

DEVELOPMENT MANAGEMENT COMMITTEE

7 SEPTEMBER 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 M Watkin

Also present: Councillor A Grimston

Officers: Development Management Team Leader
Principal Planning Officer
Principal Planning Officer
Democratic Services Officer

Conduct of the meeting

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.

16 APOLOGIES FOR ABSENCE

Apologies had been received from the Head of Planning and Development.

17 DISCLOSURE OF INTERESTS

Councillor Pattinson stated that in the interests of openness and transparency, she had some prior knowledge of the first application for item 5 on the agenda.

18 MINUTES

The minutes from the meeting on 27 July 2021 were approved and signed.

The Principal Planning Officer (AR) delivered her report.

The Chair then invited Mr Jim Richards of Nissen Richards Studio to address the committee.

Mr Richards explained how Nissen Richards had engaged in the process with the council and also the Design Review Panel. He praised the process which had gone through two iterations and felt that this had improved the final scheme.

The Chair thanked Mr Richards and opened the matter to the committee for discussion.

Comment was made that the scheme before the committee was an improvement and in particular the reduction in height and the improved design, were welcomed. Members expressed their profound disappointment about the lack of affordable housing and/or commuted sum.

Clarification was sought on some issues, and the Principal Planning Officer assisted the members by informing them that the pedestrian access from Wellstones had been improved with an internal glass lobby.

The Principal Planning Officer also assisted the committee regarding their concerns about the light levels in particular rooms in the scheme. She explained that some of the long kitchens had low light levels but the living areas had sufficient light, with dual aspect windows or balconies. Where the balconies caused a drop in light levels, this was made up by the other window.

The committee continued to express their strong disapproval of the lack of affordable housing and also expressed their frustration with the rules on viability. The Principal Planning Officer pointed out that viability had been robustly tested and there was a late stage review in place, should the costings change.

The Chair then moved 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 in the Section 106 Heads of Terms and the conditions listed 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 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 the future occupiers of this site.
- ii) To secure a review mechanism of the viability of the development to be undertaken towards the end of the project (at 75% of flat sales) when actual build costs and sales values of the flats are known. This shall allow a financial payment to be made towards affordable housing provision where the viability of the development can be shown to have improved to provide a financial surplus.

Conditions

1. Time Limit

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

2. Approved Drawings and Documents

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

PL001 Site Location Plan
PL100/A Existing Ground Floor Plan
PL101/A Existing First Floor Plan
PL102/A Existing Second Floor Plan
PL103/A Existing Roof Plan
PL200/G Proposed Ground Floor Plan
PL201/F Proposed First Floor Plan
PL202/E Proposed Second Floor Plan
PL203/E Proposed Third Floor Plan
PL204/E Proposed Fourth Floor Plan
PL205/E Proposed Fifth Floor Plan
PL206/E Proposed Sixth Floor Plan
PL207/E Proposed Seventh Floor Plan
PL208/D Proposed Roof Plan
PL400/C Proposed North and South Elevations- North block

PL401/F Proposed North and South Elevations- South block
PL402/E Proposed South-East Elevation
PL403/E Proposed North-West Elevation
PL510/C Proposed Longitudinal section
20046-01-006B Proposed Footway
20046-01-003B Articulated Vehicle tracking
Design and Access Statement reference A2156-PL-DAS Rev B

3. Surface Water Assessment

The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage assessment carried out by Flo Consult UK Ltd dated January 2021, project number 570 Revision D and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 2.7 l/s during the 1 in 100 year event plus 40% of climate change event.
2. Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 53m³ (or such storage volume agreed with the LLFA) of total storage volume in blue roof and underground attenuation tank.
3. Discharge of surface water from the private network to the Thames Water surface water sewer.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

4. Surface Water Drainage Scheme

No development shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

1. Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs.

2. Final detailed post-development drainage calculations for all rainfall events up to and including the 1 in 100 + 40% climate change event including half drain down times.
3. Exceedance flow paths for surface water for events greater than the 1 in 100 year including climate change allowance.
4. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

5. New Access Surface Water

Prior to the first occupation of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing number 20046-01-006 Rev B in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

6. Highway Improvements - pavement

Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a detailed scheme for the off-site highway improvement works as indicated on drawing number 20046-01-006 Rev B have been submitted to and approved in writing by the Local Planning Authority.

