase and the order in which they shall commence.
4. No phase of the development other than works on the access road and open space shall commence until details of the materials to be used for all the external finishes of the buildings in that phase (including all walls,

roofs, doors, windows, balconies, rainwater and foul drainage goods and details of the reveal treatment to be applied around windows and doors) have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out only in accordance with the approved details.

5. No phase of the development shall be occupied until a scheme detailing the external lighting to be installed within that phase (including free standing light fixtures and any external lighting attached to the buildings) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:
 - a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specification) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed prior to the first occupation of the development in accordance with the specifications and locations set out in the scheme, and shall be maintained thereafter in accordance with the approved scheme. Under no circumstances should any other external lighting be installed without the prior written approval of the Local Planning Authority.

6. The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage assessment carried out by Waterman Infrastructure & Environment Limited (document reference WIE11284-101-R-10-3-1-App, dated 27 October 2017) and the following mitigation measures detailed within the assessment;
 - a) Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 10.2 l/s during the 1 in 100 year event plus 40% of climate change event.
 - b) Providing storage 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 providing a total storage volume in porous paving sub-base, filter trench and bio-retention area.

- c) Discharge of surface water from the proposed development drainage system into the River Colne.

The mitigation measures required to serve each phase of the development shall be fully implemented prior to occupation of that phase or 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.

- 7. No phase of the development other than works on the access road and open space shall take place until a detailed surface water drainage scheme for that phase, based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy scheme should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event.

It should be noted that the scheme for each phase needs to have regard to the wider drainage strategy for that site and it may be necessary for details to demonstrate how the proposal for each phase will link with this.

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

The scheme shall include:

- a) Final detailed surface water drainage strategy layout including all SuDS features (permeable paving included) with their connections into the private surface water sewer system and final inlet and outlet levels.
- b) Detailed engineered drawings of the proposed SuDS features including their size, volume, depth, any inlet and outlet features including any connecting pipe runs and final modelling reflecting the detailed design of the proposed drainage strategy.
- c) Routes of exceedance for rainfall events that exceed the 1 in 100 year plus climate change event including its extents, depths and volumes.

- d) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.
8. No piling or other foundation designs using penetrative methods shall take place until a method statement (detailing the depth and type of piling and/or foundations to be undertaken and the methodology by which such piling/foundations will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, measures to prevent harm to groundwater resources and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details.
9. No phase of the development shall be occupied until the refuse, recycling and cycle storage to serve that phase of the development, as shown on the approved drawings, has been constructed and made available for use. These facilities shall be retained as approved at all times.
10. The hard and soft landscaping (including the childrens playspace) on Colne Island shall be carried out in accordance with the details shown on the approved drawings prior to the occupation of any part of the development. Other hard and soft landscaping shall be carried out in accordance with the details shown on the approved drawings prior to the occupation of any unit within that phase. The proposed planting shall be completed not later than the first available planting and seeding season after the relevant trigger set out above.

For the purposes of this condition a planting season is the period from 1 October in any one year to 31 March in the following year. 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 in writing by the Local Planning Authority.

11. Notwithstanding the information already submitted, none of the units in any phase shall be occupied until details of the siting, height, type, materials and finish of all fencing, walls, gates or other means of enclosure around the boundaries of the site and within the site for that phase have been submitted to, and approved in writing by, the Local Planning Authority. All fencing, walls, gates or other means of enclosure shall be provided in accordance with the approved details prior to the first

occupation of any part of the development and shall be maintained as such at all times thereafter. Notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) no gates or means of enclosure, other than those approved under this condition, shall be erected or installed on the site without the prior written approval of the Local Planning Authority.

12. No unit within any phase of the development shall be occupied until the access road, on-site parking and manoeuvring areas to serve that phase have been laid out and constructed in accordance with the approved drawings and made available for use. These facilities shall be retained as approved at all times.
13. No parts of the flat roofs of the development, with the exception of those areas marked as terraces on the drawings hereby approved, shall be used as terraces, balconies or other open amenity spaces.
14. Notwithstanding the information already submitted, no construction of the approved buildings within any phase shall commence until detailed plans showing the existing and new or altered ground levels within the site and the floor levels of all the proposed buildings for that phase have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out only in accordance with the details approved under this condition.
15. The tree protection measures set out within the Arboricultural Impact Assessment (Report No: RT-MME-125046-02 Rev A Date: September 2017) shall be carried out.
16. With the exception of the road and landscaping, no phase of the development shall commence until an Archaeological Written Scheme of Investigation for that phase has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include an assessment of archaeological significance and research questions; and:
 1. The programme and methodology of site investigation and recording;
 2. The programme and methodology of site investigation and recording as suggested by the archaeological evaluation;
 3. The programme for post investigation assessment;
 4. Provision to be made for analysis of the site investigation and recording;

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

The development shall only take place in accordance with the programme of archaeological works set out in the approved Written Scheme of Investigation. No part of the development shall be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation and the provision made for analysis and publication where appropriate.

