

## **DEVELOPMENT MANAGEMENT COMMITTEE**

**27 JULY 2021**

Present: Councillor P Jeffree (Chair)  
Councillor R Martins (Vice-Chair)  
Councillors N Bell, S Johnson, J Pattinson, A Saffery, S Trebar,  
M Watkin and D Watling

Also present: Councillor Ezeifedi, Dr Philip Aylett, Mr Duane Passman, Mr  
Billy Pattison and Mrs June Wilkinson

Officers: Head of Planning and Development  
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.

Please note that the following update documents were supplied to the Committee prior to the hearing.

- Officer's presentation
- Update sheet
- Summary of NPPF

11

### **APOLOGIES FOR ABSENCE**

There was a change of membership for this meeting: Councillor Watling replaced Councillor Smith.

12            **DISCLOSURE OF INTERESTS**

Councillors Nigel Bell and Peter Jeffree declared that they had independently carried out site visits to King Georges Avenue and spoken with Mrs Wilkinson. Neither had expressed any views.

Councillor Pattinson stated that she was a member of the stakeholder reference group for the West Herts Hospitals Trust building works, but had no influence on the planning application, but did have sight of the plans prior to this meeting.

13            **MINUTES**

The minutes from the meeting on 6 July 2021 were approved and signed.

14            **21/00765/OUTM WATFORD GENERAL HOSPITAL VICARAGE ROAD  
WATFORD WD18 0HB**

The Principal Planning Officer delivered her 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 Dr Philip Aylett to address the committee.

Dr Aylett explained his concerns regarding potential flooding at the site of the proposed development, citing Hertfordshire County Council experts' submissions over the failure to take into account the increase in surface water. Although there was a planned 75% reduction in the rate of discharge, this did not take climate change into account. Dr Aylett pointed out that part of the site was already classified as high risk in relation to flooding and asked officers to explain why this important risk assessment was not included in the report.

Turning to the flood risk assessment, Dr Aylett pointed out that the southern corner should not be built upon, but the proposal is for the main entrance to be sited in that area.

Dr Aylett expressed his concern regarding the potential wind tunnel effect with such tall buildings, the small amount of green landscaping and the lack of privacy with the triple towers being sited directly opposite each other and only 17 metres apart.

He pointed out that the five years of construction works would have a significant adverse effect on the patients in the existing hospital, especially as many windows needed to be open, resulting in exposure to dust, pollution and noise.

Dr Aylett pointed out that at 82 metres, the proposed scheme would be the fourth highest NHS building in the country. He concluded by urging the committee to reject the application as it would not provide the promised healing environment.

The Chair thanked Dr Aylett and asked the Principal Planning Officer to comment on the issue of flooding. She commented that according to the Environment Agency, the site was in flood zone 1, the lowest risk of flooding. As regards surface water flooding, the council consulted with the flood water team at Hertfordshire County Council. Because the scheme was only an outline at this stage, it was not possible for the design team to provide full solutions as this was part of the outline reserve matters process. Condition 4 provided various strategies and requirements to address this issue.

The Chair then invited Mr Duane Passman, the Acute Hospital Programme Director for West Hertfordshire NHS Trust to address the committee.

Mr Passman explained how the Trust had been pursuing improvements to its estate for over twenty years, with two thirds below the minimum required standard. He went on to list various statistics concerning the poor state of Watford Hospital and described the submission in 2015, highlighting that the redevelopment of the existing site together with improvements at Hemel Hempstead and St Albans was the quickest and most effective route to provide new facilities.

Mr Passman described how the approval of the outline planning permission, was an essential step in the process to secure the necessary funds. He went on to describe the future strategy for the area's medical care and stressed that the committee held one of the major keys to the scheme moving forward for the benefit of the people of West Hertfordshire.

The Chair thanked Mr Passman and expressed his personal view that he was pleased this was coming forward after so many years. He stressed that Watford was very much invested in the hospital.

The committee voiced their support for the scheme and all recognised the benefits for the people of Watford and West Hertfordshire. Whilst they noted the concerns raised by Dr Aylett, they accepted that this was merely an outline plan. They did however, raise the following issues:

- Flood Plan – the expectation was that any flood plan would be looked at in more detail to ensure that any potential issues with surface water were addressed.
- A resident's concerns regarding Willow Lane, but it was explained that the described anti-social behaviour and overspill parking should

be addressed by the planned parking facilities and the improvements to sustainable transport in the area. The impact of overspill parking in the nearby residents was also noted. It was again stressed that the taller elements of the design would be situated well away from local residences.

