

DEVELOPMENT CONTROL COMMITTEE

12 MARCH 2015

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 Jeanette Aron

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

70 APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP

There were no apologies: all Development Control Committee members were present.

71 DISCLOSURE OF INTERESTS (IF ANY)

Councillor Watkin advised that he had had meetings with residents who had submitted representations to the application at minute number 75. He confirmed that, whilst he had listened to residents' views, he had made no indication of his own opinions.

72 MINUTES

The minutes of the meeting held on 19 February 2015 were submitted and signed.

73 ENFORCEMENT PLAN

The Major Cases and Enforcement Manager introduced the report and explained that the current Planning Enforcement Policy had been approved in February 2006. He advised that the policy had been reviewed resulting in some changes to procedures. The review had also addressed the Council's current range of powers.

The report asked that the Planning Enforcement Plan 2015 be approved.

The Chair said that the document was very clear and had been improved by the very thorough review. He specifically noted that, where conditions attached to planning approval had not been complied with, enforcement action should be taken quickly and efficiently.

Replying to a question from Councillor Watkin, the Major Cases and Enforcement Manager advised that the Planning Enforcement Plan and the Planning Enforcement Policy were basically the same document and constituted mainly a change in terminology: the plan set out how to investigate breaches of conditions and had been introduced following the advice in the National Planning Policy Framework (NPPF).

Councillor Bashir welcomed the review and noted in particular the improved timescale changes and additional powers granted under the Proceeds of Crime Act 2002.

Councillor Williams noted paragraph 3.9 of the report and approved the link with the timescale which would, he said, allow greater transparency with regard to the resolution of complaints which enforcement officers had addressed.

The Development Management Section Head advised that the amount of enforcement work undertaken could be measured by the number of cases dealt with and by type of case and outcome. These figures could be made available to members.

RESOLVED:

that the Planning Enforcement Plan 2015 be approved.

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LAND AT NORTH WESTERN AVENUE

The Committee received a report of the Development Management Section Head including the relevant planning history of the site and details of twenty four letters raising objections. A letter of support had been received from Everett Rovers Football Club.

The Major Cases and Enforcement Manager gave an update on this application. He advised that a petition with 92 signatures and also 18 letters had been received in support of the application. The letters noted that a 30 year lease for Everett Rovers Football Club had been offered and that land would be provided for club members' parking. The long-term lease would make available access to additional facilities in the future: this would offer greatly increased opportunities for the club. The petition was, in essence, a summary of the letter.

The Chair invited Mr Robert Pedoni to address the committee.

Mr Pedoni said that he lived in a flat which overlooked the application site and noted that there were already considerable problems associated with parking.

He added that there was currently a significant increase in crime with bins and containers being routinely vandalised.

Mr Pedoni noted that, according to the report, 43 residents' parking spaces would be provided; he asked why there was not more provision on the plan and whether a minimum of 50 parking spaces for Everett Rovers club would be sufficient.

Mr Pedoni then addressed perceived problems associated with traffic. He advised that the A41 was a 'nightmare' and that drivers accessing the site from the western end of the road would attempt to turn at the cemetery resulting in further problems for road users.

Mr Glen Peach, the Chair of the Everett Rovers Football Club was invited to address the Committee.

Mr Peach informed the meeting that the club had been in existence for 17 years and had a membership of approximately 250 children aged from five to 18. He advised that the proposal would provide great opportunities for the club to 'move forwards' and noted that current parking problems would be alleviated under the proposed scheme.

Mr Peach explained that the grant of a 30 year lease would allow the club to access funding to provide much-needed facilities and that this would assist in the club's further progress and development.

Responding to points raised by the speakers, the Major Cases and Enforcement Manager advised that the balance of parking provision for residents was a difficult area to resolve. He explained that census data for Watford indicated an average of 1.1 cars per household and advised that it was not possible for the local planning authority to control car ownership or where cars were parked. It was impossible to predict how many cars residents would own; the local planning authority could only make reasonable provision within its 'maximum' car parking policy and it was considered that 43 parking spaces for 34 units was at an appropriate level.

The Major Cases and Enforcement Manager advised that the Hertfordshire County Council, as Highway Authority, had considered the proposals to be acceptable. The car parking for the football club had been monitored and it had been found that on a typical Sunday 25 or 26 cars had been parked in the car park and, additionally, between 15 and 20 on the access road. Consequently the area of land available should accommodate the existing demand; the parking area would be provided before the flats were occupied.

With regard to the vandalism as noted by Mr Pedoni, the Major Cases and Enforcement Manager agreed that there had been concerns and that the Crime Prevention Officer had been consulted on the application. He noted, however, that flats overlooking the area would provide a deterrent and that perceived additional surveillance would discourage anti-social behaviour on the playing field.

