

## **DEVELOPMENT CONTROL COMMITTEE**

**16 DECEMBER 2014**

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

Also present: Councillor Peter Jeffree  
Matthew Taylor, Senior Planning Consultant, Aitchison  
Raffety

Officers: Regeneration and Property Section Head  
Project Officer, Watford Health Campus  
Planning Officer (AR)  
Planning Officer (EH)  
Partnerships and Performance Section Head  
Head of Democracy and Governance  
Development Management Section Head  
Major Cases and Enforcement Manager  
Applications Casework Manager  
Committee and Scrutiny Support Officer (RW)

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

No apologies had been received: all Committee members were present.

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

There were no Disclosures of Interest.

### **51 MINUTES**

The minutes of the meeting held on 27 November 2014 were submitted and signed.

### **52 7, 9 AND 15 BRIDLE PATH**

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

Councillor Johnson reminded the meeting that the previous application had been recommended by officers for approval but that when the application had come to committee in August 2014 concerns had been expressed with regard to massing and the impact on the surrounding area. He drew attention to Reason 1 in the Recommendation in the report and said that he would be inclined to agree with this recommendation if this condition were to be omitted.

Councillor Watkin did not concur with this proposal and advised that he was inclined to refuse the application as Policy E1, regarding employment land, had not been complied with. Furthermore, he noted that Keay Homes Limited had not replied to the requests for additional information and said that he considered this to be unsatisfactory.

Councillor Bashir agreed that the Applicant had shown no commitment to policies regarding development in the designated employment area of Watford. He considered that, if the site were not to be developed for employment purposes, the scheme should be refused.

Referring to Councillor Johnson's point regarding officers' recommendation for approval at the previous meeting, Councillor Sharpe noted that the Council's approach to the relevant policies had changed since the August meeting: the previous informal approach was no longer applicable. The application consequently did not comply with adopted policy and should be refused on grounds of non-compliance.

The Chair said that he had concerns on two issues:

- i) the short time frame involved in the change from a recommendation for approval to one for refusal and
- ii) that the policies were due to go to consultation and could change in the near future

He also asked the Development Management Section Head whether, were Reason 1 to be excluded and the application to be refused on this basis, this would weaken the Committee's stance.

The Development Management Section Head replied that:

- i) between 12 and 13 weeks had elapsed since the application had been considered previously - the time frame was appropriate. There had been more than sufficient time for the developer to engage with officers; this had not occurred and consequently it was necessary for a decision to be made on the application.
- ii) The application should be judged according to the policies in force when it came to be determined. The application site was in an employment area and could only be released for housing where no need for employment space could be evidenced. It had, however, been amply demonstrated that there was such a need. The appropriate conclusion was that the proposed development was not in accordance with the development plan, from which the inference was that planning permission should be refused.

With regard to the Chair's final query, the Development Management Section Head advised that were Reason 1 to be omitted the decision to refuse would be weakened for this application as the proposal was contrary to policies and the evidence base. Additionally, the decision would prejudice the outcome for mixed-use applications for other sites in the Clarendon Road/Bridle Path employment area.

Councillor Johnson MOVED that Reason 1 should be removed from the recommendation.

On being put to the Committee the Motion was LOST.

RESOLVED –

that planning permission be refused for the following reasons:

1. The proposed residential units included within the scheme are contrary to Policies SS1, SPA1, EMP1 and EMP2 of the Watford Local Plan Core Strategy 2006-31, and Policy E1 and the employment land allocation on the Proposals Map of the Watford District Plan 2000, which seek Class B1 office use on this site. No exceptional circumstances are considered to exist to justify residential use on this site.
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, T4, 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 (education, youth and childcare facilities, libraries and health 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.
4. The proposal 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 Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and saved policies L8 and L9 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

Drawing numbers

L4026 023 (Survey)

L4026 005A (Location Plan)

L4026 006B (Site Plan)

53

**LAND AT DODD ROAD**

The Committee received a report of the Development Management Section Head including the relevant planning history of the site and details of 10 letters in respect of the application: one letter raised no objection to the proposal; the other nine listed a number of objections.

Councillor Bell noted that, whilst 31 enquiries had initially been received with regard to the units on the site, there had been no further interest. He expressed concern that were the application to be approved there would be no community facility on the larger site. He asked how actively the units had been marketed.

The Major Cases Manager said that in some major development sites it had proved possible to introduce retail floorspace on site; this had not been possible at this location, however, as there was minimal footfall past these buildings. He advised that the units had been marketed both locally and nationally but no interest had been forthcoming – this was understandable in view of the location.

With regard to community use, the Major Cases Manager explained that it was difficult to find groups willing to take responsibility for renting and running community facilities and no interest had been expressed. The options available were either to leave the units vacant or to find acceptable occupiers.

Councillor Derbyshire expressed concern that there was a lack of local retail facility for residents at the site. He felt that the units were badly sited for community use and that the originally intended use would not be viable. It would be more sensible to use the units as homes than to leave them empty.

Councillor Watkin, however, considered that the units would benefit youth groups who could, conceivably, be unaware that the buildings were available.

The Chair questioned how long the units could reasonably be left vacant in the hope that a proposal for a community use might come forward

Councillor Johnson suggested that the units could be utilised for much-needed health facilities and asked whether there had been discussion on such a use.

Councillor Sharpe referred to the location of the units as being somewhat ‘tucked away’; they were not in a position passed which residents were likely to walk. They did not, therefore, offer opportunity for ‘stocking up’ as residents passed by. He felt that it was unsurprising that little interest had been shown.

RESOLVED –

- (A)** That planning permission be granted subject to the completion of a planning obligation under s.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 County Council of:
- a) £6,625 (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) £1,379 (index linked) towards the provision of secondary education in accordance with Policy H10 of the Watford District Plan 2000;
  - c) £3,303 (index linked) towards the provision of primary education in accordance with Policy H10 of the Watford District Plan 2000;
  - d) £761 (index linked) towards the provision of nursery education in accordance with Policy H10 of the Watford District Plan 2000;
  - e) £223 (index linked) towards the provision of childcare facilities in Watford in accordance with Policy H10 of the Watford District Plan 2000;
  - f) £47 (index linked) towards the provision of youth facilities in Watford in accordance with Policy H10 of the Watford District Plan 2000;
  - g) £762 (index linked) towards the provision of library facilities in accordance with Policy H10 of the Watford District Plan 2000;
- ii) To secure 4 of the units (3 x 1 bed and 1 x 2 bed) as affordable housing for affordable rent.
- 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.

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:-

3. No 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 and canopies 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 have 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 development shall be occupied until full details of a soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of the development. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.
8. No part of the development shall be occupied until full details of a hard landscaping scheme, including all boundary treatments, 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 flat hereby permitted shall be occupied until the respective bin store and the cycle store, as shown on the approved drawings, have been constructed. These shall be retained as such at all times thereafter and shall not be used for any other purpose.
10. No part of the development shall be occupied until the 13 car parking spaces, as shown on the approved drawings, have been provided in full.

These spaces shall be retained at all times thereafter for the parking of cars.

### 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 education facilities, childcare, youth facilities, library facilities and sustainable transport measures within the Borough of Watford. The agreement also requires the provision of affordable housing and 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 numbers

1408/P/101, 102, 103, 104, 105, 106, 107, 108

- (B)** In the event that an acceptable planning obligation under Section 106 of the Town and Country Planning Act 1990 has not been completed by 9<sup>th</sup> February 2015 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 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, T4, T5 and INF1 of the Watford Local Plan Core Strategy 2006-31.
  2. The proposal fails to contribute to the provision or improvement of community facilities (education, childcare, 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.
  3. 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.
  4. 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

## **REAR OF 31 NASCOT WOOD ROAD**

The Committee received a report of the Development Management Section Head including the relevant planning history of the site and details of six responses referred to in the report, citing objections.

The Applications Casework Manager referred to the Update Sheet and noted that two additional representations had been received since publication of the agenda. The Update Sheet noted that no new material planning considerations had been received which had not already been discussed within the report included in the agenda.

