

DEVELOPMENT MANAGEMENT COMMITTEE

9 JANUARY 2024

Present: Councillor Jeffree (Chair)
Councillor Martins (Vice Chair)
Councillors Bell, Pattinson, A Saffery, G Saffery, Smith,
Trebar and Watkin

Also present: Darshika Shah, Developer
Councillor Lenny Nembhard

Officers: Development Management Lead
Development Management Manager
Planning Officer (EP)
Planning Officer (SZ)
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.

23 APOLOGIES FOR ABSENCE

No apologies were received.

24 DISCLOSURE OF INTERESTS

There were no disclosures of interest.

25 MINUTES

The minutes from the meeting on 6 December 2023 were approved and signed.

The Planning Officer (EP) delivered her report.

The Chair thanked the officer and invited Darshika Shah, the developer, to speak in relation to the application. Ms Shah stated that the application was originally approved in 2022 and constructed in 2023, during this process it became apparent that the original walls should not be kept and it was advised by building control that they should be changed this was the reason for the additional height of the building

The Chair thanked Darshika Shah and invited Councillor Lenny Nembhard to speak; the Councillor stated that he was representing residents living near to the development. As well as summarising some of their objections, he also read out individual statements from residents. Their objections included the change of use stating the plan had been for a personal gym and instead it had been used as a residence with its own kitchen. As well as differences in the design and the actual build aside from the overall size and scale, this had included a door on the side with a window that overlooked a neighbouring property. Residents did not have confidence that the property would not be kept in the manner agreed and if it was not constantly monitored. Furthermore, they believed that another plan should have been submitted before building took place.

Residents also raised the height and size of the development, compared with the original plan as an objection. It was stated that it was not in keeping with the area. It was also stated that a boundary line had not been not adhered to. While another neighbour had objected stating, that it was an independent dwelling with an extra door and overlooking their property. The dummy door that was supposed to be there had not been included.

The Chair thanked Councillor Lenny Nembhard. He continued to remind the committee of their responsibility, and what would be considered planning reasons that could be considered and what could not be. He highlighted the agreement that has been entered in to with the planning officers. In the Chair's opinion the size and scale was not imposing and he saw no issue with it. He passed it to the committee to discuss.

There were questions from the committee in relation to the agreement, it was clarified that it was both legally binding and transferable to future owner and that any breaches could be dealt with via immediate legal action and not the planning process.

The Chair moved for the committee to vote on his motion.

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

RESOLVED –

That planning permission be granted subject to the following conditions

Conditions:

1. Approved drawings

The development hereby permitted shall be carried out in accordance with the following approved drawings:

SD2341(P)03,

SD2341(P)01-B,

Site Location Plan.

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23/01007/FUL - 350 CASSIOBURY DRIVE

The Planning Officer (EP) delivered her report to the committee.

The Chair thanked the Planning Officer and noted there were no speakers for or against the application. He then discussed the history of the application. He stated it was similar in scale to the neighbouring houses, and did not stand out. He noted that it was set back and not overly prominent in the street view and he saw no reason to vote against it. The Chair then invited the committee to discuss the proposal.

A member of the committee noted that the building occupied a lot of the plot size, but no members raised any objections.

The Chair moved for the committee to vote on the officer's recommendation that planning permission be granted.

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

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:

PL-08, PL-10, PL.12, PL.15, PL.16, PL-04A, PL-05A, PL.02, PL-11, PL.13, PL.14, PL.15, PL-07A, PL-09A, PL-06A, PL.08B, PL.01_RevA.

3. Materials

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

4. Obscure glass

The proposed first floor side windows in the northern and southern side elevations of the dwelling shall be permanently fitted with obscure glass and the part of the window less than 1.7m above internal floor level shall be permanently fixed closed, unless otherwise agreed in writing by the Local Planning Authority.

5. The 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, as set out in the Building Regulations (2010) Approved Document G Requirement G2 and Regulation 36.

6. No part of the development shall be occupied until the details of the design and materials of the bin storage have been submitted to and approved in writing by the Local Planning Authority. The bin storage shall be installed in accordance with the approved details and retained as such unless otherwise approved in writing by the Local Planning Authority.

7. No part of the development shall be occupied until full details of a soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be carried out 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.

8. The development hereby approved shall be constructed 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.

9. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any modification or re-enactment thereof), no enlargements of the dwellinghouse permitted under Classes A, AA or B shall be carried out or constructed without the prior written permission of the Local Planning Authority.

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23/00968/FUL 205, NORTH APPROACH, WATFORD, WD25 0ES

The Planning Officer (SZ) delivered his report to the committee.

The Chair thanked the Planning Officer, the Chair asked if it was only used as a walkway why did it need to be as wide as responded that they did not have a floor plan of the whole building and stated it was a long thin room and that if it evoked additional people it would be in keeping with the use of the building, which has been there a long time. In addition, in relation to the use of a condition it would have to be considered necessary. In the officer's view is that it would not be, and enforceable which they noted would be very difficult given the nature of it.

The Chair thanked the officer and invited Councillor Lenny Nembhard to speak.

Councillor Lenny Nembhard stated that he had been asked to speak on behalf of residents living around this area; he had also lived around the area for the last 30 years. He pointed out that this was the third retrospective application from this centre; he believed this indicated that they showed a total lack of respect for the planning process. He did not believe that it would be used simply as a walk way and irrespective of what was decided by the committee they would do exactly what they wanted.

He went on to state that there were concerns about the building material used and if it corresponded to fire safety regulations, and noted that there had been complaints about people parking in front of drives and the noise from the centre. There was a lack of care for local residents from the centre shown.

The Chair thanked the Councillor, and stated he was largely in agreement with what the Councillor had said. He reminded the committee that they could not penalise people for making retrospective applications. The previous version of this building that had been refused by the committee had later been granted on appeal. The Chair also commented on the elements

that would relate to building regulations. The Chair then highlighted that the various issues relating to this were not planning issues. He then invited the committee to comment.

Overall, the committee expressed a lot of scepticism around this application. There was a lot of understanding shown towards the residents and the concerns raised but it was generally agreed that these were not planning considerations. There was a question raised as to if the recommendation would be different if this had not been a retrospective application and had been a new application. It was clarified that the recommendation would be the same.

The Chair moved for the committee to vote on the officer's recommendation that planning permission be granted.

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

RESOLVED –

That planning permission be granted subject to the following conditions:

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

Drawing nos 205NA/SP, 205NA/01, 205NA/02, 205NA/

2. Use

The outbuilding hereby approved shall be used only for purposes incidental to the residential use of the main house. It shall not be used for any other purpose and shall not be occupied as habitable accommodation or as an independent dwelling.

Chair

The meeting started at 7.00 pm.
and ended at 8.10 pm.