

DEVELOPMENT CONTROL COMMITTEE

15 MAY 2014

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

Officers: Development Management Section Head
Major Cases and Enforcement Manager
Senior Planning Officer
Committee and Scrutiny Support Officer

94 APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP

Apologies had been received from Councillor Johnson.

95 DISCLOSURE OF INTERESTS (IF ANY)

There were no Disclosures of Interest.

96 MINUTES

The minutes of the meeting held on 24 April 2014 were submitted and signed.

97 OUTSTANDING PLANNING APPLICATIONS

RESOLVED –

that the report be noted.

98 96 ESTCOURT ROAD

The Committee received a report of the Development Management Section Head including the relevant planning history of the site and details of letters in response to the application. The Update Sheet noted that seven letters of objection had been received, not six as had been stated in the report.

The Senior Planning Officer presented the application and explained that a condition was proposed that required that the first floor windows in the 'tower' building be fixed shut below 1.7m above floor level and fitted with obscure glass. These measures would ensure that there would be no overlooking into neighbours' properties and would ensure no significant loss of privacy.

The Chair invited Mr Simon Nilski to speak to the Committee.

Mr Nilski pointed out that whilst the current application did not demonstrate overdevelopment, there was no guarantee that this would not occur in the future.

Mr Nilski said that residents had received insufficient notice that the application was to be discussed at the present meeting. He noted that 32 documents had been attached to the application and that residents had had little time to view and consider the impact of the development.

Mr Nilski drew attention to the 2008 Residential Design Guide and attested that there was not, in this area, the potential to provide seven bedrooms. He asked whether there would be adequate ventilation where the obscure glazed windows were to be installed and added that the obscure glazing did not appear to be sufficiently high to ensure privacy for residents.

Mr Nilski then advised that no fire escape had been included in the plans and asked whether this provision had been considered. He further asked whether research had been conducted into the potential number of residents in the completed flat and whether there would be sufficient drainage.

The Committee agreed that Councillor Helen Lynch could address the meeting.

Councillor Lynch advised that Estcourt Road was a quiet residential street, an oasis in the centre of Watford, and was, primarily, a street of two-bedroom family homes. She explained that there was insufficient car parking facility for current residents.

Councillor Lynch noted that the approval granted in April 2014 for change of use from an office to a residential flat at this address had been a disappointment to local residents. She advised that residents had had concerns regarding overlooking and loss of light; she explained that the current proposal had exacerbated their concerns.

Councillor Lynch pointed out that the walkway would be higher than the brick wall between the properties and would impact on neighbours' lives and would certainly lead to a loss of privacy.

Councillor Lynch explained that the former owner of the property had submitted plans for development and had then sold the building to Newcrown Investments Limited. She urged Newcrown Investments to recognise residents' concerns and asked that all conditions included in the former application be carried forward were approval to be granted. She further requested that the contractors park on site rather than on the road, thus leaving space for residents and, additionally, that no Controlled Parking permits be granted to the residents.

Councillor Lynch concluded by asking that the Applicant give due consideration to residents' concerns.

The Chair asked the Senior Planning Officer to address concerns raised by the speakers.

The Senior Planning Officer explained that the proposal related to the existing two-bedroom flat (for which planning permission had recently been granted under planning application 14/00227/COU) and that space to the rear currently used as an office would be converted to an additional bedroom.

The Senior Planning Officer then addressed concerns regarding the obscure glazed windows and assured the meeting that there would be no overlooking and that the windows would be designed to be opened above 1.7m from floor level. He added that neighbours would suffer no significant loss of light since the linking bridge would be at an acceptable distance from other buildings.

With regard to Mr Nilski's question concerning a fire escape, the Senior Planning Officer advised that the Council's Building Control section had been consulted and had considered that there should not be a problem.

Addressing residents' concerns regarding parking by future occupants, he explained that this was unlikely to be a problem since the application related to an existing flat. He advised, however, that it would be unreasonable to request that vehicles needed for the building work should park on site, because of the constricted nature of the site.

The Officer then drew attention to Condition 2 which specified that construction would not take place on Saturdays, Sundays or public holidays.