17. No phase of the development shall be occupied until details of a communal terrestrial television aerial(s) and satellite dish(es) for that phase have been submitted to and approved in writing by the Local Planning Authority. No aerials or satellite dishes, other than those approved by this condition, shall be installed within the site.
18. No phase of the development shall take place until a landscape management plan, for Colne Island, the buffer zone and that phase has been submitted, and approved in writing by, the Local Planning Authority. The plan shall include long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas including the buffer zone. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. The buffer zone element shall be free from built development including lighting, domestic gardens and formal landscaping; and will form a vital part of green infrastructure provision. The schemes shall include:
 - plans showing the extent and layout of the buffer zone.
 - details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.
 - details of the proposed native planting scheme
 - details of any new habitat created on site
 - details of establishment and maintenance regimes
 - details of treatment of site boundaries and/or buffers around water bodies, including any fencing.

19. No works on the pedestrian footbridge shall commence until the details of the footbridge has been submitted to, and approved in writing by, the local planning authority. No unit within the development shall be occupied until the footbridge has been completed and brought into use. The scheme shall be implemented as approved.
20. If, during development, contamination not previously identified is found to be present at the site then no further development of that phase (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.
21. Prior to each phase of development being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy, and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.
22. 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.
23. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
24. Piling for the development hereby permitted may not commence until a groundwater monitoring and maintenance plan in respect of potential contamination mobilised by piling activities, 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.

25. No infiltration of surface water drainage into the ground 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.
26. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
27. In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
28. No phase of the development other than works on the access road and open space shall take place until a scheme of appropriate safeguards for the MLX have been submitted to and approved in writing by the Local Planning Authority. The safeguards will ensure there is no conflict with the Croxley Rail Link Order 2013, no negative impact on the construction programme for the MLX, no negative impacts on the subsequent operation of the MLX as a live railway and address any construction safety issues associated with the railway.

Informative

1. In relation to conditions 21 each 'phase' is in reference to the Site Zoning Plan in the Geo-Environmental Risk Assessment. 'Contamination not previously identified' includes:

- contaminants at concentrations higher than previously identified in this area of the site;
- contaminants not previously identified in this area of the site;
- contaminants in groundwater, surface water or in/on/under the land.'

19

18/00350/FULM - LAND TO THE REAR OF YE CORNER

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

The Development Management Team Leader (HN) introduced the report, explaining that the application was for the demolition of the existing buildings and subsequent redevelopment of the site to create 19 residential units with associated works.

Attention was drawn to the update sheet which included some changes to the conditions and to the section 106 agreement.

The Chair invited Conor Doyle, the agent, to speak for the application. Mr Doyle reminded the committee that the application site was last at committee on 29 November 2017. The current proposal sought to build on the previous permission with the addition of four units.

The amended proposal would provide payment in lieu of affordable housing in excess of £127,000. In addition, a late sales review uplift would attribute a proportion of any extra sales revenue to the council.

Mr Doyle advised that the building design had been short-listed for a construction regeneration award.

The Chair moved the officer's recommendation subject to the changes included in the update sheet and a stipulation, included in the conditions, that the developer should seek an alternative external finish to unprotected timber, which had not weathered well in other developments in the town.

RESOLVED –

Recommendation 1

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) A financial contribution in lieu of the provision of on-site affordable housing to the sum of £127,761, in accordance with Policy HS3 of the Watford Local Plan Core Strategy 2006-2031. The agreement shall also secure a review mechanism of the viability of the scheme for a contribution up to a maximum total contribution of £761,160 towards the provision of affordable housing in the Borough of Watford, subject to the review demonstrating the improved viability of the development.
- ii) The provision, as necessary, of fire hydrants to serve the development in accordance with Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and saved Policy H10 of the Watford District Plan 2000.

