

DEVELOPMENT MANAGEMENT COMMITTEE

8 JUNE 2021

Present: Councillor P Jeffree (Chair)
Councillor R Martins (Vice-Chair)
Councillors N Bell, S Johnson, J Pattinson, A Saffery, R Smith,
S Trebar and T Williams

Also present:

Officers: Head of Planning and Development
Development Management Team Leader
Democratic Services Officer

Conduct of the meeting

Prior to the start of the meeting agenda, the Chair explained the procedure for the meeting. The Chair also ensured that all participants were introduced.

The committee will take items in the following order:

1. All items where people wish to speak and have registered with Democratic Services.
2. Any remaining items the committee agrees can be determined without further debate.
3. Those applications which the committee wishes to discuss in detail.

1 APOLOGIES FOR ABSENCE

Apologies had been received from Councillor Watkin, Councillor Williams was attending as his substitute.

2 DISCLOSURE OF INTERESTS

There were no disclosures of interest.

3 MINUTES

The minutes from the meeting on 18 May 2021 were approved and signed.

The Development Management Manager delivered his report.

The Chair then invited Mr Manish Kumar to address the committee. Mr Kumar explained that he was a resident of flat 14 Junction Court and that his elderly parents also lived at flat 14 with direct access to the large communal roof terrace amenity area. He went on to detail anti-social behaviour, including noise and the smell of cannabis in the hallways, parking issues and problems with accumulation of rubbish due to inadequate bin storage for the fourteen flats that were there currently. He asserted that the agents, Lettings Plus did not have an effective plan to deal with the problems.

Mr Kumar also explained that he was concerned that his elderly parents would lose their direct access to the roof terrace as this would be located three floors higher.

Mr Kumar also pointed out that there was only one lift which would be insufficient for the increase in the building capacity. He concluded that he was speaking on behalf of numerous residents.

The Chair commented that anti-social behaviour and other similar issues raised by Mr Kumar were outside the scope of planning and asked the Development Management Manager to give advice on where Mr Kumar might obtain assistance to address these problems.

The Development Management Manager explained that whilst he felt sure members would have sympathy for the problems being experienced by Mr Kumar, these were matters over which planning had no control and should be directed to the management company or the freeholders.

The Chair then invited Mr Ian Coward of Collins and Coward to address the committee.

Mr Coward opened by pointing out that he had worked with Council officers on this scheme, which explained why it was before the committee with a recommendation to approve. He highlighted the benefits of the scheme with nine new homes in a sustainable location, which also promoted the car free ethos, with additional cycle spaces and amenity space, both private and communal.

He submitted that the development would add to the vitality of the town centre and the absence of any extension on the southern end of the building,

together with the rear windows being placed to the side to preserve the amenity for those existing residents in a sensitive scheme.

Mr Coward also assured the committee that the scheme would be carefully implemented and that the developer wanted to develop in a sensitive way and to a high standard.

Mr Coward also assured the committee that there would be a single point of contact for anyone with concerns as the building works proceeded.

The Chair thanked Mr Coward and invited Councillor Aga Dychton to address the committee.

Councillor Dychton opened her address by pointing out that the character of Watford was something that we all treasured. She asserted that the development was bland and because of its scale, inappropriate for the town, and would cause harm in the context of its location.

Councillor Dychton expressed her surprise that the developer was looking to add further units to a building that was only a few years old and asked if this was a calculated strategy to avoid the affordable housing contribution threshold. She asked the officers if the developer raised this issue during discussions and was the initial building and foundation constructed with the intention of adding further floors at a later stage. Councillor Dychton pondered how the additional floors might impact the existing structure, with future repair costs unfairly falling to the existing leaseholders.

Councillor Dychton stated that the application should be refused due to poor design, failing to improve the area and not taking into account any local design standards.

Councillor Dychton requested that if the committee was minded to grant the application, then they should consider the welfare of the current residents whilst the work was going on and impose conditions.

- Detailed schedule of works agreed with officers and shared with existing residents.
- Details of how the environmental impact (disposal of building waste, noise, dust etc.) would be managed.
- Provide a named contact to all interested parties.
- Developers to agree that any significant disruption would be addressed as a matter of urgency.
- No works to be carried out on Saturday and Sunday to protect the residents' human right to enjoy their property in peace.

Councillor Dychton concluded by urging the committee to refuse the application.

