

DEVELOPMENT MANAGEMENT COMMITTEE

7 JUNE 2022

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

Also present: County Councillor Asif Khan (for minute numbers 1-4) and
Councillor Kennedy Rodrigues

Officers: Head of Planning and Development
Development Management Team Leader
Strategic Applications Manager
Democratic Services Manager
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.

1 APOLOGIES FOR ABSENCE

There was a change in membership for this meeting: Councillor Stiff replaced Councillor Watkin

2 DISCLOSURE OF INTERESTS

There were no disclosures of interest.

3 MINUTES

The minutes from the meeting on 17 May 2022 were approved and signed.

21/01575/VARM - 94-98 ST ALBANS ROAD

The Development Management Manager delivered the report and gave a brief history of the application up to and including the last meeting on 17 May 2022.

The Chair thanked the Development Management Manager and invited Alice George, a local resident, to speak against the development.

Alice George set out a list of objections, highlighting her main points. Firstly, she said that she believed that the developer's plan did not fit with the local plan requirement of providing 35% as affordable housing. Secondly it ignored the government plans to create socially mixed communities. Thirdly despite the developer's claims it was not profit driven, she considered that proof of this lay in the refusal to offer more affordable housing. Fourthly she stated that experts warned of the mental health dangers of living alone and a large proportion of the units were single occupancy. Fifthly, there was a GP shortage nationally and in particular in Watford. Finally, she commented that the additional units were not fit for purpose in relation to the local housing targets. She said that in her view Watford councillors were there to represent the Watford people, not the Berkeley group or central government. She went on to give examples of other councils rejecting similar developments, as well as statistics in relation to profit margins and mental health. She questioned the validity of the council if it was not representing the population.

The Chair thanked Alice George for her comments and then emphasised that the discussion had to relate to the variation and not to the original planning application. The Chair then invited Tom Anthony of Berkeley Group to talk on behalf of the applicant.

Tom Anthony thanked the Chair, he stated that he understood the concerns and believed these had already been addressed and wanted to avoid repeating previous comments. He responded to points from the last meeting, which had been covered in the additional document circulated to the committee. He advised that there would not be an increase in profits and referred to the increased building costs in the current economic crisis. He went on to state that the projects the company delivered needed to match the current market requirements.

The chair thanked Tom Anthony for his remarks and invited County Councillor Asif Khan to speak.

County Councillor Khan repeated his initial objections he had set out at the last meeting and when it was first proposed in 2019. He stated that since the last meeting there had been no change in Berkeley Group's plans. He considered them to be 'bullying'. The proposal was not of a high standard. It was unpopular

with local residents and the majority of councillors. He urged the committee to use planning law and policies to reject the proposal.

The Chair thanked County Councillor Khan for speaking and stated that at the last meeting the committee had not been able to find a planning reason for rejection. He then invited comments from the committee.

The majority of the councillors spoke in relation to the housing mix aspect of the development. They stated their general appreciation for Tom Anthony's explanation and sympathised with the resident's concerns. Some indicated that they had opposed the original scheme, and several had concerns and questions mostly in relation to the housing mix and people living alone.

The committee referenced the element of affordable housing in the scheme. The amount of the commuted sum was viewed too low by a number of the committee and some members questioned whether an increase could be requested. They acknowledged the issue of viability was a complex matter.

The Development Management Manager responded to the matter of the commuted sum and explained that the amount was based on a set equation within the Council's adopted supplementary planning document for the calculation of commuted sums for affordable housing. He also addressed other comments.

The balconies, which provided additional amenity space, were generally well received, as were the additional two bedroom apartments and community space.

Overall the consensus was that the positives outweighed the negatives and they could not find a planning reason to reject the proposal.

The Chair moved the officer's recommendation and advised he would ask for a recorded vote.

Those members voting in favour of the motion:

Councillors Jeffree, Martins, Pattinson, A Saffery, G Saffery, and Stiff

There were no votes against the motion.

Those members abstaining from the vote:

Councillors Bell, Smith and Trebar

On being put to the committee the motion was APPROVED.