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:

0617-000-P5	Location Plan
0617-102-P7	Block Plan
0617-103-P1	Block Plan
0617-105-P7	Landscape Plan
0617-106-P4	Separation Distance Plans
0617-107-P4	Sweep Track Analysis – Van
0617-108-P4	Sweep Track Analysis – Ambulance
0617-110-P4	Lower Ground Floor Plan
0617-111-P4	Ground Floor Plan
0617-112-P5	First Floor Plan
0617-113-P2	Second Floor Plan
0617-114-P1	Roof Plan
0617-200-P5	Site Sections
0617-201-P3	Site Sections
0617-300-P4	Proposed Elevations
0617-301-P4	Proposed Elevations

Unless otherwise agreed in writing by the local planning authority

3. Notwithstanding the information already submitted, no construction works above damp proof course level shall commence until details of the

materials to be used for all the external finishes of the buildings, including all walls, roofs, doors, windows, balconies, rainwater and foul drainage goods (including samples where considered necessary by the Local Planning Authority) and details of the reveal treatment to be applied around windows and doors have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details. The submitted details shall include alternative materials to timber cladding.

4. No dwelling shall be occupied until a scheme detailing the external lighting to be installed within the site (including free standing light fixtures and any external lighting attached to buildings) has been submitted to and approved in writing by the Local Planning Authority. All external lighting shall be installed prior to the first occupation of the development in accordance with the specifications and locations set out in the scheme, and shall be maintained thereafter in accordance with the approved scheme. Under no circumstances should any other external lighting be installed without the prior written approval of the Local Planning Authority.

5. The development permitted by this planning permission shall be carried out in accordance with the approved Surface Water Drainage Strategy prepared by Ambiantal Technical Solutions – Reference 3136 SWDS, Version Draft v4.0 (dated April 2017) and the following mitigation measures detailed within the drainage strategy:
 - i) Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event;

 - ii) Implementing appropriate drainage strategy based on attenuation and discharge into Thames surface water sewer including SuDS features as indicated on drawing No. Lower Level, Revision 2 – Preliminary Surface Water Drainage Strategy Layout, dated 05/07/2017 and drawing No. Upper Level, Revision 2 – Preliminary Surface Water Drainage Layout, dated 05/07/2017;

 - iii) Limiting surface water discharge off the site at a maximum allowable rate of 5.0 l/s/ha for the 1 in 100 year plus 40% for climate change event;

 - iv) Clarification and indication in the drawing where exactly the filter drain connects with the existing infrastructure;

- v) Incorporation of the upper parking site in the system and provision of updated calculation considering this area;
- vi) Final detailed scheme with updated calculation including all site area.

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

6. No development shall take place until the final design of the drainage scheme for the site, based on the approved Surface Water Drainage Strategy, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- i) Provision of a fully detailed drainage plan showing pipe diameters, pipe runs, outlet points and location of SuDS features and supporting calculations;
 - ii) Detailed engineered drawings of the proposed SuDS features including their, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling;
 - iii) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.
7. Notwithstanding the information already submitted, no dwelling shall be occupied until details of the siting, type, size and finish of the refuse, recycling and cycle storage enclosures have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the approved refuse, recycling and cycle storage enclosures have been constructed and made available for use. These facilities shall be retained as approved at all times thereafter.
 8. No dwelling shall be occupied until a detailed soft landscaping scheme for all the land within the site has been submitted to and approved in writing by the Local Planning Authority. This shall include details of new tree and

shrub planting including their location, species, size (container size where applicable) and planting density. The approved landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of development. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.

9. No dwelling shall be occupied until a detailed hard landscaping scheme for all the land within the site has been submitted to and approved in writing by the Local Planning Authority, and the works have been carried out in accordance with the approved details.
10. No hard surfacing, other than that approved under Condition 9, shall be laid/installed within the site.
11. No dwelling shall be occupied until the proposed private amenity areas, communal amenity space and soft landscaped areas have been laid out as shown on the approved drawings. These areas shall be retained as such at all times thereafter and shall not be used for car parking, manoeuvring or for any other purpose.
12. Notwithstanding the information already submitted, no dwelling shall be occupied until details of the siting, height, type, materials and finish of all fencing, walls, gates or other means of enclosure around the boundaries of the site and within the site have been submitted to and approved in writing by the Local Planning Authority. All fencing, walls, gates or other means of enclosure shall be provided in accordance with the approved details prior to the first occupation of any part of the development and shall be maintained as such at all times thereafter. Notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) no gates, walls or means of enclosure, other than those approved under this condition, shall be erected or installed on the site without the prior written approval of the Local Planning Authority.
13. No dwelling shall be occupied until the on-site loading/unloading bays and manoeuvring area have been laid out and constructed in accordance with the approved drawings (and those details approved under conditions 5, 6 and 9) and made available for use. These facilities shall be retained as approved at all times.