The Chair advised the meeting that all members of the Committee had seen the additional representations: a letter from a resident in Lingfield Way and four photographs as illustration to another resident's objections. He then invited Mrs Sarah Myhill to speak to the Committee.

Mrs Myhill noted that:

- the elevation of the proposed development would be 1.1 m higher than the adjacent property in Lingfield Way.
- access to the new development would be via a single track road of 250 cm width. Mrs Myhill maintained that this would be too narrow for fire service vehicles, ambulances or refuse collection lorries.
- planning permission was contrary to Policy SS1 and had originally been refused due to the impact on residents in Wentworth Close. This decision had not been upheld.
- there would be serious issues in connection with parking.
- whilst the house at Plot 1 had been repositioned this did not reduce the overbearing aspect.
- there would be brickwork visible at the end of the gardens in Wentworth Place – this would impact on residents' living conditions.
- trees at the rear of the plots were 1.5 m deep and plot 1 would be set 4.3 m beyond the adjacent boundary fence.
- the report states that the house at Plot 1 is not visible. In fact the trees form a screen; it is imperative that the height of the trees remain at bedroom window level.
- the greatest impact on neighbouring properties would be to number 23 Wentworth Close: the ground level would be raised. The house at Plot 1 would tower over the adjacent home.
- there would be dispute regarding access to properties; this would deter potential purchasers and devalue current residents' homes.

The Chair reminded the Committee that they could comment on those points which had been raised in the letter that they had received so long as they related to material planning considerations. He noted that some issues Mrs Myhill had raised, such as boundary disputes, were civil matters and were not in the



Development Control Committee's remit to determine. He asked that the Applications Casework Manager comment on the statement that Policy SS1 had been breached and also on matters of distance.

The Applications Casework Manager said that Policy SS1 was a strategic level policy and could not be applied without reference to other more detailed supporting policies. He reiterated the Chair's comment that boundary disputes, and also house value, were not material planning considerations. He added that all aspects of parking provision had been addressed and met the appropriate standards. With regard to loss of light, he agreed that light would be diminished to a slight degree but that the application met the appropriate tests. In conclusion, the Applications Casework Manager advised Members that this application could not be refused on grounds of loss of light.

Councillor Watkin expressed sympathy for residents and considered that the development would make life less pleasant for those living in Wentworth Close. He agreed that the houses would be overbearing for neighbours as their heights would impact on the existing houses. He also questioned the adequacy of the 2.5 m wide access road. Councillor Watkin said that he objected to the application on grounds of overbearing aspect, an inadequate point of access and a lack of turning space.

Councillor Sharpe commented that it was imperative that valid and measurable evidence of harm be produced in order to justify refusal. Whilst he agreed with sentiments expressed he considered that there were no defensible reasons to refuse the proposal.

Councillor Derbyshire also expressed sympathy for residents but agreed that Committee members were duty-bound to be rational in their decision-making. He advised that it was not possible to turn down an application for reasons which an inspector would then not uphold. He noted that efforts had been made to mitigate the perceived harm of the previous proposal and advised that he would struggle to find strong grounds for refusal in this instance.

Councillor Bashir agreed that an application could not be turned down for reasons which were, in essence, based on emotion: decisions must be made on legal and planning grounds and he could find no such reasons for a refusal.

In response to questions from the Chair, the Applications Casework Manager advised on matters of access, loss of light and the perceived overbearing aspect of the plans:

Access:

Hertfordshire County Council, as Highway Authority, had concluded that the access road was acceptable so long as turning space was provided for vehicles; that provision could be secured by a planning condition. Consequently, there were no grounds for refusal on this aspect of the application.

Loss of Light:

The '25° angle' test for loss of light had been applied and the development was found to have met this test as set out in the relevant Building Research

Establishment (BRE) guidance. The height of the buildings had also been reduced and, although there would be some loss of light, it would not be so significant as to justify a refusal of planning permission.

#### Overbearing Aspect

The previous scheme had caused a sense of enclosure but officers considered that this problem had been overcome in the present application by the redesign and relocation of the dwellings.

The Development Management Section Head referred to Councillor Sharpe's comments on the necessity of referring to valid, measurable, evidence were the Committee to refuse the application. He advised that the previous application had no bearing on the one currently presented: the committee should focus on the report in the agenda. He noted that application 14/00692/FUL had been determined on the basis of former policies in the Residential Design Guide. These policies had been updated and the current application was based on standards in the revised Residential Design Guide. He noted that officers had found no instances where the Council's guidelines had not been applied.

The Development Management Section Head advised further that it was difficult to find clear evidence of harm such as an Inspector in a possible appeal case would search for. An appeal could thus be lost and failure to provide appropriate reasons for refusal was not only likely to result in an appeal being allowed but could also give rise to a claim for costs against the Council.

Councillor Sharpe agreed that since the proposal met all policies applicable to the case; there were no valid reasons to refuse and the Committee had no choice but to grant approval.

Councillor Connal reiterated Mrs Myhill's concerns that an ambulance would be unable to access the homes in case of need.

Councillor Watkin said that he would be prepared to vote against the granting of approval and maintained that the character of the development was unacceptable.

Councillor Watkin MOVED that the application should be refused as it was overbearing in aspect and would cause harm to numbers 21 and 23 Wentworth Close and also to number 5 Lingfield Way.

On being put to the Committee the Motion was LOST.

The Chair concluded the discussion by reminding the meeting that it was important to look at the scheme in totality and that good, defensible reasons were needed for a refusal.

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. 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. No work shall commence until details and samples of the materials to be used for all the external finishes of the development hereby approved, including all external walls, all roofs, doors, windows, fascias, rainwater and foul drainage goods, 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. No work shall commence until full details of both hard and soft landscaping works, including details of all existing trees to be retained, trees and soft landscaping to be planted, any other arboricultural works to be carried out, details of any changes to ground levels around the building, all pathways, all hard surfacing, amenity areas/paving and boundary treatments have been submitted to and approved in writing by the Local Planning Authority. Notwithstanding the details shown on the approved drawing number 13/3286/5, the hard standing for the access and driveways shall include a turning area for vehicles within Plot 1. The approved landscaping scheme, with the exception of the planting, shall be completed prior to any occupation of the development. Any proposed planting shall be completed not later than the first available planting and seeding season after completion of the development. Any new trees or 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.
5. No work of demolition or development shall be commenced until an arboricultural impact assessment and tree protection plan have been submitted to and approved by the Local Planning Authority. The protection measures approved shall be put in place before any work of demolition or development commences and shall be retained throughout the development, unless otherwise approved in writing by the Local Planning Authority. No materials, vehicles, fuel or any other ancillary items shall be stored or buildings erected inside the tree protection areas. No excavations shall be carried out, no hardstanding shall be laid, and no underground cables, pipes or services shall be installed in the areas designated as tree protection areas unless otherwise approved in writing by the Local Planning Authority.
6. No work shall commence until details of the siting, size and design of refuse, recycling and cycle storage have been submitted to and approved

in writing by the Local Planning Authority. No part of the development shall be occupied until the storage facilities have been installed in accordance with the approved details. The storage facilities shall be retained at all times thereafter.

7. No work 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, arrangements for the delivery and storage of materials, any temporary access/egress points to adjoining highways, measures to mitigate noise and dust, and wheel washing facilities for vehicles exiting the site. The Plan as approved shall be implemented throughout the construction period.
8. No dwelling shall be occupied until the respective vehicle parking accommodation within garages and on the driveway areas, as shown on the approved plans, 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.
9. 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, E or F of the Order shall be carried out to the dwellings hereby approved without the prior written permission of the Local Planning Authority.
10. The first floor windows in the north-west side and south-east side elevations of the houses both Plots 1 and 2 shall be obscure-glazed and shall be non-opening other than those parts of the windows which are more than 1.7 metres above the floor of the room in which the window is installed. The windows shall be installed and retained as such unless otherwise approved in writing by the Local Planning Authority.
11. The development hereby permitted shall be carried out in accordance with the following approved drawings:

13/3286/5; 13/3286/6; 13/3286/7; 13/3286/8; Site Plan 1:1250 received 14th October 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.