The committee then discussed the application.

Councillor Watkin referred to Mr Nilski's comment that residents had had only 72 hours to prepare their response at the meeting. He asked that officers clarify the time at which letters had been sent to residents.

The Chair explained that letters were sent to residents when the application had been first lodged and, subsequently, when the item was listed for the Committee hearing.

The Development Management Section Head added that this was the usual procedure. He noted that six representations had been received in February 2014 and explained that the application process had taken some time due to the length of time before corrected the drawings were made available.

The Development Management Section Head said that the second stage in the process was to send notification, at the point when the agenda for the meeting was published, to all those who had sent in a representation. The agenda had been published on Wednesday 7 May 2014 and notification had been sent on the same day to the six neighbours who had made representations.

Replying to a further question from Councillor Watkin, the Development Management Section Head said that the floor and plans and elevations had

proved to be inconsistent: the floor space had subsequently been altered to illustrate a smaller area.

Councillor Watkin then asked whether the changes would result in a significant increase in residents in the building.

The Senior Planning Officer advised that the change was from a two-bedroom flat to one containing three bedrooms. He considered that a significant increase in residents would be unlikely.

Councillor Brandon raised the question of adequate drainage and asked whether Thames Water had made a comment on the application.

The Senior Planning Officer confirmed that no comments had been received from Thames Water as this was not a material planning consideration for this proposal.

Responding to a further query from Councillor Brandon, the Senior Planning Officer stated that the surrounding buildings projected some distance beyond the proposed existing flat and that the glazed link's impact on light and outlook would be minimal.

Councillor Derbyshire noted that the change from a two bedroom to a three bedroom flat could increase the number of residents to six people. He added that this would inevitably impact on parking space. He expressed concern that the flat could become a House in Multiple Occupation and asked whether conditions could be attached such that future residents would not receive parking permits.

The Senior Planning Officer advised that the proposed development was in a Controlled Parking Zone and that no additional permits would be made available to the occupiers of the existing flat.

Councillor Sharpe said that whilst he had sympathy for the neighbouring residents, there were no grounds for refusal under planning regulations. He explained that in order to reject the current application it would be necessary to show that the linking bridge and the increase in number of bedrooms would result in a change from 'acceptable' to 'intolerable'. Councillor Sharper further advised that in the event of an appeal by the developer, the Council would need to produce evidence in order to sustain their decision. In this instance there was plainly no such evidence. He stressed that the Committee was obliged to determine the application solely on planning grounds.

The Chair agreed that the Committee was bound by planning regulations and that reasons for their decision must be defensible. In the case of the application under consideration no such reasons had been submitted. He concluded by noting that no statements had been received from the responsible authorities stating that the current infrastructure would be unable to cope with the changes proposed.

RESOLVED –

that planning permission be granted subject to the following 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. Construction of the development hereby permitted shall not take place before 8am or after 6pm Mondays to Fridays, and not at all on Saturdays, Sundays and Public Holidays.
3. No work shall commence until details and samples of the materials to be used for all the external finishes of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and samples.
4. The glazed walls of the first floor glazed link extension hereby approved shall not contain any openings and shall be fitted with obscured glass at all times, unless otherwise agreed in writing by the Local Planning Authority.
5. Before the proposed bedroom is taken into use, any parts of the two first floor side windows in the southern elevation of the building which will serve the proposed bedroom that are below 1.7m above the internal floor level of the room shall be fitted with obscured glass and shall be permanently fixed closed below. The obscured glazing shall be retained and the windows shall remain fixed closed at all times thereafter.

Informatives

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, by undertaking discussions with the applicant's agent during the application process.

Drawing numbers

Location plan; 21308-P01 Rev A; 21308-P04 Rev C; 21308-P05 Rev D; 21308-P06 Rev B; 21308-P07 Rev C; 21308-P08 Rev A

GARAGE COMPOUND, TOLPITS LANE

The Committee received a report of the Development Management Section Head including the relevant planning history of the site.

