

DEVELOPMENT MANAGEMENT COMMITTEE

4 JULY 2023

Present: Councillor P Jeffree (Chair)
Councillor
Councillors N Bell, A Saffery, R Smith, S Trebar, M Watkin,
A Grimston and K Rodrigues

Also present: Douglas Bond, Applicant

Officers: Development Management Team Leader
Strategic Applications Manager
Democratic Services Officer (BR)

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 with Councillor Rodrigues replacing Councillor G Saffery and Councillor Grimston replacing Councillor Pattinson.

Councillor Martins was absent without apologies.

2 DISCLOSURE OF INTERESTS

No disclosures of interest were made.

3 MINUTES

The minutes from the meeting on 16 May 2023 were approved and signed.

The Development Management Lead delivered her report, and an update sheet was circulated to the committee.

The Chair thanked the officer and invited Douglas Bond to speak in favour of the application.

Mr. Bond read a prepared statement to the committee. In this statement, he highlighted that planning permission existed for 278 apartments, which was included in the Council's five-year housing land supply. Mr. Bond indicated several reasons why the original plan could not be completed and highlighted that the new scheme was better and would regenerate that area of Watford as well as delivering much-needed new homes, including affordable homes.

Benefits of the development put forward by Mr. Bond were 20% of family sized housing, an increase in on-site communal amenity space, an improved external design, a reduced carbon emission scheme, making it a more sustainable development, a part M compliant design and offering high-quality affordable housing that had been viability tested.

Mr. Bond went on to discuss the affordable housing aspect. He stated that the revised S106 agreement would secure 30 socially rented units, which was nine more than the approved scheme. These units would include 14 three-and four-bedroom units, which would meet the most acute affordable housing needs of the borough. He highlighted that this was consistent with the local plan policy. Mr. Bond continued to state that the applicant would be delivering an additional 95 affordable home, over and above those secured through the new section 106 agreement.

Mr. Bond also spoke about the viability testing, which he indicated had been reviewed by the council's independent advisor. He commented that the council's figures suggested a viability of around 10% affordable housing and stated that they had worked hard to maximise this and have reached a viability of 18% affordable housing. Mr. Bond also pointed out this was higher than the neighbouring laundry site which was only 10.5%.

Mr. Bond concluded by stating the development would constitute a significant and material contribution towards the affordable housing needs of Watford.

The Chair thanked Mr. Bond and invited the committee to ask questions of the officer and to discuss.

There was a question if the local plan had influenced the decision to add more social housing. The Development Management Lead answered this stating that the Local Plan could not be retrospectively applied to the approved 2018 application; however, it is the new Local Plan now adopted and it was considered in all discussions around affordable housing.

A number of committee members raised concerns about the amount of affordable and social housing that would be included in this development.

There were a number of concerns from a local resident, who had contacted Councillor Bell. Councillor Bell raised these on the resident's behalf. Councillor Bell stated that the resident had first spoken at the committee in 2018 and was now questioning if there would be any development given the amount of time that had elapsed. The resident also had concerns about the design, in particular the location of a sub-station as well as concerns around anti-social behaviour and privacy. Councillor Bell added that with this development there would be over five hundred flats on Sydney Road, which would significantly change the character of the road. He also echoed the committee's concerns in relation to the amount of affordable and social housing.

The Development Management Lead responded stating that the substation had been moved as a requirement of the utilities companies, and that screening and fencing would exist between the development play areas and existing houses to ensure privacy. She also confirmed that detailing of the fencing etc., would be subject to conditions.

There were further questions. Firstly around how soon the construction would be completed as they were keen to get people off the housing register and in to homes as soon as possible. Secondly in relation to sustainability and if it met with the local plan and finally in respect to a Training and skills strategy.

The Development Management Lead clarified that whilst they could set a period within which to commence construction, they could not set an end date. She noted that although the variations did see some improvements to sustainability matters, the full requirements of the

Local Plan on Sustainability and Training Skills could not be could not be retrospectively applied to the 2018 application.

Finally, members of the committee expressed their disappointment at the development for not meeting the full 35% of social affordable housing as laid out in the Local Plan.

The Chair stated that as it was backed up by a viability assessment it could not be refused on that basis, as viability assessments were accepted within the local plan.

The Chair moved for the committee to vote on the officer's recommendation.

On being put to the committee, the application was approved.

