

## **DEVELOPMENT MANAGEMENT COMMITTEE**

**6 MARCH 2019**

Present: Councillor P Jeffree (Chair)  
Councillors N Bell, K Collett, R Laird, M Mills, I Sharpe, R Smith,  
M Watkin and T Williams

Also present: Councillor Stephen Bolton

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

### **72 APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP**

There was a change of membership for this committee. Councillor Collett replaced Councillor Johnson.

### **73 DISCLOSURE OF INTERESTS**

There were no disclosures of interest.

### **74 MINUTES**

The minutes of the meeting held on 6 February 2019 were submitted and signed.

### **75 18/01629/FULM - 56D, 56E, 58 AND 58A VICARAGE ROAD**

The committee received the report of the interim 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 explained that the application proposed the redevelopment of the site to provide a mixed use scheme comprising 30 residential units (Class C3), flexible commercial floor space (Class A1/A2/B1/D2), cycle parking, landscaping and associated works.

It was noted that an additional letter of support had been received in support of the application.

The Chair invited Josh Gordon, representing the applicant GS8, to speak to the committee. Mr Gordon reminded members that the principle of development had been established in the previous application, which had been refused on 25 July 2018. In response to the committee's concerns, the applicant had worked with officers, stakeholders and interested parties to agree a number of changes to the scale, design and materials to address the reasons for refusal.

Mr Gordon highlighted the contribution the development would make towards meeting Watford's housing need. In addition, the applicant would make a commuted sum of £290,000 which would be linked to the Watford Community Housing scheme at The Brow to enable the provision of additional social rented units.

The Chair invited comments from the committee.

Members of the committee welcomed the new application which represented a positive contribution to the street scene and successfully overcame the previous reasons for refusal.

Although it was noted that the height of the building remained slightly higher than some of the surrounding buildings, it was acknowledged that the weight of government guidelines underlined the need to make efficient use of sites.

The Chair moved the officer's recommendations subject to the successful completion of a section 106 undertaking.

RESOLVED –

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

Section 106 Heads of Terms

- i) To secure a financial payment to the Council of £290,000 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 issued to this development;

- iii) To secure a financial payment to the Council of £31,200 towards survey work and a public consultation into the potential to extend the operating hours of the local controlled parking zone (Zone K);
- iv) A financial contribution of £6,000 to Hertfordshire County Council for monitoring of the Travel Plan for the 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:-
  - 1715-LS-X-XX-DR-A-0100\_P1
  - 1715-LS-X-XX-DR-A-1000\_P1
  - 1715-LS-X-00-DR-A-1100\_P1
  - 1715-LS-X-05-DR-A-1100\_P1
  - 1715-LS-X-10-DR-A-1100\_P1
  - 1715-LS-X-20-DR-A-1100\_P1
  - 1715-LS-X-30-DR-A-1100\_P1
  - 1715-LS-X-50-DR-A-1100\_P1
  - 1715-LS-X-XX-DR-A-1201\_P1
  - 1715-LS-X-XX-DR-A-1202\_P1
3. No demolition of the existing buildings shall commence until a Historic Building Record of 58, Vicarage Road has been submitted to and approved in writing by the Local Planning Authority.
4. No demolition of the existing buildings shall commence until details of the tree protection measures to protect the retained tree at the rear of 56E, Vicarage Road have been submitted to and approved in writing and these measures have been installed as approved. These measures shall be retained at all times during the demolition and construction of the development.
5. 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.

6. No construction works shall commence until a verification report demonstrating completion of the works set out in the approved remediation strategy (see Condition 4 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.
7. 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.
8. The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage assessment carried out by Elliott Wood Partnership Ltd (job number 2170842, revision P3, dated December 2018:
  - 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 2.5 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 46m<sup>3</sup> (or such storage volume agreed with the LLFA) of total storage volume in underground tank.
- 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.

- 9. No development (excluding demolition works) shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, 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 include:
  - i) Final detailed post development modelling in relation to surface water for all rainfall events up to and including the 1 in 100 year return period including a +40% allowance for climate change. This should include the final version of the proposed drainage strategy.
  - ii) Detailed engineered drawings of the proposed SuDS features including cross section drawings, 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.
  
- 10. 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 Exposure Assessment (Report 13537-NEA-01 RevB dated 29 November 2018) by Clement 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.

11. 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 Exposure Assessment (Report 13537-NEA-01 RevB dated 29 November 2018) by Clement 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.
12. No development (excluding demolition works) shall commence until full details and samples of the materials to be used for the external surfaces of the building (including walls, roofs, windows, doors, balconies, 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 (version P1 dated 20 December 2018) by Lynas Smith. The development shall only be constructed in the approved materials.
13. No dwelling shall be occupied until a detailed soft landscaping scheme for all the land within the site, based upon the details given in the Design and Access Statement (version P1 dated 20 December 2018) by Lynas Smith, has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the biodiverse roof system. 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.
14. No dwelling shall be occupied until the bin and cycle stores to serve the dwellings, as shown on the approved drawings, have been constructed and made available for use. These facilities shall be retained as approved at all times and shall be used for no other purpose.
15. No dwelling shall be occupied until the following works have been completed in full:
  - i) the widening of the public footpath outside the site;