Councillor Bell said that he welcomed the changes included in the proposal since the application had previously come to committee; he considered that the development was more acceptable and with a better overall design.

Councillor Bell noted, however, that shoppers would continue to need space to park and said that he hoped adequate access and egress to the car park at the rear of the shops would be provided.

Councillor Derbyshire agreed that the changes which had been sought had been achieved within the present application. He pointed out that the windows in the bathroom and kitchen in the top floor flat would be non-opening and asked how these rooms would be ventilated.

The Major Cases and Enforcement Manager drew attention to Condition 12 in the Recommendations which stated that details of the mechanical ventilation systems would need to be submitted to and approved by the Local Planning Authority prior to construction work starting.

The Chair concurred with other members of the committee that the current Application would provide good quality accommodation for residents.

RESOLVED –

that, in consequence of a planning obligation under s.106 of the Town and Country Planning Act 1990 (as amended) having been entered into to secure the Heads of Terms set out below, planning permission be granted subject to the following conditions:

Section 106 Heads of Terms

i) To secure financial payments to the Council of:

a) £12,360 (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) £3,940 (index linked) towards the provision and improvement of children's playspace in the Borough in accordance with Policy L9 of the Watford District Plan 2000;

ii) To secure financial payments to the County Council of:

a) £6,750 (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 Watford Local Plan Core Strategy 2006-31;

b) £2,058 (index linked) towards the provision of secondary education in accordance with Policy H10 of the Watford District Plan 2000;

- c) £3,822 (index linked) towards the provision of primary education in accordance with Policy H10 of the Watford District Plan 2000;
- d) £972 (index linked) towards the provision of nursery education in accordance with Policy H10 of the Watford District Plan 2000;
- e) £276 (index linked) towards the provision of childcare facilities in Watford in accordance with Policy H10 of the Watford District Plan 2000;
- f) £70 (index linked) towards the provision of youth facilities in Watford in accordance with Policy H10 of the Watford District Plan 2000;
- g) £978 (index linked) towards the provision of library facilities in accordance with Policy H10 of the Watford District Plan 2000;
- iii) To secure 4 of the units as affordable housing for affordable rent.
- iv) To secure the provision of fire hydrants as required by the County Council in accordance with Policy H10 of the Watford District Plan 2000.

Conditions

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

003C and 004C
3. No demolition or construction of the development hereby permitted shall take place before 8am or after 6pm Mondays to Fridays, before 8am or after 1pm on Saturdays or at any time on Sundays and Public Holidays.
4. No demolition or construction works shall commence within the site until a Construction Environmental Management Plan has been submitted to and approved by the Local Planning Authority. This Plan shall include details of temporary access for construction vehicles, contractors parking, the delivery and storage of materials, measures to mitigate noise and dust, wheel washing facilities, plant and equipment and a contact procedure for complaints. The Plan as approved shall be implemented throughout the construction period.
5. No construction works shall commence until details of the materials to be used for all the external finishes of the building, including walls, roofs, doors, windows, canopy and balcony railings, 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.
6. No construction works 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.

7. No part of the building 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.

8. No part of the building shall be occupied until full details of a hard landscaping scheme, including details of the railings to the site boundary, 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.

9. No part of the building shall be occupied until details of the bin store and the cycle store (sufficient to accommodate a minimum of 10 cycles) as shown in principle on drawing nos. 003C and 004C, have been submitted to and approved in writing by the Local Planning Authority and the bin store and cycle store have been constructed in accordance with the approved details.

10. No part of the development shall be occupied until the 11 car parking spaces shown on drawing no. 003C, have been laid out and constructed in full. These spaces shall be retained for parking cars at all times.

11. The windows at third floor level in the south elevation to the kitchen area and the bathroom shall be sealed and non-opening, unless otherwise agreed in writing by the Local Planning Authority.

12. No development shall commence until details of the mechanical ventilation system for the kitchen area and bathroom of the flat at third floor level that are served by the windows referred to in Condition 11 above have been submitted to and approved in writing by the Local Planning Authority. These details shall include the location of the system within the flat, the noise levels of the system and the location of the air intake and extract vents. The flat shall not be occupied until the mechanical ventilation system has been installed as approved. The system shall be retained at all times.