2. The grant of planning permission does not override any property rights that may exist. As such, ownership of the access or rights over the access would need to be secured in order to implement this planning permission.
3. This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 to secure financial contributions to Hertfordshire County Council and Watford Borough Council for the provision or improvement of community facilities to support the new residential properties.

**Drawing numbers**

13/3286/5

13/3286/6

13/3286/7

13/3286/8

Site Plan 1:1250 received 14th October 2014

55

**1 RICHMOND DRIVE**

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

The Chair invited Mr John Hastie to speak to the Committee.

Mr Hastie pointed out that the dwellings currently being built differed from the original drawings in that a single storey extension was being constructed and that windows had been added or changed altogether.

Mr Hastie referred to application 11/01178/FUL which had been refused for several reasons including the height of the roof.

Application 12/00815/FUL had been discussed at a Development Control Committee meeting in October 2012 when the plans had shown that the roof line would be lowered. Mr Hastie considered that it was unreasonable that the roofline in the present application had been raised. Whilst the report advised that there would be no adverse effect on the street scene the increase in roof height would inevitably impact on the surroundings.

Mr Hastie then addressed the aspect of the buildings from the Langley Way viewpoint. He noted the chimneys which would be to full ridge height and unnecessarily close to the boundaries of the plots. He added that there were no such chimneys in the locality and that those proposed would contribute to a poor design feature. Mr Hastie asked whether, in the event of approval for the proposal a condition could be applied whereby the chimney position could be moved to the other side of the dwelling house.

Mr Hastie then advised on the single storey extensions to the rear of the properties. He pointed out that these extensions were not included in the plans and asked if they could be removed.

The Committee agreed that Councillor Jeffree, ward councillor for Park ward, could speak on matters regarding the application.

Councillor Jeffree noted that although the original application had been refused, having been deemed too large, two houses were currently being built without relevant planning permission; he noted the incremental changes to the plans.

Councillor Jeffree then addressed issues of the height of the proposed houses and noted that since the foundations were not set at a lower level the completed homes would be visibly higher than adjacent dwellings. He commented that the internal layout had been changed and that, whilst this was acceptable in planning terms, the consequent alteration to the chimney position impacted on the exterior design. He agreed that the chimneys would be located on the boundary of the plot and that there was no good reason for this change.

Councillor Jeffree said that the plans bore no relation to the reality of the homes currently under construction: the roof windows, general fenestration and height were all incorrect. In addition there was no evidence of the rear extensions on the plans; these extensions should be removed. He stressed that the Committee were asked to approve the scheme but not the current reality.

Councillor Jeffree requested that two conditions be appended to the application:

- to alter the position of the chimneys
- that there be a specific requirement to remove the extensions by a defined date

The Chair asked for officers' comments on Councillor Jeffree's suggestions.

The Applications Casework Manger confirmed that the application documents contained no plans for an extension and that the Committee was asked to approve the proposal as detailed in the agenda report. He added that enforcement action to remove the extensions could be taken as a separate issue.

With regard to the height of the houses, the Applications Casework Manager advised that the previous plans had been refused on grounds of the 8.9m height; this height had been reduced to 8.4m in the approved scheme and the height now sought was 8.65m.

Councillor Watkin asked when enforcement action could be effected.

The Development Management Section Head explained that enforcement action could be taken as soon as a need was identified. He advised, however, that the test of expediency must be applied; the Council was obliged to consider whether it would be appropriate in all the circumstances to take enforcement action.

The Development Management Section Head reminded the Committee that the immediate matter to be considered at the meeting was the application as set down in the report. If approval for the plans was granted, appropriate

enforcement action could then be considered. He advised that no plans for extensions had been submitted and that if construction were continued removal could be enforced.

Councillor Derbyshire said that the behaviour of the developer was unacceptable and reiterated that a rear extension did not form part of the plans for which approval was sought. He noted that the developer's agent had affirmed that the extensions would be removed but asked whether reliance could be placed on this assurance; he suggested that approval should be conditional on the extensions being demolished.

The Development Management Section Head said that this condition could be included.

With regard to a decision to refuse the application, Councillor Derbyshire asked whether refusal would be possible on grounds of height. He also noted that it would be preferable for the chimneys to be sited further from the Langley Way aspect. He suggested that approval could depend on a condition specifying that the chimneys were reassigned to their original sites.

The Applications Casework Manager responded that this condition could be included but cautioned that the Applicant could appeal.

Councillor Bashir commended the residents for their vigilance in noting progress on the development site. He advised that the Committee were obliged to support the application as there were no reasonable grounds for refusal but insisted that the extensions must be removed.

The Chair asked that two conditions be attached in connection with the chimney and extensions.

RESOLVED –

That planning permission be granted subject to the following conditions:

1. 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.
2. Within two calendar months of the date of this decision, details and samples of the materials to be used for all the external finishes of the dwellings, including all external walls, all roofs, doors, windows, fascias, rainwater and foul drainage goods, shall be submitted to the Local Planning Authority for approval. The development shall be carried out only in accordance with approved details and samples.
3. The hard landscaping shall be laid out in accordance with the details shown on drawing No. 13/07 – SP SK01, unless otherwise agreed in writing by the Local Planning Authority.

4. The soft landscaping scheme shown on drawing No. 13/07 – SP SK01 and detailed in the Landscape Specification dated January 2014 Rev A 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.
5. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any modification or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B or C of the Order shall be carried out to the dwellings hereby approved without the prior written permission of the Local Planning Authority.
6. The proposed windows in the north-western and south-eastern side elevations of the dwellings hereby approved shall be permanently fixed closed below 1.7m internal floor level and shall be fitted with obscured glass at all times unless otherwise agreed in writing by the Local Planning Authority.
7. The boundary treatment around the boundaries of the site and within the site shall be installed in accordance with the details shown on drawing No. 13/07 – SP SK01 prior to the first occupation of the dwellings hereby approved. The boundary treatment shall be maintained at all times thereafter. Details of any alternative boundary treatment shall be submitted to and approved in writing by the Local Planning Authority and such boundary treatment shall only be installed in accordance with any alternative details approved by this Condition.
8. The dwelling on Plot 2 hereby approved shall not be occupied until the new vehicular crossover for Plot 2 has been laid out in accordance with the layout shown on drawing No. 13/07 – SP SK01 (or any subsequent layout that has been submitted to and approved in writing by the Local Planning Authority).
9. The dwellings hereby approved shall not be occupied until the scheme for parking has been laid out in accordance with drawing No. 13/07 – SP SK01 (or any subsequent layout that has been submitted to and approved in writing by the Local Planning Authority). The parking area shall be retained for the parking of vehicles at all times thereafter.
10. The dwellings hereby approved shall not be occupied until the surface water drainage system for the hard surfacing to the front of the houses has been constructed in accordance with the details shown on drawing No. 119 03 A, unless otherwise agreed in writing by the Local Planning Authority.



11. The Construction Management Plan dated 8<sup>th</sup> February 2014 submitted pursuant to Condition 12 of planning permission 12/00815/FUL shall be implemented throughout the construction period.
12. The development hereby approved shall be constructed in accordance with the proposed finished floor level and proposed ground levels shown on drawing No. 119 02 Rev A. No change in ground levels shall be made other than those shown on drawing Nos. 119 01 and 119 02 Rev A.
13. Within two calendar months of the date of this decision, details of the size, design and siting of weatherproof cycle storage shall be submitted to the Local Planning Authority for approval. The dwellings hereby approved shall not be occupied until the cycle storage has been provided in accordance with the approved details.
14. Subject to the requirements of Condition 15, the development hereby permitted shall be carried out in accordance with the following approved drawings:  
  
13/07-LP01; 119 01; 119 02 Rev A; 119 03 Rev A; 13/07-SP SK01; 13/07-P1 SK01; 13/07-P1 SK02 Rev A; 13/07-P2 SK01; 13/07-P2 SK02.
15. Notwithstanding any details shown on the drawings referred to in Condition 14, the chimney of the dwelling on Plot 1 shall be constructed on the south-eastern flank elevation in the position shown on the drawings approved under planning permission 12/00815/FUL granted on 11 October 2012, and the dwelling shall not be occupied until additional drawings showing this change (and any other consequential changes to the layout, design and appearance of the dwelling) have been submitted to and approved in writing by the Local Planning Authority.
16. The dwellings hereby approved shall not be occupied until the partially constructed single storey rear extensions shall have been demolished.