RESOLVED –

That planning permission be granted, subject to a deed of variation under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following variations to the S106 agreement and subject to the below conditions:

S106 – Variations to be secured

i) To secure 53 units of the development to be Affordable Housing units comprising:

a. 30 no. social rented units comprising:

- 2no. x 1bed 1person,
- 12no.x 1 bed 2 person,
- 4no. x 2 beds 4 person
- 3no. x 3 bed 5 person duplex
- 9no. x 3 bed 6 person
- 1no. x 4 bed 6 person
- 1no. x 4 bed 7 person

b. 23 no. Shared Ownership units

- 3no. x 1bed 1person,
- 15no.x 1 bed 2 person,
- 1no. x 2 bed 3 person
- 1no. x 2bed 4 person
- 3no. x 3 bed 5 person

ii) To secure a review mechanism of the financial viability of the development to be undertaken towards the end of the project (at 75% of flat sales/rentals) when actual build costs and sales/rental values of

the flats would be known. This would allow a financial payment to be made towards affordable housing provision where the viability of the development could be shown to have improved to provide a financial surplus.

Conditions

1. Approved drawings (was 2)

The development shall be carried out in accordance with the following drawings, unless otherwise approved in writing by the Local Planning Authority. The following drawings are hereby approved:

PL_11 Rev B W H Humphreys Proposed Storage Units

PL_001 Location Plan

PL_002 Existing Site Plan

PL_003 Rev D Proposed Site Plan

PL_004 Rev E Proposed Ground Floor Plan

PL_005 Rev D Proposed Landscape Plan

PL-006 Rev C Site Elevation 01

PL-007 Rev C Site Elevation 02

PL-008 Rev C Site Section 01

PL-009 Rev C Site Section 02

PL-010 Rev C Site Section 03

PL-011 Rev C Site Section 04

PL-012 Rev C Site Section 05

PL-013 Rev B Block Plan Consented, existing buildings and containers overlay

pL-014 Relocated New Substation

PL_A_100 Rev C Block A1 & A2 Residential Area Schedule

PL_A_101 Rev F Block A1 & A2 Ground Floor Plan

PL_A_102 Rev F Block A1 & A2 First Floor Plan

PL_A_103 Rev F Block A1 & A2 Second Floor Plan

PL_A_104 Rev E Block A1 & A2 Third Floor Plan

PL_A_105 Rev E Block A1 & A2 Fourth Floor Plan

PL_A_106 Rev E Block A1 & A2 Fifth Floor Plan

PL_A_107 Rev E Block A1 & A2 Sixth Floor Plan

PL_A_108 Rev E Block A1 & A2 Seventh, Eighth and Ninth Floor Plan

PL_A_109 Rev D Block A1 & A2 Tenth and Roof Floor Plan

PL_A_111 Rev C Block A1 & A2 North Elevation

PL_A_112 Rev C Block A1 & A2 South Elevation

PL_A_113 Rev C Block A1 & A2 East Elevation

PL_A_114 Rev C Block A1 & A2 West Elevation

PL_A_115 Rev C Block A1 & A2 Section 01

PL_B&C_100 Rev C Block B&C Residential Area Schedule

PL_B&C_101 Rev D Block B&C Ground Floor Plan

PL_B&C_102 Rev D Block B&C First Floor Plan

PL_B&C_103 Rev E Block B&C Second Floor Plan
PL_B&C_104 Rev D Block B&C Third Floor Plan
PL_B&C_105 Rev D Block B&C Fourth Floor Plan
PL_B&C_106 Rev E Block B&C Fifth Floor Plan
PL_B&C_107 Rev D Block B&C Sixth Floor Plan
PL_B&C_108 Rev D Block B&C Seventh Floor Plan
PL_B&C_109 Rev D Block B&C Eighth Floor Plan
PL_B&C_110 Rev D Block B&C Ninth and Tenth Floor Plan
PL_B&C_113 Rev C Block B&C North Elevation
PL_B&C_114 Rev C Block B&C South Elevation
PL_B&C_115 Rev C Block B&C East Elevation
PL_B&C_116 Rev C Block B&C West Elevation
PL_B&C_117 Rev C Block B&C Section 01
PL_B&C_118 Rev C Block B&C Section 02
PL_190 A Terrace Infill House
Appendix E 1 of 3 Rev E Refuse Vehicle Swept Path Residential
Design and Access Statement Addendum Report - December 2022
S73 Supplementary Design Document - March 2023
Communal Amenity - Illustrative Visualisation Aerial View 1
Communal Amenity - Illustrative Visualisation Aerial View 2
Communal Amenity - Illustrative Visualisation Aerial View 3
Communal Amenity - Illustrative Viewpoint 1
Communal Amenity - Illustrative Viewpoint 2
Communal Amenity - Illustrative Viewpoint 3
Communal Amenity - Illustrative Viewpoint 4
CGI Views to support Section 73 Application - December 22
CGI - View From Tolpits Lane Railway Bridge
CGI - View of Sydney Road Developments Looking East
CGI - View of Sydney Road Developments Looking West
CGI - Elevated View from Sydney Road Looking West
CGI - Elevated View from Sydney Road
CGI - View from Westfield Academy Looking East

2. Contamination verification (commercial) (was 3)

Following completion of measures identified in the approved remediation scheme for the land within the curtilage of the commercial development (Remediation Strategy Report prepared by SLR Consulting Ltd, Document ref. 402.07391.00004) and prior to the first use or occupation of the commercial 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.