- The wind tunnel effect from the tall buildings – the officer explained that the “fingers” option of three towers was chosen over the single “block” option, following advice from the clinical staff in that clinically it was the better option. Additionally, it was felt that the chosen option broke up the massing and was more sympathetic to the gradient. The wind tunnel effect had been considered and wind mitigation was planned, but at this outline stage it was difficult to pinpoint exactly where that mitigation should be sited.
- The privacy issue for patients - there were no privacy standards for hospitals, but residential standards were 22 metres apart. It was felt that 16 metres separation was fair considering the level of privacy one might expect in a public hospital. There would be further refinement.
- There was a concern that the materials and architecture as seen in the outline application would subsequently be downgraded, but there was reassurance in that this scheme would return to this committee for further more detailed scrutiny when applications for reserved matters are submitted for approval.
- There was a concern that the large staff car parking allocation (300 spaces) did not send out the correct sustainable transport message and perhaps more could be done to promote the sustainable transport message. The committee were reassured that a range of good quality, viable measures would be introduced to reduce car usage.
- The Trust were asked to carefully consider that the bus stop was some distance from the entrance and getting back up the hill from the entrance might be very difficult for some, particularly if the wind tunnel effect was not resolved. The close proximity of the towers and the resulting privacy concerns for patients left some of the committee uneasy.
- In response to a question, the Principal Planning Officer reassured the committee that the issues flagged by the Watford Place Shaping Panel had been addressed; namely that the sustainable transport options and site layout needed some improvements to better facilitate sustainable transport. In particular that the top of the site linked to Vicarage Road, which had been secured by Section 106 Heads of Terms. Additionally the importance of the green spine

being a quality space that people wanted to use, was fully understood.

The Chair summed up and made three points:

1. He urged the architect to take note of the committee's comments and ensure a high quality building.
2. There needed to be a clear route to the entrance and he expressed his opinion that currently this was not the case.
3. He endorsed the ambition to be carbon neutral, but asked why the huge roof of the multi-storey car park did not have solar panels.

The Chair then moved that planning permission be granted subject to the completion of a planning obligation under s.106 of the Town and Country Planning Act 1990 to secure the provisions of the updated S106 Heads of Terms and subject to the conditions as detailed in section 8 of the report and as below.

**RESOLVED –**

that the outline application be approved, subject to the following conditions and Section 106 heads of Terms.

- a. Subject to the satisfactory conclusion of negotiations to secure further sustainable transport measures under s106 by no later than 27<sup>th</sup> October 2021 Outline Planning Permission be granted subject to the conditions and S106 heads of terms detailed in section 8 of the report.
- b. That the Head of Planning and Development be given delegated authority in consultation with the Chair of Development Management and the Portfolio Holder for Planning to conclude the negotiations and agree the further sustainable transport measures to be included in the s106.
- c. In the event that the further sustainable transport measures have not been agreed by 27<sup>th</sup> October 2021 that Outline Planning Permission be refused for the reason that the development would not include sustainable transport measures to support future staff, patients and visitors and would have an unacceptable highway impact, contrary to paragraphs 108, 109 and 110 of the NPPF, Policy 5 of Hertfordshire County Council's Local Transport Plan 2018-2031 and policies T3 and T5 of the Watford Local Plan Core Strategy.

### **Section 106 Heads of Terms**

- i) To secure the provision and maintenance of a safe and direct pedestrian and cycle route from the north of the site to Vicarage

Road at all times following occupation of the new hospital with details to submitted to and approved by the Local Planning Authority. Details of this route shall include its position, width, surface finish, lighting, signage and any level changes.

- ii) To secure an updated Travel Plan and financial payment to Hertfordshire County Council of £6,000 for the long term monitoring of the Travel Plan for the site.
- iii) To secure a financial payment of £600,000 to Hertfordshire County Council towards bus services in the vicinity of the hospital.
- iv) To secure a financial payment of £250,000 to Hertfordshire County Council for the improvements along Thomas Sawyer Way; and
- v) To secure a financial payment of £150,000 to Watford Borough Council for improvements to pedestrian and cycling routes to the hospital.

## **Conditions**

### **1. Reserved Matters**

Approval of the details of the following reserved matters shall be obtained from the Local Planning Authority before any development commences:

(a) appearance; (b) access; (c) landscaping; (d) layout; (e) scale.

### **2. Time Limit**

Application(s) for approval of the 'reserved matters' must be made not later than the expiration of three years from the date of this permission. The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matter to be approved.