RESOLVED –

That planning permission be granted, subject to a deed of variation or a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure a commuted sum of £543,783 towards the provision of affordable housing in the borough, and subject to the following conditions:

1. The development to which this permission relates shall be begun by 25 November 2023.
2. The development (with the exception of the primary school) hereby permitted shall be carried out in accordance with the following approved drawings:

X0001, X0101
X0551, X0552, X0553
P0131, P0132A, P0133A
P0551, P0552, P0553A, P0554A, P0555, P0556, P0557, P0558
P0206
P0215, P0216, P0217
P0261, P0262, P0263, P0264, P0265
P0271, P0272, P0273, P0274
P0281, P0282A, P0283A, P0284A
P0291, P0292A, P0293A, P0294A
P0661, P0662, P0671, P0672, P0681A, P0682A, P0691A, P0692A
P0501, P0502, P0511
P1001, P1002, P1003, P1004, P1005, P1006, P1007, P1008, P1009, P1010,
P1011, P1012, P1013, P1014, P1015, P1016, P1017, P1018, P1019
P1031, P1032A, P1033A, P1034, P1035

E746-AQP-SW-00-PLN-A-001-1000B
E746-AQP-SW-01-PLN-A-001-1001A
E746-AQP-SW-02-PLN-A-001-1002A
E746-AQP-SW-03-PLN-A-001-1003A
E746-AQP-SW-06-PLN-A-001-1006A
E746-AQP-SW-10-PLN-A-001-1010
E746-AQP-SW-16-PLN-A-001-1016A
E746-AQP-SW-22-PLN-A-001-1022A
E746-AQP-SW-28-PLN-A-001-1028A
E746-AQP-S1-00-PLN-A-001-1000A
E746-AQP-S1-01-PLN-A-001-1001
E746-AQP-S1-02-PLN-A-001-1002
E746-AQP-S1-04-PLN-A-001-1004
E746-AQP-S1-06-PLN-A-001-1006
E746-AQP-S1-13-PLN-A-001-1013
E746-AQP-S2-00-PLN-A-001-1000A
E746-AQP-S2-01-PLN-A-001-1001
E746-AQP-S2-04-PLN-A-001-1004
E746-AQP-S2-06-PLN-A-001-1006

E746-AQP-S2-16-PLN-A-001-1016
E746-AQP-S2-17-PLN-A-001-1017
E746-AQP-S3-00-PLN-A-001-1000
E746-AQP-S3-01-PLN-A-001-1001
E746-AQP-S3-02-PLN-A-001-1002
E746-AQP-S3-03-PLN-A-001-1003
E746-AQP-S3-04-PLN-A-001-1004
E746-AQP-S3-09-PLN-A-001-1009
E746-AQP-S3-19-PLN-A-001-1019
E746-AQP-S3-20-PLN-A-001-1020
E746-AQP-S4-00-PLN-A-001-1000
E746-AQP-S4-01-PLN-A-001-1001
E746-AQP-S4-02-PLN-A-001-1002
E746-AQP-S4-03-PLN-A-001-1003
E746-AQP-S4-04-PLN-A-001-1004
E746-AQP-S4-09-PLN-A-001-1009
E746-AQP-S4-10-PLN-A-001-1010
E746-AQP-S4-26-PLN-A-001-1026
E746-AQP-S4-28-PLN-A-001-1028

E746-AQP-S5-00-PLN-A-001-1000
E746-AQP-S5-01-PLN-A-001-1001
E746-AQP-S5-02-PLN-A-001-1002
E746-AQP-S5-03-PLN-A-001-1003
E746-AQP-S5-08-PLN-A-001-1008
E746-AQP-S5-09-PLN-A-001-1009
E746-AQP-S5-20-PLN-A-001-1020
E746-AQP-S5-22-PLN-A-001-1022
E746-AQP-S6-00-PLN-A-001-1000
E746-AQP-S6-01-PLN-A-001-1001
E746-AQP-S6-02-PLN-A-001-1002
E746-AQP-S6-03-PLN-A-001-1003
E746-AQP-S6-09-PLN-A-001-1009
E746-AQP-S6-14-PLN-A-001-1014
E746-AQP-S1-ZZ-PLN-A-002-2001A
E746-AQP-S1-ZZ-PLN-A-002-2002
E746-AQP-S2-ZZ-PLN-A-002-2001A
E746-AQP-S2-ZZ-PLN-A-002-2002
E746-AQP-S3-ZZ-PLN-A-002-2001
E746-AQP-S3-ZZ-PLN-A-002-2002
E746-AQP-S4-ZZ-PLN-A-002-2001
E746-AQP-S4-ZZ-PLN-A-002-2002
E746-AQP-S5-ZZ-PLN-A-002-2001
E746-AQP-S5-ZZ-PLN-A-002-2002
E746-AQP-S6-ZZ-PLN-A-002-2001
E746-AQP-S6-ZZ-PLN-A-002-2002

3. Approval of the details of the siting, design and external appearance of the primary school and the landscaping of the primary school site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced on the primary school. The details of the reserved matters shall accord with the following parameter plans submitted with the application:

Drawing nos. P0132A, P0133A

4. Application for approval of the reserved matters shall be made to the Local Planning Authority by 25 November 2024.
5. The development of the primary school hereby permitted shall be begun either before 25 November 2027, or before the expiration of three years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
6. No removal of trees, scrub or hedges shall be carried out on the site between 1st March and 31st August in any year unless a suitably qualified ecologist has previously searched the trees, scrub or hedges and certified in writing to the Local Planning Authority that such works of removal may proceed.
7. All demolition works (including ground excavations) shall be carried out only in accordance with the approved measures to prevent and control the spread of Cotoneaster species, as set out in the Method Statement and Risk Assessments for Cotoneaster Plant Removal by Wooldridge Ecotec Limited dated October 2020, approved under planning ref. 21/00054/DISCON, unless otherwise agreed in writing by the Local Planning Authority.
8. All demolition works (including ground excavations) shall be carried out only in accordance with the Demolition Environmental Management Plan by Berkeley Homes dated January 2021, approved under planning ref. 21/00054/DISCON, unless otherwise agreed in writing by the Local Planning Authority.
9. All demolition works (including ground excavations) shall be carried out only in accordance with the Site Waste Management Plan for Demolition by Berkeley Homes dated January 2021, approved under planning ref. 21/00054/DISCON, unless otherwise agreed in writing by the Local Planning Authority.
10. The development shall only be constructed in accordance with the site levels shown on the following drawings, approved under planning ref. 21/01064/DISCON, unless otherwise agreed in writing by the Local Planning Authority:

FAB-SW-XX-L-920-1029 - Ground Floor - Key levels Plan Sheet 1 of 2
FAB-SW-XX-L-920-1030 - Ground Floor - Key levels Plan Sheet 2 of 2
FAB-XX-XX-SL-L-920-1050-P01 - Planning Site Sections Location Plan
FAB-XX-XX-SL-L-920-1051-P01 - Planning Site Sections Sheet 1
FAB-XX-XX-SL-L-920-1052-P01 - Planning Site Sections Sheet 2
FAB-XX-XX-SL-L-920-1053-P01 - Planning Site Sections Sheet 3
FAB-XX-XX-SL-L-920-1054-P01 - Planning Site Sections Sheet 4

11. The development shall be implemented in accordance with the Development Phasing Plan Rev A (Eight Gardens, Watford), approved under planning ref. 21/00679/DISCON, unless otherwise agreed in writing by the Local Planning Authority.
12. Construction works shall only be carried out in accordance with the Construction Environmental Management Plan (dated June 2021, Rev 2), approved under planning ref. 21/00679/DISCON, unless otherwise agreed in writing by the Local Planning Authority.
13. Construction works shall only be carried out in accordance with the Site Waste Management Plan (SWMP) Construction (Project: The Eight Gardens, dated April 2021), approved under planning ref. 21/00679/DISCON, unless otherwise agreed in writing by the Local Planning Authority.
14. Phase 1 of the development shall be carried out in accordance with the following reports, approved under planning ref. 21/01649/DISCON, unless otherwise agreed in writing by the Local Planning Authority:

Remediation Strategy and Verification Plan Eight Gardens - Phase 1 (Report ref. 125840/R8)

Supplementary Ground Investigation Report Eight Gardens - Phase 1 (Report ref. 125840/R7)

Detailed Gas Risk Assessment prepared by The Environmental Protection Group Limited (Report ref. EPG/200062/DQRA-Watford)

Following demolition of the existing buildings and prior to the commencement of any construction works in each subsequent phase of development, 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) A supplementary site investigation, undertaken in those areas that were previously inaccessible based on the Preliminary Environmental Risk Assessment prepared by Waterman IE Limited (Report ref. WIE14052-101-R-4-2-1-PERA) and the Geo-environmental and Geotechnical Ground Investigation Report prepared by Fairhurst (Report ref. 125840), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off

site. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.

- ii) The site investigation results and the detailed risk assessment (i) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - iii) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (ii) 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.
15. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of each phase of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced 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 the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
16. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy and verification plan to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.
17. The proposed residential development permitted by this planning permission shall be carried out in accordance with the approved drainage strategy as indicated on the Drainage Strategy layout produced by Fairhurst, drawing number 125840-C-4002, revision P7, dated 1 October 2019 and the

mitigation measures detailed within the Flood Risk Assessment (May 2019) unless otherwise agreed in writing by the Local Planning Authority.

The mitigation measures shall be fully implemented prior to occupation of the relevant phase 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.

18. The proposed school development permitted by this planning permission shall be carried out in accordance with the approved principles of the drainage strategy indicated on the Drainage Strategy layout produced by Fairhurst, drawing number 125840-C-4002, revision P7, dated 1 October 2019 and the mitigation measures detailed within the Flood Risk Assessment (May 2019) unless otherwise agreed in writing by the Local Planning Authority.

