



**WATFORD
BOROUGH
COUNCIL**

DEVELOPMENT MANAGEMENT COMMITTEE

5 June 2019

7.00 pm

Town Hall

Contact

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Publication date: 24 May 2019

Committee Membership

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

Agenda

Part A – Open to the Public

1. **Apologies for absence/committee membership**
2. **Disclosure of interests**
3. **Minutes**

The [minutes](#) of the meeting held on 3 April 2019 to be submitted and signed.

CONDUCT OF THE MEETING

The committee will take items in the following order:

1. All items where people wish to speak and have registered with Democratic Services.
 2. Any remaining items the committee agrees can be determined without further debate.
 3. Those applications which the committee wishes to discuss in detail.
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4. **19/00215/FUL - Land at Hollingsworth Mews Watford (Pages 6 - 21)**

Construction of a two storey block containing 6 flats with associated parking
 5. **19/00415/VAR - Caledonian House 39 - 55 St Albans Road (Pages 22 - 33)**

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)

6. 19/00246/VAR - 765 St Albans Road (Pages 34 - 47)

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

7. 19/00374/VAR - 85 Chalk Hill (Pages 48 - 58)

Variation of Condition 2 (Approved drawings) of planning permission 17/00862/FULM for amendments to the layout and elevations of the previously approved scheme

Introduction

Please note that the officer report is a summary of the issues including representations made and consultation responses. Full details of the applications, plans submitted, supporting information and documents, representations made, consultation responses and correspondence can be found on the council's web based [Public Access system](#) using the application reference or address.

Specific policy considerations for each application are detailed within the individual reports. The background papers and policy framework listed below have been relied upon in the preparation of the reports in this agenda.

Background papers

- The current planning applications under consideration and correspondence related to that application.
- All relevant third party representations and consultation replies received.

Policy Framework

- The Statutory Plans and Supplementary Planning Guidance, together with relevant Government legislation, Circulars, Advice, Orders, Directions and Guidance listed below:

Local Planning Documents

Local Development Documents provide the framework for making planning decisions. These can be found on the Council's [website](#) and include:

- the existing Local Plan which consists of the Core Strategy, saved policies in the Watford District Plan 2000 and Proposals Map); and
- Supplementary Planning Documents.

County Planning Documents

The Hertfordshire Waste Local Plan and Minerals Local Plan prepared by Hertfordshire County Council are material considerations alongside the Watford Local Plan. These documents can be found on the county council's [website](#).

National Planning Documents

Key legislation can be found using this [weblink](#), including:

- Growth and Infrastructure Act (2013)
- Housing and Planning Act (2016)

- Localism Act (2011) and subsequent amendments
- Planning Act (2008) and subsequent amendments
- Planning and Compulsory Planning Act (2004) and subsequent amendments
- Town and Country Planning Act (1990) and subsequent amendments
- Town and Country Planning (Local Planning) (England) Regulations 2012 and subsequent amendments.

National guidance can be found on the government service and information [website](#), including:

- National Planning Policy Framework (revised February 2019) and supporting Technical Guidance
- Planning Practice Guidance (PPG) (web based)
- Planning policy for traveller sites
- Relevant government circulars
- Relevant Ministerial Statements (which will be referred to in the individual reports as necessary)

Section 106 Planning obligations and Community Infrastructure Levy (CIL)

The Council introduced the Community Infrastructure Levy (CIL) with effect from 1 April 2015. The CIL charge covers a wide range of infrastructure as set out in the Council's Regulation 123 list, including highways and transport improvements, education provision, youth facilities, childcare facilities, children's play space, adult care services, open space and sports facilities. CIL is chargeable on the relevant net additional floorspace created by the development. The charge is non-negotiable and is calculated at the time that planning permission is granted where relevant. Section 106 planning obligations can only be used to secure affordable housing provision and other site specific requirements, such as the removal of entitlement to parking permits in Controlled Parking Zones and the provision of fire hydrants.

Human Rights implications

The Local Planning Authority is justified in interfering with the applicant's human rights in order to alleviate any adverse effect on adjoining properties and their occupiers and on general public amenity. With regard to any infringement of third party human rights, these are not considered to be of such a nature and degree as to override the human rights of the applicant and therefore warrant refusal of planning permission.

Agenda Item 4

Committee date	Wednesday, 5 June 2019
Application reference	19/00215/FUL - Land at Hollingsworth Mews Watford
Site address	
Proposal	Construction of a two storey block containing 6 flats with associated parking
Applicant	W E Black Ltd
Agent	W J Macleod Ltd
Type of application	Full planning application
Reason for committee item	5 or more objections submitted
Target decision date	7 th June 2019
Statutory publicity	Neighbouring properties consulted 26 th February 2019
Case officer	Chris Osgathorp chris.osgathorp@watford.gov.uk
Ward	Stanborough

1. Recommendation

Approve subject to conditions set out in section 8 of this report.

2. Site and surroundings

- 2.1 The application site is within a primarily residential area and includes part of the large rear garden of No. 7 Bramble Close. Bramble Close consists of a cul-de-sac of semi-detached houses. Outline planning permission (ref. 06/00881/OUTM) was allowed on appeal in March 2007 at Nos. 5 and 6 Bramble Close for the demolition of existing properties and erection of 10no. 1-bed flats and 2no. 1-bed houses in two buildings with associated parking and amenity space. The buildings are designed with hipped roofs to reflect the form of the neighbouring semi-detached houses. They are served by an access road (Hollingsworth Mews) at the end of the cul-de-sac.
- 2.2 Kingsway Junior School is located to the north-west of the application site.
- 2.3 The application site is not located within a designated conservation area and there are no nearby nationally listed buildings. The site includes a protected tree – T1 of TPO No. 239.
- 2.4 There are bus stops on the A405 and there is a designated Local Shopping Frontage in North Approach.

3. Summary of the proposal

3.1 Proposal

The application proposes the construction of a two storey building to provide 6no. 1-bed flats. The proposed building would sit adjacent to the existing block of flats at Nos. 9 -12 Hollingsworth Mews to the rear of No. 7 Bramble Close.

- 3.2 The proposed development includes 8no. on-site parking spaces and external bin and cycle storage facilities. The vehicular access to the development would be served from Hollingsworth Mews.

3.3 Conclusion

The proposed development would make efficient use of the land and would maintain the area's prevailing character. It would respect the existing pattern of development in Hollingsworth Mews and the scale, design and form of the proposed building would be compatible with the surrounding area. Although the proposal would only provide smaller dwelling units, taking into account 2 appeal decisions relating to the interpretation of Policy HS2 of the Watford Local Plan Core Strategy 2006-31 (CS) and that the development would provide smaller housing units in a locality that predominantly consists of family houses, it is considered that the proposed housing mix is acceptable in this case.

- 3.4 A good standard of amenity would be provided for future occupiers and there would be no adverse effect on the residential amenities of neighbouring properties. The proposal would not cause a significant increase in traffic generation and the amount of on-site parking spaces is acceptable. There are considered to be no material planning considerations that outweigh the benefits of the proposal and therefore it is recommended that the application should be granted subject to conditions.

4. Relevant Policies

Members should refer to the background papers attached to the agenda. These highlight the policy framework under which this application was determined. Specific policy considerations with regard to this particular application are detailed in section 6 below.

5. Relevant site history/background information

The following planning history is of relevance to the current application:

Nos. 5 & 6 Bramble Close:

03/00504/OUT - Demolition of existing properties and erection of 8 no. 1 bed flats and 2 no. 2 bed flats (with access and siting to be determined). Refused outline permission June 2004. Allowed on appeal July 2005.

