

DEVELOPMENT MANAGEMENT COMMITTEE

5 JUNE 2019

Present: Councillor P Jeffree (Chair)
Councillor S Johnson (Vice-Chair)
Councillors N Bell, K Collett, F Ezeifedi, K Hastrick, M Mills,
I Sharpe and M Watkin

Officers: Democratic Services Officer
Head of Development Management
Development Management Team Leader

1 APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP

There were no apologies for absence.

2 DISCLOSURE OF INTERESTS

Councillor Collett advised that her son owned a property in Hollingsworth Mews.

3 MINUTES

The minutes of the meeting held on 3 April 2019 were submitted and signed.

4 19/00215/FUL - LAND AT HOLLINGSWORTH MEWS WATFORD

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 interim Head of Development Management explained that the application sought the construction of a two storey block containing six flats with associated parking.

The Chair invited Kenneth Peppett, a local resident and director of the Hollingsworth Mews management company, to speak to the committee. Mr Peppett objected to the application on the grounds that it would overshadow existing residents in Hollingsworth Mews and Bramble Close, reducing daylight particularly during the winter months. In addition, residents considered there

was insufficient parking provision which would lead to overspill problems in surrounding areas.

Mr Peppett also had some privacy concerns about the turning circle and proposed parking outside his property.

The Chair invited Eric Gadsden, the applicant, to speak to the committee. Mr Gadsden explained the background to the Hollingsworth Mews development which would be completed with the current application.

Addressing the concerns of the previous speaker, Mr Gadsden explained that the parking provision would be similar to the first stage of the development, i.e., one space per flat, but with two additional visitor spaces. This was considered sufficient for one-bedroom flats. Mr Gadsden disputed the extent of overspill parking problems in the area and the privacy concerns of existing residents.

Responding to a query from the Chair, the interim Head of Development Management confirmed that the proposed parking provision and privacy distances were considered acceptable.

The Chair invited comments from the committee.

Members of the committee acknowledged the disruption, anxiety and stress experienced by residents during developments, but advised that they needed to review applications against relevant planning considerations. As stated in the officer's report, despite residents' concerns about parking, loss of light and privacy, there were no grounds to refuse the application.

The Chair moved the officer's recommendation.

RESOLVED –

That conditional planning permission be granted subject to the conditions listed below:

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

Location plan; 19/3487/1; 19/3487/2; and 19/3487/3.

3. No construction works above damp proof course level shall commence until details of the materials to be used for all the external finishes of the building, including walls, roofs, doors, windows and fascias, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved materials.
4. The tree protection measures contained within the Arboricultural Survey dated 02/05/2019 prepared by Merewood Arboricultural Services shall be implemented for the duration of the construction works, unless otherwise agreed in writing by the Local Planning Authority.
5. No part of the development shall be occupied until full details of a hard and soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority and the approved hard landscaping has been laid out in accordance with the approved details. The hard landscaping scheme shall include drainage details for the parking area, materials for the hard surfaces, boundary treatments and any enclosures within the site. The approved soft landscaping shall be carried out not later than the first available planting and seeding season after completion of the development. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.
6. No part of the development shall be occupied until refuse, recycling and cycle storage facilities have been installed in accordance with the approved plans. The storage facilities shall be retained at all times thereafter.
7. No part of the development shall be occupied until the new vehicular access onto Hollingsworth Mews and on-site parking spaces have been laid out in accordance with drawing No. 19/3487/1 (or any subsequent plans submitted to and approved in writing by the Local Planning Authority). The vehicular access and on-site parking spaces shall be retained at all times thereafter unless otherwise agreed in writing by the Local Planning Authority.
8. No part of the development shall be occupied until details of all external lighting (including the design of the lighting and its location) within the site have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved details and shall be retained as such thereafter.

Informatives

IN907 Positive and Proactive Statement – Grant
IN909 Street Naming and Numbering
IN910 Building Regulations
IN911 Party Wall Act
IN912 Hours of Construction
IN913 Community Infrastructure Levy
IN914 Section 106 Agreement
IN915 Highway Works – HCC agreement required

5

19/00415/VAR - CALEDONIAN HOUSE 39 - 55 ST ALBANS 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 interim Head of Development Management introduced the report. She advised that the application sought a variation of Condition 2 (approved drawings) and Condition 9 (green wall and green roof system) of planning permission 15/01532/FULM for removal of green wall on the rear elevation of the previously approved building (amended description).

The Chair invited Adrian Buica, a local resident, to speak to the committee. Mr Buica explained his concerns about the proposed patterned brick bonding, which he did not consider an adequate replacement for the green wall. Referencing the inspector's report of 13 April 2017, which was summarised in the officer's report, Mr Buica argued that the developer should propose a more appropriate substitute to soften the appearance and restrict the impact on the outlook of neighbouring residential properties in Nascot Street.