The mitigation measures shall be fully implemented prior to occupation of the primary school, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

19. The surface water drainage scheme for Phase 1 of the development shall be carried out in accordance with the following documents and drawings, as approved under planning ref. 21/00853/DISCON, unless otherwise agreed in writing by the Local Planning Authority:

Phase 1- MicroDrainage Surface Water Calculations

Penn Road /538 - MicroDrainage Surface Water Calculations

Blue Roof Calculations

Blue Roof Typical Inverted Roof Installation

Letter dated 14th September 2021 from PTA (ref. 9575)

E746-PTA-SW-XX-DR-CE-910-8100_Proposed Site Wide Drainage Layout_ Rev P05

E746-PTA-SW-XX-DR-CE-910-8101_Proposed Surface Water Drainage Sheet 1 of 2_ Rev P05

E746-PTA-SW-XX-DR-CE-910-8102_Proposed Surface Water Drainage Sheet 2 of 2_ Rev P05

E746-PTA-SW-XX-DR-CE-910-8111_Proposed Foul Water Drainage Sheet 1 of 2_ Rev P05

E746-PTA-SW-XX-DR-CE-910-8112_Proposed Foul Water Drainage Sheet 2 of 2_ Rev P05

E746-PTA-SW-XX-DR-CE-910-8120_Proposed Blue Roofs Layout_ Rev P02

E746-PTA-SW-XX-DR-CE-910-8190_Surface Water Exceedance Flow Route_ Rev P01

E746-PTA-SW-XX-DR-CE-920-830LProposed Levels Sheet 1 of 2_ Rev P03

E746-PTA-SW-XX-DR-CE-920-8302_Proposed Levels Sheet 2 of 2_ Rev P03

E746-PTA-SW-XX-SH-CE-910-815L Surface Water Manhole Schedule Sheet 1 of 2_ Rev P05

E746-PTA-SW-XX-SH-CE-910-8152_ Surface Water Manhole Schedule Sheet 2 of 2_ Rev P04

E746-PTA-XX-XX-DR-CE-910-8131_ Drainage Construction Details Sheet 1 of 3_ Rev P03

E746-PTA-XX-XX-DR-CE-910-8132_ Drainage Construction Details Sheet 2 of 3_ Rev P03

E746-PTA-XX-XX-DR-CE-910-8133_ Drainage Construction Details Sheet 3 of 3_ Rev P03

No development shall take place in subsequent phases of the development until a detailed surface water drainage scheme for each subsequent phase of the development, based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include the following:

1. Detailed modelling to demonstrate how the system operates during up to and including the 1 in 100 year critical duration storm event including an allowance for climate change. This should include drain down times for all storage features.
 2. Final, detailed drainage plan including the location of all SuDS features, pipe runs, invert levels and discharge points.
 3. Full, detailed engineering drawings of all SuDS features including cross and long sections, their size, volume, depth and any inlet and outlet features.
20. Upon completion of the drainage works for each phase), a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority.

This shall include:

1. Provision of complete set of as built drawings including the final drainage layout for site drainage network.
 2. Maintenance and operational activities for the lifetime of the development.
 3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.
21. No infiltration of surface water drainage into the ground at this site is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been

demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

22. All piling works for Phase 1 of the development must be undertaken in accordance with the following documents and drawings comprising the piling method statement for the proposed piling works, approved under planning ref. 21/01205/DISCON, unless otherwise agreed in writing by the Local Planning Authority:

The Phase 1 Project Management Plan CFA Piling Report prepared by Rock & Alluvium

The Phase 1 Project Environmental Plan prepared by Rock & Alluvium

Site Wide - Pile Layout - Drawing E746-PTA-SW-PL-DR-SE-130-0098 Rev P07

Piling Schedule Sheet 1 - Drawing E746-PTA-SW-PL-SH-SE-130-0082 Rev P06

Piling Schedule Sheet 2 - Drawing E746-PTA-SW-PL-SH-SE-130-0083 Rev P06

Piling Schedule Sheet 3 - Drawing E746-PTA-SW-PL-SH-SE-130-0084 Rev P06

Piling Schedule Sheet 4 - Drawing E746-PTA-SW-PL-SH-SE-130-0085 Rev P06

Piling Schedule Sheet 5 - Drawing E746-PTA-SW-PL-SH-SE-130-0086 Rev P06

The Phase 1 Piling Programme

No piling (or other foundation designs using penetrative methods) shall take place in subsequent phases of the development 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 groundwater pollution, and the programme for works) for each subsequent development phase has been submitted to and approved in writing by the Local Planning Authority. All piling must be undertaken in accordance with the terms of the approved piling method statement.