06/00881/OUTM - Outline application for the demolition of existing properties and erection of 10 no.1 bed flats and 2 no. one bed houses in two buildings with associated parking and amenity space (siting and means of access only to be determined). Refused outline permission September 2006. Allowed on appeal March 2007.

07/00665/REM - Reserved matters relating to design and external appearance of the buildings pursuant to outline planning permission ref 06/00881/OUTM. Reserved matters approved. August 2007.

08/01347/REM - Reserved matters relating to external materials of the buildings (appearance) and the surfacing materials of the proposed access road pursuant to outline planning permission ref 06/00881/OUTM. Reserved matters approved. December 2008.

6. Main considerations

6.1 The main issues to be considered in the determination of this application are:

- (a) Principle of development.
- (b) Impact on the character and appearance of the area
- (c) Housing mix
- (d) Quality of accommodation.
- (e) Impact on surrounding properties
- (f) Access and parking
- (g) Environmental considerations

6.2 (a) Principle of development

The application site is located in a primarily residential area, as shown on the Proposals Map of the Watford District Plan 2000, and therefore residential development is acceptable in principle. The glossary in the NPPF does not include residential gardens in the definition of 'previously developed land', however for the purposes of decision-making the NPPF does not specifically prevent development within residential gardens. Planning applications for new development in residential gardens must be determined in accordance with the policies in the Development Plan, unless material considerations indicate otherwise.

6.3 The Development Plan for Watford (as referred to in Paragraph 4.1 of the

report) does not specifically prevent development within residential gardens. “Saved” Policy H9 (Back Garden Development) of the Watford District Plan 2000 details considerations for back garden development including means of access, design and layout, development density, integration with the character of the local area, security, traffic generation and general effects on nearby residential amenities, and an appraisal of these factors will be set out in the report.

- 6.4 Paragraph 122 (Achieving appropriate densities) of the NPPF states that planning decisions should support development that makes efficient use of land, taking into account, among other things, *“the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change...”*.
- 6.5 (b) Impact on the character and appearance of the area
Policy UD1 of the Watford Local Plan Core Strategy (CS) states, among other things, that new development should respect and enhance the local character of the area in which it is located. Section 12 of the NPPF seeks the creation of high quality buildings and places. Paragraph 127 states, among other things, that planning decisions should ensure that developments *“are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)”*.
- 6.6 The proposed building would be located in the large rear garden of No. 7 Bramble Close and would be positioned alongside the existing rear block of flats at Hollingsworth Mews (comprising Nos. 9 -12). It is considered that the siting and layout of the proposed development would be in keeping with the existing pattern of development at Hollingsworth Mews and would therefore have no adverse effect on the character and appearance of the area. The development would be accessed from the existing road in Hollingsworth Mews and so there would be minimal impact on the street scene as a result of the laying out of new hard surfacing.
- 6.7 There would be limited views of the proposed building from Bramble Close owing to its location to the rear of No. 7. Notwithstanding this, the height and scale of the proposed building would respect the context of the surrounding area and the hipped roof would be in keeping with the roof form of surrounding buildings. The design, articulation and massing of the elevations would achieve an acceptable standard of appearance. A condition should be attached to any grant of planning permission to require details of external materials to be submitted to the local planning authority for approval in order to ensure that a high standard of appearance is achieved. Furthermore, a

condition should be attached to require details of a hard and soft landscaping to be submitted for approval in order to ensure that the development integrates satisfactorily with the surrounding environment. Taking the above into account, it is considered that the density of the proposed development would make effective use of the site and it would maintain the character and appearance of the surrounding area.

6.8 (c) Housing mix

Policy HS2 of the CS seeks a mix of housing types and sizes including family sized units and smaller housing units to meet the needs of the community. Paragraph 8.2.7 of the CS states that the Strategic Housing Market Assessment (April 2010) shows a significant need for dwellings with 3 or more bedrooms. This is shown in the table in paragraph 8.2.9 of the CS, which shows the Size Mix of Housing Requirement 2007 – 2021, where the requirement for 3 bedroom dwellings is 48.2%. The Strategic Housing Market Assessment January 2016 provides a more up to date assessment of the housing need in the Borough and shows in Table 48 an estimated requirement of 41.8% for dwellings with 3 bedrooms and 11.7% for 1 bedroom dwellings.

6.9 The proposed development only consists of 1-bed (1 person) units and therefore does not provide a mix of housing types and sizes. However, consideration should be given to 2 appeal decisions where the local planning authority refused planning permission, among other reasons, due to an inappropriate housing mix but the inspectors considered that the housing mix accorded with Policy HS2 of the CS. In the appeal at 7 Elfrida Road (ref. 14/00170/FUL) for the replacement of a bungalow with 3no. 2-bed houses, the Inspector commented *“I have no reason to doubt the evidence set out in the recently adopted Core Strategy that there is a greater requirement for three bedroom dwellings in the Borough than for other types of dwellings. It is nonetheless apparent from the same evidence that there is also a requirement for two bedroom units”*. In regard to Policy HS2 he stated *“No reference is made to a requirement to provide three bedroom dwellings, either in general or in specific locations, nor does the policy require a mix of units within development schemes”*. The Inspector observed that the majority of dwellings in the locality are three bedroom units and there is no evidence to suggest that at the local level of the appeal site there is an overriding need for three bedroom dwellings over other types.

6.10 In the appeal at 206 Gammons Lane (ref. 17/00617/FUL) for the erection of extensions and conversion of the existing house into 4no. one bedroom flats, the Inspector stated *“Turning to Policy HS2 of the CS, this seeks a mix of housing types which includes both family sized units and smaller housing units. However, there are no restrictions within Policy HS2 on the numbers of such*

units. Taking into account the dominant type of housing stock in the area (which from what I observed on site and from the evidence before me) the proposed development would help provide a mix of housing types in the area which would be generally in accordance with Policy HS2". Taking into account the Inspectors' interpretation of Policy HS2 and that the housing stock in the locality of the application site predominantly consists of family-sized housing, it is not considered that a reason for refusal based on the lack of family-sized dwellings in the development could be substantiated.

6.11 (d) Quality of accommodation

The proposed flats are 1-bed units with single bedrooms and are therefore categorised as 1 person units for the purposes of the minimum space standards set out in paragraphs 7.3.6 – 7.3.8 of the Watford Residential Design Guide (RDG). The single bedrooms comply with the minimum floor area of 7.5sqm shown in paragraph 7.3.7 and the floor areas of the flats exceed the minimum space standard of 39sqm for a 1-bed (1 person unit). Furthermore, the built-in storage space exceeds the minimum space standard of 1sqm. All flats would be dual-aspect and the habitable rooms would benefit from good levels of light and outlook.

6.12 Future occupants of the proposed development would have access to a communal rear garden area which would provide an acceptable standard of amenity. Bin and cycle storage facilities would be conveniently positioned adjacent to the parking area to the front of the building. The bin store would be large enough to accommodate 1no. 1100 litre bin for refuse and 1no. 1100 litre bin for dry recycling.

6.13 The main entrance to the development would be clearly seen from the existing access in Hollingsworth Mews and is therefore a legible layout. Furthermore, the parking area would be overlooked by habitable windows, which aids security. The proposal therefore accords with paragraph 91 of the NPPF which states that planning decisions should aim to achieve places that are safe and accessible through the use of clear and legible pedestrian routes. Taking the above into account, it is considered that the proposed development would provide an acceptable standard of amenity for future occupiers.