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 playspace, education facilities, childcare, youth facilities, library facilities and sustainable transport measures within the Borough of Watford. The agreement also requires the provision of 4 affordable housing units and the necessary fire hydrants to serve the development.

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. The Council also gave pre-application advice on the proposal prior to the submission of the application and undertook discussions with the applicant's agent during the application process.

3. Before commencing the development the applicant shall contact Hertfordshire County Council Highways (0300 123 4047) to obtain i) their permission/requirements regarding access for vehicles involved in the demolition of the existing building; ii) a condition survey of any adjacent highways which may be affected by construction vehicles together with an agreement with the highway authority that the developer will bear all costs in reinstating any damage to the highway.

Drawing numbers

003C and 004C

100

REMBRANDT HOUSE, WHIPPENDELL ROAD

The Committee received a report of the Development Management Section Head including the relevant planning history of the site and details of two letters raising objections to the application.

The Major Cases and Enforcement Manager noted that the design for accommodation had changed since planning permission had been granted in 2012 and that two further amendments to the designs had been submitted since the report had been prepared.

The Major Cases and Enforcement Manager drew attention to the Update Sheet and noted the comments of the Council's Urban Design and Conservation Manager on the latest amended drawings. These comments had been assimilated into the final designs which had thus achieved an inherent dignity. It was agreed that previous concerns had been overcome satisfactorily.

The Major Cases and Enforcement Manager noted the extra Condition (No.27) in direct response to the Urban Design and Conservation Manager's comments.

The Committee then discussed the application.

Councillor Derbyshire commended the Urban Design and Conservation Manager's report and advised that he had had reservations with regard to the original application. He considered that the Urban Design and Conservation

Manager's report presented a professional viewpoint which was an important material consideration to be taken into account in determining the application.

Councillor Bell noted that the mix of dwellings had altered: it was proposed that there would be no maisonettes and no four bedroom houses. He also noted that no transport assessment had been completed and stated that he had concerns with regard to congestion in the locality.

Councillor Brandon referred to the Hertfordshire Constabulary Crime Prevention Design Advisor's report and comments and asked for an explanation of the resultant changes.

The Major Cases and Enforcement Manager explained that the Crime Prevention Officer's comments and recommendations had been addressed through changes in the proposed layout. He added that the cycle stores and the footpaths had also been altered and that low hedging would be planted round the car park in order that this enclosure would not appear unduly severe. He assured the meeting that most concerns had been addressed through design changes.

Councillor Brandon also noted the Urban Design and Conservation Manager's comments on the amended designs and asked whether the materials used would be as specified in the report or whether they would be changed.

The Major Cases and Enforcement Manager replied that materials would be of brick and render, adding that brick string courses and headers had been removed from the designs. He advised that the same materials would be used for both flats and houses.

Councillor Watkin expressed approval for the work of the Urban Design and Conservation Manager and said that the designs for development were now more acceptable. He noted that the changes in the mix of homes would provide 107 bedrooms rather than the 124 as previously proposed.

Replying to a question from Councillor Watkin in respect of affordable homes, the Major Cases and Enforcement Manager advised that planning officers had consulted with the Council's housing section and that the proportion of affordable homes in this development, and the type of tenure, had been agreed.

Councillor Sharpe said that removing flats from the scheme and replacing them with houses had been a good decision. He added that it was appropriate for the Planning Policy team to intervene in order that the overall design was acceptable for the location. Councillor Sharpe considered that it was imperative that the development should demonstrate a good relationship to the context of the area. He noted that there were many different styles of architecture in West Watford although none of Georgian appearance such as had been proposed in the original design for this development.

The Development Management Section Head drew attention to the addition of Condition 27 and noted that this should include a requirement that the

development should be carried out in accordance with the drawings as approved by the Local Planning Authority.

The Chair said that the Planning Policy team and Shanly Homes should be commended for the changes they had incorporated into the designs in order to make the overall scheme more acceptable. He advised that this was a significant development and that it was imperative that the final plans should be as good as possible.