The Committee then discussed the application.

Councillor Derbyshire said that concerns regarding parking problems were understandable. He was reassured by the proposed provision for the football club and urged that firm conditions be implemented to ensure that 50 spaces would be delivered.

The Major Cases and Enforcement Manager assured the meeting that the proposed planning obligation between Watford Borough Council and Taylor Wimpey, the Applicant would require the provision of parking spaces as part of the development.

Councillor Bashir asked why affordable housing would not be provided at the application site but that this provision this had been implemented at a previous application in nearby Dodd Road.

The Major Cases and Enforcement Manager explained that part of the development at Dodd Road had been intended for shops; when these units had remained empty these had been transferred to a housing association. 35% of homes at the North Western Avenue site were provided in Dodd Road; these were all included in the same housing association's portfolio.

Councillor Watkin noted that the 50 parking spaces for the football club would only be needed on occasion. He asked whether residents would be able to use these spaces in the meantime.

The Major Cases and Enforcement Manager advised that it was not intended that the spaces be used as overflow for local residents. It had been expected that Everett Rovers would have control over the car park during their 30 year lease but would possibly allow other user to access this area if agreement could be reached with the Applicant.

Councillor Bell asked for an explanation with regard to the £84,000, part of the Section 106 planning obligation, which the Council would hold for the club.

The Major Cases and Enforcement Manager explained that this sum would be delivered to the club if they were successful in obtaining grant funding from other organisations towards a larger clubhouse facility.

Replying to a question from the Chair regarding the statement on page 27 of the report that addressed the design of the development, the Major Cases and Enforcement Manager noted that both the Leggatts Green development and the current proposed development would be accessed from the same road leading directly from the A41. It had been considered that it would therefore be more appropriate to build the new development in the same style of design as that used for the Leggatts Green development, since a totally different design would not relate to the existing development.

The Committee then determined whether the application should be approved or rejected. It was noted that Councillor Bell abstained from this vote.

RESOLVED –

- (A)** That planning permission be granted subject to the completion of a planning obligation(s) under s.106 of the Town and Country Planning Act 1990 to secure the following provisions, contributions and facilities, subject to the conditions listed below:

Section 106 Heads of Terms

- i) To secure financial payments to the County Council prior to the commencement of development of:
 - a) £23,250 (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) £6,753 (index linked) towards the provision of secondary education in accordance with Policy H10 of the Watford District Plan 2000;
 - c) £16,689 (index linked) towards the provision of primary education in accordance with Policy H10 of the Watford District Plan 2000;
 - d) £3,753 (index linked) towards the provision of nursery education in accordance with Policy H10 of the Watford District Plan 2000;
 - e) £1,092 (index linked) towards the provision of childcare facilities in Watford in accordance with Policy H10 of the Watford District Plan 2000;
 - f) £214 (index linked) towards the provision of youth facilities in Watford in accordance with Policy H10 of the Watford District Plan 2000;
 - g) £3,051 (index linked) towards the provision of library facilities in accordance with Policy H10 of the Watford District Plan 2000;
- iii) To secure 11 of the units as affordable housing (3 x 1 bed and 3 x 2 bed as affordable rent, 3 x 2 bed as social rent and 2 x 1 bed as shared ownership), in accordance with Policy HS3 of the Core Strategy.
- iv) To secure the provision of fire hydrants, as required by the County Council, in accordance with Policy H10 of the Watford District Plan 2000.
- v) For Taylor Wimpey to offer Everett Rovers Football Club a 30 year lease on the use of the playing fields on fair and reasonable terms, prior to the commencement of development.

- vi) For Taylor Wimpey to pay to the Council the sum of £84,000 towards the provision of a storage/toilet building or suitable alternative facility for the use of Everett Rovers Football Club, prior to the commencement of development.
- vii) For Taylor Wimpey to seek to secure planning permission for and to construct a car park for a minimum of 50 spaces for the use of Everett Rovers Football Club, prior to the first occupation of the development.

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:-
1408/P/01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23
3. No development hereby permitted shall take place before 8am or after 6pm Mondays to Fridays, or at any time on Saturdays, Sundays and Public Holidays.
4. No development 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 development shall commence until the tree protection measures shown on drawing no. TWNT19251-03 (ACD) have been installed. These measures shall be retained at all times during construction works.
6. The development shall only be carried out in accordance with the Arboricultural Impact Assessment and Method Statement by ACD dated 14.06.2014. For the avoidance of doubt, the areas of roadway and car parking adjacent to trees T108 and T112 respectively, as shown on drawing no. TWNT19251-03 (ACD), shall be constructed using a no-dig method.
7. No development shall commence until a noise mitigation scheme for the proposed dwellings, based upon the recommendations of the Acoustic Assessment Report by MLM dated 18th August 2014, has been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until the approved mitigation measures have been installed in full.

