

DEVELOPMENT CONTROL COMMITTEE

31 OCTOBER 2013

Present: Councillor R Martins (Chair)
Councillor G Derbyshire (Vice-Chair)
Councillors N Bell, I Brandon, S Johnson, A Joynes, I Sharpe,
M Watkin and P Jeffree

Officers: Major Cases Manager
Development Management Section Head
Committee and Scrutiny Support Officer (RW)

39 APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP

There was a change of membership for this meeting: Councillor Jeffree replaced Councillor Williams.

40 DISCLOSURE OF INTERESTS (IF ANY)

There were no disclosures of interest.

41 MINUTES

The minutes of the meeting held on 10 October 2013 were submitted and signed.

42 OUTSTANDING PLANNING APPLICATIONS

The Committee received a report advising that there were no outstanding planning applications as at 23 October 2013.

RESOLVED –

that the report be noted.

43 32 CLARENDON ROAD

The Committee received a report of the Development Management Section Head.

The Chair invited Mr Tom Rumble, agent for the Applicant to address the Committee.

Mr Rumble explained that the application had been the subject of considerable pre-application discussion with planning officers. He noted that the building would have an appropriate relationship with its neighbours and advised that the development would provide high quality office and residential use. The building at 32, Clarendon Road was currently vacant and detracted from the street scene.

Mr Rumble then advised on the advantages of the application:

- The floor space for the proposal would increase from 806 sqm to 1218 sqm which would accord with the Council's objective to provide greater employment.
- The development would provide enhanced office accommodation in Clarendon Road.
- The flats at the rear would contribute to housing needs in the Borough.

Mr Rumble noted that the frontage to Clarendon Road would present as office accommodation whilst to the rear the building would appear as residential space. These features would provide an acceptable interface with both Clarendon Road to the west and residential properties to the east.

Mr Rumble added that the application met all requirements for parking and amenity space. There would be soft landscaping at the rear of the building which would add to the improved appearance. He concluded by stating that the scheme had significant merits and that there had been no objections forthcoming from neighbouring residents.

The Committee then discussed the application.

Councillor Sharpe noted that the development would be an improvement on the ugly building currently on this site. He said that quality of office space was of great importance and considered that the soft landscaping would enhance the site. Councillor Sharpe agreed with officers that the application should be approved and said that a residential component in offices could be supported in this case, as it was an office-led scheme that provided for an increase in both the quantity and the quality of office floorspace in Clarendon Road. He felt, however, that it was right that the threshold for affordable housing in this development should be in accordance with the Council's adopted policies.

Councillor Watkin endorsed Councillor Sharpe's views but noted that accommodation in the flats appeared very small. He asked whether the flats provided sufficient space.

The Major Cases Manager replied that the accommodation met minimum internal standards.

Councillor Watkin expressed concern regarding car parking spaces. He noted that there appeared to be sufficient spaces for residents but very little parking for employees in the offices.

The Major Cases Manager explained that Clarendon Road had the lowest maximum car parking standards in the Borough due to the high level of availability of both trains and buses in this area. He reminded the meeting of Government advice on use of public transport and advised that the quantity of parking spaces at this development was in accordance with the Council's adopted policies. He agreed that parking facility was lower at this site than at other offices in Clarendon Road but advised that this would be a matter for the developer to manage.

Councillor Watkin said that if parking was not available at the site, workers would park in adjacent roads or on the periphery of the town centre. He also noted that with the expansion of Charter Place there would be greater demand for town centre parking and that this would add to problems.

The Major Cases Manager advised that there were Controlled Parking Zones in place to prevent parking in the surrounding roads and added that both Sutton Road and Gade car parks had long term spaces available.

Councillor Joynes noted Recommendation (B) reason 1 and expressed concern regarding the lack of play space for children who could conceivably be living in the flats.

The Major Cases Manager assured the Member that this provision was similar to other flats in the town centre where there was insufficient space to provide play areas. He drew attention to Watford Council's policies on open play space and advised that s.106 monies would be used to improve existing spaces in appropriate locations.