Prior to the first use of the development hereby permitted, the improvement works referred to in this condition shall be completed in accordance with the approved details.

7. Construction Management Plan

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Traffic management requirements;
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;

- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

8. Piling Method Statement

No piling shall take place until a Piling Method Statement (detailing the depth and 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 must be undertaken in accordance with the terms of the approved piling method statement.

9. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

10. Materials

No external facing materials shall be installed on the building until:

- a. full details of the materials to be used for all the external surfaces have been submitted to and approved in writing by the Local Planning Authority; and
- b. sample panels have been constructed on site to show the typical facades including brickwork, window frames and glazing, made available for inspection and approved in writing by the Local Planning Authority.

11. Hard landscaping

No part of the development shall be occupied until full details of a hard landscaping scheme 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. The detailed scheme shall be based upon the Landscape Strategy of the Design and Access Statement reference A2156-PL-DAS

Rev B and shall include details of seating, planters, site boundary treatments, lighting and the materials and drainage of all hardstanding.

12. Soft Landscaping

No part of the development shall be occupied until a detailed soft landscaping scheme for the site and a landscape management and maintenance plan, has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall be based upon Landscape Strategy of the Design and Access Statement reference A2156-PL-DAS Rev B and shall include details of planting appropriate for the sunlight conditions for the relevant areas. The approved soft landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of 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.

13. Plant

No part of the commercial premises of the development shall be occupied until details of all plant, ventilation and extraction systems for the commercial premises 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. Details shall include appropriate noise and odour/air quality assessments carried out in accordance with BS4142 and undertaken by appropriately qualified technical consultants. The approved works shall be retained at all times.

14. Noise mitigation

No part of the development shall be occupied until the sound insulation measures have been installed in line with the specifications and recommendations of the Acoustic Design Statement Technical Report, ref 34109-R2, dated 12/01/2021 prepared by Sound Solutions Consultants. These measures shall be retained at all times.

15. Refuse and recycling

No part of the development shall be occupied until the refuse and recycling facilities shown in the Design and Access Statement and on drawing number PL200 Rev G have been constructed and made available for use. These facilities shall be retained as approved at all times.

16. Cycle storage

No part of the development shall be occupied until the cycle parking facilities shown in the Design and Access statement and on drawing number PL200 Rev G have been constructed and made available for use. These facilities shall be retained as approved at all times.

17. Communal Satellites/aerials

No dwelling shall be occupied until details of communal terrestrial television aerial(s) and satellite dish(es) to serve the dwellings 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. No other aerials or satellite dishes shall be installed on the buildings.

18. Retention of lobby and glazing

No part of the development shall be occupied until the residential entrance lobby from Wellstones has been installed as shown in the approved drawings and sections 10.0 and 11.0 of the Design and Access Statement. The entrance lobby layout, facilities and glazing shall be retained as approved at all times.

19. Obscure glazing

The upper floor windows in the south east side elevation shown in the approved drawings to be obscurely glazed, shall be installed and retained with obscure-glazing, and shall be non-opening other than in parts of the windows which are more than 1.7 metres above the floor of the room in which the window is installed.

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. IN915 – Highway Works – HCC agreement required

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21/00698/FULM - MARCHWOOD HOUSE, 934 - 974 ST ALBANS ROAD, WATFORD, WD25 9NN

The Principal Planning Officer (AC) delivered his report and the committee noted that an update sheet had been provided to them and also published on the council's website.

The Chair then invited Mr Foster address the committee. He was critical of the officer's recommendation to approve the application, citing the Planning Inspector's comments that the first application was unsuitable for this area. Mr Foster asserted that the application before the committee was not materially different and he voiced his opinion that the officer was wrong then and was wrong now. Mr Foster opined that the application had not gone far enough to

reduce the harm as mentioned in the Planning Inspector's report; specifically, the maximum height of the proposed scheme was emphasised before and has not been reduced in the current application.

He asserted that the height of the scheme on the St Albans Road side was just one storey less than the original proposal and other parts of the scheme were one, two or three storeys higher than anything nearby.

Mr Foster moved on to the parking and stated that the visualisations on the report did not reflect the true picture of what the parking would be like and despite all the landscaping, the appearance would be that of a car park. He noted that the officer's report described the situation as "acceptable", but his opinion was that it was not acceptable and was overdevelopment.

The lack of affordable housing was poor considering the need for this within Watford.