The Chair thanked Councillor Dychton and commented that very valid points had been made, but that not all were planning concerns. He noted that the reference to weekend working was contained in an informative and that the applicant's agent had already stated that there would be a single point of contact. He then invited debate from the committee members. There followed a debate on the various issues about this proposed development. The central theme of this was that the committee was united in their sympathy for the residents' position, but central government had tied the hands of local councils in making it very difficult to refuse these types of applications.

A number of the members agreed with Councillor Dychton's comments that the building design was bland and lacking in design quality.

The Development Management Manager pointed out that the new parts of the building would have to be in the same materials as the older part or it would appear incongruous. He added that although current design thinking had moved away from render and timber cladding, at the time this was conceived and constructed, this was a popular choice.

He added that it was considered that the design and scale were appropriate for the area.

In relation to the assertion about anti-social behaviour, it was suggested that the management company should contact the Council for support and advice.

The issue of the adequacy of the bin storage space provoked a lengthy discussion. The Development Management Manager explained that the size of the bin storage area was based on Veolia's assessment of the amount of waste that such a size of building might generate. They had specified larger bins to deal with the increased number of residents and their assessment was that these bins would fit in the storage area. If the amount of waste produced was greater than the assessment that was a management matter. The committee acknowledged that the only qualified advice on this matter came from Veolia. It was noted that any issues could be referred back to Veolia at any time.

In relation to the concerns that the residents of flat 14 would lose their direct access to the communal outside amenity area, the Development Management Manager pointed out that this was a communal area and it was being retained, just at a higher level.

Members of the committee were concerned over the tactic of building, then adding floors some time later. This meant the developer escaped the affordable

housing assessment. The Development Management Manager expressed his opinion that as the applications were nine years apart, this seemed unlikely. He gave other examples where similar development had occurred.

Concern was expressed that the sole lift would clearly be out of action whilst the building was being completed, which might disproportionately impact the elderly or those with mobility issues. Members suggested additional informatives. The Development Management Manager pointed out that informatives were non-enforceable and were to flag issues to a developer. Worse still, it might raise residents' expectations when these were nothing more than advice. He also mentioned the six tests for any condition.

The Chair requested that the minutes reflect the committee's concerns that the developer take proper account of the residents and the inevitable disruption to their lives. The agent should take these concerns back to the developer.

A question was raised about Councillor Dychton's request for no weekend working. This was already contained in the report and was covered by environmental protection legislation. It was explained that past requests for such a condition had been unsuccessful as Saturday morning working was deemed to be reasonable. There was however a prohibition on Sunday working.

Concern was expressed regarding the fact that a local resident and a Councillor had raised reasonable concerns about the proposed development and that it seemed that the committee could not deal with any of them. The Development Management Manager explained the constraints on the Development Management Committee and that other legislation sometimes dealt with some of the issues raised. He added that the published report tried to advise all parties on the relevant issues.

The Chair moved the officer's recommendation that planning permission be granted, subject to conditions as set out in Section 8 of the officer's report.

RESOLVED –

That, pursuant to a planning obligation under s.106 of the Town and Country Planning Act 1990 having been completed to secure the following Heads of Terms, planning permission be granted subject to the conditions listed below:

Section 106 Heads of Terms

i) To secure a financial payment to the Council of £2,000 (two thousand pounds) towards the variation of the Borough of Watford (Watford Central Area and West Watford Area) (Controlled Parking Zones) (Consolidation) Order 2010 to exclude the site from the controlled parking zone, thereby preventing residents' parking permits being issued to this site.

ii) To secure a financial payment to the Council of £350 (three hundred and fifty pounds) towards the Council's administrative and monitoring costs

Conditions

1. The development to which this permission relates shall be begun within a period of 3 years commencing on the date of this permission.