RESOLVED:

(A) that planning permission be granted subject to the completion of a deed of variation in respect of the planning obligation under s.106 of the Town and Country Planning Act 1990 entered into in respect of planning application 11/00952/FULM to secure the following obligations and subject to the conditions listed below:

Section 106 Deed of Variation

- i) To secure financial payments to the Council towards public open space and children's playspace, in accordance with the Agreement dated 26th November 2012.
- ii) To secure financial payments to the County Council towards sustainable transport measures, education, youth facilities and libraries, in accordance with the Agreement dated 26th November 2012.
- iii) To secure the provision of 12 affordable housing units within the application site comprising 6 x 2 bed houses for social rent, and 1 x 2 bed house and 5 x 3 bed houses for shared ownership or other intermediate tenure.
- iv) To secure the exclusion of the development from the local controlled parking zone to ensure future residents are not entitled to permits to park on-street in the surrounding roads.
- v) To secure the provision of necessary fire hydrants as required to serve the development.

Conditions

1. The development to which this permission relates shall be begun within a period of 3 years commencing on the date of this permission.
2. The development shall only be constructed in accordance with the following approved drawings, unless otherwise agreed in writing by the Local Planning Authority:

Site location plan
1248_PLN_302, 303C, 304B, 305B, 306B, 308B, 309B, 310B, 312A, 313B,
314B, 315B, 316A, 317B, 318B, 319B

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. The construction of the development shall be registered with the Considerate Constructors Scheme and shall be carried out in accordance with the requirements of this Scheme at all times.
5. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include the phasing of the development and, for each phase, details of contractors parking, the delivery and storage of materials, any temporary access/egress points to adjoining highways, and wheel washing facilities. The Plan as approved shall be implemented throughout the construction period.
6. No development shall commence until a final verification report demonstrating completion of the works set out in the Remediation Method Statement (dated September 2012) and the Interim Remediation Verification Report (dated September 2013), both by Rick Management Limited, and the effectiveness of the remediation has been submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority. The long-term monitoring and maintenance plan shall be implemented as approved.
7. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted to, and obtained written approval from, the Local Planning Authority for an amendment to the Remediation Method Statement referred to in Condition 6, detailing how this unsuspected contamination is to be dealt with. All works shall be carried out in accordance with the approved details.
8. The development permitted by this planning permission shall only be carried out in accordance with the approved amended FRA (Issue 4, February 2012) and the following mitigation measures detailed within:
 - i) Limiting the surface water run-off generated by the 100 year critical storm with 30% addition for climate change as identified in Section 4.10, so that it will not exceed the run-off from the developed site detailed in Section 4.20 as 17 litres per second for

Design Option 1, and 12 litres per second for Design Option 2 as detailed in Section 4.35.

- ii) Utilising the sustainable drainage options (identified in Section 4.20) as the basis of the detailed surface water design.

9. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

10. No piling or any other foundation designs using penetrative methods shall be undertaken without the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

11. No development shall commence until details of the routing of all below ground services and cabling (electricity, gas, telephone, foul water, surface water, etc), including any temporary connections for site huts, showing depth, width and routing of all trenches, have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

12. No development shall commence until fencing of a style, height and in a position to be agreed in writing by the Local Planning Authority shall have been erected to protect all trees and shrubs which are to be retained. No materials, vehicles, fuel or any other items shall be stored or buildings erected or works carried out inside this fencing and no changes in ground level shall be made within the spread of any tree or shrubs (including hedges) without the prior written approval of the Local Planning Authority.

13. No removal of trees, scrub or hedges shall be carried out on the site between 1st March and 31st August in any year unless a suitably qualified ecologist has previously searched the trees, scrub or hedges and certified in writing to the Local Planning Authority that such works of removal may proceed.

14. No development shall commence until a landscaping scheme (including a detailed method statement covering tree planting, tree, shrub and grass specie, planting size and density, soil volume and drainage and irrigation systems) for all landscaped areas within the site has been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of 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.