He concluded by asking the committee to protect the residents from an oversized flatted development and to refuse the application.

The Chair thanked Mr Foster and invited Mr Mark Jackson, the applicant's agent to address the committee.

Mr Jackson opened by pointing out that this was a brownfield development and noted that the previous scheme had been rejected. This rejection had been addressed by engaging a new architect to take a fresh view and the scheme had been designed with not only the current local plan, but also the emerging local plan in mind.

He cited various favourable statistics, such as the 127 new homes and generation of £2.6million through CIL to be secured through the development.

The scheme had noted the feedback from local residents and the scale, massing and height had been reduced over the site, whilst preserving a link to the existing locally listed building with subtle styling cues.

This development was worthy of support boasting improved links to Garston Park. Watford Borough Council's declaration of a climate emergency was also addressed by the scheme, with a range of measures to mitigate and reduce the carbon footprint, going beyond the current policy. The car parking levels were below the current maximums within the policy and an extensive cycling infrastructure was included. There was also a car club provision and extensive facilities for electric vehicles.

Mr Jackson admitted that all this change and improvement had affected the viability of the scheme, with no on-site or off-site contribution, but a voluntary contribution of £194,000 had been offered, further reducing the profit margin below that which the viability study would suggest.

The Chair thanked Mr Jackson and invited Councillor Amanda Grimston, Ward Councillor for Meriden to address the committee.

Councillor Grimston opened by stating that she was speaking on behalf of Ward Councillors for both Meriden and Stanborough Wards. She expressed the opinion that the proposed development was simply too big and offered no benefits to local residents. She suggested that if the developers could afford the gesture of a voluntary contribution of £194,000, they could afford to provide affordable housing, so less well-off residents could afford to live there. Councillor Grimston expressed her opinion that the 20% profit margin was an insult.

She commented on the lack of parking and asserted that officers had lost sight of local needs with this scheme offering nothing for local residents. She concluded by stating that development did not fit and urged the committee to stand up for local residents and reject the application.

The Chair thanked Councillor Grimston and in response to a question from him, the Principal Planning Officer confirmed that the actual profit margin was 18%.

The Chair then commented on the application, stating that he felt it was significantly different from the first application. He pointed out that at the rear of the site, the development was no different in height to a row of town houses and it was very difficult to argue that there had not been a significant changes. The design was completely different, taking design cues from the original garage building. The central five storey block was in the centre of the site and could not be seen, except from the park; but, in the Chair's opinion, did not harm the park in any way.

The Chair commented that whilst the ideal might be rows of two storey houses, this would be completely unviable, and he expressed his view that the application deserved the support of the committee.

With that, the Chair passed the matter over to the committee to debate.

There followed a very lengthy discussion summarised below:

- There was considerable opinion that the lack of affordable housing was lamentable. This generated a lengthy discussion and the

Principal Planning Officer assisted the members by explaining the issue of Vacant Building Credit and how it reduced the policy requirement from 35% to 11.35%.

- There was still disquiet amongst some members that despite the 18% profit, there was no provision for affordable housing. It was pointed out that this was below the profit assumed by the viability report.
- Some felt that the £194,000 voluntary contribution was inadequate and many were not swayed by the inclusion of a late stage review.
- Some, but not all, members felt the design was still poor and out of place with the surrounding area.
- Many members voiced grave concerns about the general trend where viability quashed any possibility of affordable housing.
- Many acknowledged the need for new homes in Watford.
- There were concerns about the low parking ratio of 0.69 spaces per dwelling. The members were reminded that the maximum stated in the emerging policy was 1:1 and that the transport assessment was that there was sufficient parking. Conditions would require a management plan to be in place to deal with the parking and matters such as deliveries.
- It was accepted that the council's own policy was to reduce car usage in the Borough, but some members were concerned about the current level of available transport infrastructure to serve this development.
- Despite reservations, some members also commented on the improved design compared with the first application.
- Some felt the central five storey block was still too tall and not in keeping with the area. This was despite it being pointed out that the five storey element was in the centre of the site and very difficult to see from outside.
- Positive comment was made on the design separating out pedestrians and vehicles within the site.
- It was widely acknowledged that additional housing was desperately needed in Watford.

The Development Management Manager provided the committee with a detailed explanation around affordable housing, viability studies and vacant building credit, to assist the committee on the limited grounds for refusing the application.

