

## **DEVELOPMENT CONTROL COMMITTEE**

**16 OCTOBER 2014**

Present: Councillor R Martins (Chair)  
Councillor G Derbyshire (Vice-Chair)  
Councillors N Bell, J Connal, S Johnson, I Sharpe, M Watkin  
and T Williams

Officers: Development Management Section Head  
Applications Casework Manager  
Committee and Scrutiny Support Officer (RW)

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

Apologies were received from Councillor Bashir.

### **35 DISCLOSURE OF INTERESTS (IF ANY)**

There were no Disclosures of Interest.

### **36 MINUTES**

The minutes of the meeting held on 18 September 2014 were submitted and signed.

### **37 885 ST ALBANS ROAD**

The Committee received a report of the Development Management Section Head including the relevant planning history of the site and details of five letters of objection.

The Chair invited Mrs Jenny Worrell to speak to the Committee.

Mrs Worrell explained that she lived very near to the application site. She noted the application for 887 St Albans Road which had recently been granted planning permission for redevelopment and stated that she wished to object to the proposal on the grounds of overdevelopment in an area so close to the traffic lights at the junction of St Albans Road and the North Orbital Road.

Mrs Worrell advised that, after completion, there would be two fewer parking spaces than were currently on the site. She added that only one vehicle could enter the site over the dropped curb, all others were compelled to 'bump' over the pavement.

Mrs Worrell noted that number 885 St Albans Road had been a House in Multiple Occupation (HMO) for one year during which time great inconvenience had been caused to her own household through residents driving and parking on her driveway. She stressed that she was concerned that she would be unable to enter and exit her own property were the redevelopment to go ahead and added that further concerns centred on danger to pedestrians, specifically school children.

Mrs Worrell advised that further difficulties associated with traffic had involved large transit vans and commercial vehicles accessing the frontage to the house and that a six bedroom HMO would exacerbate the problems.

Mrs Worrell concluded by asking whether the proposed boundary wall would be built within the grounds of 885 St Albans Road and also how many residents could be anticipated in a six bedroom HMO.

The Chair asked the Applications Casework Manager to respond to Mrs Worrell's questions.

The Applications Casework Manager advised:

*Boundary Wall:*

It was agreed that there were problems regarding parking at the current time but it was hoped that these would be rectified by the Conditions and the building of the boundary wall. The wall would be constructed on land belonging to 885 St Albans Road.

*Number of Residents:*

The plans of the house had been altered to delete one of the current bedrooms. There would in future be six bedrooms which, in accordance with the suggested condition, would allow for a maximum of six people to live at the property.

The Committee then discussed the application.

Councillor T Williams noted that the property was already an HMO which had caused problems as highlighted by Mrs Worrell. He drew attention to the fact that a home could be converted to a six bedroom HMO without need for planning permission and stated that he considered this to be a worrying situation.

Councillor Williams then noted a perceived discrepancy in the report. He pointed out that, on page 10 of the agenda, reference had been made to the Highway Authority's statement that there were 3 existing parking spaces for the proposed site. On page 16, however, the planning report stated that whilst the property previously had two un-obstructed spaces on-site, the side extension had resulted in the loss of one of these spaces. Councillor Williams asked whether the validity of Hertfordshire Highway Authority should be questioned and whether the Development Management Section Head had written to the County Council.

Councillor Williams then questioned the 10% conversion rule interpretation. He noted that of three adjacent houses, one (887 St Albans Road) would be demolished and flats built on the site and that were the present application to be

granted, this would result in a 66.7% conversion rate. He asked how the calculation had been computed and why houses on the other side of the road had been included.

The Applications Casework Manager said that the 22 properties included in the calculation were those properties situated between the traffic lights and the McDonald's building. He added that the policy gave no specific definition for the area to be included in the calculation.

The Applications Casework Manager added that since no planning permission was required for a six bedroom HMO, this could be regarded in planning terms as a residential house.

The Chair counselled that were the Committee to refuse the application, the house could be converted to an HMO with a maximum of six people without the need for planning permission.

Replying to Councillor Williams' query, the Development Management Section Head advised that paragraph 5.44 of the Watford District Plan 2000 set out the definition of a street block as those properties on both sides of a road and that this had been the basis of the calculation.