3. Contamination verification (residential) (was 4)

Following completion of measures identified in the approved remediation scheme for the land within the curtilage of the residential development (Remediation Strategy Report prepared by SLR Consulting Ltd, Document ref. 402.07391.00004) and prior to the occupation of any dwelling within 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.

4. Contamination found (was 5)

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.

5. Surface water drainage- residential (was 6A)

The detailed surface water drainage scheme for the residential section of the site shall be fully implemented in accordance with the details approved in respect of discharge of condition application reference 21/01516/DISCON as detailed below, unless otherwise approved in writing by the Local Planning Authority. The approved details in respect of original condition 6A are:

Drainage Statement (prepared by GTA, ref: 965489, dated: 29.09.2021)

Site Drainage Plan (ref: 10493/1601, rev: P3, dated: 29.09.2021)

Site Drainage Details (Sheet 1 and 2, ref: 10493/1701 and 10493/1702, dated:

15.05.2020)

6. Surface water drainage- commercial (was 6B)

Other than demolition and site investigation works, no commercial development approved by this planning permission shall take place until a detailed surface water drainage scheme for the commercial section of the site has been submitted to, and approved in writing, by the local planning authority. The surface water drainage system will be based on the submitted Flood Risk Assessment & Drainage Strategy, Version 1, SLR

Ref:402.07391.00004, dated June 2018, produced by SLR and all supporting information. The details should include:

1. Specification of the agreed discharge rate with Thames Water and clarification for which return period.
2. Specification of the proposed discharge total rate for the site for the 1 in 1 year, 1 in 30 years, 1 in 100 years and 1 in 100 years + 40% for climate change allowance.
3. Specification of the proposed discharge rates for each of the proposed sites, that is, Blocks A & B, Warehouse and Terraced House.
4. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + 40% climate change event for the entire site.
5. Implementing the appropriate drainage strategy based on attenuation and discharge into Thames Water surface water sewer network using appropriate SuDS measures, like permeable pavement below ground crates as indicated on the drainage strategy.
6. Detailed engineered drawings of the proposed SuDS features and discharge control devices including their, location, size, volume, depth and any inlet and outlet features.
7. Detailed surface water calculations and modelling and respective attenuation volumes for all rainfall events up to and including the 1 in 100 year + climate change event supported by a clearly labelled drainage layout plan showing pipe networks.
8. Detailed design of the drainage scheme layout including detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding discharge and volume calculations/modelling. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
9. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

10. The scheme shall be fully implemented and subsequently maintained, 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.

7. Piling for commercial (was 7)

No piling within the curtilage of the commercial building shall take place until a piling method statement for the land within the curtilage of the commercial building (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 in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

8. Materials residential (was 8)

No external facing materials shall be installed on any residential building of the development until full details and samples of all the materials to be used for the external surfaces of the residential buildings have been submitted to and approved in writing by the Local Planning Authority.

9. Materials commercial (was 9)

The external surfaces of the commercial building shall be finished in the materials as set out in the details of drawing WD_13-005 Rev C4 approved pursuant to the discharge of condition application reference 20/00526/DISCON unless otherwise approved in writing by the Local Planning Authority.

10. Hard landscaping residential (was 10)

No dwelling within the development shall be occupied until a detailed hard landscaping scheme for the residential section of the site, including details of the roof gardens, hardstanding, site boundary treatments, children's play area 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.

11. Soft landscaping residential (was 11)

No dwelling within the development shall be occupied until a detailed soft landscaping scheme for the residential section of 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 Proposals of the approved drawings. 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. Hard landscaping commercial (was 12)

The hard landscaping in respect of the commercial building shall be finished as set out in the details of drawing WD_10-001 Rev P2 approved pursuant to the discharge of condition application reference 20/00526/DISCON unless otherwise approved in writing by the Local Planning Authority.

13. Access (was 13)

No dwelling within the development shall be occupied until the new access and egress arrangements from Sydney Road, as shown in principle on the approved drawings has been completed in full.