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

20015-PA-001 Location Plan. Rev: B
20015-PA-010 Existing Ground Floor Plan. Rev: A
20015-PA-011 Existing First Floor Plan. Rev: A
20015-PA-012 Existing Second Floor Plan. Rev: A
20015-PA-013 Existing Third Floor Plan. Rev: B
20015-PA-014 Existing Fourth Floor Plan. Rev: B
20015-PA-015 Existing Fifth Floor Plan. Rev: A
20015-PA-016 Existing Roof Plan. Rev: A
20015-PA-020 Existing West Elevation. Rev: B
20015-PA-021 Existing East Elevation. Rev: A
20015-PA-022 Existing North & South Elevations. Rev: A
20015-PA-023 Existing North & South Context Elevations. Rev: -
20015-PA-024 Existing East & West Context Elevations. Rev: -
20015-PA-030 Ground Floor Plan. Rev: E
20015-PA-031 First Floor Plan. Rev: C
20015-PA-032 Second Floor Plan. Rev: C
20015-PA-033 Third Floor Plan. Rev: C
20015-PA-034 Fourth Floor Plan. Rev: C
20015-PA-035 Fifth Floor Plan. Rev: C
20015-PA-036 Sixth Floor Plan. Rev: C
20015-PA-037 Seventh Floor Plan. Rev: C
20015-PA-038 Roof Plan. Rev: C
20015-PA-040 West Elevation. Rev: C
20015-PA-041 East Elevation. Rev: C
20015-PA-042 North & South Elevation. Rev: C
20015-PA-043 Proposed North & South Context Elevations. Rev: -
20015-PA-044 Proposed East & West Context Elevations Rev: -
20015-PA-045 Future North & South Context Elevations Rev: -

3. No construction works shall commence until details of the materials to be used for all the external finishes of the building, including brickwork, render, 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.

4. No dwelling hereby approved shall be occupied until a hard and soft landscaping scheme for the site, including tree and shrub details, all hard surfacing materials and details of the communal roof terrace, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out not later than the first available planting and seeding season after completion of the development. Any trees or shrubs whether new or existing which 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. The cycle stores shown on drawing number: 20015-PA-030 Ground Floor Plan. Rev: E shall be constructed in accordance with the approved drawings prior to the first occupation of any of the residential units hereby consented.

Informatives

1. IN907 – Positive and proactive statement
2. IN909 – Street naming and numbering
3. IN910 – Building Regulations
4. IN911 – Party Wall Act
5. IN912 – Hours of Construction
6. IN913 – Community Infrastructure Levy Liability
7. IN914 – Section 106 Agreement/Undertaking

5 **21/00014/FULM - 60 HIGH STREET, WATFORD WD17 2BS**

The Development Management Manager delivered his report.

The Chair drew the committee's attention to the written submission in support of the application that had been submitted on behalf of the applicant by their agent, Avison Young.

Being no speakers on this matter, he invited the committee to debate the application.

There followed a brief debate where reassurance was given that disabled parking, together with cycle spaces and bin storage would remain. It was noted that the increase to eight storeys was not on the High Street frontage where it would impinge on the listed buildings.

In response to a question regarding the affordable housing and review mechanism, the Development Management Manager explained that it was not possible at this stage to give an estimate on the likely yields as it was dependent on future construction costs and sales values. There followed a short discussion on the problems with viability reports and affordable housing contributions.

The Chair moved the officer's recommendation that pursuant to a planning obligation under s.106 of the Town and Country Planning Act 1990

having been completed to secure the following Heads of Terms, conditional planning permission be granted subject to the conditions listed below:

Section 106 Heads of Terms

- i) To secure a contribution of £50,000 in lieu of on-site affordable housing.
- ii) To secure a review mechanism of the viability of the development to be undertaken upon completion of the development when actual build costs and sales values of the flats are known. This shall allow an increase to the financial contribution towards affordable housing provision should the viability of the development be shown to have improved.
- iii) To secure a financial payment to the Council of £2,000 towards the variation of the Borough of Watford (Watford Central Area and West Watford Area)(Controlled Parking Zones)(Consolidation) Order 2010 to exclude the site from the controlled parking zone, thereby preventing residents' parking permits being issued to this site.

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:

489-CDA-ZZ-00-DR-A-00-0100_Rev R2 - Proposed Site Plan
489-CDA-ZZ-00-DR-A-05-0100_Rev R3 – Proposed Ground Floor Plan
489-CDA-ZZ-01-DR-A-05-0101_Rev R2 – Proposed First Floor Plan
489-CDA-ZZ-02-DR-A-05-0102_Rev R2 – Proposed Second Floor Plan
489-CDA-ZZ-03-DR-A-05-0103_Rev R2 – Proposed Third Floor Plan
489-CDA-ZZ-04-DR-A-05-0104_Rev R2 – Proposed Fourth Floor Plan
489-CDA-ZZ-05-DR-A-05-0105_Rev R2 – Proposed Fifth Floor Plan
489-CDA-ZZ-06-DR-A-05-0106_Rev R2 – Proposed Sixth Floor Plan
489-CDA-ZZ-07-DR-A-05-0107_Rev R2 – Proposed Roof Plan
489-CDA-ZZ-08-DR-A-05-0108_Rev R1 – Proposed Roof Plan
489-CDA-ZZ-XX-DR-A-05-0200-S73_Rev R2 – Proposed Rear Elevation
489-CDA-ZZ-XX-DR-A-05-0201-S73_Rev R2 – Proposed North West Elevation
489-CDA-ZZ-XX-DR-A-05-0202-S73_Rev R2 – Proposed South East Elevation