14. Notwithstanding the information already submitted, no construction of the approved buildings shall commence until detailed plans showing the existing and new or altered ground levels within the site and the floor levels of all the proposed buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the details approved under this condition.
15. The proposed first floor window in the northeast-facing elevation of the westernmost building (serving the stairwell – as detailed on drawing number 112 Rev P4 – amended plan received 12.10.17) shall be permanently fixed closed below 1.7m internal floor level and shall be fitted with obscured glass at all times unless otherwise agreed in writing by the Local Planning Authority.
16. No parts of the flat roofs of the development shall be used as terraces, balconies or other open amenity spaces.
17. Details of a ‘no-dig’ method of construction for the proposed bin store and other works within the root protection zone of the group of trees referred to as Group “G1” within the submitted Arboricultural Statement, prepared by RJ Tree Services Ltd (Ref. ARBORSURVEY01_Ye Corner dated 06.02.17), and as detailed on the accompanying Arboricultural Survey & Constraints Plan 01, shall be submitted to and approved in writing by the Local Planning Authority before any excavations are carried out in this root protection zone. The development shall only be carried out in accordance with the details approved under this condition.
18. No works associated with the development shall be carried out to existing trees within and/or surrounding the site until a detailed schedule of such works has been submitted to and approved in writing by the Local Planning Authority. The tree works shall only be carried out in accordance with the approved details.
19. No dwelling shall be occupied until details of a communal terrestrial television aerial(s) and satellite dish(es) have been submitted to and approved in writing by the Local Planning Authority. No aerials or satellite dishes, other than those approved by this condition, shall be installed within the site.
20. No dwelling shall be occupied until a detailed scheme showing the provision of fire hydrants serving the development (as incorporated into the provision of the mains water services for the development whether by means of existing water services or new mains or extension to or

diversion of existing services or apparatus) has been submitted to and approved in writing by the Local Planning Authority. The approved fire hydrant provision shall be installed and made available for use prior to the first occupation of any dwelling forming part of the development and shall be maintained as such thereafter.

21. No construction works above damp proof course level shall commence until a noise mitigation scheme for each of the residential dwellings, based upon the recommendations of the Noise Assessment prepared by Moir Hands (Report No. 3249/25/17) dated 24th March 2017, has been submitted to and approved by the Local Planning Authority. The scheme shall include the details and specifications of the sound reduction performance of all glazed and non-glazed elements of the building facades and the performance of acoustic trickle vents for all bedroom windows. An updated noise assessment shall be submitted to demonstrate that the proposed measures achieve the required internal noise levels. No dwelling shall be occupied until the approved mitigation measures have been installed in full, unless otherwise agreed in writing by the Local Planning Authority.
22. No construction works above damp proof course level shall commence until the specification of a mechanical air supply/extract system for each of the residential dwellings has been submitted to and approved in writing by the Local Planning Authority. The system must be capable of providing background and rapid ventilation for cooling with the windows of the respective dwelling remaining closed. The system must not compromise the sound insulation of the façades. Details of the siting of any air intake; extraction units; generators and other mechanical equipment serving this system that are likely to give rise to noise should be submitted, along with details of noise attenuation measures to be incorporated to ensure these units do not give rise to a noise nuisance. Noise from the external plant associated with this system, when combined with any building services plant, must not exceed limit of 39dB(A) during the daytime and 27dB(a) night time, one metre from the nearest residential façades. In addition, when in operation, the sound pressure level within each flat shall not exceed the internal noise levels contained in BS8233:2014 1 metre from any associated inlet or outlet. No dwelling shall be occupied until the approved ventilation system has been installed in full, unless otherwise agreed in writing by the Local Planning Authority.
23. No construction works above damp proof course level shall commence until a specification for the building services plant, to operate in combination to a noise emission limit of 39dB(A) during the daytime and 27dB(a) night time, one metre from the nearest residential façades, has

been submitted to and approved in writing by the Local Planning Authority. Any building services plant must not compromise the sound insulation of the façades. The applicant shall submit details of the building services plant, up to date plans and an updated Noise Assessment demonstrating that these noise emissions limits are met by the proposed plant.