The Development Management Section Head noted that there had been significant changes in planning regulations since the end of the previous century including permitted development rights for HMOs and that it was therefore necessary to bear in mind the fallback position that was open to the applicant. He added, however, that there was an opportunity to ensure that additional controls were imposed by granting the application with conditions.

Councillor Derbyshire advised that the committee was asked to approve the single storey extension at the side of the building. He noted that whilst the front elevation of the house had changed it was not significantly worse than it had been prior to the construction and that consequently there were no strong grounds for refusal.

With regard to HMOs, however, Councillor Derbyshire expressed serious concerns at current legislation which allowed for conversion from a single dwelling house to HMOs without need for planning permission. This would, in all probability, reduce the number of single dwelling houses for rent, as landlords would gain financial incentive through renting out single rooms rather than an entire house.

Responding to Councillor Derbyshire's comments on the side extension, the Development Management Section Head advised that this also fell within permitted development limits.

Members noted the permitted development rights available for HMOs but agreed that it was important that no more than six people should be resident in the house. Members urged neighbouring residents to remain vigilant and to report problems to the Environmental Health department at the Council.

Councillor Williams reiterated his concerns regarding the inclusion of the houses in the cul-de-sac on the other side of St Albans Road in the calculation and asked whether reliance could be placed on the Highway Authority's conclusions.

Officers replied that the plans had been revised and that one parking space had been included. The Development Management Section Head added that there had been correspondence with the Highway Authority and that regular liaison meetings between the Authority and Watford Borough Council would now be taking place.

The Chair concluded the debate by noting the condition that the boundary wall be built before 16 December 2014.

**RESOLVED –**

That planning permission be granted subject to the following conditions:

1. The alterations shown on drawing No. MG/002/F Rev F, received by the Local Planning Authority on 12<sup>th</sup> September 2014, including the removal of kitchen units, internal bedroom partition walls, W.C. and shower room; demolition of the single storey addition on the south-western side of the house; and provision of escape windows to front and rear elevations of the side extension hereby approved, shall be implemented by 16<sup>th</sup> December 2014.
2. Unless otherwise agreed in writing by the Local Planning Authority, a 1m high brick boundary wall shall be erected adjacent to the side boundary with No. 883 St. Albans Road and adjacent to the front boundary, as shown on drawing No. MG/801/B Rev B received by the Local Planning Authority 12<sup>th</sup> September 2014. The boundary wall shall be erected by 16<sup>th</sup> December 2014 and shall be retained at all times thereafter.
3. The property shall not be occupied by more than 6 people.
4. Construction of the development hereby permitted shall not take place before 8am or after 6pm Mondays to Fridays, before 8am or after 1pm on Saturday, and not at all on Sundays and Public Holidays.
5. Details of the siting, size and design of refuse, recycling and cycle storage shall be submitted to the Local Planning Authority for approval by 16<sup>th</sup> November 2014. The storage facilities shall then be installed in accordance with the approved details within one calendar month of the written approval of the Local Planning Authority. The storage facilities shall be retained at all times thereafter.
6. This permission shall relate to the plans and application form as amended by the drawings received by the Local Planning Authority on 12<sup>th</sup> September 2014.

### **Informatives**

1. 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

MG/001/D Rev D; MG/002/F Rev F; MG/701/A Rev A; MG/801/B Rev B; MG/802/E Rev E

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**184 PINNER ROAD**

The Committee received a report of the Development Management Section Head including the relevant planning history of the site and details of eight representations citing objections to the application.

The Chair invited Mr Patrick Stoddart to address the Committee.

Mr Stoddart said that he was speaking on behalf of neighbours in the area of the application site and noted that detailed objections had been included within the report.

Mr Stoddart advised that the application site was situated on the corner of Pinner Road and Sherwoods Road close to the Oxhey conservation area. He noted that both the current bungalow and its garden were very attractive and that overall there was a semi rural feel to the area.

Mr Stoddart then addressed the impact the proposal would have on the resident at number 30 Sherwoods Road. He noted that, due to the hedging currently in place, the bungalow could not be seen from the neighbours' garden; the existing pleasant view would be lost and replaced by a solid brick wall; residents in number 30 would also be considerably overlooked.