6.14 (e) Impact on surrounding properties

No. 9 Hollingsworth Mews has a small ground floor side window serving an open-plan lounge/kitchen, which faces the application site. The proposed development would cause a loss of light to the window, however most of the light and outlook to the open-plan lounge/kitchen is provided by the large window in the front elevation, which would be unaffected by the proposed

development. As such, the living space would not experience a significant loss of light. There are other small bathroom windows in the side elevation facing the application site, however there would not be a significant loss of amenity to the occupiers of the properties because the windows serve non-habitable rooms.

- 6.15 The proposed development would maintain sizeable distances to all other neighbouring properties and therefore would not cause a significant loss of light or outlook.
- 6.16 The proposed development would not cause a significant loss of privacy because the habitable windows of the proposed building would not infringe the 27.5m privacy arc (paragraph 7.3.19 of the RDG) measured from neighbouring habitable windows. Furthermore, the front windows of the proposed building would maintain a distance of over 11m (paragraph 7.3.16 of the RDG) to the boundaries with Nos. 7 and 8 Bramble Close and therefore would not create a significant level of overlooking into the rear gardens of the neighbouring properties.
- 6.17 The proposed development would not cause significant overshadowing of the school building or grounds at Kingsway School.
- 6.18 As such, the proposed development would not have any significant impacts on the amenities of neighbours.
- 6.19 (f) Access and parking
The proposed development would be accessed from the existing vehicular access in Hollingsworth Mews. The Highway Authority has raised no objection with respect to the proposed access arrangements to the development. The provision of 6no. 1-bed flats would not cause a significant increase in traffic generation and therefore the impact on the local road network is considered to be acceptable. Furthermore, there would be sufficient manoeuvring space within the development for cars and refuse vehicles.
- 6.20 “Saved” Policy T24 of the Watford District Plan 2000 states that planning permission will only be granted for residential use where the full parking needs generated can be met on site, and off the public highway unless the site is in a suitable town centre site or other location with good access to passenger transport. In this case, 8no. parking spaces are proposed for the 6no. flats, which is considered to be acceptable.
- 6.21 (g) Environmental considerations
i) Impact on trees

The submitted Arboricultural Survey dated 02/05/2019 prepared by Merewood Arboricultural Services includes tree protection measures to protect tree T1 of TPO No. 239 and other existing trees during construction works. The tree protection measures are acceptable and should be secured by condition. A number of trees have already been removed from the site, which is lawful because the removed trees are not protected.

6.22 ii) Ecology

The application site is considered to be of limited ecological value because it consists of a residential garden with a lawn. Furthermore, the application site is not within or close to a wildlife site or wildlife corridor. As such, the proposed development would have negligible impact on ecology.

6.23 iii) Flood risk

The application site is located within Zone 1 (low risk) of the Environment Agency's Flood Map for Planning and so there is low risk of flooding at the site. A sustainable urban drainage scheme is not required because the proposal is not categorised as a major development. Notwithstanding this, a condition should be attached to require surface water from the parking area to drain into the ground within the application site in order to prevent flood risk outside the site.

7. Consultation responses received

7.1 Statutory consultees and other organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Hertfordshire County Council (Highway Authority)	No objection.	Noted.
Hertfordshire Constabulary Crime Prevention Design Service	No objection.	Noted.

7.2 Statutory consultees and other organisations

Internal Consultees

Name of Internal Consultee	Comment	Officer Response
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Arboricultural Officer	No objection subject to tree protection condition.	Noted.
Environmental Services	No objection.	Noted.

7.3 Representations received from interested parties

Letters were sent to 20 properties in the surrounding area. 9 letters of objection were received, which are summarised and considered in the table below.

Representations	Officer comments
The proposed development would add to parking problems in the area.	The provision of 8no. parking spaces for the 6no. proposed flats is considered to be sufficient. It should be noted that there are nearby bus stops and a local shopping frontage in North Approach.
Speeding cars in and out of Hollingsworth Mews are extremely dangerous.	The Highway Authority has raised no objection on highway safety grounds. The proposed development would generate a low number of vehicular movements.
Increased traffic noise and pollution.	The proposed development would generate a low number of vehicular movements and therefore it would not cause a material increase in traffic noise or pollution.
The planned construction would add car parking and bins shed to my view and again take away from my privacy.	<p>It is a well established planning principle that there is no right to a view across land.</p> <p>The proposed development would not appear dominant or cause an unacceptable sense of enclosure to the rear gardens of Nos. 8 and 8A Bramble Close.</p> <p>The impact on privacy is considered in paragraph 6.16 of the report.</p>

<p>Changing the area directly next to Nos. 8 & 8A Bramble Close from a residential back garden to a parking and refuse area would cause nuisance with noise and disturbance. It would also compromise security. The new development is not gated and is open to all.</p>	<p>It is not considered that the parking and refuse area would cause a significant increase in noise and disturbance given the relatively low number of flats in the development.</p> <p>Hertfordshire Constabulary Crime Prevention Design Service has raised no concerns with respect to security in the parking area.</p>
<p>Many trees have already been cut which is detrimental to the environment.</p>	<p>The removed trees are not protected by a tree preservation order and so they were removed lawfully. The proposed development would not have a significant impact on ecology, as discussed in paragraph 6.22 of the report.</p>
<p>The development would overlook the garden of No. 8 Bramble Close and would cause a loss of sunlight.</p>	<p>This is considered in paragraph 6.16 of the report.</p>
<p>My front room at 9 Hollingsworth Mews will be totally overlooked by all those coming and going into the new plot.</p> <p>When this development is built the side wall will be approx. 2 metres from my kitchen and bathroom windows which will obviously totally block out all of my natural light.</p>	<p>The front ground floor window of No. 9 Hollingsworth Mews already faces the existing access road that serves the parking area of Hollingsworth Mews. The proposed development would be accessed from the existing road and it is not considered that the proposal would cause a material increase in overlooking or disturbance when compared to the existing situation.</p> <p>The impact on the light received by the kitchen and bathroom windows is considered in paragraph 6.14 of the report.</p>
<p>The proposal would result in a loss of light to a bathroom window of 12 Hollingsworth Mews and would reduce ventilation through the window.</p>	<p>The small first floor bathroom window serves a non-habitable room and so there would not be a significant loss of amenity to the occupiers of the property.</p>

	There is no evidence that the proposed development would affect ventilation of the bathroom.
Disturbance of construction works and impact on health.	This is not a material planning consideration. There are controls outside the planning system including the Environmental Protection Act, the Control of Pollution Act, the Health and Safety at Work Act, the Clean Air Act and the Highways Act.
The proposal includes no social housing.	Policy HS3 of the CS only requires affordable housing for major developments of 10 dwellings or sites of more than 0.5ha.

8. Recommendation

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.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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.

Reason: For the avoidance of doubt and in the interests of proper planning.

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.

Reason: In the interests of the visual appearance of the site and the character and appearance of the area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

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.

Reason: To protect existing trees, including tree T1 of TPO No. 239, in the interest of the visual amenity of the area.

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.

Reason: In the interests of the visual appearance of the site and the wider area and to minimise flood risk, in accordance with Policies UD1 and SD2 of the Watford Local Plan Core Strategy 2006-31.

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.

Reason: In the interests of the visual appearance of the site and to ensure satisfactory provision for on-site storage facilities.