24. Notwithstanding the information already submitted, no development shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. This strategy shall include the following components:
- i) A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors; and
 - potentially unacceptable risks arising from contamination at the site.
 - ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - iii) The results of the site investigation and the detailed risk assessment referred to in (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

25. No construction works shall commence until a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been

submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

26. No development shall take place until a long-term monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to, and approved in writing by, the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the Local Planning Authority.
27. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.
28. No infiltration of surface water drainage into the ground is permitted other than with the prior written consent of the Local Planning Authority. The development shall be carried out only in accordance with the approved details.
29. No piling, deep foundations, investigation boreholes or other deep intrusive groundworks using penetrative methods shall be carried out until a method statement (detailing the depth and type of piling, boreholes, foundations or other groundworks to be undertaken and the methodology by which such works will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, measures to prevent harm to groundwater resources and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details.
30. Prior to any part of the development hereby approved being brought into use, a scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The

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

Informatives

1. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Council entered into pre-application discussions with the applicant and requested amendments during the consideration of the application.
2. You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health & Safety at Work Act 1974, The Clean Air Act 1993 and The Environmental Protection Act 1990.

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

- Monday to Friday 8am to 6pm
- Saturdays 8am to 1pm
- Noisy work is prohibited on Sundays and bank holidays

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

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

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

3. All new developments granted planning permission and to be constructed require naming or numbering under the Public Health Act 1925. You must contact Watford Borough Council Street Naming and Numbering department as early as possible prior to commencement on streetnamenumbers@watford.gov.uk or 01923 278458. A numbering notification will be issued by the council, following which Royal Mail will assign a postcode which will make up the official address. It is also the responsibility of the developer to inform Street Naming and Numbering when properties are ready for occupancy.

4. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
5. It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
6. It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
7. You are advised that appropriate arrangement should be made within the site to provide for:
 - a) Servicing and Delivery associated with the construction
 - b) Parking for workers and contractors associated with the construction
 - c) Wheel washing to prevent the spread of debris onto the public highway.

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

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

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

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

12. Information for developers and guidance documents in relation to land contamination can be found online at:
https://www.watford.gov.uk/info/20011/business_and_licensing/349/contaminated_land and the contaminated land pages on gov.uk.
13. This planning permission is accompanied by a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure a review mechanism of the viability of the scheme for a contribution towards the provision of affordable housing in the Borough of Watford, subject to the review demonstrating the improved viability of the development.
14. You are strongly advised to follow the Herts Constabulary advice with regards to adopting security measured in line with “Secured by Design part 2 physical securities” which will involve the following measures:
- Communal door sets; BS PAS24: 2016, or LPS.1175
 - Access Control block of flats; communal entrance doors to have an access control system Audio VI usual. Tradespersons release buttons are not permitted.
 - Postal delivery for communal dwellings (flats): Communal postal boxes within the communal entrances. (Preferred)
 - Individual front entrance doors of flats and houses; BS PAS 24:2016
 - Windows: Flats: Ground floor windows and those easily accessible certificated BS PAS 24:2016 or LPS 1175
 - French Doors for balconies: French doors if not at ground level, would not need to be the SBD standard of BS PAS 24:2016.
 - Dwelling security lighting (flats): communal entrance hall, lobby, landing corridors and stairwells
 - Lighting no bollard lighting as it is not functional, gets damaged easily and promotes the fear of crime.
 - Bin stores: Require a secure lock to stop arson and rough sleepers
 - Bins Store – Secure lock with anchorage point.
 - The police is also concern that cars or mopeds could enter the site, causing security or highway safety issues.

Recommendation 2

In the event that no Section 106 planning obligation is completed by 15 August 2018 in respect of the Heads of Terms set out above, the Head of Development Management be authorised to refuse planning permission for this application for the following reason:

The proposal fails to make provision for affordable housing and as such is contrary to Policy HS3 of the Watford Local Plan Core Strategy 2006-31.

20 **18/00362/FULM - 26-30, ALDENHAM ROAD**

The committee was advised that this application had been deferred with the agreement of the Head of Development Management and the applicant following revisions to the NPPF on 24 July 2018. The application would be considered at a subsequent meeting.