489-CDA-ZZ-XX-DR-A-05-0203-S73_Rev R2 – Proposed Front Elevation
489-CDA-ZZ-XX-DR-A-05-0800-S73_Rev R2 – Proposed Visualisation
489-CDA-ZZ-XX-DR-A-05-0801-S73_Rev R2 – Proposed Visualisation
489-CDA-ZZ-XX-DR-A-05-0802-S73_Rev R2 – Proposed Visualisation
489-CDA-ZZ-XX-DR-A-05-0804-S73_Rev R2 – Proposed Visualisation
489-CDA-ZZ-XX-DR-A-05-0805-S73_Rev R2 – Proposed Visualisation
489-CDA-ZZ-XX-DR-A-05-0807-S73_Rev R2 – Proposed Visualisation

3. The development shall be constructed in accordance with the following external materials and design details, as approved under ref. 20/00854/DISCON:

489-CDA-A I-XX-DR-A-0I30-S73-1 (R 1) Wellstones - Materials & Detail Bay Study
489-CDA-A I-XX-DR-A-0I31-S73-1 (R 1) Courtyard Walkway elevation - Materials & Detail Bay Study
489-CDA-A I-XX-DR-A-0I34-S73-1 (R 1) Courtyard Balcony to 62 High St - Materials & Detail Bay Study
489-CDA-A I-XX-DR-A-0I35-S73-1 (R 1) High St Elevation - Materials & Detail Bay Study
489-CDA-A I-XX-DR-A-0211-S73-1 (R 1) High St - GFL - Shopfront - Materials & Detail Bay Study
489-CDA-A I-XX-DR-A-0212-S73-1 (R 1) High St - 3FL - Terrace Mansard - Materials & Detail Bay Study
489-CDA-A I-XX-DR-A-0214-S73-1 (R 1) Wellstones - Balconies - Materials & Detail Bay Study

4. The surface water drainage scheme shall be constructed in accordance with the following details, as approved under ref. 21/00171/DISCON:

Appendix A: Below Ground Drainage Drawings by Whitby Wood (dated 7th January 2021)

Appendix B: Below Ground Drainage Calculations by Whitby Wood (dated 7th January 2021)

RC Roof Slab Calculation Package (dated 6th November 2020)

5. No part of the development shall be occupied until a management and maintenance plan for the SUDS features and drainage network has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

1. Provision of a complete set of as built drawings for the site drainage.
2. Maintenance and operational activities and arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

The management and maintenance plan shall be implemented in accordance with the approved details throughout the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

6. No part of the development shall be occupied until the noise mitigation measures detailed in the following reports have been implemented in full, as approved under ref. 20/01267/DISCON:

Noise Impact Assessment Report (Report 20374.NIA.01 Rev. C dated 23/02/2021) by KP Acoustics Limited

Domestic Overheating Assessment (Ref. BE2037 dated 17th September 2020) by Build Energy Ltd

7. The development hereby approved shall be carried out in accordance with the Energy & Sustainability Report dated 31st July 2018 prepared by MES Building Solutions, unless otherwise agreed in writing by the Local Planning Authority.

8. No part of the development shall be occupied until full details of a soft and hard landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping shall be carried out prior to first occupation of the development and the approved soft landscaping 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.

9. No part of the development shall be occupied until refuse, recycling and cycle storage facilities have been provided in accordance with the approved plans. The storage facilities shall be retained at all times thereafter.

Informatives

1. IN907 - Positive and proactive statement - GRANT
2. IN910 - Building Regulations
3. IN912 - Hours of Construction
4. IN909 - Street Name and Numbering
5. IN913 - Community Infrastructure Level Liability
6. HIGH – Storage of Materials – Highway
7. OBSHIG – Obstruction of the Highway
8. MUD – Mud on highway

Chair

The Meeting started at 7.00 pm
and finished at 8.15 pm