14. Visibility Splay (was 14)

Prior to the first residential occupation of the development hereby permitted, vehicular visibility splays measuring 25m x 2.4 metres minimum shall be provided to each side of the new access where it meets the highway of Sydney Road and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

15. Bins and bikes (was 15)

No dwelling within the development shall be occupied until the bin and bicycle storage 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.

16. Aerials and Satellites (was 16)

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. The approved details shall be installed in full.

17. Car Parking allocation (was 17)

No dwelling shall be occupied until the details of car parking allocation have been submitted to and approved in writing by the Local Planning. The provision shall include an agreed allocation of on-site residential car parking spaces for use by the affordable housing units. The car parking spaces shall remain available for use by the allocated residents, in accordance with the agreed allocations, unless otherwise agreed in writing by the Local Planning Authority

18. Built drawings for drainage- residential (Was 18a)

Upon completion of the residential section of the site, a complete set of as built

drawings for both site drainage and any exceedance flow route shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include:

1. Provision of complete set of as built drawings for the site drainage and informal flooding arrangements shown on a plan.
2. Details of any inspection and sign-off requirements for completed elements of the drainage system.

19. Built drawings for drainage- commercial (Was 18b)

Upon completion of the commercial section of the site, a complete set of as built drawings for both site drainage and any exceedance flow route shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include:

1. Provision of complete set of as built drawings for the site drainage and informal flooding arrangements shown on a plan.
2. Details of any inspection and sign-off requirements for completed elements of the drainage system.

20. Drainage Management – residential (was 19a)

Upon completion of the drainage works for the residential section of the site, a

management and maintenance plan for the SuDS features and drainage network shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include maintenance and operational activities and arrangements for adoption.

21. Drainage Management – commercial (was 19b)

Upon completion of the drainage works for the commercial section of the site, a management and maintenance plan for the SuDS features and drainage network shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include maintenance and operational activities and arrangements for adoption.

22. Internal Noise (was 20)

All residential units shall achieve the recommended maximum internal noise levels under BS 8233 through the provision of a good quality window units with a Rw of at least 26 dB in accordance with the noise assessment dated November 2017 prepared by SLR (Ref 402.07391.00002).

23. Commercial Use (was 21)

The commercial premises shall be used only as for uses within Classes E (g)(iii) and B8 and shall be used for no other purpose unless otherwise approved in writing by the Local Planning Authority.

24. No comms development (was 22)

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.

25. Piling (was 23)

Piling for the residential development shall be only in accordance with the details of the document '29-43 Sydney Road, Watford, Piling Risk Assessment, SLR Ref: 402.10903.00001 Version No: 2, November 2021, prepared by SLR Consulting Limited', approved under discharge of condition reference 21/01640/DISCON dated 27.01.2022, unless otherwise approved in writing by the Local Planning Authority.

26. Water Use (new)

The residential development hereby approved shall not be occupied until details have been submitted to and approved in writing by the Local Planning Authority to confirm that the dwellings have been completed to meet the water efficiency optional requirement of 110 litres of water per person per day.

27. Part M Compliance (new)

The residential development hereby approved shall not be occupied until details have been submitted to and approved in writing by the Local Planning Authority to confirm that all but the identified 33 of the dwellings hereby approved have been built to the Building Regulations (2010) Access

to and use of Buildings, Approved Document M (2015 as amended),
Volume 1: Dwellings, M4 (2): Accessible and adaptable dwellings.

The dwellings not required to be included in this condition are as follows:

- Block A1, units A1-3-01, A1-3-02, A1-4-01, A1-4-04, A1-6-01 and A1-6-02;
- Block A2, units A2-1-02, A2-1-03, A2-1-04, A2-8-01, A2-8-08, A2-10-01, A2-10-02, A2-10-03 and A2-10-04;
- Block B, Units B-1-01, Unit B-1-02, Unit B-1-03, Unit B-1-04, Unit B-1-05, Unit B-1-06, Unit B-1-07 and Unit B-1-08; and
- Block C, Units C-1-01, C-1-02, C-1-03, C-1-04, C-1-05, C-1-06, C-1-07, C-1-09, C-5-04 and C-5-05.

28. EV Charging (new)

Of the car parking spaces approved, a minimum of 20% shall be installed with active charging infrastructure for electric vehicles. All other spaces shall be installed to include passive provision for electric vehicle charging.

Informatives

IN912 Hours of Construction

IN913 Community Infrastructure Levy Liability

IN914 Section 106 Undertaking

IN909 Street Naming and Numbering

IN907 Consideration of proposal in a positive and proactive manner

IN915 Highway Works – HCC agreement required

Chair

The Meeting started at 7.00 pm
and finished at 7.50 pm