8. No development 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.
9. No development shall commence until details of a sustainable surface water drainage scheme for the development has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the approved drainage scheme has been implemented in full.
10. No dwelling 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.
11. No dwelling shall be occupied until full details of a hard landscaping scheme, including details of 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.
12. No dwelling shall be occupied until the respective bin stores and the cycle stores, as shown on the approved drawings, have been constructed. These shall be retained as such at all times and shall not be used for any other purpose.
13. No dwelling shall be occupied until the 43 car parking spaces, as shown on the approved drawings, have been constructed in full. These spaces shall be retained for the parking of cars at all times.

Informatives

1. This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 to secure financial contributions towards the provision or improvement of 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/01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23

- (B)** In the event that an acceptable planning obligation(s) under Section 106 of the Town and Country Planning Act 1990 has not been completed by 27th March 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) 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 Plan Core Strategy 2006-31 and saved Policy H10 of the Watford District Plan 2000.
 5. The proposal will result in the loss of open space without any replacement provision or any improvement in the overall quality of green infrastructure or the playing fields adjoining the site and, as such, is contrary to Policy GI1 of the Watford Local Plan Core Strategy 2006-31.

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ST THOMAS UNITED REFORMED CHURCH, LANGLEY ROAD

The Committee received a report of the Development Management Section Head including the relevant planning history of the site and details of nine representations objecting to the proposal.

The Applications Casework Manager introduced the report and advised that, as a completed planning obligation had now been received, Recommendation (B) as detailed in the report was no longer required.

The Chair invited Christopher Hough to address the committee.

Mr Hough said that he represented Sigma Planning and was speaking on behalf of the application. He noted that the existing church would be demolished and a new church (to include facilities for wider community use) and nine new homes would be constructed on the site.

Mr Hough advised that the development would be a self-funding scheme and that the income from the sale of the houses would pay for construction of the new church. He informed the meeting that the existing church was no longer fit for purpose and that the new building would provide for all existing uses but would be more efficient and sustainable. The proposal had been the result of consultations with Watford Borough Council, heritage groups, the residents in Nascot ward and worshippers at the church. The original scheme had been modified and adapted as a result of the consultations. The proposal complied with all policies of the NPPF and with Supplementary Planning Guidance.

Mr Hough noted that the scheme would retain two of the trees currently on site as detailed within the report; whilst some trees would be lost, the Arboricultural Officer had agreed that these losses were acceptable. The boundary wall which turned the corner of Stratford Road and Langley Road would also be retained. Mr Hough advised that the church would be of a high quality design and would fit well in the Nascot Conservation area. There would be single vehicle access only and no impact on neighbouring properties.

Mr Hough concluded by stating that the development would enhance the character of the conservation area, would improve both church and community facilities in addition to providing nine new dwellings.

The Committee agreed that Councillor Aron, ward councillor for Nascot Ward, could speak to the meeting.

Councillor Aron asked whether there would be four or five bedrooms in each of the houses. The Application Casework Manager subsequently replied that there would be four bedrooms and a 'loft space' which could be used as a bedroom if required.

Councillor Aron acknowledged the significant time and work which had been invested in the application under consideration. She noted that public consultation, presentations and meetings with planning officers had resulted in the plans being both transparent and open to scrutiny.

Councillor Aron praised the development's design and said that the proposed community hub would enhance the area and encourage greater involvement for residents in the neighbourhood.

The Committee then discussed the application.

Councillor Watkin said that the design was iconic and that the proposal would enhance facilities for community use. He drew attention to the plan to provide a café within the church building and noted that no such facility currently existed in the area. Councillor Watkin specifically noted the scroll detail on the church which, he advised, would be transformational; he agreed that the current church was inefficient in a number of particulars and that the proposal would be an improvement.

Councillor Derbyshire agreed with Councillor Watkin's points but expressed doubts regarding the affordability of the scheme for the church. He stressed that it was imperative that conditions were such that if the church could not afford the specified materials, the Council must have sufficient power to insist that the church wait until funds could be provided to ensure the currently-proposed design.

The Applications Casework Manager advised that Condition 4 included the stipulation that the development could only be implemented in accordance with the approved details. Replying to a question from Councillor Bell, the officer explained that as there would be fewer than ten houses built, there was no requirement to provide affordable homes.