- ii) the formation of a vehicular crossover on Vicarage Road in front of the bin store to facilitate collection;
  - iii) the provision of 2 cycle stands (4 cycles) for short stay visitors.
16. 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.
  17. No dwelling shall be occupied until a detailed Travel Plan has been submitted to and approved in writing by the Local Planning Authority, based upon the Residential Travel Plan dated December 2018 by Caneparo Associates. The approved plan shall be implemented in full.
  18. No dwelling shall be occupied until a detailed external lighting scheme for the development, based upon the details given in the Design and Access Statement (version P1 dated 20 December 2018) by Lynas Smith, has been submitted to and approved in writing by the Local Planning Authority and the lighting scheme has been installed in accordance with the approved details.
  19. 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. IN907 – Positive and proactive statement
2. IN909 – Street naming and numbering
3. IN910 – Building Regulations
4. IN911 – Party Wall Act
5. IN912 – Hours of Construction
6. IN913 – Community Infrastructure Levy Liability
7. IN914 – Section 106 Agreement/Undertaking
8. IN915 – Highway Works – HCC agreement required

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#### **18/01626/FUL - 1, HAMILTON STREET AND ADJOINING GARAGE SITE**

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

The Development Management Team Leader introduced the report. He advised that the application sought the demolition of the existing garages and bungalow and subsequent erection of nine dwelling houses, an access road and car parking.

The Chair invited Central Ward Councillor Steve Bolton to speak to the committee. Councillor Bolton outlined the compact and congested nature of the site. Residents were concerned that the proposed development would exacerbate existing parking and manoeuvring difficulties in the surrounding area, particularly during the evenings.

Despite exclusion from the controlled parking zone preventing residents' parking permits being issued to the site, residents were concerned that there would be overspill parking from the new development.

In response to a query from the Chair, the Development Management Team Leader advised that Hertfordshire County Council (Highways Authority) had raised no objections to the development.

The Chair invited comments from members.

Although noting the significant concerns of residents about on-street parking problems in the area, members welcomed the development which provided a different housing choice to many of the applications brought to committee. It was suggested that current parking enforcement arrangements should be kept under review.

The Chair moved the officer's recommendation subject to the successful completion of a section 106 undertaking.

RESOLVED –

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

Section 106 Heads of Terms

- i) To secure a financial payment 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.



## 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:-

Site location plan  
Site block plan  
2015/302/01A, 2015/302/02

3. The development shall only be carried out in accordance with the Environmental Management Plan detailed in the Supporting Statement by Battram Associates dated 28th November 2018 as approved under planning ref. 18/01573/DISCON.
4. No demolition of the existing buildings below ground level or construction of the development shall commence until a detailed scheme to deal with the risks associated with the potential contamination of the site has been submitted to and approved in writing by the Local Planning Authority. That scheme shall include all of the following elements:
  - i) a preliminary risk assessment which has identified:
    - all previous uses
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways and receptors
    - potentially unacceptable risks arising from contamination at the site;
  - ii) a site investigation scheme, based on (i) above, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site;
  - iii) the results of the site investigation and risk assessment referred to in (ii) above and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;
  - iv) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any

requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

5. No construction works shall commence until a verification report demonstrating completion of the works set out in the approved remediation strategy (see Condition 4 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. It shall also include a plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority. The long-term monitoring and maintenance plan shall be implemented as approved.
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 part of the development shall be occupied until the sustainable surface water drainage scheme detailed in the Supporting Statement by Battram Associates dated 28th November 2018 and on Site Plan drawing no. 7147-10A, with the use of Marshalls Argent Priora permeable block paving, as approved under ref. 18/01573/DISCON, has been implemented in full, unless otherwise agreed in writing by the Local Planning Authority.
8. The development shall be carried out only in accordance with the following approved materials, unless otherwise agreed in writing by the Local Planning Authority:

Facing brick - Ibstock Ashdown

Detail brick - mellow red brick

Roof tiles - Marley Modern tile in grey

Windows - White uPVC double glazed incorporating Georgian bar fenestration

Doors - Composite colour coated uPVC

9. The external lighting scheme comprising 3 no. low level lighting bollards, as shown on Site Plan drawing no. 7147-10A, and external lights to each front door, as approved under application ref. 18/01573/DISCON, shall be installed as approved before the first occupation of any part of the development, unless otherwise agreed in writing by the Local Planning Authority.
10. No dwelling shall be occupied until the new access junction to Hamilton Street, as shown in principle on approved drawing no. 2015/302/01A, has been constructed in full. This shall include measures to ensure surface water run-off does not enter the highway from the application site.
11. No dwelling shall be occupied until full details of a soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of the development. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.
12. The development shall be carried out only in accordance with the following approved hard landscaping materials, as approved under application ref. 18/01573/DISCON, unless otherwise agreed in writing by the Local Planning Authority:
 

Central access - Marshalls Argent Priora permeable block paving in Grey

Parking area - Marshalls Argent Priora permeable block paving in Dark Burnt Red for the parking spaces with demarcation of spaces in Grey paviours

Boundary fencing to plots - 1.8m high dark stained close boarded fencing

Pathways and patios - sandstone paving slabs

Site Plan drawing no. 7147-10A
13. No dwelling shall be occupied until the 14 car parking spaces, as shown on approved drawing no. 2015/302/01A, have been constructed in full. These spaces shall be retained for the parking of cars at all times.

#### Informatives

1. IN907 – Positive and proactive statement
2. IN909 – Street naming and numbering

3. IN910 – Building Regulations
4. IN911 – Party Wall Act
5. IN912 – Hours of Construction
6. IN913 – Community Infrastructure Levy Liability
7. IN914 – Section 106 Agreement/Undertaking
8. IN915 – Highway Works – HCC agreement required

Chair

The Meeting started at 7.00 pm  
and finished at 7.35 pm