### **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. The applicant shall contact the South West Highways Area Team to obtain i) their permission/requirements regarding access for vehicles involved in the construction of the new dwellings; 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.

3. Works to be undertaken on the adjoining Highway will require an Agreement with the Highway Authority. Before commencing the development the applicant shall contact the South West Highways Area Team to obtain their permission/requirements. This is to ensure any works undertaken in the highway is constructed in accordance with the Highway Authority's specification and by a contractor who is authorised to work in the public highway.

Drawing numbers

13/07-LP01; 119 01; 119 02 Rev A; 119 03 Rev A; 13/07-SP SK01; 13/07-P1 SK01; 13/07-P1 SK02 Rev A; 13/07-P2 SK01; 13/07-P2 SK02

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**LAND OFF CARDIFF ROAD AND BETWEEN WIGGENHALL ROAD AND WILLOW LANE AND DALTON WAY/OXHEY PARK**

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.

Mr Matt Taylor, a Senior Planning Consultant from Aitchison Raffety, introduced the application and noted requirements of the National Planning Policy Framework (NPPF) which encouraged growth in housing provision and the National Planning Practice Guidance (NPPG) which advised that the development make a competent return of between 17.5% and 20% profit on Gross Development Value (GDV). He noted that a viability assessment had been produced and that an independent report had considered this assessment and concluded that the development could provide a total of financial contributions up to a maximum of £4m and that contributions at this level would provide the Applicant with a profit level of 15% on GDV. He advised that the developer would also provide 35% affordable housing on the application site.

Mr Taylor also drew the Committee's attention to the Update Sheet regarding the representations received from the Environment Agency and Thames Water and the proposed amendment to Condition 4 in Annex A.

The Committee then discussed the application.

Councillor Bell raised questions in respect of the two options for school provision on the site. He noted that Hertfordshire County Council would prefer to use the Farm Terrace Allotment area for a new school but if this were not viable, then a part of the land attached to Laurance Haines School could be utilised for the purpose.

The Head of Democracy and Governance agreed that County Council had suggested the allotment site as a potential location for the new school but advised that considerable investigation would be required in order to determine whether this was feasible.

Under the Heads of Terms for the Section 106 planning obligation, as an alternative to the allotment site, two areas of land would be reserved for the

extension of Laurance Haines School: a section at the Harwoods Road Adventure Playground and other land adjacent to the existing school. If it were to be concluded that these areas of land were required, the County Council would be required to give notice to the Borough Council to that effect by 31 March 2016. The transfer of the land would need to be effected within a period of five years. In the event of notice not having been served by the above date, the reservation of the two areas of land would cease.

Councillor Bell asked whether the Section 106 provision of £4m towards infrastructure costs would be sufficient.

Mr Taylor replied that it was necessary to use information available at the present time: the specified amount appeared to be adequate. Responding to a further query he reiterated that 35% affordable housing would be provided.

Councillor Derbyshire said that it was encouraging that significant efforts had been made to ensure that a school would be established on the site; he praised the co-operative work achieved between the County Council and Watford Borough Council.

Councillor Bashir drew attention to the reduction in funding from £6.2m to £4m and asked for further information relating to educational provision.

The Head of Democracy and Governance explained that the County Council had requested land for the expansion of Laurance Haines School. She added that the County Council had indicated that approximately £1.1m would be directed to sustainable transport and the remainder used for Education, Libraries, Child Care and related costs; she stressed that once the s.106 contribution had been made, it was entirely a matter for the County Council to decide how this contribution would be used.

Replying to the Chair, the Head of Democracy and Governance advised that provision had been included within the Heads of Terms of the planning obligation for two areas of land to be reserved for a period of time for the expansion of Laurance Haines Primary School.

Responding to a suggestion from Councillor Bell that a third area of land could be sought for a primary school, the Head of Democracy and Governance said that this would be a matter for the County Council to pursue. She added that a formal request had been made to consider either the Farm Terrace Allotment site or the two areas of land near Laurance Haines School but she was unaware of any consideration being given to other sites.

The Chair asked for details regarding the proportion of open green space that would be provided for general use.

Mr Taylor replied that he was not aware of detailed figures regarding the amount of green space. He pointed out that there would be a finite amount of space available: any increase would impact on other parts of the entire site and would have a 'knock-on' effect on the viability of the scheme.

The Chair stated that in the interests of the quality of life for the residents it was essential adequate green space was provided and expressed his hope that this would be borne in mind when the detail of this aspect of the Section 106 agreement was being worked out .

RESOLVED –

**(A)** That a planning obligation under s.106 of the Town and Country Planning Act 1990 be entered into on the following terms:

- Upgrading of the traffic signal controller at Junction 5 of the M1;
- Junction improvements at the Lower High Street/Dalton way junction;
- Provision and implementation of a framework travel plan;
- Implementation of a car parking management strategy;
- Provision of financial contributions of £4,000,000 to the County Council in respect of the following: traffic calming measures on roads surrounding the site; enhancement of public transport infrastructure; the enhancement of bus services; the provision of education, childcare, youth and library facilities;
- An affordable housing strategy for the delivery of 35% of the new dwellings as affordable housing and an affordable housing delivery strategy;
- The removal of river structures within the River Colne and the side channel;
- The provision of fire hydrants;
- The retention of land for the possible expansion of Laurance Haines School.

**(B)** That the planning permission be granted subject to conditions:

- (i) in respect of the outline element, as set out in Annex A; and
- (ii) in respect of the detailed element, as set out in Annex B.

#### Informatives

1. This planning permission is accompanied by an agreement under Section 106 of the Town and Country Planning Act 1990 to secure financial payments towards the provision or improvement of childcare, education, youth facilities, library facilities and sustainable transport measures for 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 and H10 of the Watford District Plan 2000 and Policies T4, T5 and INF1 of the Watford Local Plan Core Strategy 2006-31. The planning obligation also includes provisions relating to the provision of 35% affordable housing and an affordable housing delivery strategy; traffic signal improvements at M1 J5; a package of transport measures including alterations to the Lower High Street/Dalton way junction; the implementation of a travel plan and the implementation of a car parking management strategy, the removal of river structures within the River Colne and the side channel; the provision of fire hydrants; and the retention of land for the possible expansion of

Laurance Haines School.

2. For the avoidance of doubt, site preparation works shall not include the removal of trees and shrubs from the site or works comprising the erection of site hoarding for security and safety reasons.
3. All species of bat are European Protected Species. A licence is required in order to carry out any works that involve certain activities such as capturing the animals, disturbance, or damaging or destroying their resting or breeding places. Note that damage or destruction of a breeding site or resting place is an absolute offence and unless the offences can be avoided through avoidance (e.g. by timing the works appropriately), it should be licensed. In the first instance it is for the developer to decide whether a species licence will be needed. The developer may need to engage specialist advice in making this decision. A licence may be needed to carry out mitigation work as well as for impacts directly connected with a development.

## **ANNEX A**

### **Watford Health Campus – 14/00511/OUTM**

#### **Hybrid planning application for the development of a mixed-use health campus**

##### **Schedule of conditions**

##### **Outline Element**

Masterplan for each Development Area

1. No reserved matters shall be submitted for any development area as shown on drawing no. A10336D0010 rev.P3 entitled 'Parameter Plan: Development Areas and Land Uses' until a masterplan for the development area showing the following details has been submitted to and approved in writing by the Local Planning Authority:
  - (i) Vehicle routes including access to parking areas, servicing of buildings, and emergency vehicles;
  - (ii) Pedestrian and cycle routes;
  - (iii) Maximum building footprints;
  - (iv) Active building frontages;
  - (v) Location and size of green open space and hard landscaped open space;
  - (vi) Location and size of children's play facilities;
  - (vii) Linkages to adjoining development areas.