23. Prior to the commencement of any superstructure works within each development phase, details and samples of the materials to be used for all the external finishes of the buildings, including walls, roofs, doors, windows and balconies, for the development phase shall be submitted to and approved in writing by the Local Planning Authority. The materials shall be based upon the materials palette in the Design and Access Statement by Lifschutz Davidson Sandilands. The development within each phase shall be carried out only in accordance with the approved materials.
24. No dwelling within Phases 1A, 1B and 1C of the development shall be occupied until the noise mitigation measures detailed in the following reports, approved under planning ref. 21/01236/DISCON, have been implemented in full, unless otherwise agreed in writing by the Local Planning Authority:

Phase 1A Environmental Noise and Vibration Assessment Report (Ref. CL/J003029/4827/01 dated 2 March 2021) by PDA

Phase 1B Environmental Noise and Vibration Assessment Report (Ref. CL/J003029/4842/01 dated 11 March 2021) by PDA

Phase 1C Environmental Noise and Vibration Assessment Report (Ref. CL/J003029/4880/01 dated 30 March 2021) by PDA

Prior to the commencement of any superstructure works within any subsequent development phase, a detailed noise mitigation scheme for the building to achieve satisfactory internal noise levels to each dwelling, in accordance with BS 8233:2014 'Guidance on Sound Insulation and Noise Reduction for buildings', shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the building fabric, glazing specifications, party walls and floors and mechanical ventilation systems. The noise mitigation scheme shall address potential noise nuisance arising from road traffic, rail traffic, electrical substations, thermal substations, and all plant and equipment associated with commercial units within the building. The noise from electrical substations shall not exceed the criteria set out in Table 5 of 'A Procedure for the Assessment of Low Frequency complaints' (University of Salford, Manchester, 2009). No dwelling within the development phase shall be occupied until all the approved mitigation measures have been completed.

25. No plant and equipment associated with the commercial units within each phase shall be installed on any building until a noise impact assessment, including proposed mitigation measures for noise, to achieve satisfactory internal noise levels to the nearest residential dwellings, has been submitted to and approved in writing by the Local Planning Authority. The plant and equipment
26. Prior to the occupation of any commercial unit in each development phase that includes a commercial unit(s), full details of the proposed shop front(s) for the commercial unit(s) within that phase shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the following:
 - a) Detailed drawings at scale 1:20 including sections of the proposed shop front(s);
 - b) Detailed drawings at scale 1:20 of the proposed area for signage;
 - c) Details of the proposed materials for the shop front(s);
 - d) Details of any proposed security measures; and,

The shop front(s) shall be installed in accordance with the approved details prior to the first occupation of the commercial unit(s) and shall be maintained as such thereafter.

27. Prior to the commencement of any superstructure works for each development phase, a landscaping scheme for the treatment of all open spaces, including but not limited to public open space, communal amenity space, children's play space and private amenity space, shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall be based upon the approved Landscape Strategy (May 2019) and include the following details:
- a) Details of the landscape management scheme;
 - b) Details of children's play space , including but not limited to types of play areas, play equipment, how the space is differentiated from communal/public open space and how this fits in with the children's play space strategy for the whole site;
 - c) Enclosures: including but not limited to types, dimensions and treatments of walls, fences, screens, barriers, rails, retaining walls and hedges;
 - d) Hard landscaping: including but not limited to ground surfaces, kerbs, edges, paving, furniture, bins, lighting, steps and if applicable synthetic surfaces;
 - e) Soft landscaping: number and type of species to be planted;
 - f) Trees: number and type of species to be planted;
 - g) Biodiversity measures, including but not limited to green roofs, brown roofs, bird boxes, bat boxes, invertebrate boxes and bee hives;
 - h) Lighting details, including siting, type, height, specification, hours of operation and lux values;
 - i) Details of the wayfinding signage and details of the maintenance of any such signs proposed and approved;
 - j) Details of how the landscaping features will provide suitable wind mitigation as set out in the Environmental Statement;
 - k) Management plan detailing management responsibilities and maintenance schedules for the ongoing maintenance and access for communal amenity areas and public open space; and,
 - l) Any other landscaping feature(s) forming part of the scheme.

All landscaping in accordance with the approved scheme shall be completed/planted during the first planting season (unless otherwise agreed in writing) following practical completion of the development phase. Any trees or shrubs which die within five years of completion of the development phase shall be replaced with the same species, unless otherwise approved in writing, to the satisfaction of the Local Planning Authority.