Mr Stoddart then noted the impact on number 184a Pinner Road and advised that the current distance of 30 m between the bungalow and number 184a would be reduced to 1.8 m.

Mr Stoddart concluded by stating that the design of the new houses would be out of context with the other dwellings at this corner of Watford Heath.

The Chair then invited Mr Ward to speak to the meeting.

Referring to Mr Stoddart's statement regarding hedging, Mr Ward advised that hedges and trees at the property would be retained. He added that the applicants lived locally and had felt that the development would add to the quality of the neighbourhood.

Mr Ward noted the Update Sheet and said that the additional conditions had been accepted and would be complied with. He advised that the houses had

been carefully designed and he assured the meeting that there would be no overlooking.

Mr Ward alluded to the 'Arts and Crafts' movement and said that the appearance of the houses followed these design features as requested by both the Council's Urban Design and Conservation Manager and the Senior Planning Officer who had worked on the application.

Mr Ward advised that the proposal represented a high quality build which met all the Council's standards and policies.

The Committee then discussed the application.

Councillor Sharpe said that he sympathised with residents who considered that the proposal would negatively impact on the area through loss of green space. He referred to the previous application which had been refused as its design had been inappropriate in the surrounding area.

Councillor Sharpe said that he had carefully studied the report in order to discover if there were any areas where the application could be challenged through lack of compliance to the appropriate policies. He advised, however, that there were no grounds for refusal under the pertinent policies; refusal by the committee would result in an appeal which the Council would almost certainly lose.

Councillor Derbyshire said that the present design was an improvement on the previous one and that it was clear that the architects had addressed all points which had previously resulted in refusal. He agreed that the front elevation followed 'Arts and Crafts' design guidelines and was attractive in this area; he considered that there were no aspects which would give grounds for refusal.

The Chair asked the Applications Casework Manager to clarify a number of points.

The Applications Casework Manager advised that it was not possible to refuse an application through loss of outlook – this was not a material planning consideration. He noted that there were two parking spaces for each house which was in accordance with the relevant policies; the application could not be refused on these grounds. The Applications Casework Manager added that the new houses would result in less overlooking of neighbours' homes and gardens than the previous proposal.

RESOLVED –

that, in consequence of a unilateral undertaking under s.106 of the Town and Country Planning Act 1990 (as amended) having been entered into to secure the contributions and other provisions set out in this report, 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. Demolition of the existing buildings and 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.

3. Notwithstanding the information already submitted, no works of construction shall commence until details of (a) the materials to be used for all the external finishes of the building (b) the reveal treatment to be applied around all windows and doors and (c) the external finish of the dormers and the eaves/soffit treatment, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the details approved under this condition.

4. No development shall commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details of contractors' parking, the delivery and storage of materials, wheel washing facilities, measures to mitigate noise and dust and a contact procedure for complaints. The Plan as approved shall be implemented throughout the construction period.

5. Notwithstanding the information already submitted, no works of construction shall commence until full details of both hard and soft landscaping works, including details of all existing trees to be retained, any arboricultural works to be carried out, any new planting, any changes to ground levels, all pathways, all hard surfacing, amenity areas/paving, lighting and, where required, a phasing programme have been submitted to and approved in writing by the Local Planning Authority.

The approved landscaping scheme, with the exception of the planting, shall be completed prior to any occupation of the development or in accordance with an approved scheme of phasing. Any proposed planting shall be completed not later than the first available planting and seeding season after first occupation of any part of the development. For the purposes of this condition a planting season is the period from 1 October in any one year to 31 March in the next following year. 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 in writing by the Local Planning Authority.

6. Notwithstanding the information already submitted, details of the size, type, siting and finish of refuse, recycling and cycle storage enclosures for the proposed dwellings shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any part of the development hereby approved. The stores approved under this condition shall be installed and made available for use prior to the first occupation of any part of the development and shall be retained at all times for refuse/recycling/cycles only and shall not be used for any other purposes.