### **3. Drawing Numbers**

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

WHHT-BDP-WGH-00-DR-T-03001- C01 Application and Ownership Boundary

WHHT-BDP-WGH-00-DR-T-03002 - C01 Existing Site Block Plan

WHHT-BDP-WGH-XX-DR-T-22301 - C01 Existing Site Sections AA and BB

WHHT-BDP-WGH-XX-DR-T-22302 - C01 Existing Site Sections CC and DD

WHHT-BDP-WGH-00-DR-T-20021 - C01 Site Plan - Proposed Demolitions

WHHT-BDP-WGH-00-DR-T-20000 C01 - Parameter Plan- Development Plot  
WHHT-BDP-WGH-00-DR-T-20002 - C01 - Parameter Plan - Maximum Height  
WHHT-BDP-WGH-00-DR-T-20003 - C01 - Parameter Plan - Access and Movement  
WHHT-BDP-WGH-00-DR-T-20004 - C01 - Parameter Plan - Frontages and Spaces  
WHHT-BDP-WGH-XX-RP-T-00103 - Design Code

#### 4. Surface Water Drainage Scheme

No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, 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 the 1 in 100 year plus 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. A full detailed drainage design and surface water drainage assessment should include:

1. A drainage strategy which includes a commitment to providing appropriate SuDS in line with the non-statutory national standards, industry best practice and HCC Guidance for SuDS.
2. Full detailed design drainage plan including location of all the drainage features.
3. Where infiltration is proposed, evidence of ground conditions/ underlying geology and permeability including BRE Digest 365 compliant infiltration tests.
4. Detailed calculations of existing/proposed surface water storage volumes and flows with initial post development calculations and/or modelling in relation to surface water are to be carried out for all rainfall events up to and including the 1 in 100 year including an allowance for climate change.
5. Evidence that if the applicant is proposing to discharge to the local sewer network, they have confirmation from the relevant water company that they have the capacity to take the proposed volumes and run-off rates.
6. Discharge from the site should be at an agreed rate with the water company. This should be at Greenfield run-off rate; technical justification will be needed if a different rate is to be used.
7. An indicative maintenance plan detailing how the scheme shall be maintained and managed.

#### 5. Construction Environment Management plans

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's

Construction Management template. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan / Statement 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;
- k. Phasing Plan.

#### 6. Contamination remediation

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), 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 site investigation, based on the Ground Conditions and Contamination Risk Assessment prepared by GB Geotechnics Ltd (Report ref. WHHT-BDP-WGH-XX-RP-T-00116), 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.

#### 7. Tree protection

Prior to the commencement of development, an Arboricultural Method Statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. This shall be in accordance with the Arboricultural Impact Assessment (Rev C02) and shall also include the following:

- i) Facilitation pruning details;
- ii) Underground services and drainage layout; and
- iii) General construction precautionary measures including detail of Tree Protection Plan

The approved measures and details shall be installed and maintained throughout the development unless otherwise approved in writing by the Local Planning Authority.

#### 8. Fire Hydrants

No construction works shall commence until a detailed scheme for the provision of mains water services to serve the development, including, where necessary, fire hydrants, has been submitted to and approved in writing by the Local Planning Authority. No occupation of the development shall take place until the approved mains water scheme been provided in full.

Reason: This is a pre-commencement condition in order to ensure adequate mains water services, and in particular fire hydrants, are provided to serve the development.

#### 9. Energy Statement

- i) Prior to the commencement of development, an Energy Strategy in accordance with the targets and objectives set out in the Energy Strategy shall be submitted to, and approved in writing by the Local Planning Authority.
- ii) Prior to occupation, evidence demonstrating that the approved measures have been implemented, together with detail of ongoing management and maintenance to ensure the measures continue to achieve the predicted CO2 emissions reduction shall be submitted and approved in writing by the Local Planning Authority.

#### 10. Sustainability Statement

Prior to commencement of development, a Sustainability Statement based on the Sustainability Statement submitted, shall be submitted for approval in

writing by the Local Planning Authority. The development shall be constructed in full accordance with the sustainability statement prior to occupation.

#### 11. Slow-worm Translocation Strategy

Prior to the commencement of development within the donor area indicated in 'Slow Worm Translocation Strategy V01' drawing, the Translocation Strategy for slow-worms as detailed in the Preliminary Ecological Assessment Rev C02 [WHHT-BDP-WGH-XX-RP-T-00112] shall be implemented.