He continued and covered the concerns about car parking and spaces. He pointed out the potential risks with having a policy to reduce car usage and then refusing an application over a lack of parking spaces. He further assisted the

members by listing a considerable variety of vehicle reduction measures, such as Arriva Click and Beryl Bikes.

He concluded by pointing out that residents made objections about lack of parking and also the levels of traffic congestion; he urged the committee to address these difficult and related issues.

Councillor Pattinson expressed her continued disapproval of the proposed scheme, in particular the massing, its relationship to Garston Park Parade and lack of affordable housing. She suggested she would try to formulate a suitable motion to refuse the application.

The Chair pointed out that this was a very different application from the first one and there was a substantial difference in the scale. He expressed his opinion that the design mitigated any harm to nearby residents. The Development Management Manager added that the old scheme was uninspiring with five storeys across the whole site. It was also set three metres further forward on St Albans Road, following the existing building line. The current design helped to minimise the impact of the buildings, with the taller five storey block located in the middle of the site with very limited visibility from the public realm.

He urged caution regarding any refusal relating to the impact on the character and appearance of the area, as the committee would have to demonstrate harm and any Planning Inspector might find it difficult to uphold a refusal.

Comment was made by a members that perhaps the committee should be led by the council's professional officers and that the argument against the scheme might not stand up to scrutiny with the council incurring the costs.

The Development Management Manager addressed the committee and stated that in his opinion this was a weak reason for refusal and he advised the members to reject the motion to refuse the application.

Councillor Pattinson then moved to refuse the application, based on the overbearing size and scale of the central building at five storeys, not being sympathetic to the local character of 2/3 storey development in the area and the adverse harm not being outweighed by the benefits, contrary to paragraph 130 of the NPPF.

On being put to the committee, the motion to refuse the application was lost.

The Chair then moved to accept the officer's recommendation to approve the application as described in Section 8 of the officer's report and Section 106 Heads of Terms.

RESOLVED –

To accept the officer's recommendation to approve the application as described in Section 8 of the officer's report.

Section 106 Heads of Terms

(i) To secure a financial payment to Watford Borough Council of £194,000 towards the provision of affordable housing within the borough;

(ii) To secure a review mechanism of the viability of the development to be undertaken towards the end of the project (at 75% of flat sales) when actual build costs and sales values of the flats are known. This shall allow financial payment to be made towards local affordable housing provision where the viability of the development can be shown to have improved to provide a financial surplus;

(iii) To maintain the 1 parking space for use of a car club, to facilitate the arrangement of an on-site car club and to provide funding for the membership of each dwelling for this car club for 3 years membership from the date of first occupation. At the point of occupation, should the car club be reasonably demonstrated as not viable, a payment of the equivalent cost of the car club shall be made to Watford Borough Council for contributions towards alternative sustainable transport infrastructure;

(iv) To secure a financial payment to Hertfordshire County Council of £6,000 for the long term monitoring of the proposed Travel Plan for the site;

(v) To secure a financial payment to Watford Borough Council of £10,966.55 for the connecting path through Garston Park to the site.

Conditions

1. Time Limit

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

2. Approved Drawings and Documents

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

- T10100 Rev: P01

- T10200 Rev: P01
- T10201 Rev: P01
- T20100 Rev: P02
- T20101 Rev: P01
- T20102 Rev: P01
- T20103 Rev: P01
- T20104 Rev: P01
- T20105 Rev: P01
- T20200 Rev: P01
- T20201 Rev: P01
- T20202 Rev: P01
- TA20100 Rev: P01
- TA20101 Rev: P01
- TA20102 Rev: P01
- TA20103 Rev: P01
- TA20104 Rev: P01
- TC20100 Rev: P01
- TC20101 Rev: P01
- TC20102 Rev: P01
- TC20103 Rev: P01
- TC20104 Rev: P01
- TC20105 Rev: P01
- TE20100 Rev: P01
- TE20101 Rev: P01
- TE20102 Rev: P01
- TE20103 Rev: P01
- TA21400 Rev: P01
- TA21401 Rev: P01
- TC21400 Rev: P01
- TC21401 Rev: P01
- TE21400 Rev: P01
- TE21401 Rev: P01
- T70400 Rev: P01
- T70401 Rev: P01
- T70402 Rev: P01
- T70403 Rev: P01
- T90100 Rev: P02
- T91100 Rev: P01
- C0089 L100 Rev: U
- Sustainability and Energy Statement. Dated: April 2021. By Turley
- Noise Impact Assessment. Dated: April 2021. By Syntegra
- Arboricultural Implications Assessment. Dated: May 2019 Drafted by:
CBA Trees
- Historic Building Record. Dated January 2020. By Icen

3. Flood risk assessment / surface water drainage strategy

No development shall commence until a flood risk assessment / surface water drainage strategy, which contains confirmation from Thames Water regarding the proposed discharge rates and volumes, justification of proposed pumped connection and an appropriate SuDS management train, has been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved strategy.