Phasing Plan for each Development Area

2. No reserved matters shall be submitted for any development area as shown on drawing no. A10336D0010 rev.P3 entitled 'Parameter Plan: Development Areas and Land Uses' until a phasing plan showing how the

development within the relevant development area will be phased and implemented has been submitted to and approved in writing by the Local Planning Authority. The phasing plan shall delineate each separate phase of development and provide details of start and indicative completion dates. Phase boundaries shall be contiguous with each other. For the avoidance of doubt, the phasing plan for the Riverside development area shall include the creation of the Colne Island open space and Ebury Way Link as approved under planning permission ref. 13/00971/FULM. The development shall only be carried out in accordance with the approved phasing plan, unless otherwise agreed in writing by the Local Planning Authority.

#### Reserved Matters

3. No development shall commence within any phase of development within any development area as shown on drawing no. A10336D0010 rev.P3 entitled 'Parameter Plan: Development Areas and Land Uses' until details of the reserved matters of access, appearance, landscaping, layout and scale for the relevant phase 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.

#### Time Limit

4. Applications for approval of the reserved matters must be made not later than the expiration of fifteen years from the date of this permission.

#### Approved Drawings

5. The reserved matters applications pursuant to this permission shall be made in accordance with the following approved drawings and substantially in accordance with the supporting documents:-

Parameter Plan: Development Areas and Land Uses – drawing no. A10336D0010 rev.P3

Parameter Plan: Pedestrian and Green Links – drawing no. A10336D0012 rev.P3

Parameter Plan: Vehicular Access – drawing no. A10336D0013 rev.P3

Parameter Plan: Maximum Building Heights – drawing no. A10336D0014 rev.P1

Parameter Sections: East-West Sections – drawing no. A10336D0015 rev.P2

Parameter Plan: North-South Sections West Side – drawing no. A10336D0016 rev.P2

#### Hours of Construction

6. 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, unless otherwise agreed in writing by the Local Planning Authority.

#### Construction Environmental Management Plan

7. No works of development comprising site preparation (including but not exclusively demolition of buildings and structures, ground works, ground remediation and service diversions) or construction shall commence within any development area as shown on drawing no. A10336D0010 rev.P3 entitled 'Parameter Plan: Development Areas and Land Uses' until a Construction Environmental Management Plan (based upon the Environmental Management Plan dated 31<sup>st</sup> March 2014 in the Environmental Statement) has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include (but not exclusively) details of the operation of the Considerate Contractors Scheme; a contact procedure for complaints; the routing of construction vehicles; the management of deliveries to avoid peak times; the management of contractors parking; hours of noisy operation; hours for deliveries; air, noise and dust monitoring around the boundaries of site; the siting and demarcation of compounds within the site; the siting and type of fencing to protect all trees, hedges and habitats to be retained and all watercourses; safe access to site offices; and wheel washing facilities at all exits from the site. The Plan as approved shall be implemented throughout the period of works unless otherwise agreed in writing by the Local Planning Authority.

#### Land Contamination

8. No development comprising site preparation (including but not exclusively demolition of buildings and structures, ground works, ground remediation and service diversions) or construction shall commence within any development area as shown on drawing no. A10336D0010 rev.P3 entitled 'Parameter Plan: Development Areas and Land Uses' until a scheme that includes the following components to deal with the risks associated with contamination of the relevant development area has been submitted to and approved in writing, by the Local Planning Authority:
- (1) A preliminary risk assessment which has identified:
    - all previous uses
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways and receptors
    - potentially unacceptable risks arising from contamination at the site.
  - (2) A site investigation scheme, based on (1), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  - (3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

- (4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.
9. 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 a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.
10. No occupation of any building within any phase of the development (or such other date or stage in development as may be agreed in writing with the Local Planning Authority) shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy 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.

#### Archaeological investigation

11. (i) No works of development comprising site preparation (including but not exclusively demolition of buildings and structures, ground works, ground remediation and service diversions) or construction shall commence within any development area as shown on drawing no. A10336D0010 rev.P3 entitled 'Parameter Plan: Development Areas and Land Uses' until an Archaeological Written Scheme of Investigation for the relevant development area has been submitted to and approved in writing by the Local Planning Authority. 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.
- (ii) The development shall only be undertaken in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under part (i).
  - (iii) No occupation of any building within any development area shall take place until the site investigation and post investigation assessment have been completed in accordance with the programme set out in the Written Scheme of Investigation approved under part (i) and the provision made for analysis and publication where appropriate.

#### Site Waste Management Plan

12. No works of development comprising site preparation (including but not exclusively demolition of buildings and structures, ground works, ground remediation and service diversions) or construction shall commence within any development area as shown on drawing no. A10336D0010 rev.P3 entitled 'Parameter Plan: Development Areas and Land Uses' until a Site Waste Management Plan (SWMP) (based upon the Design Stage SWMP dated 28<sup>th</sup> March 2014 in the Environmental Statement) for all aspects of waste management during site preparation and construction has been submitted to and approved in writing to the Local Planning Authority. The development shall be undertaken in accordance with the agreed Plan unless otherwise agreed in writing by the Local Planning Authority.

#### Flood Risk

13. No works of development shall commence within any development area as shown on drawing no. A10336D0010 rev.P3 entitled 'Parameter Plan: Development Areas and Land Uses' until a scheme to address flood risk has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with the approved Flood Risk Assessment (FRA) prepared by AECOM dated March 2014. The scheme shall include the following mitigation measures detailed within the FRA:
  1. The surface water drainage scheme for the site shall be based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development. The drainage strategy shall demonstrate that the surface water run-off generated up to and including the 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. Details of how the scheme shall be maintained and managed after completion shall be included.
  2. Finished floor levels set no lower than the 1 in 1000 year flood event design level.

3. Flood compensation works as determined by any buildings encroaching into the 100 year climate change design level.
4. Resilience measures as indicated to direct flood flows away from buildings by land shaping.
5. Providing safe dry access/egress to higher ground from any buildings within the 100 year climate change flood envelope.

#### Built Footprint within Floodplain

14. No built footprint shall be constructed within the 100 year climate change baseline flood envelope with the Tributary flows and updated topographic survey data included (see drawing 60288684-INF-SK14 Rev 3.0 in Appendix 2 of the Flood Risk Assessment prepared by AECOM dated March 2014) until after the works to open up and improve the flow capacity of the Wiggshall Tributary Ditch have been completed and the completion of these tributary works has been demonstrated in writing to and been approved in writing by the Local Planning Authority.

#### Bridge Design

15. The design of any new bridge over a designated 'main river' watercourse shall be submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate that the bridge is free-spanning over the watercourse with the abutments set back a minimum of one metre from the top of the riverbank on the landward side and with a soffit level in excess of the 100 year climate change level with an appropriate freeboard. Any new bridge shall only be constructed in accordance with the approved details.

#### Surface Water Drainage

16. No infiltration of surface water drainage into the ground shall take place other than with the express approval in writing 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.

#### Piling

17. Piling or any other foundation designs using penetrative methods shall not take place other than with the express approval in writing 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.

#### Non Native Invasive Species Strategy

18. No works of development comprising site preparation (including but not exclusively demolition of buildings and structures, ground works, ground remediation and service diversions) or construction shall commence until a detailed method statement for the removal or long-term

management/control of Japanese Knotweed and Himalayan Balsam has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures that will be used to prevent the spread of Japanese Knotweed and Himalayan Balsam during any operations e.g. mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free from the seeds, roots or stems of any invasive plant covered under the Wildlife and Countryside Act 1981, as amended. Development shall only be carried out in accordance with the approved method statement.