#### 12. Maximum Heights

All Reserved Matters applications shall accord with the approved Parameter Plan for Maximum Height as follows:

- i) No part of the building, with the exception of flues and roof top plant, shall exceed the maximum heights of the development as detailed in the Maximum Height Parameter Plan;
- ii) Where the Maximum Height Parameter Plan approves an area of building up to a maximum height of +150m AOD for up to 60% of the area, the remainder of the building in this area shall not exceed a maximum height of +112m AOD; and
- iii) Where the Maximum Height Parameter Plan approved an area of building up to a maximum height of +112m AOD for up to 75% of the area, the remainder of the building in this area shall not exceed a maximum height of +90m AOD.

#### 13. Bat survey

If the proposed demolition of the existing buildings or felling of identified trees has not been carried out before the end of April 2022 a further Bat Survey shall be undertaken and submitted and approved in writing by the Local Planning Authority prior to commencement of the development. The Bat survey shall consist of a Preliminary Roost Assessment and Emergence/Re-entry Survey undertaken by a suitably qualified ecologist.

#### 14. Compliance Statement

All Reserved Matters applications shall be accompanied by a Compliance Statement to demonstrate compliance of the Reserved Matters applications with the outline permission and shall include to following details:

- i) Demonstrate compliance with the approved Parameters Plans
- ii) Demonstrate compliance with the approved Design Code

15. Detail if and why there are any instances where the Reserved Matters application deviates from the Indicative Scheme of section 5.2 of the Design and Access Statement for the outline application Maximum Heights

All Reserved Matters applications shall accord with the approved Parameter Plan for Maximum Height as follows:

- i) No part of the building, including roof terrace screens or loggias, shall exceed the maximum heights of the development as detailed in the Maximum Height Parameter Plan;
- ii) Where the Maximum Height Parameter Plan approves an area of building up to a maximum height of +150m AOD for up to 60% of the area, the remainder of the building in this area shall not exceed a maximum height of +112m AOD; and
- iii) Where the Maximum Height Parameter Plan approved an area of building up to a maximum height of +112m AOD for up to 75% of the area, the remainder of the building in this area shall not exceed a maximum height of +90m AOD.

#### 16. Appearance

Any application in respect of reserved matter (a) 'Appearance' shall include details of all matters of appearance including, but not limited to, the following:

- i) All external materials including sample panels to be made up on site and made available for inspection by the Local Planning Authority
- ii) All plant and equipment including gas storage, roof plant, PV, cleaning cradles, lift overruns, railing, flues, vents and telecommunication equipment and any associated mitigation to avoid noise impacts;
- iii) Bridge links which shall have a transparency of 60-80% on elevations;
- iv) Entrances and Active Frontages, as identified on the Parameter Plan for Frontages and Spaces, to include shopfronts and direct accesses to ancillary retail units;
- v) How the design of the building responds to micro-climate issues such as wind and sun, including any screening or mitigation to prevent adverse wind impact or overheating

#### 17. Landscaping

Any application in respect of reserved matter (c) 'Landscaping' shall include details of all matters of site landscaping including, but not limited to, the following:

- i) Access arrangements for public and non-public spaces;
- ii) Access, landscaping and management of roof terraces and podiums
- iii) How the landscaping design responds to micro-climate issues such as wind or shading, including any mitigation;

- iv) Location and detail of all public seating and seating associated to the ancillary retail uses including microclimate mitigation for these areas including screens, shelters or heating;
- v) Location and detail of public art;
- vi) Site wide scheme of wayfinding; and
- vii) External lighting scheme.

#### 18. Final ground and floor levels

Details of the proposed finished floor levels of all buildings and the finished ground levels of the site, in relation to existing site levels of surrounding property shall be submitted to and approved in writing by the Local Planning Authority with the submission of any reserved matters application. The development shall thereafter be carried out in accordance with the approved levels.

#### 19. Contamination verification

Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation 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.

#### 20. Foul Water- Thames Water

The development shall not be occupied until confirmation has been provided that either:- 1. All wastewater network upgrades required to accommodate the additional flows from the development have been completed; or- 2. A development and infrastructure phasing plan has been agreed with the Local Planning Authority to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

#### 21. BREEAM Excellent

Within 6 months of first occupation the final post construction BREEAM certificate(s) indicating that a BREEAM 'Excellent' rating has been achieved shall be submitted to the local planning authority and approved in writing.