4. Construction Traffic Management Plan Addendum

No development shall commence until a Construction Traffic Management Plan Addendum has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved plan. The Construction Traffic Management Plan shall include details of:

- Construction vehicle numbers, type, routing;
- Access arrangements to the site;
- Traffic management requirements
- Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- Siting and details of wheel washing facilities;
- Cleaning of site entrances, site tracks and the adjacent public highway;
- Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- Provision of sufficient on-site parking prior to commencement of construction activities;
- Post construction restoration/reinstatement of the working areas and temporary access to the public highway;

5. Contamination Remediation Scheme

No development shall commence until the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- (i) An options appraisal and remediation strategy, based on the site investigation results and the detailed risk assessment reported in the Phase I Desk Study Review and Phase II Ground Investigation Report prepared by Hydrock (Report ref. ABD-HYD-XX-XX-RP-GE-0001), giving full details of the remediation measures required and how they are to be undertaken.

(ii) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (i) 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 consent of the Local Planning Authority. The scheme shall be implemented as approved.

6. Contamination Verification Report

Prior to the occupation of each respective building, measures identified in the approved remediation scheme relating to that building shall have been completed and a verification report, which demonstrates the effectiveness of the remediation carried out together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils, shall be submitted to and approved in writing by the Local Planning Authority. The approved monitoring and maintenance programme shall be implemented in full.

7. Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 5, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 5, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted and approved in writing by the Local Planning Authority.

8. External Materials

No external facing materials shall be installed on the building until:

- a. full details of the materials to be used for all the external surfaces have been submitted to and approved in writing by the Local Planning Authority; and
- b. sample panels shall be constructed on site to show the typical facades including brickwork, window frames and glazing made available for inspection and approved in writing by the Local Planning Authority.

9. Hard Landscaping

No part of the development shall be occupied until a detailed hard landscaping scheme for the site, including site boundary treatments and external lighting, has

been submitted to and approved in writing by the Local Planning Authority, The detailed scheme shall be based upon the Illustrative Landscape Masterplan (drawing reference: - C0089 L100 Rev: U). No building shall be occupied until the respective works relating to the building have been carried out in accordance with the approved details.

10. Soft Landscaping

No part of the development shall be occupied until a detailed soft landscaping scheme for the site and a landscape management and maintenance plan, has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall be based upon the Illustrative Landscape Masterplan (drawing reference: C0089 L100 Rev: U). The approved soft landscaping scheme in respect of each building shall be carried out not later than the first available planting and seeding season after completion of the respective building. 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. Highway Works

No part of the development shall be occupied until the modified access and egress arrangements from St Albans Road, the stopping up of the southern access to vehicles and the reinstatement of the footway / highway verge as shown in principle on the approved drawings have been completed in full.

12. Car Parking Provision and Management Plan

No part of the development shall be occupied until a Car Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Car Parking Management Plan must include the following:

- Details of car parking allocation and distribution;
- Details of the car club regarding the operation, management, and implementation scheme;
- Methods to minimise on-street car parking;
- Monitoring required of the Car Parking Management Plan to be submitted to and approved in writing in accordance with a timeframe to be agreed by the Local Planning Authority;
- Provision of active EV charging spaces (at minimum 20%) and all other spaces to have passive infrastructure.

The Car Parking Management Plan shall be fully implemented before the development is first occupied, in accordance with a timeframe agreed by the LPA, and thereafter retained for this purpose.

13. Travel Plan

No part of the development shall be occupied until a detailed Travel Plan, based upon the Hertfordshire County Council document Framework Travel Plan and 'Hertfordshire Travel Plan Guidance', has been submitted to and approved in writing by the Local Planning Authority. The travel plan shall then be implemented in accordance with the approved scheme thereafter.