Councillor Sharpe said that he considered the current church constituted a jarring element in its surroundings and that, consequently, he welcomed this application. He noted that the scroll element would echo the design of traditional churches and concurred with Councillor Derbyshire in hoping that the design would not be compromised.

The Chair expressed his approval for the scheme in that the character of the area would be retained and that the proposal would provide houses rather than flats in this locality.

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 provision set out below, planning permission be granted subject to the following conditions:

Section 106 Heads of Terms

- i) The applicant not to occupy nor cause nor permit the occupation of any of the nine terraced four bedroom houses forming part of the development until the replacement church building has been completed and is available for use.

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 development shall commence until a Construction Environmental Management Plan has been submitted to and approved by the Local Planning Authority. This Plan shall include details of contractors parking, the delivery and storage of materials, plant and equipment, measures to mitigate noise and dust, and a contact procedure for complaints. The Plan as approved shall be implemented throughout the construction period.
4. Notwithstanding the annotations on the drawings hereby approved, and in particular with regards to the colour and bonding of the tiles on the scroll, no development shall commence until full details and samples of the materials to be used for all the external surfaces of the buildings, including walls, roofs, doors, windows (including those with coloured and stained glass), roof lights, guttering and down pipes 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.
5. No development shall commence until full details of the design and materials of the covered walkway, the bicycle storage facilities, and refuse and re-cycling storage have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the first occupation of any part of the development and shall be retained thereafter.
6. No development shall commence until details (and samples where requested) of the siting, height and type of fencing or other means of enclosure around the boundaries of the site and within the site, and in particular the boundary treatment to Stratford Road and Langley Road, have been submitted to and approved in writing by the Local Planning Authority. All means of enclosure shall be provided as approved prior to the first occupation of any part of the development and shall be retained thereafter.
7. 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 door, window or any other openings other than those indicated on the approved drawings specified in Condition 11 shall be formed on the side and rear elevations of any of the buildings hereby approved without the prior written permission of the Local Planning Authority.

8. 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, F and G of the Order shall be carried out to the dwellings hereby approved without the prior written permission of the Local Planning Authority.
9. No development shall commence until a hard and soft landscaping scheme for the site (including a detailed method statement covering tree planting, tree, shrub and grass specie, planting size and density and all hard surfacing materials) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the implementation of the arboricultural method statement, including tree protection methods and areas of non-dig construction, as set out to in the Arboricultural Impact Appraisal and Method Statement prepared by Barrell Tree Consultancy dated 2 September 2014. The approved hard landscaping shall be carried out prior to the first occupation of any part of the development and shall be retained thereafter at all times. The soft landscaping shall be carried out no 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.
10. No external lighting shall be installed on the site except in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.
11. The development hereby permitted shall be carried out in accordance with the following approved drawings:

1067/001p, 002p, 003p, 004p, 101p, 102p, 103p, 104p, 105p, 106p, 107p, 108p, 109p, 110p, 111p, 112p, 113p, 114p, 115p and 116p.
12. On completion of the development and when the new access to Langley Road has been brought into use, all other existing access points not incorporated in the development hereby permitted shall be stopped up by raising the existing dropped kerb and reinstating the footway and highway boundary to the same line, level and detail as the adjoining footway, verge and highway boundary.
13. No development shall commence until details of the layout and construction of the access to Langley Road have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Informatives

1. This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 to secure

the construction of the church building and ensure its availability for use before the occupation of any of the new houses.

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.

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Drawing numbers

1067/001p, 002p, 003p, 004p, 101p, 102p, 103p, 104p, 105p, 106p, 107p, 108p, 109p, 110p, 111p, 112p, 113p, 114p, 115p and 116p

Documents

Heritage statement; Infrastructure statement with viability statement; Planning statement; Design and Access Statement; Arboricultural statement; Energy statement; Travel plan

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52A - 56 HIGH STREET

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

Councillor Sharpe said that it was important for the planning process to deliver quality development that served a social purpose. In this case it was better to accept that there were limited opportunities for additional open space in the town centre and recognise that it was more important to provide for additional affordable housing. He added that the town centre would be an ideal area in which to provide affordable homes.