21 **18/00409/FULM CLARENDON HOUSE, 33, BRIDLE PATH**

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 demolition of the existing office building and erection of a mixed-use building of part four, part nine and part 14 storeys comprising 41 residential apartments and 1,800m² of office space (Class B1a), with associated infrastructure including landscaping and basement car parking.

The Chair invited Charles Dunn, the agent, to speak for the application. Mr Dunn advised that the scheme was largely unchanged from a previous scheme approved by the committee in April 2017. The significant change was the addition of an underground car park. Although this impacted on the viability of the overall scheme, the developer had committed to retaining the previously agreed commuted sum of £368,000 towards affordable housing.

The Chair moved the officer's recommendation.

RESOLVED –

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

Section 106 Heads of Terms

- i) To secure a financial contribution of £368,000 towards the provision of affordable housing in the Borough of Watford;

- 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 allocated to this site.

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:-

2259 (90) 001
2259 (08) 002, 003, 004, 005, 006, 007, 008, 009,
2259 (07) 001, 002, 003, 004, 005, 006
017-03-CP1 E, CP3 C, CP6
3. No construction works shall commence until a detailed noise mitigation scheme for the proposed flats (to include acoustic glazing, acoustic trickle vents and mechanical purge ventilation), to protect the future occupiers from noise from rail traffic on the adjacent railway line and the plant and equipment associated with the adjacent Holiday Inn Express and Egale office building, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall achieve the internal noise levels for individual rooms as set out in British Standard 8233: 2014.
4. No construction 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 and balconies) have been submitted to and approved in writing by the Local Planning Authority.
5. No construction works shall commence until details of the window reveals for the office glazing and the windows to the flats have been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved materials.
6. The development hereby permitted shall be carried out in accordance with the approved surface water drainage assessment carried out by JMP (ref. NW91602-FRA-01 dated July 2016) and the following mitigation measures detailed within the FRA:

- i) Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 10.6 l/s during the 1 in 100 year event plus 40% of climate change event.
- ii) Providing storage 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 providing a minimum of 29.1 m³ (or such storage volume agreed with the LLFA) of total storage volume in underground attenuation tanks.
- iii) Discharge of surface water from the private drain into the Thames Water sewer network.

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.

- 7. No development shall take place until a detailed surface water drainage scheme for the site based on the approved Drainage Strategy and sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
 - i) Detailed, updated modelling for up to and including the 1 in 100 year rainfall event including climate change allowance to accommodate the latest changes of drainage layout.
 - 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.
 - iii) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.
- 8. No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure,

and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

9. 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.
10. No part of the development shall be occupied until the refuse and recycling store to serve the development, as shown on the approved drawings, has been constructed and made available for use. This facility shall be retained as approved at all times.
11. No part of the development shall be occupied until a detailed soft landscaping scheme for all the land within the site has been submitted to and approved in writing by the Local Planning Authority. 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.
12. No part of the development shall be occupied until a detailed hard landscaping scheme for all the land within the site, including details of all site boundary treatments, 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.
13. No part of the development shall be occupied until details for the secure and weatherproof storage of 58 cycles (41 for residents of the flats and 17 for occupiers of the office floor space) have been submitted to and approved in writing by the Local Planning Authority, and the facilities have been provided as approved. These facilities shall be retained at all times.
14. The office floor space shall not be occupied until a detailed Travel Plan, based upon the Hertfordshire County Council document 'Hertfordshire Green Travel Plan Guidance', has been submitted to and approved in writing by the Local Planning.

15. 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.
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. No plant or equipment shall be sited on the external elevations of the building unless details of the plant or equipment have been submitted to and approved in writing by the Local Planning Authority. The details shall include size, appearance, siting and technical specifications relating to noise.

Informatives

1. You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health & Safety at Work Act 1974, The Clean Air Act 1993 and The Environmental Protection Act 1990.

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

- Monday to Friday 8am to 6pm
- Saturdays 8am to 1pm
- Noisy work is prohibited on Sundays and bank holidays

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

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

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

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

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

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

3. This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 to secure a financial payment towards the provision of affordable housing in the Borough and to exclude the development from the local controlled parking zone.
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 also gave advice on the proposal and sought amendments during the application process.

Chair

The meeting started at 7.00 pm
and finished at 9.30 pm