14. Bin and Cycle Storage

No dwelling within each building of the development shall be occupied until the bin and bicycle storage for that building has been provided for the use of residents, in accordance with the approved drawings. These facilities shall be retained at all times for the use of the residential occupiers of the dwellings.

15. Aerials and Satellite Dishes

No dwelling within each building of the development shall be occupied until details of any communal terrestrial television aerial(s) or satellite dish(es) for that building have been submitted to and approved in writing by the Local Planning Authority.

16. Obscured glazing and privacy screens

Prior to the occupation of units 120 and 124 in Building G, details of obscured glazing and privacy screens to prevent overlooking towards the rear gardens of Felden Close shall be submitted to and approved in writing by the Local Planning Authority and shall be installed as approved. These measures shall be retained at all times.

17. Communications Equipment

For the avoidance of doubt, no communications development permitted by Classes A, B or C of Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) shall be undertaken on any of the buildings hereby approved unless otherwise approved in writing by the Local Planning Authority.

18. Flat Roof not a Terrace or Balcony

No parts of the flat roofs of the development, with the exception of those areas marked as balconies or terraces on the drawings hereby approved shall be used as a terrace, balcony or other open amenity space.

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. IN915 – Highway Works – HCC agreement required

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21/00934/VARM - HANNAY HOUSE, 37-39 CLARENDON ROAD, WATFORD WD17 1JA

The Development Management Manager delivered his report and reminded the committee that there were some late updates that had been provided and had been published online.

The Chair thanked the Development Management Manager and invited Mr Stephen Harrington, Director of Regal Clarendon to address the committee.

Mr Harrington briefly described the proposed changes to the application and added that demolition had started the day before. He went on to describe the positive benefits of the scheme:

- The immediate generation of 380 full time jobs.
- 1200 jobs once the scheme completed.
- The generation of £87 million per annum for the local economy.
- The sustainable nature of the development.
- Improved well-being of people returning to office accommodation.

Mr Harrington went on to explain the real estate academy that was set up by his company. This offered support to military veterans and local people with 120 completing a five week course to assist them with securing skills and jobs.

The Chair thanked Mr Harrington for his presentation and reminded the committee that this scheme had already obtained planning permission, so this application was only for minor changes and enhancements. Many of these changes had been made in the light of the Grenfell disaster. He then handed the matter to the committee for debate.

Members were in general approval of the proposed changes and they commended Mr Harrington for the innovative idea of a skills academy.

The Chair moved to approve the officer's recommendation that, pursuant to a Deed of Variation 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 (and including the updates):

RESOLVED –

To accept the officer's recommendation to approve the application that, pursuant to a Deed of Variation 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 (and including the updates):

Deed of Variation Heads of Terms

- i) To secure a total financial contribution of £2,008,241 in lieu of on-site affordable housing. (i.e. uplift from £1,650,000 to £1, 858,241 allowing for indexation, plus an uplift of £150,000)
- ii) 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 (as updated):

1152-PL-AA90 SITE LOCATION PLAN
1152-PL-AA00 - GROUND FLOOR PLAN
1152-PL-AA01 - 1ST FLOOR PLAN
1152-PL-AA02 - 2ND FLOOR PLAN
1152-PL-AA03 - 3RD FLOOR RESIDENTIAL

1152-PL-AA04 - 4TH FLOOR RESIDENTIAL 3RD FLOOR OFFICE
 1152-PL-AA05 - 5TH FLOOR RESIDENTIAL 4TH FLOOR OFFICE
 1152-PL-AA06 - 6TH FLOOR RESIDENTIAL 5TH FLOOR OFFICE
 1152-PL-AA07 - 7TH FLOOR RESIDENTIAL
 1152-PL-AA08 - 8TH FLOOR RESIDENTIAL 6TH FLOOR OFFICE
 1152-PL-AA09 - 9TH FLOOR RESIDENTIAL 7TH FLOOR OFFICE
 1152-PL-AA10 - 10TH FLOOR RESIDENTIAL 8TH FLOOR OFFICE
 1152-PL-AA11 - 11TH FLOOR RESIDENTIAL 9TH FLOOR OFFICE
 1152-PL-AA12 - 12TH-21ST FLOOR RESIDENTIAL
 1152-PL-AA13 - 22ND-24TH FLOOR RESIDENTIAL
 1152-PL-AA14 - 25TH FLOOR RESIDENTIAL
 1152-PL-AA20 - BASEMENT LEVEL -1 FLOOR PLAN
 1152-PL-AA21 - BASEMENT LEVEL -2 FLOOR PLAN
 1152-PL-AA30 - SOUTH ELEVATION
 1152-PL-AA300 - RESIDENTIAL - GIA UNIT AREAS ACCOMMODATION
 SCHEDULE
 1152-PL-AA301 - OFFICE - AREAS
 1152-PL-AA31 - WEST ELEVATION
 1152-PL-AA32 - EAST ELEVATION
 1152-PL-AA33 - NORTH ELEVATION
 1152-PL-AA34 - SECTION ELEVATIONS
 1152-PL-AA502 - RESIDENTIAL FACADE
 1152-PL-AA503 - OFFICE FACADE
 1152-PL-AA504 - CAFE_OFFICE FACADE
 1152-PL-AA91 RED LINE PLAN
 PL_501 – WINDOW CLEANING STRATEGY
 DAS ADDENDUM (DATED JUNE 2021)