15. No development shall commence until full details and samples of the materials to be used for the external surfaces of the buildings (including walls, roofs, windows, doors, balconies and solar panels) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved materials.

16. No development shall commence until full details and samples of the materials to be used for all hard surfaced areas have been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved materials.

17. No development shall commence until details of the siting, height and type of fencing or other means of enclosure around the boundaries of the site and within the site have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved prior to the first occupation of any part of the development to which the works relate and shall be maintained as such at all times thereafter.

18. No development shall commence until details of a lighting scheme for the development have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be installed as approved prior to the first occupation of each respective part of the development to which it relates.

19. No dwelling shall be occupied until a certificate has been submitted to the Local Planning Authority to confirm that the dwelling has been constructed to achieve Level 3 of the Code for Sustainable Homes.

20. No house in Blocks A, B, C, D, E, F, G and H shall be occupied until the refuse and re-cycling store for each dwelling shown on the approved drawings has been constructed. Each store shall be retained as approved at all times.

21. No dwelling shall be occupied until the new junctions onto Hagden Lane and King George's Avenue and the new access road through the site, as shown in principle on the approved drawing no. 1248_PLN_303A, have been constructed and all existing access/egress points on Hagden Lane and King George's Avenue have been closed and reinstated.

22. No dwelling shall be occupied until details of the proposed bollards or other physical measures to prevent vehicular access between Hagden Lane and King George's Avenue, as shown in principle on drawing no. 1248_PLN_303A, have been provided, in accordance with details which shall previously have been submitted to and approved in writing by the

Local Planning Authority. Once installed, these measures shall be permanently retained at all times.

23. No dwelling shall be occupied until the respective vehicle parking accommodation shown on the approved drawing no. 1248_PLN_303A (or any subsequent amendment agreed in writing with the Local Planning Authority) has been provided and made available for use. This parking accommodation shall be permanently retained and shall not be used for any other purpose than the parking of vehicles of occupants of the development or visitors to the site.

24. The windows in the flank elevation of the buildings on Plots B1, B4, C1 and C4 shall be non-opening and shall be fitted only with obscured glazing at all times.

25. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any modification or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B, C, D and E of the Order shall be carried out to the dwellings hereby approved without the prior written permission of the Local Planning Authority.

26. The integral garages to the houses on Plots F2, F3, F4, F5, G2, G3, G5, G6, H3 and H4 shall only be used for the parking of cars and shall not be converted to habitable accommodation or any other use, without the written approval of the Local Planning Authority.

27. No development shall commence until large scale construction drawings have been submitted to and approved in writing by the Local Planning Authority for the following:

- i) windows, including reveals
- ii) eaves and guttering
- iii) projecting bays
- iv) canopies
- v) dormer windows

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

Informatives

1. This planning permission is accompanied by an agreement 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, 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 secures the provision of affordable housing and requires the provision of necessary fire hydrants to serve the development.

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. The Council also gave pre-application advice on the proposal prior to the submission of the application and undertook discussions with the applicant's agent during the application process.

Drawing nos.

Site location plan

1248_PLN_302, 303C, 304B, 305B, 306B, 308B, 309B, 310B, 312A, 313B, 314B, 315B, 316A, 317B, 318B, 319B

(B) In the event that an acceptable deed of variation in respect of the planning obligation under s.106 of the Town and Country Planning Act 1990 entered into in respect of planning application 11/00952/FULM has not been completed by 20th May 2014 in respect of the Heads of Terms set out above, the Development Management Section Head be authorised to refuse planning permission for the application for the following reasons:

1. The proposal fails to make adequate 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 Policies L8 and L9 of the Watford District Plan 2000.
2. The proposal 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 proposal fails to contribute to the provision or improvement of community facilities (youth facilities 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 proposal fails to contribute to the provision or improvement of education facilities 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.

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

6. 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.

7. 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.

The Chair concluded the meeting by thanking the Development Control Committee for their professional consideration of all applications during the past Municipal Year. He also thanked officers for their expert and dedicated endeavours and for their continuing advice to Members.

Chair

The Meeting started at 7.30 pm
and finished at 8.30 pm