7. No work shall commence until details of the siting, height and type of fencing, gates 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. The fencing, gates or other means of enclosure shall be provided as approved prior to the first occupation of any part of the development and shall be maintained as such at all times thereafter.

8. No dwelling shall be occupied until the parking, driveway and manoeuvring areas have been laid out as shown on Drawing No. 1406 – TP.13 (or any subsequent amendment agreed in writing by the Local Planning Authority). The provision made for parking and manoeuvring shall not thereafter be used for any other purpose.

9. The development shall be carried out only in accordance with the tree protection measures detailed on Drawing No. TPP1\_PR Rev A (Tree Protection Plan) and as set out in the Arboricultural Assessment and Protection Method Statement (Ref. ha/aiams2/184pinnerd) prepared by ACS Consulting.

10. The below ground services shall be installed only in accordance with the routes detailed on Drawing No. TPP1\_PR Rev A (Tree Protection Plan). Any alterations to the approved layout shall be notified to and approved in writing by the Local Planning Authority before any excavation is made.

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

12. Notwithstanding the information already submitted, no development shall commence until detailed plans showing the existing and new or altered ground levels within the site and the floor levels of each of the proposed dwellings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the details approved under this condition.

13. All proposed first floor and second floor windows on the northeast-facing elevations of the proposed dwellings including those windows serving the stairwells/landings and all proposed roof light windows shall be permanently fixed closed below 1.7m above internal floor level and shall be fitted with obscured glass at all times unless otherwise agreed in writing by the Local Planning Authority.

14. The development shall be carried out only in accordance with the construction methods of the low invasive and permeable surfacing as detailed on Drawing No. TPP1\_PR Rev A (Tree Protection Plan) and as set out in the Arboricultural Assessment and Protection Method Statement (Ref. ha/aiams2/184pinnerd) prepared by ACS Consulting.

15. Unless otherwise agreed in writing by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until Conditions (a) to (d) below



have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Condition (d) has been complied with in relation to that contamination.

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The scheme shall be submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be produced. The written report shall be submitted to and approved in writing by the Local Planning Authority. The report of the findings shall include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments.
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This exercise shall be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

(b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared, and submitted for the approval in writing of the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme shall ensure that, after remediation, the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land.

(c) Implementation of Approved Remediation Scheme

The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given not less than two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification/validation report that demonstrates the effectiveness of

the remediation carried out shall be produced, and submitted for the approval in writing of the Local Planning Authority.

(d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken in accordance with the requirements of (a) above, and where remediation is necessary a remediation scheme shall be prepared in accordance with the requirements of (b) above, which shall be submitted to and approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification/validation report shall be prepared, which shall be submitted to and approved in writing by the Local Planning Authority in accordance with (c) above.

16. The existing hedging shall be retained in accordance with the details shown on Drawing 1406 – TP.03 Rev A unless otherwise agreed in writing by the Local Planning Authority. Any hedging shown to be retained which within a period of five years dies or becomes diseased shall be replaced in the next planting season with hedging of a similar size and species, or in accordance with details approved in writing by the Local Planning Authority. For the purposes of this condition a planting season is the period from 1 October in any one year to 31 March in the next following year.

Informatives

1. 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.

2. This planning permission is accompanied by a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure financial payments towards the provision or improvement of public open space, children's play space, childcare, education, youth facilities, library facilities and sustainable transport measures within the Borough of Watford and the provision of any fire hydrants that are necessary to serve the development, in accordance with the provisions of Supplementary Planning Guidance 10 (SPG10), Policies L8, L9 and H10 of the Watford District Plan 2000 and Policies T4, T5 and INF1 of the Watford Local Plan Core Strategy 2006-31.

3. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the Hertfordshire County Council website at

<http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

4. 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 buildings; 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.

5. Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit Thames Water's website at [www.thameswater.co.uk](http://www.thameswater.co.uk)

6. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

7. With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Veolia Water Company, The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

#### **Drawing Numbers**

1406/L.01; 1406 – L.02; 1406 – TP.01; 1406 – TP.02; 1406 – TP.03 Rev A; 1406 – TP.04; 1406 – TP.05 Rev B – amended plan received 03.10.14; 1406 – TP.06; 1406 – TP.07; 1406 – TP.08 Rev C – amended plan received 03.10.14; 1406 – TP.09; 1406 – TP.10 Rev B – amended plan received 03.10.14; 1406 – TP.11 Rev A – amended plan received 02.09.14; 1406 – TP.12 Rev C; 1406 – TP.13; 1450LS; TPP1\_PR Rev A

#### **Other documents**

Planning, Transport, Design and Access Statement

Flood Risk Assessment

Arboricultural Assessment and Protection Method Statement – Ref. ha/aiams2/184pinnerd

**CASSIOBURY PARK**

The Committee received a report of the Development Management Section Head including the relevant planning history of the site and details of one letter of objection.

The Chair invited Mr Gunn to address the Committee.

Mr Gunn advised that he was a Neighbourhood Watch co-ordinator and said that he had asked to be allowed to speak in order to present his objections to the relocation of the bandstand.

Mr Gunn believed that the bandstand would prove an attractive venue for a variety of criminal and anti-social activities. He noted that he had spoken with the Chair of the Cassiobury Residents' Association and also with the Cassiobury Triangle Residents' Association who had expressed similar concerns. Mr Gunn added that the Watford Safer Neighbourhood Team also had fears regarding anti-social behaviour and he referred to incidents within the park which had been of a criminal or anti-social nature.

Mr Gunn advised that when the bandstand had been sited in the park it had been vandalised and that this had led to its relocation to the side of the Watford Public Library. He considered that it had been well maintained at this site and that it would be better to leave it in there.

Mr Gunn further advised that noise from the bandstand could be an issue for neighbouring residents.

Mr Gunn concluded by advising that he understood that some residents had been excluded from the consultation and noted that on page 84 of the agenda no mention had been made of the residents' associations.

The Chair then invited Mr Alex Massey to address the Committee.

Mr Massey said that he was speaking on behalf of the Applicant and the design team.

Mr Massey considered that great improvements were proposed for all aspects of the park. He advised that the entrances would be greatly enhanced and the two original driveways, which included the Lime Walk, updated and improved. The Cha Cha Cha café as well as the Hill and Smith bandstand would be restored and enhanced and the bandstand relocated to its original position in the centre of the park.

Mr Massey then advised on the refurbishment of the hub area and noted that this area would encompass facilities for walks and educational and fact finding visits. He drew attention to the fact that the hub building would be built on the existing

footprint and would be cut into the slope of the hill thus providing a more naturalistic appearance. The water play facilities would also be improved.

Mr Massey concluded by confirming his view that the proposal would result in a greatly improved range of facilities and would enhance the historical aspect of the park.

The Chair noted that two speakers had said that they had received very short notice of the meeting taking place and asked for officers' comments. He also asked why the residents' associations' representations had not been included.

The Applications Casework Manager confirmed that letters advising of the meeting had been sent out on the same date as agenda publication i.e. Wednesday 8 October. It was regrettable that delivery had taken such a length of time.

The Applications Casework Manager said that, prior to the submission of the application, the applicant had undertaken extensive consultation with local residents. When the application had been submitted to the Council, site notices had been placed in appropriate locations, advertisement had been published in the Watford Observer and letters had been sent to all the houses surrounding the park. He stressed that following the consultation there had been considerable opportunity to respond, but only one representation had been received.

With regard to anti-social behaviour, the Applications Casework Manager said that Hertfordshire Constabulary had been consulted on this matter. It was agreed that there was the potential for problems to occur in connection with the bandstand but general societal circumstances were not comparable with those of 30 years previously; moreover, it was usual for bandstands to be located within parks, and the heritage aspect of its relocation was also a very important part of the proposals.

The Chair said that relocation of the bandstand appeared to a major issue. He asked Mr Massey what impact would ensue were the committee to approve the application but with the removal of the bandstand.

Mr Massey replied that this decision would have a significant impact. He explained that financial support would be delivered through the Heritage Lottery Fund which was a three-stage process. A list of items for funding had been submitted and agreed. If any items were removed this support would be placed in jeopardy.

The Development Management Section Head confirmed that the committee had no power to grant **part** of the application; the application could only be granted in its entirety or not at all.