#### 22. Travel Plan

At least 3 months prior to the first occupation or use of the approved development a detailed Travel Plan for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented in accordance with the timetable and target contained

therein and shall continue to be implemented unless otherwise approved in writing by the Local Planning Authority

### 23. Accesses installed

No part of the development shall be occupied until the new vehicular accesses, as shown in principle on Parameter Plan Connections and Access (WHHT-BDP-WGH-00-DR-T-20003 - C01), have been laid out and constructed in accordance with the details to be approved under reserved matter (b) Access.

### 24. Surface Water Drainage Completion

Upon completion of the drainage works, 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. The management and maintenance plan shall include:

1. Provision of a complete set of as built drawings including the final drainage layout for the 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.

### 25. Arboricultural Impact Assessment

The Development shall be carried out in accordance with the Arboricultural Impact Assessment (Rev C02) unless otherwise approved in writing by the Local Planning

### 26. Cycle Storage to be installed

The cycle parking approved by any subsequent reserved matters application 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.

### 27. Car free Green Spine

The Pedestrian Priority Route to the north east of the site, identified on the Connections and Access parameter Plan, and referred to as the 'Green Spine' in the Design Code, shall be 'car-free' and used only by pedestrians and cycles other than for maintenance and emergency vehicle access.

### 28. Soft Landscaping carried out

The soft landscaping scheme to be approved under reserved matter (c) Landscaping shall be carried out as approved not later than the first available planting and seeding season after completion of the development. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next

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

### 29. 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 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 1, 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 in accordance with condition 1.

### 30. Materials Panel

Construction of the superstructure shall not commence until:

- a) Full details of the materials to be used for all 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 panelling, window frames and glazing, and have been made available for inspection and approved in writing by the Local Planning Authority.

### 31. Access

No development shall commence until full details (in the form of scaled plans and / or written specifications) have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:

- i) Roads, footways.
- ii) Cycleways.
- iii) Foul and surface water drainage.
- iv) Visibility splay
- v) Access arrangements
- vi) Parking provision.
- vii) Loading areas.
- viii) Turning areas.

### 32. Vehicular access

Prior to the first occupation or use of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing number(s) (20175/019 Rev A, 20175/026 Rev C, 20175/027 Rev A and WHHT-BDP-WGH-00\_DR-T-20140 Rev C01) in accordance with details/specifications to be submitted to and approved in writing by the Local

Planning 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.

### 33. General Vehicle Through Route Closure

Prior to the first occupation or use of the development hereby permitted general vehicle through routes via the hospital between Vicarage Road, Willow Lane and Thomas Sawyer Way will be closed to general traffic.

15

## **21/00218/FUL - 91-93 KING GEORGE'S AVENUE, WATFORD**

The Principal Planning Officer delivered her report.

The Chair then invited Mrs June Wilkinson to address the committee. Mrs Wilkinson explained that she lived adjacent to the proposed site and that her and sixty local residents had written to the council to voice their disapproval of the scheme. She also voiced her disappointment at the lack of consultation.

Mrs Wilkinson went on to detail the concerns with the proposal:

- The proposal was bulky and would result in overlooking. The local area was predominantly two storey and this scheme would be out of character with the area. She also commented adversely on the flat roof design. The balconies would overlook residential gardens. And the distances from neighbouring properties was less than the design guide recommended and contrary to Watford's planning guidance.
- The applicant had not undertaken an ecology survey. The residents commissioned such a survey which revealed bat activity on the site. The report recommended an emergence study be carried out together with a study on nesting birds. Watford's core strategy policy, GI3 required proposals to conserve and enhance biodiversity and habitats and the application was contrary to this policy.
- There were no replacement spaces for the six private garages, which would be demolished to make way for the development. The parking assessment failed to take account of this and there would be a possible resulting increase in street parking. There were no disabled spaces.
- The red line boundary included Hanover Court, but did not serve notices on these addresses, as required by law.
- The bin store appeared to be insufficient in size as it would serve two blocks of flats.

Mrs Wilkinson acknowledged the need for more housing in the area, but the provision of new housing should not be at the expense of existing residents' amenities or the environment.

The Chair thanked Mrs Wilkinson and asked the Principal Planning Officer to comment of some of the issues she had raised.