3. The development permitted by this planning permission shall be carried out in accordance with the approved Drainage Strategy Report by SLR Consulting (ref. 402.06661.00004 Version 2.0, dated July 2017) approved as part of planning permission reference: 17/00470/FULM and the following mitigation measures detailed within the FRA:
 - i) Limiting the surface water run-off rates to maximum of 54.3l/s for the 1in 100 year rainfall event with discharge into Thames Surface Water sewer.
 - ii) Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event. iii) Implementing the appropriate drainage strategy using appropriate SuDS measures as indicated on drawing no. 1620002979-RAM-XX-DRC-00100 Rev P2.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

4. The development permitted by this planning permission shall be carried out in full accordance with the approved Drainage Layout 9ref: 140682/2000_rev D, dated 15.02.2021, as approved under planning reference: 20/01485/DISCON.
5. No external facing materials shall be installed on the building until full details and samples of all the materials to be used for the external surfaces of the building, including the plant enclosures at roof level, have been submitted to and approved in writing by the Local Planning Authority.
6. No external facing materials shall be installed on the building until a noise mitigation scheme for all the proposed residential dwellings on the 1 st-6th floors with windows facing Beechen Grove, based upon the recommendations of the Environmental Noise Assessment by SLR dated March 2017 (Ref. No. 403.06661.00003, Version Final), has been submitted to and approved by the Local Planning Authority. The scheme shall include the details and specifications of the sound reduction performance of all glazed and non-glazed elements of the building facades. No dwelling shall be occupied until the approved mitigation measures have been installed in full, unless otherwise agreed in writing by the Local Planning Authority.
7. No external facing materials shall be installed on the building until the specification of a mechanical air supply/extract system for each of the residential dwellings on the 1st-6th floors with windows facing Beechen Grove has been submitted to and approved in writing by the Local Planning Authority. The system must be capable of providing background and rapid ventilation for cooling with the windows of the dwellings being closed. The system must not compromise the sound insulation of the façades. Details of the siting of any air intake; extraction units; generators and other mechanical equipment serving this system that are likely to give rise to noise should be submitted, along with details of noise attenuation measures to be incorporated to ensure these units do not give rise to a noise nuisance. No dwelling shall be occupied until the approved mitigation measures have been installed in full, unless otherwise agreed in writing by the Local Planning Authority.

8. No external facing materials shall be installed on the building until the specification of a mechanical air supply/extract system for each of the residential dwellings on the 8 th-11th floors with windows on the south elevation facing Jury's Inn has been submitted to and approved in writing by the Local Planning Authority. The system must be capable of providing background and rapid ventilation for cooling with the windows of the dwellings being closed and be able to filter out cooking odours. The system must not compromise the sound insulation of the façades. Details of the siting of any air intake; extraction units; generators and other mechanical equipment serving this system that are likely to give rise to noise should be submitted, along with details of noise attenuation measures to be incorporated to ensure these units do not give rise to a noise nuisance. No dwelling shall be occupied until the approved mitigation measures have been installed in full, unless otherwise agreed in writing by the Local Planning Authority.
9. No impact piling shall take place until a piling method statement (detailing the depth and 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 must be undertaken in accordance with the terms of the approved piling method statement.
10. No part of the development shall be occupied until a detailed hard landscaping scheme for the site, including details of the roof gardens, site boundary treatments and external lighting, has 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. The detailed scheme shall be based upon the Landscape Strategy contained within the Design and Access Statement dated 3rd April 2017 by PRC Architecture and Planning approved as part of planning permission reference: 17/00470/FULM.
11. No part of the development shall be occupied until a detailed soft landscaping scheme for the site, including details of the roof gardens and appropriate irrigation systems, and a landscape management and maintenance plan, has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall be based upon the Landscape Strategy contained within the Design and Access Statement dated 3rd April 2017 by PRC Architecture and Planning approved under planning permission reference: 17/00470/FULM. The

approved soft landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of 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.