Councillor Derbyshire confirmed that a considerable number of residents on the surrounding estates were not in favour of the relocation of the bandstand. He advised that the steering committee had included the Cassiobury Park Residents' Association, members of whom had debated this issue.

Councillor Derbyshire said that he was ambivalent regarding the application: he reminded the meeting that the bandstand had been removed from the park due to the associated anti-social behaviour but considered that transfer to the original location would restore part of Watford's heritage. He advised that the Cha Cha Cha café had CCTV which was connected to the system at Watford Police station and suggested that this system could be extended to include the bandstand.

Councillor Watkin expressed his concern that the bandstand was currently in a good position and would not be so well used in the park. With regard to the use of CCTV, he endorsed Councillor Derbyshire's suggestion and agreed that this proposal could have a major impact on anti-social behaviour.

Councillor Bell welcomed the changes proposed and agreed that present-day circumstances were not identical to those at the time of the bandstand's removal from the park. He felt that it would be wise to consider installing CCTV and said that anti-social behaviour would not occur simply because the bandstand would be put back in its original position.

Councillor Sharpe expressed his agreement with Councillor Bell's statements and advised that any location could be a 'magnet' for anti-social behaviour – even a park bench. He felt that the introduction of CCTV would, to some degree, halt anti-social behaviour and that the restoration of the bandstand to its original position was a good and noble plan.

Councillor Sharpe affirmed that the park was a much-loved and historic landscape and should be treasured and well-managed. He praised the intention to improve signage at the entrances in order to indicate to visitors the facilities which the park had to offer.

The Chair also praised the scheme and advised that it was incumbent on the Council to protect Watford's valuable heritage. He added that it would be irresponsible to not put measures in place to prevent anti-social behaviour and advised that any provisions which could ensure greater safety should be installed.

Councillor Connal asked for reassurance that suitable archaeological investigations would be completed prior to work beginning. She stressed that the park had a significant history and that it was imperative that no archaeological discoveries were 'lost' due to the changes proposed.

The Applications Casework Manager confirmed that an amendment had been added to condition 10 to strengthen this provision.

Councillor Derbyshire said that he would find it difficult to approve the application were the possibility of problems due to anti-social behaviour not addressed sufficiently. He asked whether a condition be added whereby the applicant consult with the Police Authority in order to determine adequate security arrangements specifically in the area of the bandstand.

The Development Management Section Head advised that such a condition would be more effective if it required details of security arrangements to be submitted to and approved in writing by the local planning authority, and to be implemented as approved.

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, before 8am or after 1pm on Saturdays and not at all on Sundays and Public Holidays.
3. The construction site shall be registered with the Considerate Constructors Scheme and the development shall be carried out in accordance with the requirements of this Scheme at all times.
4. No demolition or construction works 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.
5. No demolition or construction works 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.
6. No development shall commence within the site until full details of the provision for bicycle storage facilities, refuse and re-cycling storage 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 prior to the first occupation of any part of the development and shall be retained thereafter.
7. The water play areas and the children's play area adjacent to the Cha Cha Cha café shall not be brought into use until security fencing around these areas has been installed in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority. Thereafter the fencing shall be retained strictly in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

8. No external lighting shall be installed anywhere within the application site except in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority.

9. No development shall commence within the site until full details and samples of the materials to be used for all the external surfaces and design features of all the buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

10. (A) No demolition/development shall take place/commence until an archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme and methodology of site investigation and recording as suggested by the archaeological evaluation
3. The programme for post investigation assessment
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
6. Provision to be made for archive deposition of the analysis and records of the site investigation
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

(B) The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of investigation approved under condition (A).

(C) The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis and publication where appropriate.

11. No trees, shrubs or hedges shall be felled, uprooted or grubbed out between 1 March and 31 August inclusive in any year unless (a) it has been established that no nesting birds or protected species are present and (b) the Local Planning Authority has been provided with evidence that this is the case.