RESOLVED –

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

Section 106 Heads of Terms

- i) To secure financial payments to the Council of:
 - a) £25,000 (index linked) towards the provision and improvement of public open space and children's playspace in accordance with Policies L8 and L9 of the Watford District

Plan 2000 and Policy INF1 of the Watford Local Plan Core Strategy 2006-31;

- b) £2,000 towards the variation of the relevant Traffic Regulation Order to exclude the site from the controlled parking zone, thereby preventing residents' parking permits being allocated to this site.
- ii) To secure financial payments to the County Council of:
- a) £25,750 (index linked) towards the implementation of the South West Hertfordshire Transport Strategy and sustainable transport measures in Watford in accordance with Policies T3, T4, T5 and INF1 of the Watford Local Plan Core Strategy 2006-31;
 - b) £16,905 (index linked) towards the provision of secondary education in accordance with Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and Policy H10 of the Watford District Plan 2000;
 - c) £33,343 (index linked) towards the provision of primary education in accordance with Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and Policy H10 of the Watford District Plan 2000;
 - d) £7,865 (index linked) towards the provision of nursery education in accordance with Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and Policy H10 of the Watford District Plan 2000;
 - e) £2,302 (index linked) towards the provision of childcare facilities in Watford in accordance with Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and Policy H10 of the Watford District Plan 2000;
 - f) £511 (index linked) towards the provision of youth facilities in Watford in accordance with Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and Policy H10 of the Watford District Plan 2000;
 - g) £5,835 (index linked) towards the provision of library facilities in accordance with Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and Policy H10 of the Watford District Plan 2000;
- iii) To secure the provision of fire hydrants as required by the County Council.

- iv) To secure the provision of 45 affordable housing units of which 29 shall be affordable rented (14 x 1 bed and 15 x 2 bed) and 16 shall be for intermediate tenures (4 x 1 bed and 12 x 2 bed).

Conditions

1. The development to which this permission relates shall be commenced before 4th June 2015.
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. Demolition of the existing buildings shall only take place in accordance with the Demolition Method Statement, Demolition Plan and Façade Retention Statement dated 19th September 2012, unless otherwise agreed in writing by the Local Planning Authority. No construction shall commence until a Construction Environmental Management Plan has been submitted to and approved by the Local Planning Authority. This Plan shall include details of phasing of construction, 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.
4. No construction shall commence until the programme of archaeological work set out in the Archaeological Project Design by The Heritage Network dated November 2012 has been undertaken. No part of the development shall be occupied or brought into use until the approved scheme of investigation for archaeological works has been implemented in full. Any evidence, reports or archive generated as a result of the programme of archaeological work shall be deposited within six months of the completion of the work with the historic environment record maintained by the Hertfordshire County Council (with copies provided to the Watford Museum) or such other public depository as shall be agreed in writing with the Local Planning Authority.
5. The development shall only be carried out in accordance with the detailed works for the retention, renovation and refurbishment of the façade of the existing building on the High Street frontage, as contained in the Façade Retention Statement dated 19th December 2012 and the Schedule of Works dated 15th May 2013, unless otherwise agreed in writing by the Local Planning Authority.
6. The development shall only be carried out using the following external materials, as shown on drawing nos. 1416-7-2A, 1416-7-

3A, 1416-7-4A, 1416-7-5A and 1416-7-6A (W. Griffiths & Glass), unless otherwise agreed in writing by the Local Planning Authority:

PermaRock Metallocryl Render in colours Silver and Copper

Metsa Thermowood timber cladding

Trespa Meteon laminated panels in colour Spring Green (A3723)

Euroclad Vieo metal cladding system

Windows and external doors - powder coated aluminium

External stair - galvanised metal with perforated infill panels

Balconies - translucent structural glass balcony panels in clear glass and orange tinted glass with brushed stainless steel

handrails and patch fittings

7. The development shall only be constructed in accordance with the threshold levels shown on drawing no.988_1-10 (W Griffiths), unless otherwise agreed in writing by the Local Planning Authority.
8. The development shall only be carried out in accordance with the hard and soft landscaping scheme shown on drawing nos. 988_1-9 and 988_7-4 Rev.C (W Griffiths) and detailed in the email dated 27th June 2013 from Chris Griffiths, unless otherwise approved in writing by the Local Planning Authority. No part of the development shall be occupied until the approved scheme has been implemented and the works carried out shall thereafter be retained as approved at all times.
9. The development shall not be occupied until the cycle store on the fifth floor has been constructed and Code Streetpods have been installed to accommodate 18 cycles, unless any alternative arrangements shall have been approved in writing by the Local Authority. The cycle store shall be retained at all times.
10. No part of the development hereby permitted shall be occupied until the refuse, recycling and cycle storage areas shall have been provided as approved, and all these areas shall thereafter be retained solely for these purposes.
11. The development hereby permitted shall be carried out in accordance with the following approved drawings:

988-1-1B, 2E, 3E, 4E, 5E, 6E, 7E, and 8F; 988-2-1D, 2D, 3F, 4F and 5F; 1416-7-2A, 1416-7-3A, 1416-7-4A, 1416-7-5A and 1416-7-6A (W. Griffiths & Glass); 988-1-9 and 988-7-4 Rev.C (W Griffiths); 988-1-10 (W Griffiths).