12. No part of the development shall be occupied until the modified access and egress arrangements from Clarendon Road, as shown in principle on the approved drawings, and the servicing and delivery areas to the front and side of the building, have been completed in full.

13. No dwelling within the development shall be occupied until the following facilities have been provided for the use of residents, in accordance with the approved drawings:

- (i) the secure cycle store for at least 168no. cycles;
- (ii) the bin store for waste and recycling;
- (iii) the storage cages within the storage rooms on the 1 st-6th floors;
- (iv) the roof gardens at 7th floor level and on the roof of the tower.

These facilities shall be retained at all times for the use of the residential occupiers of the dwellings.

14. No part of the office floorspace shall be occupied until the following facilities have been provided for the use of employees, in accordance with the approved drawings:

- (i) the secure cycle stores for at least 96 cycles and shower/locker facilities for employees;
- (ii) the secure cycle stores for at least 25 cycles for visitors;
- (iii) the bin store for waste and recycling, these facilities shall be retained at all times.

15. No part of the office floorspace shall be occupied until a detailed Travel Plan for the development, based upon the Hertfordshire County Council document 'Hertfordshire Green Travel Plan Guidance', has been submitted to and approved in writing by the Local Planning. The approved plan shall be implemented as approved at all times, unless otherwise agreed in writing by the Local Planning Authority.

16. No plant or equipment shall be installed within the roof level plant room until an acoustic assessment has been submitted to and approved in writing by the Local Planning Authority which demonstrates that the sound pressure level from the plant room will be at least 10dB below the lowest LA90 (15 minute)

noise level measured at 1m from the adjoining residential flats when all plant and equipment is operational. The assessment shall include appropriate noise mitigation measures. All plant and equipment shall be installed as approved and no plant or equipment shall be brought into operation until the approved mitigation measures have been installed.

17. All plant and equipment shall only be sited within the designated plant enclosure shown on the approved drawings. No plant or equipment shall be installed outside the approved plant enclosure unless details have been submitted to and approved in writing by the Local Planning Authority. Details to be submitted for approval shall include siting, size, appearance and technical specifications relating to noise.

18. No dwelling shall be occupied until details of a communal terrestrial television aerial(s) and satellite dish(es) have been submitted to and approved in writing by the Local Planning Authority.

19. For the avoidance of doubt, no communications development permitted by Class B or Class C of Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 shall be undertaken on the building.

20. The cleaning of the building shall only be undertaken using a monorail and cradle access system with the cradle stored at ground level, in accordance with the submitted details, unless otherwise agreed in writing by the Local Planning Authority.

21. The ground floor commercial unit adjoining the office entrance (eastern unit) shall only be used as a café/restaurant within Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose. The use shall not be open to the public before 0800 hours or after 2300 hours on any day.

22. The ground floor commercial unit adjoining the residential entrance (western unit) shall only be used as a café/restaurant within Class E or as offices within Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purposes. The use shall not be open to the public before 0800 hours or after 2300 hours on any day.

23. The commercial unit at 8th floor level on the roof of the office building shall only be used as a café/bar within Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose.

Prior to commencement of the development the hours of public access to this unit and outdoor terrace shall be submitted to and approved in writing by the Local Planning Authority. The use shall only be operated in accordance with the approved hours for public access.

24. The development permitted by this planning permission shall be carried out in full accordance with the approved phasing scheme as set out in Construction Phasing Strategy received 26 February 2021, Phasing Programme received 26 February 2021 and Site Phasing Plan – General Arrangement (ref: 150), as approved under planning reference: 21/00281/DISCON.

25. The development hereby approved shall be built in accordance with the approved plans under Condition 2 and be restricted in development quantum to the following:

13,688sqm GIA office space (Class E);
278sqm GIA ancillary office amenity space (Class E);
168 residential units (Class C3); and
402sqm GIA of café/restaurant use (Class E)

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 9.25 pm