

DEVELOPMENT CONTROL COMMITTEE

26 JUNE 2014

Present: Councillor R Martins (Chair)
Councillor G Derbyshire (Vice-Chair)
Councillors S Bashir, N Bell, J Connal, S Johnson, I Sharpe,
M Watkin and T Williams

Also present: Councillor Jeanette Aron

Officers: Development Management Section Head
Major Cases and Enforcement Manager
Committee and Scrutiny Support Officer (RW)

1 APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP

There were no apologies: all Committee members were present.

2 DISCLOSURE OF INTERESTS (IF ANY)

There were no Disclosures of Interest.

3 MINUTES

The minutes of the meeting held on 5 June 2014 were submitted and signed.

4 OUTSTANDING PLANNING APPLICATIONS AS AT 13 JUNE 2014

The Chair noted that there were no applications over eight weeks yet to be determined and thanked Planning officers for their diligence.

RESOLVED –

that the report be noted.

5 ROUNTON, 28 NASCOT WOOD ROAD

The Committee received a report of the Development Management Section Head including the relevant planning history of the site and details of six responses to the application. One letter expressed support for the proposal and five made objections to the application.

The Major Cases and Enforcement Officer advised that the current Application related only to scale, appearance, layout and landscaping for the dwellings at Rounton; other conditions and matters covered by the Section 106 planning obligation were still to be approved.

The Major Cases and Enforcement Officer explained that affordable housing would be provided at an alternative site in the borough. This housing would be in the form of seven affordable units in Aldenham Road. A proposal for a Woodland Management Plan would also be dealt with separately.

The Major Cases and Enforcement Manager outlined the application and added that there would be no homes on site with more than three levels of accommodation.

The Major Cases and Enforcement Manager then drew the Committee's attention to the Update Sheet. He noted that a eucalyptus tree on the boundary with number 35 Bay Tree Walk had caused damage to the boundary wall. The Major Cases and Enforcement Manager explained that, on the site map, this tree had not been shown as being retained and it was not the subject of a Tree Preservation Order (TPO). The Council's Arboricultural Officer had agreed that there would be no problems associated with removing this tree.

The Major Cases and Enforcement Manager advised that a full specification of materials to be used was still awaited and noted that Condition 2 in the report recommended that full details of all external materials be still subject to approval.

The Major Cases and Enforcement Manager concluded by advising that, at present, the developer proposed to use only two designs of roof tiles and three colours of brick.

The Committee agreed that Councillor Jeanette Aron could speak to the meeting in her capacity as a ward councillor.

Councillor Aron said that she had addressed the meeting in July 2013 when the last application at Rounton had come to Committee. She advised that, along with local residents, she had concerns regarding management of the woodland on site and explained that, when the application for s.106 approval came to committee, she hoped to see details of the Woodland Management Plan included in the proposals.

Councillor Aron stressed that she hoped that future residents would be made aware of their commitment to the site and asked that the developer ensure that the new owners were made aware of the Ancient Woodland and their responsibility for its management.

The Major Cases and Enforcement Manager advised that the detailed requirements of s.106 agreements were usually delegated to officers but could be brought to committee for a decision if Members so wished.

The Committee then discussed the application.

Councillor Watkin reminded the committee that the Ancient Woodland had been at the heart of the debate at previous meetings and agreed that residents were concerned that this woodland should be adequately protected. He stressed that residents had no wish to see future harm to the existing woodland and asked how the Council could ensure that this area would be suitably maintained.

The Major Cases and Enforcement Manager explained that the s.106 agreement set out the basic management plan and added that only those residents who maintained the woodland would have access to this area.

Councillor Sharpe referred to the officer's comments regarding the s.106 agreement and confirmed that officers usually dealt with such matters. He considered, however, that since the Rounton site had been the subject of significant public interest, it would be wise to not make this decision 'behind closed doors' but to bring the matter to committee. He stressed that he did not wish to set a precedent but that there appeared that, in this case, there was good reason to make an exception.

