

Development Management Committee

29 June 2016

Present: Councillor S Johnson (Chair)
Councillors D Barks, S Bashir, N Bell, J Maestas, A Rindl, I Sharpe,
J Dhindsa and M Watkin

Also present: Councillor Asif Khan and Councillor Bilgees Mauthoor

Officers: Development Management Section Head
Planning Officer
Committee and Scrutiny Support Officer

5 Apologies for absence/committee membership

There was a change of membership for this meeting: Councillor Rindl replaced Councillor Martins and Councillor Dhindsa replaced Councillor Joynes.

6 Disclosure of interests (if any)

There were none.

7 Minutes

The minutes of the meeting held on 8 June 2016 were submitted and signed.

8 16/00117/FUL The Dell, The Harebreaks WD24 6NF

The committee received the report of the Head of Development Management, including the relevant planning history of the site and details of the responses to the application.

The Head of Development Management introduced the item, explaining that the application was for a temporary (2 year, amended in the update report) site with storage containers, portable cabins to be used for storage, collection point and office space for refurbishment of Watford Community Housing Trust stock (kitchens, bathrooms, roofs, windows).

The total value of the works to be carried out was £15 million, of which around £1.5 million would be spent refurbishing properties in the immediate surrounding area. The centralised compound offered efficiency savings, and had been proposed following a lengthy search of alternative locations.

Following concerns about the size of the proposed site, officers had produced a more accurate, to scale location map which demonstrated that the 30m x 30m compound would occupy around 10% of the available open space.

Attention was drawn to the update report, which included some clarifications and additional comments.

The Chair invited Mr David Wright from Watford Community Housing Trust to speak in support of the application. Mr Wright explained that the Trust had undertaken extensive consultation with residents in an effort to mitigate concerns about the proposed compound. This had included discussions to establish what additional facilities could be provided by the Trust following removal of the compound at the end of the project.

In response to feedback from residents, the Trust had reduced the size of the compound, given firm assurances about spillover parking on surrounding roads and, in the interests of safety, agreed that delivery lorries would not be permitted to reverse out of the compound onto the main road.

It had also been proposed to work with local schools to agree a design for the compound perimeter.

The Chair then invited Councillor Asif Khan, Leggatts ward councillor, to speak to the committee. Councillor Khan asked the committee to consider the historic design of the area and the importance of the green space to local residents.

The siting of the proposed compound was contrary to Council policy and was opposed by residents, large numbers of whom had signed a petition which had been submitted to the Housing Trust.

Councillor Khan added that this was not nimbyism. Local residents were supportive of the refurbishment programme, but were opposed to the use of this site for the compound. Councillor Khan requested that the Trust seek an alternative location, particularly in light of the welcome reduction in the project length which could make other options more viable.

The Chair invited comments from the committee.

Members expressed concern about the use of valuable green space in a largely urbanised area for the siting of the compound. This was an important area of local recreation. Seeking clarification from the Head of Development Management on the alternative sites considered, it was confirmed that a thorough search had been undertaken by the Trust. This had concluded that The Dell was the most appropriate site for the compound and offered the greatest scope to maximise efficiencies on the project.

The Head of Development Management further advised that the siting of the compound in The Dell would not establish a precedent. The scope, size and ambition of the application were unique and unlikely to be replicated elsewhere in the borough.

In response to a query about informative number 4, it was confirmed that there was an error in the wording and members should ignore the reference to any named road.

There followed a discussion about the loss of amenity represented by the application and the impact this would have on local residents. Some members considered that, even though it was only a temporary application, the impact on the character and appearance of the area was too great. There were also questions about whether the project would be completed to the agreed schedule.

Other members argued that, although the area had historic significance, it was not a conservation area. It was important to weigh the significant programme of proposed improvements against the short term loss of amenity. Any delay in the start of the improvement programme would be regrettable. The amended two year proposal provided an opportunity for the Trust to demonstrate its good neighbourliness, as well as affording time for alternative sites to be sought for the remainder of the five year project.

The Chair invited Councillor Bell to propose a motion.

Councillor Bell moved to refuse the application on the grounds of loss of amenity and green space and due to the impact on the character and appearance of the area.

On being put to the Committee, the motion was LOST.

In accordance with Standing Committee Procedure Rules 4.5, Councillors Bell, Bashir and Dhindsa requested that it be recorded in the minutes that they had cast their votes **for** the motion.

Following further discussion by the committee, which did not raise any new, material points, the Chair moved the officer recommendation.

In accordance with Standing Committee Procedure Rules 4.5, Councillors Bell, Bashir and Dhindsa requested that it be recorded in the minutes that they had cast their votes **against** the motion.

RESOLVED –

that conditional temporary planning permission be granted subject to the following conditions:

Conditions

1. Within two years of the date on the decision notice the use hereby approved shall cease and the land shall be restored in full to its previous condition.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings:-
 - Site location plan
 - Keepmoat site compound.

For the avoidance of doubt the square compound area shall not exceed 30m x 30m.

3. Prior to commencement of the use hereby permitted details of the boundary treatment shall be submitted to the planning authority for approval in writing. Thereafter the boundary treatment shall be installed and maintained in accordance with the approved details for the duration of the temporary use hereby approved.
4. Prior to first use the new parking areas hereby approved shall be surfaced in tarmacadam or similar durable bound material and arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge onto the public highway.
5. Prior to the commencement of development details of access /egress road serving the site shall be submitted and approved in writing by the highway authority. This should include details of separate access/egress arrangements. Thereafter the access/egress road shall be installed and maintained in accordance with the approved details for the duration of the temporary use hereby approved.

Human Rights Implications

The Local Planning Authority is justified in interfering with the applicant's Human Rights in order to alleviate any adverse effect on adjoining properties and their occupiers and on general public amenity. With regard to any infringement of third party Human Rights, these are not considered to be of such a nature and degree as to override the Human Rights of the applicant and therefore warrant refusal of planning permission.

Informatives

1. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended. The Council also gave pre-application advice on the proposal prior to the submission of the application and undertook discussions with the applicant's agent during the application process.
2. Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris in the highway.
3. The applicant is advised that storage of materials associated with the development should take place within the site and not extend into the public highway without authorization from the highway authority, Hertfordshire County Council.
www.herts.org/services/transtreets/highways or phone 0300 1234047 to arrange.
4. The applicant is advised that they may need to enter into a S278 legal agreement under the Highway Act to construct the access which is on a public highway. The completion of a S278 agreement may take up to 14 weeks.
5. You are advised of the need to comply with the provisions of The Control of Pollution Act 1974 Part IV, The Health & Safety at Work Act 1974, The Clean Air Act 1993 and The Environmental Protection Act 1990.
6. In order to minimise the impact of noise and general construction, work should be restricted to the following hours:

- Monday to Friday 8am to 6pm
- Saturdays 8am to 1pm
- Noisy work is prohibited on Sundays and bank holidays.

Chair

The Meeting started at 7.30 pm
and finished at 8.25 pm