The development phase shall be carried out strictly in accordance with the approved details and shall be maintained as such thereafter.

28. No dwelling or commercial unit within the development shall be occupied until written approval has been provided by the Local Planning Authority

that either 1) all wastewater network upgrades required to accommodate the additional flows from the development have been completed; or 2) a housing and infrastructure phasing plan has been approved in writing which specifies the infrastructure works to be undertaken and the number of properties that can be occupied in each development phase. Where a housing and infrastructure phasing plan has been approved, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

29. No dwelling or commercial unit within the development shall be occupied until written approval has been provided by the local planning authority that either 1) all surface water network upgrades required to accommodate the additional flows from the development have been completed; or 2) a housing and infrastructure phasing plan has been approved in writing which specifies the infrastructure works to be undertaken and the number of properties that can be occupied in each development phase. Where a housing and infrastructure phasing plan has been approved no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.
30. No dwelling shall be occupied within any development phase until details of the provision of communal facilities for terrestrial and satellite television reception (e.g. aerials, dishes and other such equipment) for that building in the development phase has been submitted to and approved in writing by the Local Planning Authority. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the relevant building and shall be retained thereafter. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) no other television reception equipment shall be introduced onto the walls or the roof of the building without the prior written approval of the Local Planning Authority.
31. No dwelling or commercial unit within each development phase shall be occupied until the refuse and recycling storage facilities for that phase have been provided in accordance with the approved plans unless otherwise agreed in writing by the Local Planning Authority. The storage facilities shall be retained at all times thereafter.
32. No dwelling shall be occupied within any development phase until a residential delivery and servicing management plan for that phase has been submitted to and approved in writing by the Local Planning Authority. This plan shall include all deliveries to and waste and recycling collections from the residential dwellings.

The development shall be operated strictly in accordance with the approved plan, shall be maintained as such thereafter and no change thereof shall take place without the prior written consent of the Local Planning Authority.

33. No commercial unit within any development phase shall be occupied until details of a delivery and servicing management plan has been submitted to and approved in writing by the Local Planning Authority. This plan shall include all deliveries to and waste and recycling collections from the commercial unit. No deliveries to or collections from any commercial unit shall take place before 7.00am or after 11.00pm on any day.

The development shall be operated strictly in accordance with the details approved, shall be maintained as such thereafter and no change thereof shall take place without the prior written consent of the Local Planning Authority

34. The commercial units shown within buildings S2, S3, S6, N1, N2, N3 and N4 shall only be used for purposes within Use Class E or as a public house or bar (sui generis) or as a takeaway (sui generis) of the Town and Country Planning (Use Classes) Order 1987 (as amended). Prior to the first occupation of any commercial unit full details of the proposed use, together with hours of operation, shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be operated strictly in accordance with the details approved, shall be maintained as such thereafter and no change thereof shall take place without the prior written consent of the Local Planning Authority.

35. No commercial unit within buildings S2, S3, S6, N1, N2, N3 and N4 shall be used for purposes as a restaurant or café (Use Class E), public house or bar (sui generis) or takeaway (sui generis) of the Town and Country Planning (Use Classes) Order 1987 (as amended) until details of the means of ventilation for the extraction and dispersal of fumes, including details the extraction, ventilation and filtration equipment and any other external plant or machinery (including ventilation units and air intake louvres) together with details of its method of construction, appearance, finish and acoustic performance has been submitted to and approved in writing by the Local Planning Authority. The use shall not commence until the approved plant and equipment has been installed in full. The approved plant and equipment shall be retained at all times. No further external equipment or plant may be installed without the prior written approval of the Local Planning Authority.

36. Prior to the first occupation of any building within each development phase a car parking and cycle parking strategy for that phase shall be submitted to and approved in writing by the Local Planning Authority including:

- a) The location and allocation of car parking for commercial and residential users.
- b) The location of the accessible car parking spaces.
- c) The number and location of the electric vehicle charging spaces, which should be a minimum of 10% of the total number of car parking spaces provided.
- d) The location of and number of cycle parking spaces including details of the stands to be used.
- e) Security and accessibility measures.

No dwelling shall be occupied until the approved car parking and cycle parking strategy for that phase has been implemented in full. The approved car and cycle parking spaces shall be retained as approved at all times.