Councillor Connal asked for clarification over the plans for the Ancient Woodland and the reference in the report to Ascot Road. The Major Cases and Enforcement Manager confirmed that, in the section of the report dealing with human rights implications, the first sentence (which referred to a site in Ascot Road) had been included in error and should be deleted. He confirmed that the remainder of this section and the recommendation were correct.

For the benefit of the Committee, the Major Cases and Enforcement Officer clarified the extent of the boundaries of the Ancient Woodland and also which trees had been the subject of TPOs. He added that there was a 15m buffer zone between the Ancient Woodland and the gardens of the new homes. The Officer stressed that those trees covered by a TPO were not part of the Ancient Woodland.

Councillor Derbyshire asked what progress had been made in setting up the Woodland Management Committee as noted in the minutes of the Development Control Committee meeting of 18 July 2013.

The Major Cases and Enforcement Manager advised that the Committee would be constituted in accordance with the requirements of the s.106 agreement. The management committee would be comprised of residents and the agreement specified the responsibilities of the Committee in order to effect the continued maintenance of the area. The Major Cases and Enforcement Manager added that this approach had been agreed in substance at the time of the public enquiry; the same provisions had been carried over and formed part of the current legal agreement.

Councillor Bashir noted comments from the neighbourhood consultations. He asked whether a fence would be provided along the boundary with Birch Tree Walk and whether more trees had been felled than was necessary.

The Major Cases and Enforcement Manager replied that some comments referred to the Ancient Woodland which was not part of the current application. He added that the Woodland Management Plan would include details of annual maintenance plans.

With regard to the trees which had been felled, the Major Cases and Enforcement Manager assured the Committee that all trees which were subject to TPOs had been retained. The eucalyptus tree noted above was not covered by a TPO.

In reply to a question from Councillor Bell, the Major Cases and Enforcement Manager confirmed that the management company would comprise only of residents.

The Chair noted that, whilst further discussions regarding the woodland management plan would be pursued by officers, nevertheless it was appropriate that the matter should be referred to the Development Control Committee for determination.

RESOLVED –

that the details of the scale and appearance of the buildings and the layout and landscaping of the site be approved, pursuant to Condition 1 of outline planning permission ref. 13/00450/OUTM dated 29th July 2013, in accordance with the submitted details and the conditions as set out below:

Conditions

1. The development shall only be constructed in accordance with the details shown on the following approved drawings:

11.090.100 Rev.9 (black and white), 11.090.100 Rev.9 (colour), 101, 102 Rev.9, 103 Rev.9, 104 Rev.9, 105 Rev.A (all Eric Cole Architecture)

11.060.01A, 02A, 03, 04A, 07A, 08A, 09A, 10A, 11A, 12A, 15A, 16A, 17A, 18A, 19, 20A, 30A, 31, 32 (all Eric Cole Architecture)

P694/1 (PFA Consulting)

100D (hardsurfacing details only), 201D (soft landscaping only), 500D, 501C, 502B, 701B (arboricultural construction works only) (all RPS)

Typical Tree and Shrub Palette (RPS)

2. No construction works shall commence until a schedule of external materials for the approved buildings and hard landscaping has been submitted to and approved in writing by the Local Planning Authority. This shall be based upon the details shown on the approved drawings and shall include manufacturers details and samples.

3. No construction works shall commence until details of the proposed tree ground protection system(s) to be used have been submitted to and approved in writing by the Local Planning Authority.

Drawing nos.

11.090.100 Rev.9 (black and white), 11.090.100 Rev.9 (colour), 101, 102 Rev.9, 103 Rev.9, 104 Rev.9, 105 Rev.A (all Eric Cole Architecture)

11.060.01A, 02A, 03, 04A, 07A, 08A, 09A, 10A, 11A, 12A, 15A, 16A, 17A, 18A, 19, 20A, 30A, 31, 32 (all Eric Cole Architecture)

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Chair
Development Control Committee

The Meeting started at 7.30 pm
and finished at 7.55 pm