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.

Reason: To ensure that appropriate vehicular access and on-site parking is provided in the interest of highway safety and the amenities of the surrounding area.

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.

Reason: In the interest of residential amenity, the character and appearance of the area and security.

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

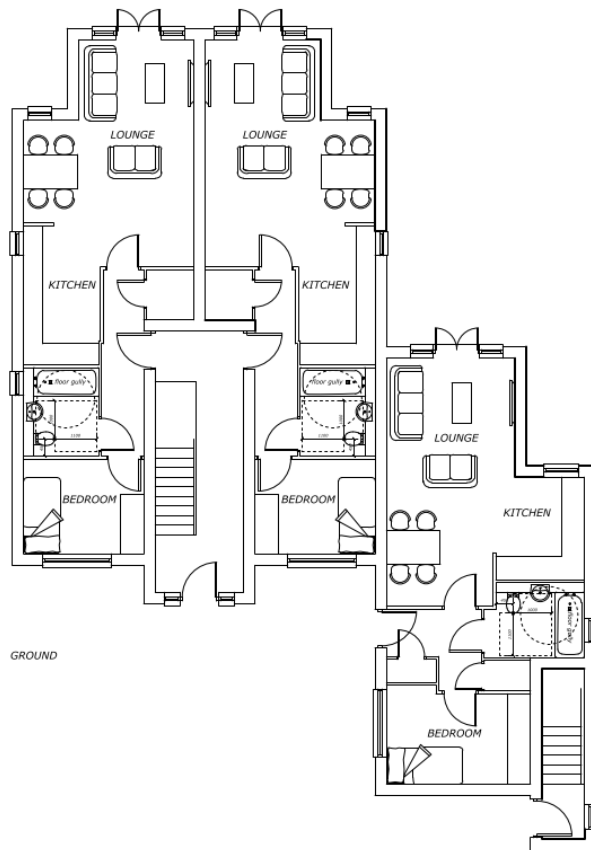
Hollingsworth Mews Appendices



Site plan



Aerial view of site (before removal of a number of trees from the site)



Proposed ground floor plan



North East



View from Bramble Close

Agenda Item 5

Committee date	Wednesday, 5 June 2019
Application reference Site address	19/00415/VAR - Caledonian House 39 - 55 St Albans Road
Proposal	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)
Applicant	Jaysam Contractors Ltd
Agent	Method Architects Ltd
Type of application	Variation of Condition (s.73)
Reason for committee item	Major development
Target decision date	10 th July 2019
Statutory publicity	Public advertisement and site notice
Case officer	Chris Osgathorp chris.osgathorp@watford.gov.uk
Ward	Nascot

1. Recommendation

Approve subject to conditions set out in section 8 of this report.

2. Site and surroundings

- 2.1 The application site is located adjacent to the junction of West Street and St Albans Road. The western and southern boundaries of the site adjoin the rear gardens of 2 storey houses in Nascot Street and Malden Road respectively. The Nascot Conservation Area borders the western and southern boundaries, however the application site is not located within it. Planning permission was granted on appeal on 13 April 2017 (ref. 15/01532/FULM) for demolition of the existing building and erection of a new building to provide 93 self-contained flats. The approved plans included a green wall on the rear elevation of the building. Construction works for the approved building are currently being carried out.

3. Summary of the proposal

3.1 Proposal

The application proposes variation of Condition 2 (approved drawings) and Condition 9 (green wall and green roof system) of planning permission 15/01532/FULM for removal of the green wall on the rear elevation of the previously approved building.

3.2 It is proposed that the rear wall of the building where the green wall was to be positioned would be finished in patterned brick bonding to provide some visual interest.

3.3 The application has been submitted because building control surveyors and Warrington Fire (fire consultants) do not support the provision of a green wall due to concerns in relation to the control of the spread of fire on the exterior of the building following the Grenfell tragedy in 2017 (which was after the grant of planning permission for planning application ref. 15/01532/FULM). It has been stipulated that the materials of the green wall must be 'non-combustible'. The applicant has been unable to demonstrate that the materials of the green wall system, including the plant holders and soil, would be non-combustible. Furthermore, there are concerns that any failure of the irrigation system would result in dry soils and therefore increase the risk of fire spread. Warrington Fire has stated that in their view it is not appropriate to rely on the Department for Communities and Local Government guidance 'Fire performance of green roofs and walls' (2013) and that without further approved guidance or research they would not wish to support a green wall system at this time.

3.4 **Conclusion**

The removal of the green wall on the rear elevation is unfortunate because it would have helped soften the appearance of the building when viewed from neighbouring properties in Nascot Street. However, it is clear from paragraph 35 of the appeal decision for planning application 15/01532/FULM that the provision of a green wall was not the sole factor in the appeal Inspector reaching the conclusion that the proposed building would not have an overbearing effect on the outlook of neighbouring occupiers. Bearing in mind the concerns of building control surveyors and fire consultants that the green wall would not be 'non-combustible' following the Grenfell tragedy, it is considered that the removal of the green wall is justified in this case.

4. **Relevant Policies**

Members should refer to the background papers attached to the agenda. These highlight the policy framework under which this application was determined. Specific policy considerations with regard to this particular application are detailed in section 6 below.

5. **Relevant site history/background information**

The following planning history is of relevance to the current application:

15/01532/FULM - Demolition of existing building (Class B1). Erection of new

stepped building with 93 self-contained residential units (Class C3) with associated basement parking, servicing/delivery bay, communal garden and private balcony amenity space. Allowed on appeal 13 April 2017.

17/01745/DISCON - Details submitted for Condition 16 (Proposed ground levels and the finished ground levels) pursuant to planning permission 15/01532/FULM. Approved. January 2018.

18/00206/DISCON - Details submitted to discharge condition 19 (Contamination Statement) pursuant to planning permission 15/01532/FULM. Approved. April 2018.

18/00207/DISCON - Details submitted for Condition 6 (noise attenuation scheme) and Condition 9 (Green Roof and Wall details) pursuant to application 15/01532/FULM. Approved. July 2018.

18/00225/DISCON - Details submitted for Condition 12 (further site investigation report in relation to the roots of off-site trees) pursuant to planning permission 15/01532/FULM. Approved. April 2018.

18/00306/DISCON - Details submitted for Condition 18 (surface water drainage) pursuant to planning application 15/01532/FULM. Approved. May 2018.

18/00342/DISCON - Details submitted for discharge of Condition 7 (Details for materials to be used for all external finishes of the building) pursuant to planning permission 15/01532/FULM appeal decision APP/Y1945/W/16/3157103. Approved. August 2018.

18/00398/DISCON - Details submitted pursuant to Condition 8 (detailed drawings) of planning permission 15/01532/FULM. Approved. May 2018.

18/00644/VAR - Variation of Condition 2 (approved drawings) of planning permission 15/01532/FULM (Appeal decision - APP/Y1945/W/16/3157103) for the demolition of existing building (Class B1) and erection of new stepped building with 93 self-contained residential units (Class C3) with associated basement parking, servicing/delivery bay, communal garden and private balcony amenity space, incorporating various amendments to the basement, internal layout, building fenestration and new stair to garden area. Conditional planning permission. October 2018.