- 37. No commercial unit within buildings S2, S3, S6, N1, N2, N3 and N4 hereby permitted shall be occupied until a certificate of compliance from an accredited assessor, confirming that the unit has achieved a BREEAM rating of Very Good, has been submitted to and approved in writing by the Local Planning Authority.
- 38. No external multi-use games area (MUGA) within the primary school site shall be used for sporting activities by staff, pupils or members of the public before 9.00am or after 9.00pm on any day.
- 39. The primary school shall not be occupied until details of the means of ventilation for the extraction and dispersal of fumes, including details the extraction, ventilation and filtration equipment and any other external plant or machinery (including ventilation units and air intake louvres) together with details of its method of construction, appearance, finish and acoustic performance has been submitted to and approved in writing by the Local Planning Authority. The use of the primary school shall not commence until the approved plant and equipment has been installed in full. The approved plant and equipment shall be retained at all times. No further external equipment or plant may be installed without the prior written approval of the Local Planning Authority.
- 40. No lighting shall be installed within the primary school site or on the building until full details of the lighting, including siting, type, height, specification, hours of operation and lux values, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details approved.
- 41. 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:

2,050sqm GEA of flexible commercial floor space within Use Class E and including public house, bar, takeaway uses (sui generis)
1,266 residential units (Use Class C3)
Up to 2,910sqm GEA of primary school (Use Class F) and nursery (Use Class E)

5 **21/01498/FUL ST MARGARETS, RADLETT ROAD WATFORD HERTFORDSHIRE
WD24 4LH**

The Strategic Applications Manager delivered their report.

The Chair thanked the officer and invited Martin Flammia, a local resident, to speak about the proposal.

Martin Flammia stated that his objection was not to the overall development but to the building on a piece of land that carried a right of access under civil law and was concerned about heavy vehicles damaging the access road.

The Chair thanked Martin Flammia and pointed out that the matter of a right of way was not a planning matter and therefore the committee was unable to consider it. The Chair then invited Adam Wilson to speak on behalf of the applicant in favour of the development.

Adam Wilson pointed out the lack of reasons to refuse the application. The applicant had worked with officers to make the development work in the area and be Green Belt friendly. The design would fit in with the other buildings in the area and did not disrupt the Green Belt. The application met planning requirements and there would be a net gain of one family home, which had been reduced from the original proposal of six flats.

The Chair thanked Adam Wilson for his comments and opened the discussion up to the committee.

There were some minor concerns in relation to dust and disruption from the works, however the officer pointed out these would be down to environmental health and a normal part of any build. Some councillors stated they would normally oppose a Green Belt build however following the officer's explanation they would not object on this occasion. They also understood residents' concerns about the right of way but this was a civil matter and not for the committee.

RESOLVED –

That planning permission be granted subject to the following conditions:

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:

SLP-3000 Site Location Plan

BP-4000 Block Plan

PL-ST-1000 Rev A Existing Site Plan and Roof Plan

PL-ST-2000 Rev A Proposed Site Plan and Roof Plan

PL-ST-3000 Rev A Proposed Ground, First, Second Floor

PL-ST-4000 Rev A Proposed Elevations Plan

PL-ST-5000 Rev A Proposed Landscaping Plan

PL-ST-6000 Rev A Landscape details and refuse store

PL-ST-8000 Rev A Part Ground and Firsts floor Plans

PL-ST-9000 Rev A Proposed Cycle Store Plan

3. Surface Water Drainage

The development hereby permitted shall be carried out to include all measures recommended in the Flood Risk Assessment, carried out by WtFR Ltd, dated 22nd November 2021 (Reference WtFR-FRA-2021/11/Q13) and as shown in the approved drawings.

4. Materials

No development shall commence until details and samples of the materials to be used for all the external finishes of the development hereby approved, including all external walls, all roofs, doors, windows, fascias, rainwater and foul drainage goods, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and samples.

5. 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.

6. Soft and Hard Landscaping

No part of the development shall be occupied until full details of both hard and soft landscaping works, including details of all existing trees to be retained, trees and soft landscaping to be planted, any other arboricultural works to be carried out, details of any changes to ground levels around the building, all pathways, all hard surfacing, amenity areas/paving and boundary treatments, have been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme, with the exception of the planting, shall be completed prior to any occupation of the development. Any proposed planting shall be completed not later than the first available planting and seeding season after completion of the development. Any new trees or plants which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.

7. Car Parking

No part of the development shall be occupied until the car parking area has been installed as shown in the approved drawings and has been made available for use.

8. Porous surfacing

Notwithstanding the details already submitted, all new and replacement hard surfacing shall be either of a porous material, or provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site.

9. First floor side windows

The first floor windows in the north and south side elevations of the development 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.

10. Refuse, recycling and bicycle storage

The refuse, recycling and cycle storage shall be constructed and installed in accordance with the approved drawings and made available for use prior to the occupation of any part of the development. The storage shall be retained as approved at all times thereafter.