Outlining his own reservations on the proposal, the Chair sought the views of the committee.

Committee members agreed with the concerns of local residents about the poor substitute provided by the proposed patterned brick bonding. This was considered unimaginative and unsightly. The original green wall had offset some of the harm of the development and was in keeping with the council's ambition to provide quality developments for residents, which were also mindful of the environment. Members cited examples of green walls, including elsewhere in the borough, which were safe and provided visual interest and environmental benefits.

Members of the committee proposed that a decision should be deferred to allow the developer time to reconsider its original green wall proposal or to devise alternative, visually attractive, options for the committee to consider.

The Chair moved the decision to defer the officer's recommendation.

RESOLVED –

That planning permission be deferred to allow the developer time to reconsider its original green wall proposal or to devise alternative, visually attractive, options for the committee to consider.

6 19/00246/VAR - 765 ST ALBANS 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 introduced the report explaining that the application sought a variation of Condition 3 (Approved drawings) and removal of Condition 1 (UKPN Land Ownership) of planning permission 18/01339/FULM for the demolition of a showroom and offices and the construction of a building comprising 18 x 2 bedroom 4 person flats including provision for 6 affordable housing units.

There were no speakers and the Chair moved the officer's recommendation.

RESOLVED –

That, pursuant to the completion of a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following planning obligation, planning permission be granted subject to the conditions listed below:

- i) The provision of 6 flats as affordable housing comprising 1 flat for social rent, 4 flats for affordable rent and 1 flat for shared ownership or other intermediate tenure.

Conditions

1. The development to which this permission relates shall be begun before 10 January 2022.

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

Site location plan
2667/RPA/1
2667/PA/8C, 9B, 10B, 11A, 12B,
2667/PA/4B, 5C, 6A, 7B

3. No development (excluding demolition works) shall commence until details and samples of the materials to be used for all the external finishes of the building, including walls, roofs, doors, windows and privacy screens to the roof terraces have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved materials.
4. No 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.

5. No construction works shall commence until a verification report demonstrating completion of the works set out in the approved remediation strategy (see Condition 3 above) and the effectiveness of the remediation has been submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.
6. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to, and obtained written approval from, the Local Planning Authority for a remediation strategy detailing how this unsuspected contamination is to be dealt with. All works shall be carried out in accordance with the approved details.
7. No development (excluding demolition works) shall commence until a final detailed drainage strategy has been submitted and approved in writing by the Local Planning Authority. The scheme shall be based on the approved Surface Water Drainage Assessment, Ref. C85516-R001A, dated October 2018, produced by JPN Group Consulting Engineers.

The scheme shall include:

- i) A drainage strategy that aims a discharge rate as close as possible the greenfield run off rate. If not possible to achieve it, therefore a strong technical justification should be provided.
- ii) Undertake the drainage strategy to include the use of tanked permeable pavement and lined underground tank and clearly show on a plan the attenuation volumes provided by each of the proposed SuDS features.
- iii) Provision of detailed updated network calculations and modelling for all storage features. Rain gardens and green roofs should not be included in calculations.
- iv) Updated and detailed drainage layout including the location of all SuDS measures and full detailed engineering drawings of all SuDS elements including their, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all

corresponding calculations/modelling. This should be supported by a clearly labelled drainage layout plan showing pipe networks. The plan should also show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.

8. No development (excluding demolition works) shall commence until a noise impact assessment has been submitted to and approved by the Local Planning Authority. The assessment shall include a noise mitigation scheme for each of the residential dwellings, to mitigate the noise impacts from road traffic on the adjoining roads. 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 shall demonstrate that good indoor ambient noise levels are achieved in accordance with BS 8233:2014 for the future occupiers of the dwellings. 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.
9. No development (excluding demolition works) shall commence until the specification of a mechanical air supply/extract system for each of the residential dwellings has been submitted to and approved in writing by the Local Planning Authority. The system must be capable of providing background and rapid ventilation for cooling with the windows of the respective dwelling remaining closed. The system must not compromise the sound insulation of the façades. Details of the siting of any air intake; extraction units; 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 must be submitted. In addition, when in operation, the sound pressure level within each flat shall not exceed the internal noise levels contained in BS8233:2014 1 metre from any associated inlet or outlet. No dwelling shall be occupied until the approved ventilation system has been installed in full, unless otherwise agreed in writing by the Local Planning Authority.
10. No 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 only be undertaken in accordance with the terms of the approved piling method statement.