#### Services Strategy

19. No works of development comprising site preparation (including but not exclusively demolition of buildings and structures, ground works, ground remediation and service diversions) or construction shall commence within any development area as shown on drawing no. A10336D0010 rev.P3 entitled 'Parameter Plan: Development Areas and Land Uses' until a Services Strategy, setting out all existing services in the relevant development area to be removed or diverted and all new services to be provided, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved Strategy unless otherwise agreed in writing by the Local Planning Authority.

#### Sustainability Targets

20. All non-residential units within the development hereby permitted shall be constructed to achieve a minimum rating of 'Very Good' in accordance with the relevant BREEAM standard for the proposed uses(s) (or the equivalent standard in such measure of sustainability for design which may replace that scheme).

No development shall commence within any phase of development within any development area as shown on drawing no. A10336D0010 rev.P3 entitled 'Parameter Plan: Development Areas and Land Uses' until an Interim (Design Stage) Certificate issued by or on behalf of the British Research Establishment to demonstrate that the shell and core design of the non-residential buildings or the non-residential elements of mixed-use buildings within the relevant phase will achieve a minimum BREEAM rating of 'Very Good' has been submitted to and approved in writing by the Local Planning Authority. This shall be supplemented by details of any measures that would need to be secured by the tenant fit out and a mechanism by which these will be secured. No non-residential unit shall be occupied until a Post-Completion Final Certificate to certify that the rating of 'Very Good' has been achieved has been submitted to and approved in writing by the Local Planning Authority.

21. All residential units (Use Class C3) within the development hereby permitted shall be constructed to achieve a minimum of Code Level 4 in accordance with the Code for Sustainable Homes (or the equivalent standard in such measure of sustainability for house design which may replace that scheme).

- (i) No residential development shall commence within each phase of each development area as shown on drawing no. A10336D0010 rev.P3 entitled 'Parameter Plan: Development Areas and Land Uses' until a design stage interim certificate issued by or on behalf of the British Research Establishment to demonstrate how the residential dwellings within the relevant phase will achieve a minimum of Code Level 4 has been submitted to and approved in writing by the Local Planning Authority.
- (ii) No later than 4 months after the first occupation of each building, the Final Code Certificate certifying that a minimum of Code Level 4 has been achieved for each of the dwellings within the building shall be submitted for the approval in writing of the Local Planning Authority.

#### Tree and shrub removal

22. No trees, scrub or hedges within any development area as shown on drawing no. A10336D0010 rev.P3 entitled 'Parameter Plan: Development Areas and Land Uses' shall be lopped, topped, felled, grubbed up or otherwise removed from the site between 1st March and 31st August in any year unless a suitably qualified ecologist has previously surveyed the trees, scrub or hedges and certified in writing to the Local Planning Authority that such works of removal will not harm nesting birds or any protected species.

#### Tree Protection Measures

23. No works of development comprising site preparation (including but not exclusively demolition of buildings and structures, ground works, ground remediation and service diversions) or construction shall commence until the fencing to protect all trees, hedges and habitats to be retained and all watercourses as approved as part of the Construction Environmental Management Plan (Condition 7) has been erected on the site. No works shall take place within the protected areas until a method statement detailing the works to be undertaken and the methods to be used have been submitted to and approved in writing by the Local Planning Authority. Works within the protected areas shall only be undertaken in accordance with the approved method statement.

#### Existing and Proposed Ground Levels

24. No development shall commence within any development area as shown on drawing no. A10336D0010 rev.P3 entitled 'Parameter Plan: Development Areas and Land Uses' until details of the existing and proposed ground levels and the finished ground floor levels of all the buildings, roads and footpaths within the relevant development area have been submitted to and approved in writing by the Local Planning Authority. The development shall only be constructed in accordance with the approved details.

#### Soft Landscaping Scheme

25. No building within any phase of development within any development area as shown on drawing no. A10336D0010 rev.P3 entitled 'Parameter Plan: Development Areas and Land Uses' shall be occupied until the following details have been submitted to and approved in writing by the Local Planning Authority:
- (i) a landscape management plan for the long term maintenance of all soft landscaping and biodiversity measures within the site;
  - (ii) a phasing plan for the implementation of the soft landscaping scheme.

The soft landscaping scheme shall only be implemented in accordance with the approved details and shall be maintained in accordance with the approved management plan at all times, unless otherwise agreed in writing by the Local Planning Authority.

#### External Lighting

26. No development shall commence until full details of the siting, height, design and type of all external lighting and details of ground lux levels have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be designed to minimise any light spillage towards the River Colne and to minimise any adverse impacts on wildlife. The external lighting shall only be installed in accordance with the approved details.

#### Access

27. No building within any phase of any development area as shown on drawing no. A10336D0010 rev.P3 entitled 'Parameter Plan: Development Areas and Land Uses' shall be occupied until all access measures approved as reserved matters have been completed in full for the relevant phase.

#### Car Parking Provision

28. No development shall commence within any phase of any development area as shown on drawing no. A10336D0010 rev.P3 entitled 'Parameter Plan: Development Areas and Land Uses' until the following details have been submitted to and approved in writing by the Local Planning Authority:
- (i) the location and layout of car parking spaces including spaces for people with disabilities;
  - (ii) the allocation of car parking spaces including spaces for visitors;
  - (iii) details of on-site parking controls and charges;
  - (iv) a management plan for the enforcement of parking controls and charges;
  - (v) the provision and location of charging points for electric vehicles.

No building shall be occupied within any phase until the approved car parking measures relevant to that phase have been provided in full, unless otherwise approved in writing by the Local Planning Authority. The spaces shall be retained at all times for the parking cars.

#### Cycle Parking Provision

29. No development shall commence within any phase of any development area as shown on drawing no. A10336D0010 rev.P3 entitled 'Parameter Plan: Development Areas and Land Uses' until the following details have been submitted to and approved in writing by the Local Planning Authority:

- (i) the location and size of secure and weatherproof cycle stores for residential and non-residential use;
- (ii) the number of cycles to be accommodated in each store and the type of racking system to be used;
- (iii) the residential flats and non-residential floorspace respectively served by each store;
- (iv) the number, type and location of cycle stands for general public use.

No building shall be occupied within any phase until the approved cycle parking measures relevant to that phase have been provided in full, unless otherwise approved in writing by the Local Planning Authority. The cycle stores shall be retained at all times for the parking of cycles and shall not be used for any other purpose.

#### Bin Storage Provision

30. No development shall commence within any phase of any development area as shown on drawing no. A10336D0010 rev.P3 entitled 'Parameter Plan: Development Areas and Land Uses' until the following details have been submitted to and approved in writing by the Local Planning Authority:

- (i) the location and size of secure and weatherproof bin stores for residential and non-residential use;
- (ii) the number and size of bins for waste, dry recycling and green waste to be accommodated in each store;
- (iii) the residential flats and non-residential floorspace respectively served by each store;
- (iv) details of collection routes, collection points and any other collection arrangements, as appropriate, for the emptying of bins;
- (iv) details of access routes, turning and manoeuvring space for refuse vehicles.

No building shall be occupied within any phase until the approved bin stores relevant to that phase have been provided in full, unless otherwise approved in writing by the Local Planning Authority. The bin stores shall be retained at all times for the storage of bins and shall not be used for any other purpose.

#### Plant and Equipment

31. No plant or equipment shall be installed externally on any building or within any plant room or enclosure or within the site of any phase of any development area as shown on drawing no. A10336D0010 rev.P3 entitled

'Parameter Plan: Development Areas and Land Uses' until full details have been submitted to and approved in writing by the Local Planning Authority. These details shall include the type, size and design of the plant/equipment; its siting and height above ground level; measures to mitigate its visual impact; details of any noise or odours emitted by the plant/equipment; and measures to mitigate any impacts arising from noise or odours. All plant and equipment shall achieve a noise level of -10dB(A) compared to background noise levels as recorded in the Environmental Statement. The plant/equipment shall only be installed in accordance with the approved details and shall be retained as such at all times.