6. Main considerations

- 6.1 The provision of a green wall on the rear elevation of the proposed building was originally proposed in order to soften its appearance and restrict the impact on the outlook of neighbouring residential properties in Nascot Street. In considering the impact of the development on the outlook of neighbouring properties the Inspector for planning application ref. 15/01532/FULM stated in paragraph 35 of the appeal decision *“With regard to outlook, the part of the building closest to the Nascot Street properties would be four storeys in height, just under 10m from the common boundary and at least 24m from the rear elevations of the dwellings. Inevitably it would have a greater presence from the rear windows and gardens of the adjoining dwellings. However, notwithstanding its proximity, the new building would take up a relatively narrow segment of the overall view from the rear windows and gardens of even those properties directly opposite it. Moreover, it is proposed to supplement the existing planting on this boundary and the facing elevation of the new building would be planted to create a ‘green wall’ which would be an improvement over the appearance of the existing building. The reduction in the height of the basement car parking compared with the existing building would also be a visual benefit in views from the adjoining properties. Consequently, I consider that the proposal would not have an overbearing effect on the outlook of neighbouring occupiers”*.
- 6.2 The application has been submitted because building control surveyors and Warrington Fire (fire consultants) do not support the provision of a green wall due to concerns in relation to the control of the spread of fire on the exterior of the building following the Grenfell tragedy. It has been stipulated that the materials of the green wall must be ‘non-combustible’. The applicant has been unable to demonstrate that the materials of the green wall system, including the plant holders and soil, would be non-combustible. Furthermore, there are concerns that any failure of the irrigation system would result in dry soils and therefore increase the risk of fire spread. Warrington Fire has stated that in their view it is not appropriate to rely on the Department for Communities and Local Government guidance ‘Fire performance of green roofs and walls’ (2013) and that without further approved guidance or research they would not wish to support a green wall system at this time.
- 6.3 The removal of the green wall is unfortunate because it would have helped to soften the appearance of the building when viewed from neighbouring properties in Nascot Street. However, it is clear from paragraph 35 of the appeal decision for planning application 15/01532/FULM that the provision of a green wall was not the sole factor in the appeal Inspector reaching the conclusion that the proposed building would not have an overbearing effect

on the outlook of neighbouring occupiers. Bearing in mind the concerns of building control surveyors and fire consultants that the green wall would not be 'non-combustible' following the Grenfell tragedy, it is considered that the removal of the green wall is justified in this case. The provision of patterned brick bonding on the rear wall would provide some visual interest. It is not considered that the provision of other potential features such as windows would be appropriate due to the impact on privacy of neighbouring properties.

7. Consultation responses received

7.1 Statutory consultees and other organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Hertfordshire County Council (Highway Authority)	No objection.	Noted.
Hertfordshire County Council Growth & Infrastructure	No comments.	Noted.
Hertfordshire County Council Lead Local Flood Authority.	No objection.	Noted.

7.2 Statutory consultees and other organisations

Internal Consultees

No internal consultations were required for this application.

7.3 Representations received from interested parties

Letters were sent to 164 properties in the surrounding area. 1 letter of objection was received, which is summarised and considered in the table below.

Representation	Officer comments
The green wall is a really nice feature that would minimise the large visual impact of a development of this size on the boundary line with the Nascot	This is considered in paragraphs 6.2 and 6.3 of the report.

<p>Conservation Area.</p> <p>The proposal to replace the green wall with a brick wall directly impacts and influence the outlook, privacy, light and also potentially generates a heat island of an area safeguarded by local conservation area status.</p>	
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8. Recommendation

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 16th March 2017 and the conditions listed below.

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

101 Rev P10; 110 Rev P10; 120 Rev P10; 121 Rev P10; PL 100; PL 101; PL 102; PL 103; PL 104; PL 105; PL 106; PL 107; PL 108; PL 109; PL 110; PL 111 Rev B; TPP/CHSARWH/010 Rev B; and LP/CHSARWH/020 Rev B.

Reason: For the avoidance of doubt and in the interests of proper planning.

2. No demolition or construction of the development hereby permitted shall take place outside the hours of 0800 to 1800 Mondays to Fridays, or 0800 to 1300 Saturdays or at any time on Sundays and Public Holidays.

Reason: To safeguard the amenities of neighbouring residential properties.

3. No part of the development shall be occupied until details of privacy screens for the balconies at Flats numbered A1-1; A2-1; A3-1; A4-1; and A5-1 have been submitted to and approved in writing by the Local Planning Authority. Dwellings A1-1; A2-1; A3-1; A4-1; and A5-1 shall not be occupied until the balcony privacy screens have been installed in accordance with the approved details. The privacy screens shall be retained at all times thereafter.

Reason: To protect the privacy of neighbouring residential properties.

4. The roof outside Flats numbered A6-1 and A6-7 on level 6 shall not be used as a balcony, terrace or sitting out area in association with any Flat and shall only be accessed in relation to the general maintenance of the building.

Reason: To protect the privacy of neighbouring residential properties.

5. No part of the development shall be occupied until all works forming part of the noise attenuation scheme approved under discharge of condition application ref: 18/00207/DISCON (or any subsequent noise attenuation scheme submitted to and approved in writing by the Local Planning Authority) has been completed.

Reason: To ensure that an acceptable internal noise level is provided for future occupiers of the development.

6. The development shall be carried out only in accordance with the external materials approved under discharge of condition application ref: 18/00342/DISCON (or any subsequent external materials submitted to and approved in writing by the Local Planning Authority).

Reason: To ensure that an acceptable standard of appearance is achieved, in accordance with Policies UD1 and UD2 of the Watford Local Plan Core Strategy 2006-31.

7. The development shall be carried out only in accordance with the detailed elevation drawings approved under discharge of condition application ref: 18/00398/DISCON (or any subsequent detailed elevation drawings submitted to and approved in writing by the Local Planning Authority).

Reason: To ensure that an acceptable standard of appearance is achieved, in accordance with Policies UD1 and UD2 of the Watford Local Plan Core Strategy 2006-31.

8. The green roof system (shown on approved Plan No. LP/CHSARWH/020 Rev B) shall be installed in accordance with the details approved under discharge of condition application ref: 18/00207/DISCON (or any subsequent details submitted to and approved in writing by the Local Planning Authority).

Reason: To ensure that an acceptable standard of appearance is achieved, in accordance with Policies UD1 and UD2 of the Watford Local Plan Core Strategy 2006-31.

9. 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.

Reason: To ensure that an acceptable standard of appearance is achieved, in accordance with Policies UD1 and UD2 of the Watford Local Plan Core Strategy 2006-31.

10. No part of the development shall be occupied until full details of a hard landscaping scheme, including 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.

Reason: To ensure that an acceptable standard of appearance is achieved, in accordance with Policies UD1 and UD2 of the Watford Local Plan Core Strategy 2006-31.

11. The tree protection measures shown in the Arboricultural Method Statement prepared by David Clarke dated October 2015 and drawing No. TPP/CHSARWH/010 Rev B shall be implemented for the duration of the construction work, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development would not harm retained trees, in the interests of the visual appearance of the site.

12. No below ground services and cabling (electricity, gas, telephone, water, cable T.V. etc.) shall be routed through the Root Protection Zones of the retained trees, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development would not harm retained trees, in the interests of the visual appearance of the site

13. No part of the development shall be occupied until bin and cycle storage facilities have been provided in accordance with the details shown on the approved drawings. The storage facilities shall be retained at all times thereafter

Reason: To ensure satisfactory provision for bin and cycle storage facilities within the development.

14. The development shall be carried out only in accordance with the proposed ground levels and finished floor levels approved under discharge of condition application ref: 17/01745/DISCON (or any subsequent details submitted to and approved in writing by the Local Planning Authority).