Informative

1. This planning permission is accompanied by a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 to secure

financial contributions towards the provision or improvement of public open space, children's play space, education facilities, childcare, youth facilities, library facilities and sustainable transport measures within the Borough of Watford. In addition the agreement secures a contribution towards the variation of the Borough of Watford (Watford Central Area and West Watford Area) (Controlled Parking Zones) (Consolidation) Order 2006 to exclude future residents of the development from entitlement to residents parking permits. The agreement also requires the provision of necessary fire hydrants to serve the development and the provision of 17 affordable housing units.

Drawing numbers

988-1-2E, 988-1-3E, 988-1-4E, 988-1-5E, 988-1-6E, 988-1-7E, 988-1-8F, 988-2-1D, 988-2-3F, 988-2-4F, 988-2-5F; 1416-7-2A, 1416-7-3A, 1416-7-4A, 1416-7-5A and 1416-7-6A (W. Griffiths & Glass); 988-1-9 and 988-7-4 Rev.C (W Griffiths); 988-1-10 (W Griffiths).

- (B)** In the event that no section 106 planning obligation is completed by 27th March 2015 in respect of the Heads of Terms set out above, the Development Management Section Head be authorised to refuse planning permission for this application for the following reasons:
1. The proposed development fails to make provision for public open space or children's play space, either in the form of on-site works or commuted payments, and as such is contrary to Policies L8 and L9 of the Watford District Plan 2000.
 2. The proposed development fails to contribute towards the implementation of sustainable transport measures forming part of the South West Hertfordshire Transportation Strategy, either in the form of off-site highway works or commuted payments, and as such is contrary to Policies T3, T4, T5 and INF1 of the Watford Local Plan Core Strategy 2006-31.
 3. The proposed development fails to contribute to the provision or improvement of education and community facilities (youth facilities, childcare, libraries and healthcare) in the Borough and as such is contrary to Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and Policy H10 of the Watford District Plan 2000.
 4. The proposed development fails to make the required affordable housing contribution pursuant to Policy HS3 of the Watford Local Plan Core Strategy 2006-31.
 5. The proposal fails to make appropriate provision to restrict on-street parking in the surrounding Controlled Parking Zone and as such is contrary to Policy T24 of the Watford District Plan 2000.

6. The proposal fails to make provision for fire hydrants to serve the development and as such is contrary to Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and Policy H10 of the Watford District Plan 2000.

77 **EXCLUSION OF PRESS AND PUBLIC**

RESOLVED:

That, under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from part of the meeting for the following item of business as it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during consideration of that part of the item there would have been disclosure to them of exempt information as defined in Section 100(1), Schedule 12A of the Act for the reasons stated in the report.

78 **MECCA BINGO, 19 KING STREET**

The Committee discussed the exempt part of this item in private due to the commercial sensitivity of the information regarding this application. Once the Committee had completed these discussions the public and press were invited back into the Chamber for the remainder of the item.

The Committee received a report of the Development Management Section Head including the relevant planning history of the site and details of four letters received. Two letters raised objections, one raised no objections and the fourth was in general support of the application.

The Chair invited Mr Simon Warner to address the Committee.

Mr Warner explained that the application had come before the committee at a meeting in February 2015 but had, at that point, been deferred in order that Members could consider aspects of viability in relation to the amount of affordable housing in the scheme.

Mr Warner said that policy HS3 provided for 35% affordable housing units unless exceptional reasons indicated that this proportion of affordable homes should not be applied. Mr Warner explained that in this case such reasons did apply and, furthermore, pointed out that Paragraph 205 of the NPPF confirmed this assessment.

Mr Warner advised that work with Council officers had been ongoing with regard to the property which had been vacated in 2014 and was currently in a very poor state of repair. He pointed out that costs for renovating the façade, the roof and the dome in addition to the care required to demolish the rear of the building and to replace the existing windows would prohibit the required margin of profit which would make the scheme viable. In consequence, only four rather than nine

affordable homes could reasonably be provided: there would be a very small profit on these four homes.

Mr Warner concluded by stating that the flats would be sustainable, the development would improve the conservation area and would provide parking, amenity and retail units.

The Committee then discussed the application.

Councillor Derbyshire agreed that the design was of good quality and would improve the part of the town in which the development would be sited. He noted the nearby 'Met quarter' which was very successful and had made a significant improvement to the town. He advised, however, that he had concerns regarding the low percentage of affordable housing. Having looked at the figures from both the Applicant and the Council's own consultant, he agreed that the proposal was reasonable and that it would be in the interests of the town to allow the development to proceed.