#### Maximum Floorspace and Use

32. The maximum number of residential dwellings to be developed within the application site shall not exceed 681.
33. The maximum number of residential dwellings within any development area shall not exceed the number shown on drawing no. A10336D0010 rev.P3 entitled 'Parameter Plan: Development Areas and Land Uses'.
34. The maximum total gross external floorspace to be developed within the application site shall not exceed 104,449m<sup>2</sup> and the maximum gross external floorspace by use shall not exceed the following amounts:
  - Hospital (Class C2) - 25,960m<sup>2</sup>
  - Offices/laboratories (Class B1(a) and B1(b)) - 3,685m<sup>2</sup>
  - Retail/commercial (Classes A1-A5) - 5,620m<sup>2</sup>
  - Residential (Class C3) - 55,988m<sup>2</sup>
  - Hotel (Class C1) - 3,000m<sup>2</sup>
  - Business/commercial (Classes B1(c), B2 and B8) - 8,477m<sup>2</sup>
  - Leisure (Class D2) - 1,719m<sup>2</sup>
35. The maximum gross external floorspace for each use within any development area shall not exceed the amount shown on drawing no. A10336D0010 rev.P3 entitled 'Parameter Plan: Development Areas and Land Uses'. The floorspace within any development area shall only be used for the uses specified and shall not be used for any other purpose.

#### Design Standards

36. All residential units (Use Class C3) within the development hereby permitted shall be designed in accordance with the standards and guidelines contained in the Council's adopted Residential Design Guide 2014 (or any subsequent revision of this document), unless otherwise approved in writing by the Local Planning Authority.

#### Open Space and Children's Play Facilities

37. No development shall commence within any phase of any development area as shown on drawing no. A10336D0010 rev.P3 entitled 'Parameter Plan: Development Areas and Land Uses' until details of the public open space and children's play facilities for the relevant area have been submitted to and approved in writing. The details shall include the following:

- (i) The location and size of public open space.
- (ii) Details of the fencing, seating, litter bins and landscaping of the public open space.
- (iii) The location and size of children's play space.
- (iv) Details of the fencing, seating, litter bins, landscaping and play equipment for the children's play areas.

No buildings shall be occupied within each phase until the open space and children's play facilities relevant to that phase have been provided in full in accordance with the approved details.

#### Biodiversity measures

38. No works of development shall commence within any phase of any development area as shown on drawing no. A10336D0010 rev.P3 entitled 'Parameter Plan: Development Areas and Land Uses' until details of measures to enhance the biodiversity of the development area including the river corridor have been submitted to and approved in writing by the Local Planning Authority. The range of measures to be considered shall include green roofs, brown roofs, green walls, bird and bat boxes and habitat creation in addition to the planting of native species. The details shall also include a management plan for the maintenance of the approved measures, as well as for any green infrastructure assets that are being retained and protected. No dwelling or unit shall be occupied until the approved measures have been installed as approved, unless otherwise agreed in writing by the Local Planning Authority.

#### Travel Plan

39. No unit shall be occupied within any phase of any development area as shown on drawing no. A10336D0010 rev.P3 entitled 'Parameter Plan: Development Areas and Land Uses' until a detailed Travel Plan based upon the Framework Travel Plan (March 2014) has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be operated as approved at all times, unless otherwise agreed in writing by the Local Planning Authority.

#### Shopfronts

40. No use of any unit within Classes A1, A2, A3, A4, A5 and D2 shall commence until details of the shopfront to the unit have been submitted to and approved in writing by the Local Planning Authority and the shopfront has been installed in accordance with the approved details.

#### Hours of Use

41. No use of any unit within Classes A4 and A5 shall take place before 0800 hours or after 2330 hours on any day.

#### Construction of Access Road

42. No dwelling or non-residential unit within any development area shall be occupied until the access road and bridge approved under planning permission ref. 13/00971/FULM have been completed in full.



#### Renewable Energy

43. No development shall commence within any phase of any development area as shown on drawing no. A10336D0010 rev.P3 entitled 'Parameter Plan: Development Areas and Land Uses' until details of the low or zero carbon energy technologies to be used within the relevant phase have been submitted to and approved in writing by the Local Planning Authority. The details shall include the location, size and appearance any external plant and equipment. The technologies shall be installed as approved.

#### Internal Noise Levels

44. No development shall commence on any residential unit until details of the measures to be used to achieve internal noise levels that do not exceed the guidance levels given for residential rooms in BS8233:2014 have been submitted to and approved in writing by the Local Planning Authority. These measures shall include wall construction, windows, glazing and ventilation. No residential unit shall be occupied until the approved measures have been installed.

#### Sewerage infrastructure improvements

45. No discharge to the foul sewerage network from any of the buildings forming part of the development shall take place until a drainage strategy for the site has been submitted to and approved in writing by the Local Planning Authority. The strategy shall specify, for each development area, such works (including any on-site or off-site infrastructure provision) as may be necessary in order to provide the required capacity in the sewerage network for that development area. No building in any development area shall be occupied, nor shall there be any discharge to the sewerage network from any such building, until the works specified in the approved drainage strategy relating to that development area have been completed.

#### Floorspace of Class A units

46. Of the retail/commercial floorspace referred to in Condition 34, not more than 2,125m<sup>2</sup> shall be contained within a single unit.

## **ANNEX B**

### **Watford Health Campus – 14/00511/OUTM**

### **Hybrid planning application for the development of a mixed-use health campus**

#### **Schedule of conditions**

#### **Detailed Element Business Area South**

The following conditions relate to the detailed element of the application for Business Zone South as shown on drawing no. 1567-TP-01.

#### Time Limit

1. The development to which this permission relates shall be begun within a period of three years commencing on the date of this permission.

#### Approved Drawings

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

1567-TP-01, 02, 03, 04, 05

#### Hours of Construction

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.

#### Construction Environmental Management Plan

4. No works of development comprising site preparation (including but not exclusively demolition of buildings and structures, ground works, ground remediation and service diversions) or construction shall commence until a Construction Environmental Management Plan (based upon the Environmental Management Plan dated 31<sup>st</sup> March 2014 in the Environmental Statement) has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include (but not exclusively) details of the operation of the Considerate Contractors Scheme; a contact procedure for complaints; the routing of construction vehicles; the management of deliveries to avoid peak times; the management of contractors parking; hours of noisy operation; hours for deliveries; air, noise and dust monitoring around the boundaries of site; the siting and demarcation of compounds within the site; the siting and type of fencing to protect all trees, hedges and habitats to be retained and all watercourses; safe access to site offices; and wheel washing facilities at all exits from the site. The Plan as approved shall be implemented throughout the period of works unless otherwise agreed in writing by the Local Planning Authority.

#### Land Contamination

5. No works of development comprising site preparation (including but not exclusively demolition of buildings and structures, ground works, ground remediation and service diversions) or construction shall commence until a scheme that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved in writing, by the Local Planning Authority:

(1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses

- a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site.
- (2) A site investigation scheme, based on (1), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- (3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- (4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.
6. 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 a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.
7. No occupation of any building (or such other date or stage in development as may be agreed in writing with the Local Planning Authority) shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy 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.

#### Archaeological investigation

8. (i) No works of development comprising site preparation (including but not exclusively demolition of buildings and structures, ground works, ground remediation and service diversions) or construction shall commence until an Archaeological Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority. 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.
- (ii) 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 6(i).
- (iii) 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 8(i) and the provision made for analysis and publication where appropriate.

#### Site Waste Management Plan

9. No works of development comprising site preparation (including but not exclusively demolition of buildings and structures, ground works, ground remediation and service diversions) or construction shall commence until a Site Waste Management Plan (SWMP) (based upon the Design Stage SWMP dated 28<sup>th</sup> March 2014 in the Environmental Statement) for all aspects of waste management during site preparation and construction has been submitted to and approved in writing to the Local Planning Authority. The development shall be undertaken in accordance with the agreed Plan unless otherwise agreed in writing by the Local Planning Authority.

#### Flood Risk

10. No works of development shall commence until a scheme to address flood risk has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with the approved Flood Risk Assessment (FRA) prepared by AECOM dated March 2014. The scheme shall include the following mitigation measures detailed within the FRA:
1. The surface water drainage scheme for the site shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development. The drainage strategy shall demonstrate that the surface water run-off generated up to and including the 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. Details of how the scheme shall be maintained and managed after completion shall be included.