Reason: To protect the character and appearance of the surrounding area and the amenities of neighbouring residential properties.

15. No part of the development shall be occupied until the drainage scheme shown in 'Drainage Statement 3rd Issue dated March 2018 prepared by gtaCivils' approved under discharge of condition application ref: 18/00306/DISCON (or any subsequent details submitted to and approved in writing by the Local Planning Authority) has been implemented in full.

Reason: To ensure that an appropriate drainage scheme is in place to minimise the risk of flooding.

16. No part of the development shall be occupied until the 75 car parking spaces shown on drawing No. PL 100 have been laid out and constructed in full. These spaces shall be retained for parking cars at all times.

Reason: To ensure satisfactory provision of car parking spaces within the development.

17. No part of the development shall be occupied until the new vehicular crossover, as shown on drawing No. PL 101, has been laid out and constructed in full.

Reason: In the interests of highway safety.

18. No part of the development shall be occupied until a management plan to ensure that the 'Drop Off Point' shown on drawing No. PL 101 is only used for refuse collection, deliveries and loading/unloading has been submitted to and approved in writing by the Local Planning Authority and the approved measures have been provided in full. These measures shall be retained as approved at all times.

Reason: In the interests of highway safety.

19. No part of the development shall be occupied until details of access control and security measures for the basement car park have been submitted to and approved in writing by the Local Planning Authority. The access control and security measures shall be installed in accordance with the approved details prior to the occupation of the development and implemented at all times thereafter.

Reason: To ensure that appropriate security measures for the basement are in place.

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

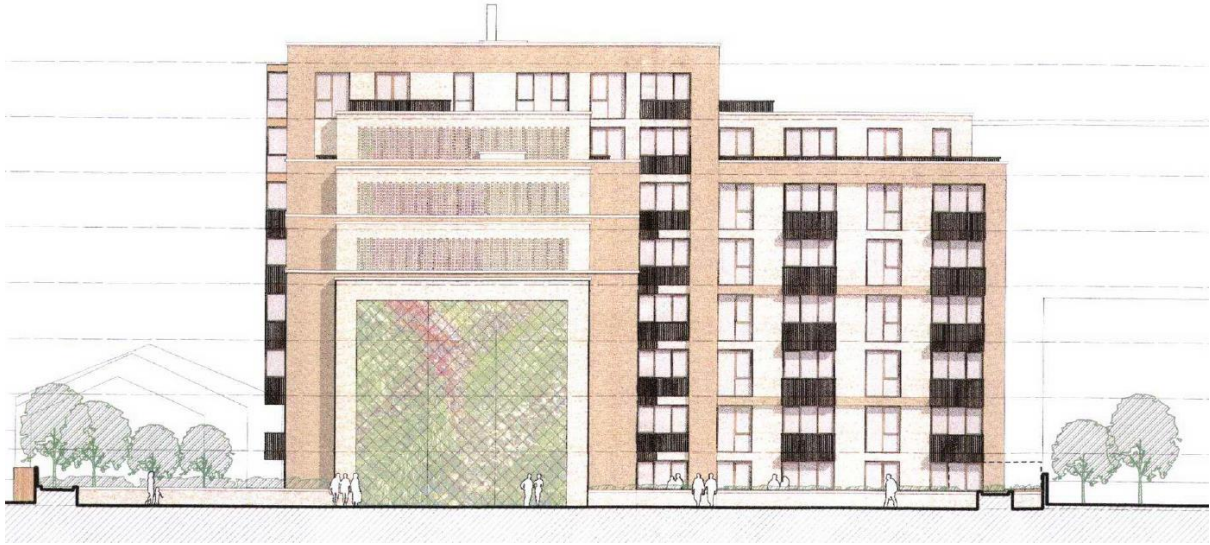
Caledonian House Appendices



Location plan



Approved site plan for planning application 15/01532/FULM



Approved proposed rear elevation for planning application 15/01532/FULM



Proposed rear elevation for application 19/00415/VAR

Agenda Item 6

Committee date	Wednesday, 5 June 2019
Application reference	19/00246/VAR - 765 St Albans Road
Site address	
Proposal	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.
Applicant	Winreb Finance Limited
Agent	Architects Corporation Limited
Type of Application	Full Planning Application
Reason for committee Item	Section 73 Major Application
Target decision date	03 June 2019 (extended to 07 June 2019 by agreement)
Statutory publicity	None
Case officer	Paul Baxter, paul.baxter@watford.gov.uk
Ward	Stanborough

1. Recommendation

Approve subject to conditions as set out in section 8 of this report.

2. Site and surroundings

- 2.1 The site is located at the junction of St Albans Road and Sheepcot Lane and comprises a van sales business (Watford Vans). The site includes single storey ancillary and office buildings and a large canopy which derives from the site's former use as a petrol filling station. A large proportion of the site is given over to the display of vans for sale. Vehicular access is from St Albans Road.
- 2.2 The site adjoins semi-detached bungalows on Sheepcot Lane to the west and a 3 storey block of flats at Rochester Drive to the north. Opposite the site on St Albans Road are 3 storey blocks of flats and 2 storey houses. To the south-west is the open space of Stanborough Park.
- 2.3 Further information, including the site plan and drawings, is available in the appendices to the report and on the Council's [website](#).

3. Summary of the proposal

3.1 Proposal

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.

- 3.2 The approved scheme drawings show the bin store serving the development located on the St Albans Road frontage adjacent to the existing electricity sub-station. This land is owned by UK Power Networks (UKPN) and not in the applicant's ownership. Condition 1 required this land to be acquired by the applicant before the approved development could commence. The applicant has been unable to secure ownership of this land and has therefore proposed a new location for the bin store adjacent to the western flank elevation of the building, adjoining the cycle store. As such, the approved drawings have been amended to show this change and a variation of Condition 3 (approved drawings) is sought. As the land in the ownership of UKPN no longer forms part of the development, Condition 1 is no longer required.

3.3 Conclusion

The new location of the bin store is acceptable. All other aspects of the approved development remain unchanged. Condition 3 can therefore be varied to include the amended drawings and Condition 1 (land ownership) can be deleted. The application is therefore recommended for approval.

4. Relevant policies

Members should refer to the background papers attached to the agenda. These highlight the policy framework under which this application is determined. Specific policy considerations with regard to this particular application are detailed in section 6 below.

5. Relevant site history/background information

- 5.1 The following planning history is relevant to this application:

04/00108/COU – Conditional planning permission granted in September 2004 for a change of use from a garage/petrol forecourt to vehicle sales.

06/01084/FULM – Application for the demolition of the workshop offices and canopy and erection of 23 flats with 25 underground car parking spaces withdrawn in March 2007.

08/00381/FULM – Planning permission refused in July 2008 for the demolition of the showroom and offices and the erection of 18 flats with car parking. An appeal against this decision was dismissed in May 2009.

08/01136/FULM – Conditional planning permission granted in December 2008 for the demolition of the showroom and offices and erection of 16 flats with car parking.

16/01363/FULM – Application for demolition of showroom and offices and the erection of a part 3 storey, part 4 storey building comprising 23 flats with car parking. Withdrawn in December 2016.

17/00495/FULM – Application for demolition of showroom and offices and the erection of a part 3 storey, part 4 storey building comprising 23 flats with car parking. Application refused for 7 reasons. An appeal against this decision was dismissed by latter dated 29th May 2018 with the Inspector upholding 6 of the Council's reasons for refusal.