Members echoed Councillor Derbyshire comments stating that the design was good although they would have preferred to see more affordable homes on the site.

Councillor Watkin noted that detailed information had been necessary for this application to be considered and suggested that developers be required to supply such detail as normal practice for future developments.

Responding to the Chair, the Major Cases and Enforcement Manager advised that Condition 8 had been included in the list of conditions in order to protect residents from potential problems with the sewerage system. Condition 8 specified that a piling method statement be submitted to and approved by the Local Planning Authority. This condition had been attached at the request of the Thames Water Authority.

The Chair concluded the discussion by stating that, whilst the finished construction would be an excellent building, it was unfortunate that the greed of the developers had resulted in so few affordable homes within the development. He added that there was significant need in the town for homes for residents with fewer financial resources.

RESOLVED –

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

Section 106 Heads of Terms

- i) To secure financial payments to the Council of:

- a) £30,900 (index linked) towards the provision and improvement of public open space in the Borough in accordance with Policy L8 of the Watford District Plan 2000;
 - b) £12,805 (index linked) towards the provision and improvement of children's play space in the Borough in accordance with Policy L9 of the Watford District Plan 2000;
 - c) £2,000 towards the variation of the relevant Traffic Regulation Order to exclude the site from the controlled parking zone, thereby preventing residents' parking permits being allocated to this site.
 - d) £1,500 towards the remarking of parking bays on Granville Road outside the application site.
- ii) To secure financial payments to the County Council of:
- a) £11,500(index linked) towards the implementation of the South West Hertfordshire Transport Strategy and sustainable transport measures in Watford in accordance with Policies T3 and T5 of the Core Strategy 2013;
 - b) £12,876 (index linked) towards the provision of primary education in accordance with Policy H10 of the Watford District Plan 2000;
 - c) £8,802 (index linked) towards the provision of secondary education in accordance with Policy H10 of the Watford District Plan 2000;
 - d) £3,069 (index linked) towards the provision of nursery education in accordance with Policy H10 of the Watford District Plan 2000;
 - e) £901 (index linked) towards the provision of childcare facilities in Watford in accordance with Policy H10 of the Watford District Plan 2000;
 - f) £261 (index linked) towards the provision of youth facilities in Watford in accordance with Policy H10 of the Watford District Plan 2000;
 - g) £2,671 (index linked) towards the provision of library facilities in accordance with Policy H10 of the Watford District Plan 2000;
- iii) To secure the provision of fire hydrants as required by the County Council in accordance with Policy H10 of the Watford District Plan 2000.
- iv) To secure 4 flats as affordable housing for intermediate/shared ownership by tenure, in accordance with Policy HS3 of the Watford Local Plan Core Strategy 2013.

Conditions

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

HL-001, 002, 003, 004(V2), 005(V2), 006(V2), 007, 008(V2), 009, 010
3. No demolition or construction works shall take place before 8am or after 6pm Mondays to Fridays, or at any time on Saturdays, Sundays and Public Holidays.
4. No demolition works shall commence until a detailed method statement for the retention of the existing façade and central tower has been submitted to and approved in writing by the Local Planning Authority. The demolition works shall only be undertaken in accordance with the approved method statement.
5. No demolition works shall commence until an historic building record has been made of the building. This shall include a written and photographic record of the building internally and externally. Copies of the completed record shall be deposited with the Historic Environment Record maintained by Hertfordshire County Council and with the Watford Museum and with such other public depository as shall be agreed in writing with the local planning authority.
6. No construction works shall commence until a detailed method statement for the refurbishment of the retained façade and central tower has been submitted to and approved in writing by the Local Planning Authority. No part of the building shall be occupied until the approved works have been completed in full.
7. No construction works shall commence until a design stage certificate to demonstrate that the proposal will achieve Code Level 4 of the Code for Sustainable Homes has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until a post-completion certificate, to certify that Code Level 4 standard has been achieved, has been submitted to and approved in writing by the Local Planning Authority.
8. No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. Any piling shall only be undertaken in accordance with the approved piling method statement.