The Chair added that, in the event of the s.106 planning obligation not being completed by 12 November 2013, officers would have delegated authority to refuse planning permission for the application.

Councillor Jeffree noted the different character of the building to the front and the rear and asked whether floor levels ran through the development from front to back.

The Major Cases Manager said that there were five levels in the office side of the building and six levels of flats. Both components would have separate stair cores. In response to another query from Councillor Jeffree regarding the plan drawing, he advised that the landscaping design was not an integral part of the scheme.

Councillor Brandon considered that the development could set a precedent and affect the future of Clarendon Road. He also noted that the front of the offices could be used as a 'drop-off' area.

The Major Cases Manager advised that the office element would maintain the character of Clarendon Road; it was felt that a good balance had been achieved.

Councillor Derbyshire commented that the Clarendon Road elevation was bland, boxy and dull although the residential component was more interesting. He noted the use of London brick for the exterior of the flats, which echoed the character of the area, and which referenced both the Victorian terraces in the neighbourhood and the Baptist church on the corner of Beechen Grove.

Councillor Derbyshire agreed that the development would be an improvement on the current building. He considered that there was no reason to not provide for either the policy requirement of 35% affordable housing or the contribution to s106 monies.

Councillor Bell said that he would be pleased to see a provision for affordable housing. He added that it was important for the development to complement the Estcourt conservation area.

The Major Cases Manager advised that the Urban Design and Conservation Manager had been involved at the pre-application stage and had made significant contributions to discussions on design.

The Chair concluded the discussion by stating that officers had ensured that the development accorded with relevant policies and that the design was in keeping with the neighbourhood.

RESOLVED –

(A) That planning permission be granted subject to the completion of a planning obligation under section 106 of the Town and Country Planning Act 1990 to secure the following contributions and subject to the conditions listed below:

Section 106 Heads of Terms

- i) To secure financial payments to the Council of:
 - a) £54,384 (index linked) towards the provision and improvement of public open space in the Borough in accordance with Policy L8 of the Watford District Plan 2000;
 - b) £13,790 (index linked) towards the provision and improvement of children's play space in the Borough in accordance with Policy L9 of the Watford District Plan 2000;
 - c) £2,000 towards the variation of the relevant Traffic Regulation Order to exclude the site from the controlled parking zone, thereby preventing residents' parking permits being allocated to this site.
- ii) To secure financial payments to the County Council of:
 - a) £16,500 (index linked) towards the implementation of the South West Hertfordshire Transport Strategy and sustainable transport

measures in Watford in accordance with Policies T3 and T5 of the Core Strategy 2013;

- b) £13,320 (index linked) towards the provision of primary education in accordance with Policy H10 of the Watford District Plan 2000;
 - c) £9,058 (index linked) towards the provision of secondary education in accordance with Policy H10 of the Watford District Plan 2000;
 - d) £3,136 (index linked) towards the provision of nursery education in accordance with Policy H10 of the Watford District Plan 2000;
 - e) £926 (index linked) towards the provision of childcare facilities in Watford in accordance with Policy H10 of the Watford District Plan 2000;
 - f) £262 (index linked) towards the provision of youth facilities in Watford in accordance with Policy H10 of the Watford District Plan 2000;
 - g) £2,492 (index linked) towards the provision of library facilities in accordance with Policy H10 of the Watford District Plan 2000;
- iii) To secure the provision of fire hydrants as required by the County Council in accordance with Policy H10 of the Watford District Plan 2000.
 - iv) To secure 8 flats as affordable housing to be shared ownership by tenure in accordance with Policy HS3 of the Watford Local Plan Core Strategy 2013.

Conditions

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

9311/PL 001, 002, 003, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018; 9311/FE 704
3. Construction of the development hereby permitted shall not take place before 8am or after 6pm Mondays to Fridays, before 8am or after 1pm on Saturdays and not at all on Sundays and Public Holidays.
4. No development shall commence until the scheme has been registered with the Considerate Constructors Scheme and a certificate of registration has been submitted to the Local Planning Authority. The construction shall be carried out in accordance with the requirements of this scheme.