17/01516/FULM - Demolition of showroom and offices and the erection of a part 3 storey, part 4 storey building comprising 23 flats including provision for 8 affordable housing units with car parking. Application withdrawn.

18/01339/FULM - 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. Conditional planning permission granted January 2019.

6. Main considerations

- 6.1 The only issue for consideration is the new location for the bin store to serve the development. All other aspects of the development remain as approved under ref. 18/01339/FULM.
- 6.2 The approved drawings show a cycle store adjoining the western flank elevation of the building. This comprises a brick built store with a flat roof incorporating a single row of vertical cycle racks. The proposal is to incorporate the bin store towards the front of the flank elevation and reconfigure the cycle store towards the rear of the elevation to accommodate a double row of vertical cycle racks. The enlarged store remains as a brick

construction with flat roof. The bin store is of sufficient size to accommodate 6 x 1100 litre wheeled bins for waste and recycling and 3 x 240 litre wheeled bins for green waste. The reconfigured cycle store is sufficient for 18 cycles. Both stores are acceptable.

- 6.3 The Waste and Recycling team have no objections to the new arrangements, with collections taking place from Sheepcot Lane, as for the existing houses. In order to facilitate the collection of bins, a short dropped kerb can be provided in front of the bin store. This has been incorporated into Condition 14 in the recommendation.

7. Consultation responses received

7.1 Statutory consultees and other organisations

None.

7.2 Internal Consultees

Consultee	Comment
Waste and Recycling	No objections to the proposed bin storage arrangement.

7.3 Interested parties

Letters were sent to 157 properties in the surrounding area. A response has been received from 1 property. No objection to the application is made but general comment is made on the high levels of traffic on St Albans Road and the potential difficulty in cars exiting the site being able to make right turn movements.

8. Recommendation

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 10th January 2022.

Reason: To comply with the commencement date for planning permission ref. 18/01339/FULM granted on 19th January 2019.

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

Reason: For the avoidance of doubt and in the interests of proper planning.

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.

Reason: In the interests of the visual appearance of the site and the character and appearance of the area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31. This is a pre-commencement condition as the materials need to be approved by the Local Planning Authority before the development is constructed.

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.

Reason: This is a pre-commencement condition to verify that all contamination has been successfully removed from site following all remediation works in the interests of the health of the future occupiers of the site, in accordance with Policy SE24 of the Watford District Plan 2000.

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.

Reason: This is a pre-commencement condition to verify that all contamination has been successfully removed from site following all remediation works in the interests of the health of the future occupiers of the site, in accordance with Policy SE24 of the Watford District Plan 2000.

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.

Reason: In the interests of the health of the future occupiers of the site, in accordance with Policy SE24 of the Watford District Plan 2000.

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.

Reason: This is a pre-commencement condition to ensure the development is designed to prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

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.

Reason: This is a pre-commencement condition to ensure the development is designed to incorporate appropriate mitigation measures in order to ensure an acceptable living environment is achieved for the future occupiers of the dwellings.

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.

Reason: This is a pre-commencement condition to ensure the development is designed to incorporate appropriate ventilation measures in order to ensure good indoor ambient noise levels are achieved in accordance with BS 8233:2014 and an acceptable living environment is achieved for the future occupiers of the dwellings.

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.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

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.

Reason: In the interests of the visual appearance of the site and the wider area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

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.

Reason: In the interests of the visual appearance of the site and the wider area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

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.

Reason: To ensure that adequate facilities exist for residents of the proposed development, in accordance with Policies SE7 and T10 of the Watford District Plan 2000.

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.

Reason: In the interests of highway safety and convenience, in accordance with saved Policy T21 of the Watford District Plan 2000.

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.

Reason: In the interests of the character and appearance of the building, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

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.

Reason: In the interests of the character and appearance of the building, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

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:
 - 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.



Site location plan – junction of St Albans Road and Sheepcot Lane



Approved site layout and ground floor plan

Bin store in north-east corner adjoining sub-station



Proposed site plan and ground floor layout

Bin store in south-west corner adjacent to 4, Sheepcot Lane



Proposed Sheepcot Lane elevation (unchanged from approved scheme)

Agenda Item 7

Committee date	Wednesday, 5 June 2019
Application reference	19/00374/VAR - 85 Chalk Hill
Site address	
Proposal	Variation of Condition 2 (Approved drawings) of planning permission 17/00862/FULM for amendments to the layout and elevations of the previously approved scheme.
Applicant	Pinnacle UK Investments Ltd
Agent	Seabrook Architects Partnership Limited
Type of Application	Variation of condition (s.73)
Reason for committee Item	Major development
Target decision date	4 th July 2019
Statutory publicity	Public advertisement and site notice
Case officer	Chris Osgathorp, chris.osgathorp@watford.gov.uk
Ward	Oxhey

1. Recommendation

Approve subject to conditions set out in section 8 of this report.

2. Site and surroundings

- 2.1 No. 85 Chalk Hill is a vacant bank which is located on the corner of Haydon Road and Chalk Hill.
- 2.2 The adjoining property at No. 83 Chalk Hill consists of a shop at ground floor and a flat on the upper floors. No. 81 consists of a ground floor take-away and flats at the rear of the ground floor and at first floor.
- 2.3 The application site is in a sustainable location because it is approximately 270m from the designated Local Shopping Frontage in Chalk Hill and a walking distance of approximately 450m from Bushey train station. Chalk Hill is categorised as a Class A Main Distributor Road in Hertfordshire County Council's Hierarchy of Roads.
- 2.4 No. 85 Chalk Hill is not listed or located in a designated conservation area. The nearby Bushey and Oxhey Methodist Church is a designated Locally Listed Building.

- 2.5 Conditional planning permission (ref. 17/00862/FULM) was granted on 21st March 2019 for demolition of the existing disused bank building and replacement with new residential development which includes 11 new dwellings - 9 x apartments, 1 x duplex apartment, and 1 x 2-storey house, with associated gardens and car parking.

3. Summary of the proposal

3.1 Proposal

The application proposes the variation of Condition 2 (approved drawings) of planning permission 17/00862/FULM. The application does not alter the proposal for 11 dwellings or the number of car parking spaces. The amendments have arisen due to a scale error on the approved proposed site plan which does not correspond with the existing site survey plan. The result of this is that the proposed building must be moved back in order to respect the building line in Chalk Hill. The following amendments are proposed:

- Re-positioning of the rear wall of the main block further to the rear, which results in a smaller rear communal garden.
- Increased depth of proposed house adjacent to 4 Haydon Road.
- Larger front garden to Unit 1.
- Unit 1 changed from 2-bed (4 person) to 2-bed (3 person).
- Unit 4 changed from 3-bed (6 person) to 3-bed (5 person).
- Minor alterations to elevations of main block
- Increase in size of rear dormer to proposed house and provision of 1no. front rooflight rather than 2no. Alterations to first floor window arrangement.

The variation of condition application originally proposed the re-location of the bin store to the rear of the parking area, however Environmental Services raised concerns that this would be too far from the highway for refuse collectors. As such, an amended plan was submitted on 21st May 2019 which moved the refuse store back to the previously approved position. The amended plan also altered the configuration of the parking arrangement, however no alteration to the number of parking spaces is proposed.

3.2 Conclusion

The proposed amendments would not significantly affect the quality of living accommodation or the appearance of the proposed buildings. Furthermore, the proposal would have no adverse effect on the residential amenities of neighbouring properties. As such, it is recommended that the application should be approved subject to conditions.