2. Finished floor levels set no lower than the 1 in 1000 year flood event design level.
3. Flood compensation works as determined by any buildings encroaching into the 100 year climate change design level.
4. Resilience measures as indicated to direct flood flows away from buildings by land shaping.
5. Providing safe dry access/egress to higher ground from any buildings within the 100 year climate change flood envelope.

#### Built Footprint within Floodplain

11. No built footprint shall be constructed within the 100 year climate change baseline flood envelope with the Tributary flows and updated topographic survey data included (see drawing 60288684-INF-SK14 Rev 3.0 in Appendix 2 of the Flood Risk Assessment prepared by AECOM dated March 2014) until after the works to open up and improve the flow capacity of the Wiggshall Tributary Ditch have been completed. Completion of these tributary works must be demonstrated to and approved in writing by the Local Planning Authority.

#### Surface Water Drainage

12. No infiltration of surface water drainage into the ground is permitted other than with the express approval in writing 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.

#### Piling

13. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express approval in writing 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.

#### Non Native Invasive Species Strategy

14. No works of development comprising site preparation (including but not exclusively demolition of buildings and structures, ground works, ground remediation and service diversions) or construction shall commence until a detailed method statement for the removal or long-term management/control of Japanese Knotweed and Himalayan Balsam has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures that will be used to prevent the spread of Japanese Knotweed and Himalayan Balsam during any operations e.g. mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds, roots or stems of any invasive plant covered under

the Wildlife and Countryside Act 1981, as amended. Development shall only be carried out in accordance with the approved method statement.

#### Services Strategy

15. No works of development comprising site preparation (including but not exclusively demolition of buildings and structures, ground works, ground remediation and service diversions) or construction shall commence until a Services Strategy, setting out all existing services on the site to be removed or diverted and all new services to be provided, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved Strategy unless otherwise agreed in writing by the Local Planning Authority.

#### Sustainability Targets

16. No development shall commence until an Interim (Design Stage) Certificate issued by or on behalf of the British Research Establishment has been submitted to the Local Planning Authority to demonstrate that the shell and core design of the buildings will achieve a minimum BREEAM rating of 'Very Good'. This shall be supplemented by details of any measures that would need to be secured by the tenant fit out and a mechanism by which these will be secured. No unit shall be occupied until a Post-Completion Final Certificate to certify that the rating of 'Very Good' has been achieved has been submitted to and approved in writing by the Local Planning Authority.

#### Tree and shrub removal

17. No trees, scrub or hedges on the site shall be lopped, topped, felled, grubbed up or otherwise removed from the site between 1st March and 31st August in any year unless a suitably qualified ecologist has previously surveyed the trees, scrub or hedges and certified in writing to the Local Planning Authority that such works of removal will not harm nesting birds or any protected species.

#### Tree Protection Measures

18. No works of development comprising site preparation (including but not exclusively demolition of buildings and structures, ground works, ground remediation and service diversions) or construction shall commence until the fencing to protect all trees, hedges and habitats to be retained and all watercourses as approved as part of the Construction Environmental Management Plan (Condition 4) has been erected on the site. No works shall take place within the protected areas until a method statement detailing the works to be undertaken and the methods to be used have been submitted to and approved in writing by the Local Planning Authority. Works within the protected areas shall only be undertaken in accordance with the approved method statement.

#### Existing and Proposed Ground Levels

19. No development shall commence until details of the existing and proposed ground levels across the site and the finished ground floor levels of all the buildings, roads and footpaths have been submitted to

and approved in writing by the Local Planning Authority. The development shall only be constructed in accordance with the approved details.

#### External Materials

20. No development shall commence until details of the materials to be used for all the external finishes of the buildings, including all external walls, roofs, doors and windows, 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.

#### Hard Landscaping Scheme

21. No development shall commence until a hard landscaping scheme and details/samples of all materials to be used for all roads, footpaths, servicing areas and car parking areas have 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 scheme has been implemented and the works have been carried out as approved.

#### Fencing and Boundary Treatments

22. No development shall commence until details of all means of enclosure and gates on the boundaries of the site and within the site have been submitted to and approved in writing by the Local Planning Authority. This shall include details of all retaining walls and structures within the site. No part of the development shall be occupied until the approved works have been carried out.

#### Soft Landscaping Scheme

23. No development shall commence until a soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. This shall include but not be limited to the following:
- (i) details of all existing trees, shrubs and hedges to be retained;
  - (ii) details of all new tree, shrub, hedge and other planting proposed within the site;
  - (iii) a schedule of planting including species, plant sizes and planting densities;
  - (iv) measures to enhance the biodiversity and ecological value of the site;
  - (v) a planting specification for all new planting;
  - (vi) a landscape management plan for the long term management and maintenance of all soft landscaping and biodiversity measures within the site;
  - (vii) a phasing plan for the implementation of the soft landscaping scheme.

The soft landscaping scheme shall only be implemented in accordance with the approved details and shall be maintained in accordance with the approved management plan at all times, unless otherwise agreed in writing by the Local Planning Authority.

#### Ecological Enhancement Works

24. Prior to the commencement of the development hereby permitted a scheme to improve the biodiversity and habitat within the area shown on Plan 344-PA-061A shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include timescales for the implementation of the approved works and a future management strategy. The scheme shall then be implemented in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

#### External Lighting

25. No development shall commence until full details of the siting, height, design and type of all external lighting and details of ground lux levels have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be designed to minimise any light spillage towards the River Colne and wildlife area and to minimise any adverse impacts on wildlife. The external lighting shall only be installed in accordance with the approved details.

#### New Access Junction

26. No part of the development shall be occupied until the new access junction with the Access Road, as shown in principle on the approved drawings, has been completed in full.

#### Car Parking Provision and Servicing

27. No part of the development shall be occupied until the car parking spaces, service yards and manoeuvring areas shown on the approved drawings have been laid out and constructed in full, unless otherwise approved in writing by the Local Planning Authority. The car parking spaces, service yards and manoeuvring areas shall be retained at all times and solely for these purposes.

#### Cycle Parking Provision

28. No part of the development shall be occupied until details of the siting, size, design and external materials of cycle stores for each of the proposed units (or communal stores to be shared by units) have been submitted to and approved in writing by the Local Planning Authority. The respective stores shall be retained at all times for cycle storage only and shall not be used for any other purpose.

#### Bin Storage Provision

29. No part of the development shall be occupied until details of the siting, size, design and external materials of bin stores (for waste and recycling) for each of the proposed units (or communal stores to be shared by units) have been submitted to and approved in writing by the Local Planning Authority. The respective stores shall be retained at all times for bin storage only and shall not be used for any other purpose.

#### Plant and Equipment

30. No plant or equipment shall be installed externally on any building or within the site until full details have been submitted to and approved in



writing by the Local Planning Authority. These details shall include the type, size and design of the plant/equipment; its siting and height above ground level; measures to mitigate its visual impact; details of any noise or odours emitted by the plant/equipment; and measures to mitigate any impacts arising from noise or odours. The plant/equipment shall only be installed in accordance with the approved details and shall be retained as such at all times.

#### Specified Uses

31. The units hereby permitted shall only be used for purposes within Classes B1(b), B1(c), B2 and B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other use, unless otherwise approved in writing by the Local Planning Authority.

#### Trade Counters

32. In respect on any unit used for purposes within Class B8, no trade counter provided within that unit shall exceed 10% of the gross internal ground floor area of the unit and shall not exceed 40m<sup>2</sup> in any event.

#### Maximum Floorspace

33. The maximum floorspace that shall be provided within the approved buildings shall not exceed 6,950m<sup>2</sup> gross internal area (GIA).

#### Travel Plan

34. No unit shall be occupied until a detailed Travel Plan based upon the Framework Travel Plan (March 2014) has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be operated as approved at all times, unless otherwise agreed in writing by the Local Planning Authority.

Chair

The Meeting started at 7.30 pm  
and finished at 9.40 pm