

DEVELOPMENT MANAGEMENT COMMITTEE

16 MAY 2023

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

Also present: Jessica Wilson, Applicant

Officers: Associate Director of Planning, Infrastructure and Economy
Strategic Applications Manager
Democratic Services Manager (BR)
Principal Planning Officer (CO)

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.

54 **APOLOGIES FOR ABSENCE**

No apologies were received

55 **DISCLOSURE OF INTERESTS**

No disclosures of interest were made.

56 **MINUTES**

The minutes from the meeting on 4 April 2023 were approved and signed.

57 **22/01226/FULM - WELLSTONES CAR PARK, WATFORD, WD17 2AF**

In addition to the report set out in the agenda the committee also had circulated to them a letter from the applicant's solicitors pointing out

concerns regarding the officer's views relating to the nearby heritage asset. A note from the Group Head of Democracy and Governance in response to this letter was also circulated.

The Principal Planning Officer introduced the item and went through his report in great detail. He addressed the points raised in the solicitor's letter. He highlighted in particular the issues relating to the daylight/sunlight surveys, the effects on the Grade 1 and associated Grade 2 listed buildings and lack of affordable housing.

The Chair thanked the officer and invited Jessica Wilson to speak in favour of the application.

Jessica Wilson stated that the applicants had spent sixteen months of active and fruitful work on this development. The applicants had been working closely with the council and had been willing to include affordable housing despite it being financially unviable. She pointed to several positive comments made by the place-shaping panel. She continued to say that, none of the issues raised in the officer's report had been brought up during the application process and that during the process they had reduced from a maximum of twelve storeys to a maximum of eight. They had also added a footpath. Overall, the development would be fifty units smaller than originally planned.

Furthermore, she argued that the proposal was supported by a BRE daylight/sunlight survey. The Developer had discussed the concerns raised by local residents with the council officers during the application process and that the design had evolved with due consideration for the nearby heritage assets. She raised concerns that Historic England had not been consulted in relation to the Grade I listed building and was of the view that the officer's concerns were unfounded. Amongst the benefits, she listed were the redevelopment of the plot and the creation of a high standard of housing, which would contribute towards meeting the Council's shortfall in housing delivery. She further indicated that the application was supported by the highways authority and highlighted that significant time and costs had been invested in the project. She requested that the committee, if unable to approve the application, would at least be able to defer it.

The Chair thanked Jessica Wilson and invited members of the committee to ask her questions directly.

Councillor Watkin asked what the benefit there would be to deferring the application.

Jessica Wilson responded by saying that several issues had only been brought to their attention recently, in particular, the weight attached to the heritage concerns and secondly the issues in relation to the daylight/sunlight surveys. Moreover, she stated that they would be open to further discussion in relation to affordable housing.

Councillor Watkin asked a second question, stating that with respect, he was surprised at their reaction to the daylight issue due to the size of the building. As a non-architect, he could see that there would be an impact from the sheer size and proximity of the buildings.

Jessica Wilson answered this by stating that this location was an allocated site and anything there would have a degree of impact on the local area especially as the existing buildings had been built right up to the boundary creating a greater restriction on any new builds.

Councillor Watkin asked a third question, he inquired if the application were to be deferred what would be done to deal with the daylight issue.

Jessica Wilson responded that they would have more time to run viability studies in relation to both affordable housing and the daylight/sunlight issue.

The Chair then invited Councillor Bell to ask questions.

To begin with, he stated that the sunlight/daylight issue had continued to be a problem. He noted the various positive notations made by the place-shaping panel. Concerning the heritage aspect, he stated that the Council must be sensitive and careful about something close to one of the jewels of Watford. He questioned if the heritage aspect had been taken into account by the developers.

Jessica Wilson replied that the Developer agreed on heritage and have always considered it furthermore; they had designed a scheme that would respect that.

Councillor Pattinson asked for clarification regarding the BRE approved daylight/sunlight assessment as it differed to one carried out by the council, and why she thought that was.

Jessica Wilson responded that planning judgement was applied. Evidence was used from other places in the local area and there was a degree of subjectivity to these reports.

The Chair thanked the members and Jessica Wilson, he went on to state that the commentary from the design panel was largely to do with architectural aesthetics, and not simply about factual measurable aspects. He felt it was not good enough for developments to have passed the subjective test, but failed the objective tests. Furthermore, it was important to be a good neighbour and this development would not. He stated that Watford had very few heritage buildings, as such; the site was of very high value and must be respected. He echoed the views expressed by Councillor Bell in this regard, in particular noting the impact in relation to the view from Percy Road. He believed obstructing the view from the neighbouring residential building, The Clock House, to such a degree, would be a significant issue. He also stated that the daylight/sunlight issue affecting residents who already lived there was unacceptable. Finally, he stated that there was not enough affordable housing available. Having noted the benefits of the proposal, he reached the conclusion that on balance the downsides far outweighed the upsides.

The Chair then invited the committee to discuss the application and ask questions of the officer.

The committee noted that the site was allocated for forty dwellings and asked whether this application, consisting of eighty-nine dwellings, would, be considered overdevelopment. The officer responded that forty was an indicative yield in the Local Plan and was not a cap on development. There could be more than forty units, but it would depend on planning factors such as the impact on neighbouring properties and the impact on listed buildings.

The committee felt that the development would not deliver enough high-quality housing, especially with the lack of light. It was recognised that the place-shaping panel report made some good and positive points but on balance the concerns in relation to light, harm to the listed buildings and affordable housing viability meant that it could not be supported. The committee also felt that the issues were too substantial for a deferral, and that a decision should be reached at the meeting.

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

On being put to the committee, the application was refused in accordance with the officer's recommendation.

RESOLVED –

That planning permission be rejected due to the following reasons:

- 1) The height and scale of the proposed development would appear dominant and visually compete with the Grade I listed Holy Rood Church and associated group of Grade II listed buildings in views at the eastern end of Percy Road and from the north-west in Exchange Road. This would cause less than substantial harm to the setting of the designated heritage assets, which would outweigh the public benefits of the proposal. The proposal is therefore contrary to Policies HE7.1 and HE7.2 of the Watford Local Plan 2021-2038 and Chapter 16 of the National Planning Policy Framework.
- 2) The proposed development owing to its scale and siting would cause significant harm to the living conditions of the occupiers of The Clock House in respect of substantial loss of daylight and outlook. The proposal therefore conflicts with Policy CC8.5 of the Watford Local Plan 2021-2038 that states that development should be designed to protect the amenity of adjacent uses and their occupants. In this respect, the proposal is also contrary to paragraph 130 of the National Planning Policy Framework, which seeks to create places with a high standard of amenity for existing and future users.

Chair

The Meeting started at 7.00pm
and finished at 8.10pm