4. Relevant Policies

Members should refer to the background papers attached to the agenda. These highlight the policy framework under which this application was determined. Specific policy considerations with regard to this particular application are detailed in section 6 below.

5. Relevant site history/background information

The following planning history is of relevance to the current application:

17/00862/FULM - Demolition of existing disused bank building and replacement with new residential development which includes 11 new dwellings - 9 x apartments, 1 x duplex apartment, and 1 x 2-storey house, with associated gardens and car parking. (Amended plans to provide an additional flat at third floor in order to facilitate the provision affordable housing). Conditional planning permission. March 2019.

6. Main considerations

- 6.1 The proposed amendments would result in a smaller rear communal garden, however bearing in mind that the application site is less than 200m from designated Open Space to the south of Haydon Road and that the scheme makes good use of balconies, private gardens and roof terraces, it is not considered that the proposal would be detrimental to the living conditions of future occupiers.
- 6.2 The proposed flats continue to comply with the minimum internal space standards set out in paragraph 7.3.6 of the Watford Residential Design Guide. The flats would be dual-aspect, which would provide an acceptable standard of amenity for future occupiers.
- 6.3 The amended parking layout is acceptable. No changes are proposed to the number of parking spaces. The size of the parking bays accord with the minimum size standards of 2.4m x 4.8m and there is sufficient manoeuvring space within the site. The amended plan received 21st May 2019 shows that the bin store would be in the same position as approved under planning application 17/00862/FULM which is acceptable.
- 6.4 The upper floor flat at No. 83 Chalk Hill has a number of habitable windows in the side elevation of the building which face the application site. These include a circular first floor bedroom window, a dormer window serving a bedroom to the rear and a rooflight serving a bedroom to the front. The re-location of the proposed building would bring it slightly closer to the

neighbouring windows, however it is not considered that it would cause a significant loss of light or outlook. The building has been designed so it steps down in height adjacent to the windows of the neighbouring property to reduce its impact. However, the roof terraces of Unit 5 and Unit 10 would allow views towards the existing side dormer of the upper floor flat at No. 83 and so a condition should be attached to any grant of permission to require details of privacy screens for the roof terraces in order to protect the privacy of the neighbouring property.

6.5 The increase in depth of the proposed house adjacent to No. 4 Haydon Road would be modest and therefore would not cause a significant loss of light or outlook to the neighbouring property.

6.6 The proposed amendments to the main block and the proposed house are minor and would have no adverse effect on the character and appearance of the development.

7. Consultation responses received

7.1 Statutory consultees and other organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Hertfordshire Constabulary Crime Prevention Design Service	No comments.	Noted.
Hertfordshire County Council Lead Local Flood Authority	No comments.	Noted.
Hertfordshire County Council Highway Authority	No objection.	Noted.

7.2 Statutory consultees and other organisations

Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No comments.	Noted.
Environmental Services	Position of bin store needs to be moved closer to road.	An amended plan was received on 21 st May 2019 to move the bin store back

		to the approved position shown for planning application 17/00862/FULM.
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7.3 Representations received from interested parties

Letters were sent to 119 properties in the surrounding area. No responses were received.

8. Recommendation

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 within a period of three years commencing on the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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.

Reason: For the avoidance of doubt and in the interests of proper planning.

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.

Reason: In the interests of the visual appearance of the site and the character and appearance of the area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

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.

Reason: In the interests of the visual appearance of the site and the character and appearance of the area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

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.

Reason: In the interests of the visual appearance of the site and the wider area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

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.

Reason: In the interests of the visual appearance of the site and the wider area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

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.

Reason: In the interests of the visual appearance of the site and to ensure satisfactory provision for on-site storage facilities.

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.

Reason: To ensure that an acceptable internal noise level is provided for future occupants 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.

Reason: To prevent overlooking from the development into the existing side dormer at No. 83 Chalk Hill which serves an upper floor residential flat.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.

Reason: To enable the Local Planning Authority to ensure that any such developments are carried out in a manner which will not be harmful to

the character and appearance of the proposed development and will not prove detrimental to the amenities of adjoining occupiers.

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

85 Chalk Hill Appendices



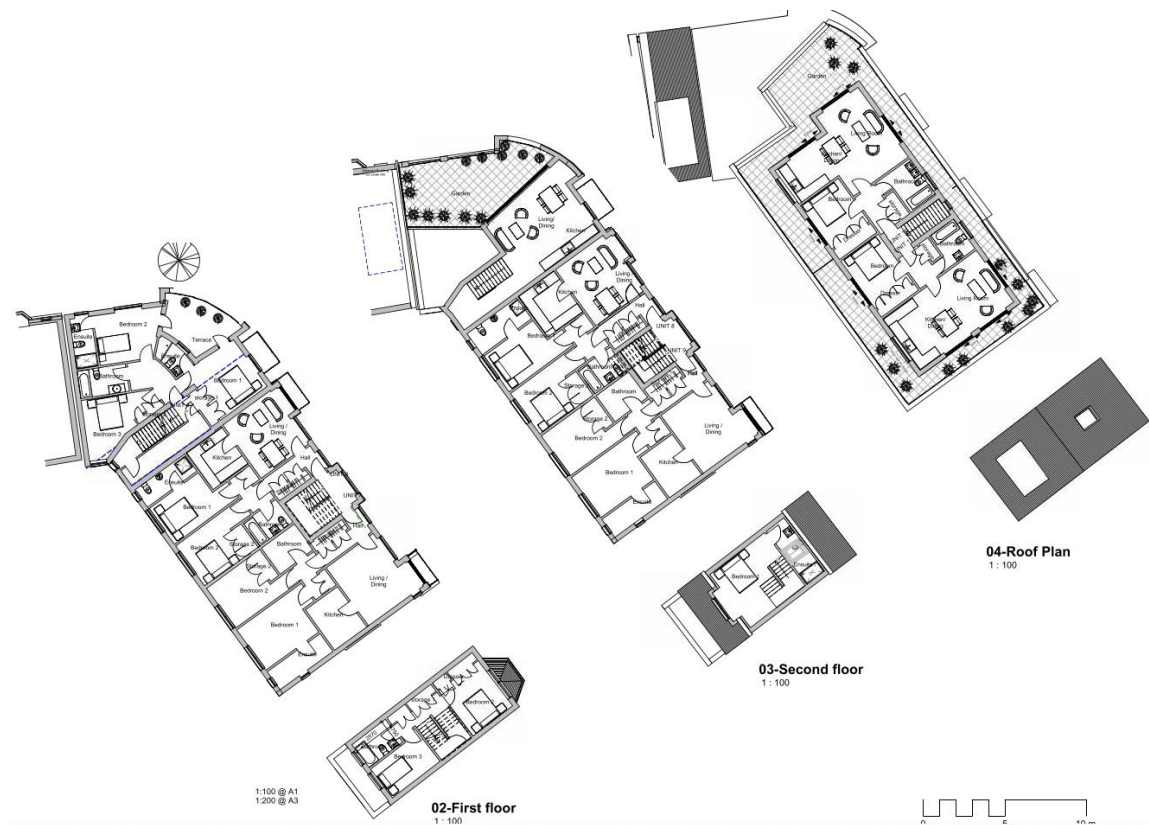
Location plan



Aerial view of site.



Proposed site plan



Proposed floor plans



Proposed East elevation