12. No development shall commence until a scheme comprising detailed bed surveys and a weir removal method statement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following elements:



- a detailed and accurate bed survey including complete long profile of the affected channel;
- detailed plans and methodology for weir removals, bed stabilisation and weir pool retention based on the detailed bed survey (including plan views of proposed outcome; a central notch in the remaining weir base to aid fish passage shall be provided unless it can be demonstrated that this is not feasible);
- details and justification of how the size of flint nodules and reprofiled slopes behind the remnant weirs will retain weir pools and stabilise sediment;
- details of how excavated material will be used for regrading and channel improvements, with removal from the river entirely being a last resort;
- details of channel narrowing, regrading and enhancements;
- a monitoring plan to assess whether the sediment stability works and pool retention are effective and whether additional work is required to maintain valuable features;
- details of any impact on the side channel (adjacent to watercress beds) and how this will be mitigated (e.g. by improving fish backwater habitat at downstream extent).

The weir removal shall be carried out only in accordance with the scheme as approved unless otherwise agreed in writing by the Local Planning Authority.

13. The development shall be carried out only in accordance with the “precautionary measures” as set out in the submitted ecological appraisal and protected species surveys dated February 2014. No part of the development hereby permitted shall be brought into use until a habitat management and improvement plan, based on the findings of those surveys, has been submitted to and approved in writing by the Local Planning Authority. The plan shall thereafter be implemented as approved, in accordance with the timescales provided for within the plan, unless otherwise agreed in writing by the Local Planning Authority.

14. No operations relating to the relocation of the bandstand shall take place until details of security arrangements to address potential problems of anti-social behaviour in the vicinity of the relocated bandstand have been submitted to and approved in writing by the Local Planning Authority. The details shall be implemented as approved within two months of the completion of the relevant operations, and they shall be retained at all times thereafter.

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

*Bandstand & Cha Cha Cha*

532\_01/02/03/04/05/10/11/12/13/14

Bandstand Design and Access Statement

Bandstand Heritage Statement

Cha Cha Cha Design and Access Statement

*Hub building*

CASS.P.00-17 (*drawing series*)

CASS Design and Access Statement

Landscape works

5679.110/190

5679.200/210/220/240/250/260/270/280

5679.300/301/310a/310b/320/330/340/350/351/352 (Hardworks and Waterworks Supporting Information)/360/370/380a/380b/390

TPP-1/2/3/4/5/6/7/8/9 (*tree protection plans*)

Ecological Appraisal and Protected Species Surveys

Arboricultural Impact Assessment and Tree protection Plan

Arboricultural Method Statement

Stage D Landscape and Masterplan Proposal Report (Scheme-wide Design and Access Statement)

*Archaeology*

Archaeological Assessment and Evaluation

*Energy*

Renewable Energy Strategy

*River Gade*

Hydrological Design and Flood Risk Assessment Report

## Annexe: River Gade Strategy

### Informatives

1. 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.

2. There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

3. Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

4. Hertfordshire County Council should be consulted with regard to public rights of ways. In particular, the following must be borne in mind:

- If and when this development is to proceed any nearby public right of way should be protected to a minimum width of two metres or as indicated in the extract of the Definitive Map and Statement and its current surface condition maintained.
- You should be aware of the potential impacts the development works might entail and the required minimum standards regarding the maintenance of the public's rights and safety during and after construction.
- The public right of way must remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works.
- The safety of the public using the route and any other routes to be used by construction traffic should be a paramount concern during works, and safe passage past the site should be maintained at all times.
- The condition of the route must not deteriorate as a result of these works. Any adverse affects to the surface from traffic, machinery or materials (especially

overspills of cement and concrete) are to be made good by the applicant to the satisfaction of the County Council.

- All materials are to be removed at the end of the construction and must not left on the highway or highway verges.
- If the above conditions cannot reasonably be achieved then a temporary Traffic Regulation Order would be required to close the affected route and divert users for any periods necessary to allow works to proceed. A fee would be payable to Hertfordshire County Council for such an order.
- If it is necessary to install any scaffolding on the route or pipes/cables etc. under the path permission must first be obtained.

5. Under the terms of the Water Resources Act 1991 and the Thames Land Drainage Byelaws 1981, the prior consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the River Colne which is a designated a 'main river'.

Chair

The Meeting started at 7.30 pm  
and finished at 9.10 pm