9. No construction works shall commence until details of the existing and proposed ground levels and the finished ground floor levels of the building 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.
10. No construction works shall commence until details of the materials to be used for all the external finishes of the new building, including all external walls, roofs, doors, windows, balconies and dormer 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.
11. No construction works shall commence until details of a sustainable surface water drainage scheme for the development has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the approved drainage scheme has been implemented in full.
12. No part of the development shall be occupied until the hard landscaping works and boundary treatments as shown on approved drawing no. HL-005(V2) have been carried out in full, unless otherwise agreed in writing by the Local Planning Authority. The works shall be retained as approved.
13. The approved soft landscaping works as shown on approved drawing no. HL-005(V2) shall be carried out not later than the first available planting and seeding season after completion of the development. Any plants which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.
14. No part of the development shall be occupied until the new vehicular access on Granville Road to serve the residential car parking has been completed in full, as shown in principle on drawing nos. HL-005(V2) and HL-006(V2).
15. No part of the development shall be occupied until the existing vehicular access adjacent to 14 Granville Road has been closed off and the adjacent footways and kerbs reinstated.
16. No gate shall be installed at the entrance to the residential car parking area except in accordance with such details and specifications of the gate, including the operating mechanism and noise levels during operation, as have been submitted to and approved in writing by the Local Planning Authority.
17. No part of the development shall be occupied until the 13 car parking spaces shown on the approved drawings (unless otherwise approved in writing by the Local Planning Authority) have been laid out and

constructed in full. These spaces shall be retained at all times for the parking of cars.

18. No part of the development shall be occupied until the bin store has been provided in accordance with the approved drawings (unless otherwise approved in writing by the Local Planning Authority). The store shall be retained at all times for bin storage only and shall not be used for any other purpose.
19. No part of the development shall be occupied until the cycle store shown on the approved drawings, for a minimum of 25 cycles and utilising two Broxap Apollo Junior Cycle Shelters, has been constructed. This shall be retained at all times.
20. The ground floor commercial unit fronting King Street shall only be used for purposes within Class A1 (shops) or Class A2 (financial and professional services) of the Town and Country Planning (Use Classes) Order 1987 (as amended) unless otherwise agreed in writing by the Local Planning Authority.
21. No shop front shall be installed on the ground floor commercial unit fronting King Street unless the details of the design and materials have been submitted to and approved in writing by the Local Planning Authority. The shopfront shall only be installed in accordance with the approved details and shall be retained at all times, unless otherwise agreed in writing by the Local Planning Authority.

Informatives

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

3. Prior to demolition of the existing buildings, the applicant is advised to commission a survey, by a suitably qualified and competent person, to identify asbestos within the building and to ensure that it is removed and disposed off in accordance with current regulations. The survey report should be submitted to the Environmental Health Team at Watford Borough Council for approval. No demolition should commence until this report has been approved.
4. Before commencing the development the applicant shall contact Hertfordshire County Council Highways (0300 123 4047) to obtain i) their permission/ requirements regarding access for vehicles involved in the demolition of the existing building; ii) a condition survey of any adjacent highways which may be affected by construction vehicles together with an agreement with the highway authority that the developer will bear all costs in reinstating any damage to the highway.
5. Works to be undertaken on the adjoining Highway will require a legal agreement with the Highway Authority. Before commencing the development the applicant shall contact the Hertfordshire County Council Highways (0300 123 4047) to obtain their permission and requirements. This is to ensure that any works undertaken in the highway is constructed in accordance with the specification of the highway authority and by a contractor who is authorised to work in the public highway.

Drawing numbers

HL-001, 002, 003, 004(V2), 005(V2), 006(V2), 007, 008(V2), 009, 010

- (B)** In the event that no Section 106 planning obligation is completed by 25th March 2015 in respect of the Heads of Terms set out above, the Development Management Section Head be authorised to refuse planning permission for this application for the following reasons:
1. The proposed development fails to make provision for public open space children's play space, either in the form of on-site works or commuted payments, and as such is contrary to saved policies L8 and L9 of the Watford District Plan 2000.
 2. The proposed development fails to contribute towards the implementation of sustainable transport measures forming part of the South West Hertfordshire Transportation Strategy, either in the form of off-site highway works or commuted payments, and as such is contrary to Policies T3, T5 and INF1 of the Watford Local Plan Core Strategy 2006-31.
 3. The proposed development fails to contribute to the provision or improvement of education and community facilities (youth facilities, childcare and libraries) in the Borough and as such is contrary to Policy

INF1 of the Watford Local Plan Core Strategy 2006-31 and saved Policy H10 of the Watford District Plan 2000.

4. The proposed development fails to make provision for affordable housing and as such is contrary to Policy HS3 of the Watford Local Plan Core Strategy 2006-31.
5. The proposal fails to make appropriate provision to restrict on-street parking in the surrounding Controlled Parking Zone and as such is contrary to saved Policy T24 of the Watford District Plan 2000.
6. The proposal fails to make provision for fire hydrants to serve the development and as such is contrary to Policy INF1 of the Watford Local Plan Core Strategy 2006-31 and saved Policy H10 of the Watford District Plan 2000.

Chair

The Meeting started at 7.30 pm
and finished at 9.45 pm