11. No dwelling shall be occupied until a detailed soft landscaping scheme for all the land within the site has been submitted to and approved in writing by the Local Planning Authority. This shall include new tree and shrub planting. 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 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.
13. No dwelling shall be occupied until details of the design and materials of the external bin store and cycle stores to serve the dwellings, as shown on the approved drawings, have been submitted to and approved in writing by the Local Planning Authority and have been constructed in accordance with the approved details. These facilities shall be retained as approved at all times.
14. No dwelling shall be occupied until the following works have been completed in full:
 - i) the existing vehicular crossover on St Albans Road at the northern end of the site frontage has been modified to serve the development;
 - ii) all other existing vehicular crossovers on St Albans Road and Sheepcot Lane have been closed off and the kerb line and pavement reinstated;
 - iii) a short crossover has been provided on Sheepcot Lane in front of the bin store to facilitate bin collections.
15. No dwelling shall be occupied 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.
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 (as amended) shall be undertaken on the building.

Informatives

1. IN907 Consideration of the proposal in a positive and proactive manner
2. IN910 Building Regulations
3. IN911 Party Wall Act
4. IN912 Hours of construction
5. IN913 CIL Liability
6. IN909 Street naming and numbering
7. This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following planning obligation:
 - 1) The provision of 6 flats as affordable housing comprising 1 flat for social rent, 4 flats for affordable rent and 1 flat for shared ownership or other intermediate tenure.

7

19/00374/VAR - 85 CHALK HILL

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 Interim Head of Development Management introduced the report. She advised that the application sought a variation of Condition 2 (Approved drawings) of planning permission 17/00862/FULM for amendments to the layout and elevations of the previously approved scheme.

There were no speakers and the Chair moved the officer's recommendation, subject also to a change to the date in condition 1.

RESOLVED –

That planning permission be granted subject to the completion of a deed of variation to secure the planning obligations contained in the s.106 agreement dated 21 March 2019 and the conditions listed below.

1. The development to which this permission relates shall be begun before 21 March 2022.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings:-

MRPP2; 5407/A100 Rev S; 5407/A101 Rev N; 5407/A108 Rev G; TS16-148R\1; TS16-148R\2; TS16-148R\3; TS16-148R\4; TS16-148R\5.

3. No construction works above damp proof course level shall commence until details of the materials to be used for all the external finishes of the buildings, including walls, roofs, doors, windows, fascias and balustrades, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved materials.
4. No construction works above damp proof course level shall commence until detailed drawings of the window and door reveals, brick detailing and capping to the external walls, 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 part of the development shall be occupied until full details of a soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of the development. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.
6. No part of the development shall be occupied until full details of a hard landscaping scheme, including: details of the surfacing of the vehicular access, car park, pathways and amenity areas; details of all site boundary treatments, and all fencing or enclosures within the site, have been submitted to and approved in writing by the Local Planning Authority and the works have been carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
7. No part of the development shall be occupied until details of the siting, size and design of refuse and recycling storage facilities have been submitted to and approved in writing by the Local Planning Authority and the storage facilities have been installed in accordance with the approved details. The storage facilities shall be retained at all times thereafter.
8. No part of the development shall be occupied until an updated Noise Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall include specification details of the building envelope and the mechanical ventilation system(s) for each of the dwellings to achieve the internal noise levels contained in BS 8233:2014, along with specification details of the building services plant. Together,

the ventilation systems and building services plant shall not exceed 39dB(A) during the day-time and 27dB(A) during the night-time, one metre from the nearest residential façades when assessed in accordance with BS 4142:201. The building services plant shall be mounted on appropriate anti-vibration mountings. The development shall be implemented in accordance with the approved details and retained thereafter for the lifetime of the development.

9. No part of the development shall be occupied until details of privacy screens for the roof terraces at Flats numbered Unit 5 and Unit 10 on drawing No. 5407/A101 Rev N have been submitted to and approved in writing by the Local Planning Authority. Dwellings numbered Unit 5 and Unit 10 shall not be occupied until the roof terrace privacy screens have been installed in accordance with the approved details. The privacy screens shall be retained at all times thereafter.
10. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any modification or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B, D, E and F of the Order shall be carried out to the dwellinghouse adjacent to the boundary with No. 4 Haydon Road without the prior written permission of the Local Planning Authority.
11. No above ground construction may commence until a detailed surface water drainage scheme for the site, based on the Flood Risk Assessment and SUDS Strategy prepared by XCO2, dated January 2018, has been submitted to and approved in writing by the local planning authority. The scheme shall include:
 1. Final, detailed drainage plan including the location and size of all SUDS features, pipe runs and discharge points with all invert and outlet levels.
 2. Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including and connecting pipe runs.
 3. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall subsequently be implemented in accordance with the approved details prior to occupation of the development.

Informatives

IN907 Positive and Proactive Statement – Grant

IN909 Street Naming and Numbering

IN910 Building Regulations

IN911 Party Wall Act

IN912 Hours of Construction

IN913 Community Infrastructure Levy

IN914 Section 106 Agreement

IN915 Highway Works – HCC agreement required

Chair

The Meeting started at 7.00 pm
and finished at 7.55 pm