- Screening – the site would be protected by hoarding and therefore screened during the construction works. Long term there would be a boundary fence, usually six feet high. This must all be approved by Planning under conditions.
- Overlooking – the balconies were now solid on the side to prevent overlooking onto number 95. Regarding back to back distances, the distance was 27.5 metres. It was felt that because of the existence of Hanover Court, there would be no worsening of the situation and therefore the distance was considered to be reasonable.
- Ecology – it was a legal requirement that bats are not disturbed, but this was outside of planning. An ecology survey and bat survey had both been requested prior to any development taking place.
- Parking and existing garages – the garages were not included in the transport assessment, due to their limited impact on parking. Most garages were used for storage and not for parking. However, Watford's parking standards were maximums. The maximum for this development would be nineteen and nine spaces for nine flats was considered reasonable.
- Consultation letters were sent out to Hanover Court.
- Bin storage was subject to conditions, with the developer required to provide details prior to construction.
- Disabled parking – the existing scheme was from 2004. Because this was such a long time ago the council was unable to revisit this. There was no policy requirement for the scheme to have disabled parking.

The Chair invited Mr Billy Pattison of Boyer Planning to address the committee.

Mr Pattison dealt with the following four areas:

- Principle of development – the demolition of the existing building to optimise the number of urgently needed dwellings was acceptable. Currently there was anti-social behaviour and fly tipping in the area of the site.
- Design of the proposals - He described the proposed dwellings, their design features and the surrounding parking and amenity.
- Impact on neighbouring residents – he explained how the building was designed to avoid adversely impacting the nearby residents, with a daylight and sunlight survey. The balconies and windows had all been carefully considered to ensure that any overlooking did not worsen the position of residents.



- Provision of car parking – this was broken up into clusters, divided by soft and hard landscaping. Mr Pattison echoed the officer’s comments that garages were often used for storage rather than parking as contemporary cars are often too large for older garages. He concluded by describing the improved bin storage area.

The Chair thanked Mr Pattison and invited Councillor Favour Ezeifeidi, councillor for Holywell ward, to address the committee.

Councillor Ezeifeidi highlighted two issues.

- Engaging with the community – she expressed surprise that the residents had only recently been informed about the committee.
- She highlighted the error that had already been pointed out and corrected by the Principal Planning Officer, stating there were no side facing windows to number 95.

The councillor urged the committee to reject the proposal.

The Chair thanked Councillor Ezeifeidi and asked the Principal Planning Officer to clarify what notices and consultation had taken place. It was explained that the initial consultation was February 2021, amendments to the scheme circulated in April 2021 and the notifications that the matter was coming to committee were sent out on 21 July.

The committee debated the issues and most members stated that they were very unimpressed with the design and did not support the application in its current format.

There was a lengthy debate with some councillors wishing to refuse the application, but unsure if there were sufficient grounds. The debate focussed on the following:

- Bulky, plain and uninspiring design.
- Flat roof out of character with the area.
- Rectangular, monolithic design, with large blank walls.
- Did not comply with policy UD1 for a “beautiful and sustainable” design.
- Loss of privacy for neighbours.
- Adverse effect on the ecology.
- Two storeys would be preferable to three in this area.

Councillor Bell proposed a motion to refuse and advice was sought from the Head of Planning and Development if there were sufficient grounds to refuse. Opinion was provided that there were but the proposed motion needed more

detail. To assist the committee, the Principal Planning Officer provided a suggested wording for the motion.

The Chair moved the recommendation to refuse section 73 application for the variation of condition 8 of planning permission 19/01411/VAR. The committee voted unanimously.

RESOLVED –

that the application be refused for the following reasons:

1. By virtue of the form, flat roof, siting, bulk, lack of design detailing and large blank flank walls, the development would be of an incongruous architectural design, dominant and overbearing visually in streetscene and out of keeping with the character and appearance of the area. The proposed development fails to meet the requirements of policies UD1 of the Watford Local Plan Core Strategy, paragraph 7.3.4 of the Watford Residential Design Guide. The development would fail to create a high quality, beautiful and sustainable buildings and is contrary to paragraphs 126, 130 and 134 of the NPPF. This harm would significantly and demonstrably outweigh the benefits of the development when assessed against paragraphs 11 (d) (ii) of the NPPF.
2. The development would create unreasonable adverse impacts to amenity of neighbouring properties. By virtue of its appearance, position, depth and height the proposed development would have relationships to neighbouring properties contrary to guidance of 7.3 of the Residential Design Guide. The development would create visual dominance and an overbearing sense of enclosure to occupiers of No.95 King Georges Avenue and would result in unreasonable overlooking and loss of privacy to properties at Nos.12 to 28 Cassiobridge Road. The adverse impact to neighbours is contrary to policies SS1 and UD1 of the Watford Local Plan Core Strategy 2006-31 and sections 7.3 of the Residential Design Guide 2016.

Chair

The Meeting started at 7.00 pm  
and finished at 9.25 pm