5. No development shall commence until full details of the construction of the basement car park, including any necessary Approval In Principle certification issued in accordance with the requirements of the Department for Transport's DMRB Standard BD 2/12: Technical Approval of Highway Structures, 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.
6. No development shall commence until details of the layout and construction of the access to Clarendon Road have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the access has been laid out and constructed in accordance with the approved details.
7. The development shall be constructed to Code Level 4 of the Code for Sustainable Homes (residential element) and BREEAM Very Good (office element) in accordance with the pre-assessments contained in the Sustainability Statement by XCO2 Energy (dated July 2013). No part of the development shall be occupied until post-completion certificates to certify that Code Level 4 and BREEAM Very Good, respectively, have been achieved have been submitted to and approved in writing by the Local Planning Authority.
8. No development shall commence until details of the materials to be used for all the external finishes of the building, including all external walls, roofs, doors, windows and balconies, 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.
9. No development shall commence until a hard and soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the approved hard landscaping works have been carried out. The approved soft landscaping works shall be carried out not later than the first available planting and seeding season after completion of the development. Any plants 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.
10. No development shall commence until details of a sustainable surface water drainage scheme for the development has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the approved drainage scheme has been implemented in full.
11. No part of the development shall be occupied until the redundant southern vehicle access to Clarendon Road has been closed off and the adjacent footway and kerb reinstated, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

12. No part of the development shall be occupied until the 36 car parking spaces shown on approved drawings (unless otherwise approved in writing by the Local Planning Authority) have been laid out and constructed in full. These spaces shall be retained at all times for parking cars.
13. No part of the development shall be occupied until the bin and cycle stores have been provided in accordance with the approved drawings (unless otherwise approved in writing by the Local Planning Authority). The respective stores shall be retained at all times for bin storage and cycle storage only and shall not be used for any other purpose.

Informatives

1. This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 to secure financial contributions towards the provision or improvement of public open space, children's play space, education facilities, childcare, youth facilities, library facilities and sustainable transport measures within the Borough of Watford. In addition the agreement secures a contribution towards the variation of the Borough of Watford (Watford Central Area and West Watford Area) (Controlled Parking Zones) (Consolidation) Order 2006 to exclude future residents of the development from entitlement to residents parking permits. The agreement also requires the provision of necessary fire hydrants to serve the development and the provision of 17 affordable housing units.
2. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended.

Drawing numbers

9311/PL 001, 002, 003, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018; 9311/FE 704

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- (B)** In the event that no section 106 planning obligation is completed by 12th November 2013 in respect of the Heads of Terms set out above, the Development Management Section Head be authorised to refuse planning permission for this application for the following reasons:
1. The proposed development fails to make provision for public open space or children's play space, either in the form of on-site works or commuted payments, and as such is contrary to saved policies L8 and L9 of the Watford District Plan 2000.

2. The proposed development fails to contribute towards the implementation of sustainable transport measures forming part of the South West Hertfordshire Transportation Strategy, either in the form of off-site highway works or commuted payments, and as such is contrary to Policies T3, T5 and INF1 of the Watford Local Plan Core Strategy 2006-31.
3. The proposed development fails to contribute to the provision or improvement of education and community facilities (education, youth facilities, childcare and libraries) in the Borough and as such is contrary to Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and saved Policy H10 of the Watford District Plan 2000.
4. The proposed development fails to make provision for affordable housing and as such is contrary to Policy HS3 of the Watford Local Plan Core Strategy 2006-31.
5. The proposal fails to make appropriate provision to restrict on-street parking in the surrounding Controlled Parking Zone and as such is contrary to saved Policy T24 of the Watford District Plan 2000.
6. The proposal fails to make provision for fire hydrants to serve the development and as such is contrary to Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and saved Policy H10 of the Watford District Plan 2000.

Chair

The Meeting started at 7.30 pm
and finished at 8.05 pm