11. Permitted Development Rights removed

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

**22/00518/FUL 63 LOWER PADDOCK ROAD WATFORD HERTFORDSHIRE
WD19 4GU**

The Strategic Applications Manager delivered the report.

The Chair thanked the officer and then invited John Doyle to speak against the proposal.

John Doyle stated that, if this application went ahead, his property would suffer a loss of day light and privacy, in particular to the dining room and a bedroom, each of which only had a single window. He said that he did not believe the guidelines correctly represented the actual reality of day light. He pointed out that no access to his property had been requested during the survey and that the build would result in inadequate light for normal activities and artificial light would be required even in the day time. Furthermore he was concerned that the proposed courtyard garden gave a view directly in to a bedroom.

The Chair thanked him and invited the Strategic Applications Manager to address some of these points.

The Strategic Applications Manager stated that the situation was unusual. The judgement of what was considered a reasonable impact could only be made from the survey but it was subjective. She reiterated that the previous application was deemed inappropriate and had been refused. The applicant had then reduced the size of the proposal, which was now considered to be reasonable and was at a lower level. The fencing should provide some privacy protection.

The Chair thanked the officer and invited Councillor Kennedy Rodrigues, a ward councillor, to speak about the proposal.

Councillor Rodrigues objected to the proposal for three reasons. Firstly he stated that the property did not meet the local needs of the area. Secondly, under Human rights legislation, the neighbours at numbers 61 and 69 had a right to light. The proposal had a minimum distance of 33cm from the boundary fence and that the new shading would have a detrimental effect on the greenhouse in the neighbouring property. Finally, he commented that the construction of a dropped kerb had not been approved and therefore there was currently no safe access to the site.

The Chair thanked the councillor and again invited the Strategic Applications Manager to address these concerns.

The Strategic Applications Manager stated that in relation to the housing needs of the area, one bed properties were needed; a mix of dwellings was needed in Watford. She reiterated that the previous application had been rejected due to the lighting impact; the impact was now considered minimal due to the length of the garden overall. She stated that the dropped kerb would be a matter for county to consider; it was not a planning matter, therefore consent and management from county was needed.

The Chair invited the committee to discuss the proposal.

The committee commented on the merits and concerns about the development. There was a question in relation to tree conservation that was answered by the Strategic Applications Manager. Whilst there were concerns about the light impact, in particular on the greenhouse, this was not deemed a strong enough reason to refuse the application.

RESOLVED –

That planning permission be granted subject to the following conditions:

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:

008-SO1_P11 Existing Site Plan
008-SO2_P11 Proposed Site Plan
008-EXGARF_P11 Existing Roof Level Plan
008-EXGS01_P11 Existing Cross Section
008-GA00_P11 Proposed Ground Floor
008-GARF_P11 Proposed Roof Plan
008-GE01_P11 Proposed Elevations (Front and Rear)
008-GE02_P11 Proposed Elevations (Sides)
008-GS01_P11 Proposed Cross Sections
3. Materials

No development shall commence until details and samples of the materials to be used for all the external finishes of the development hereby approved, including all external walls, all roofs, doors, windows, fascias, rainwater and foul drainage goods, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and samples.

4. Tree protection

No development on site shall commence until details and a method statement in respect of tree protection measures (including ground protection) relating to trees located within and adjacent to the site have been submitted to and approved in writing by the Local Planning Authority. The tree protection measures approved under this condition shall be implemented prior to the commencement of any works and shall be maintained as such at all times whilst the construction works take place.

5. Car Parking

No part of the development shall be occupied until the car parking area has been installed as shown in the approved drawings and has been made available for use.

6. Bin storage

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

7. Hard and Soft Landscaping

No part of the development shall be occupied until full details of both hard and soft landscaping works, including details of all existing trees to be retained, trees and soft landscaping to be planted, details of any changes to ground levels around the building, all pathways, all hard surfacing, amenity areas/paving and boundary treatments, have been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme, with the exception of the planting, shall be completed prior to any occupation of the development. Any proposed planting shall be completed not later than the first available planting and seeding season after completion of the development. Any new trees or plants which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with

others of similar size and species, or in accordance with details approved by the Local Planning Authority.

8. Bicycle Storage

No part of the development shall be occupied until details of the size, type, siting and finish of a cycle storage enclosure for the dwelling has been submitted to and approved in writing by the Local Planning Authority. The storage approved under this condition shall be installed and made available for use prior to the occupation of any part of the development and shall be retained at all times for cycle storage only and shall not be used for any other purpose.

9. Permitted Development rights removed

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any modification or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E or F of the Order shall be carried out to the dwellings hereby approved without the prior written permission of the Local Planning Authority.

Chair

The Meeting started at 7.00 pm
and finished at 8.40 pm