

DEVELOPMENT CONTROL COMMITTEE

17 JULY 2014

Present: Councillor R Martins (Chair)
Councillor G Derbyshire (Vice-Chair)
Councillors S Bashir, N Bell, I Sharpe, T Williams and P Jeffree

Also present:

Officers: Development Management Section Head
Senior Planning Officer
Committee and Scrutiny Support Officer (RW)

6 APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP

Apologies had been received from Councillors Connal and Watkin.

There was a change of membership for this meeting: Councillor Jeffree replaced Councillor Johnson.

7 DISCLOSURE OF INTERESTS (IF ANY)

There were no Disclosures of Interest.

8 MINUTES

The minutes of the meeting held on 26 June 2014 were submitted and signed.

9 OUTSTANDING PLANNING APPLICATIONS AS AT 9TH JULY 2014

RESOLVED –

that the report be noted.

10 1 AND 1A PERCY 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.

The Senior Planning Officer outlined the application and drew the Committee's attention to the Update Sheet which noted the amended drawings, amended Condition 6 and the additional Condition 10.

Councillor Bashir referred to page 25 of the agenda and noted the impact on the existing parking problems in the area of nine 'car free' flats. He asked whether sufficient measures had been taken to control the effect on parking of the extra vehicles at the new development and whether an assessment had been conducted on the effect of displaced parking for existing homes.

The Senior Planning Officer advised that Policy T26 of the Watford District Plan 2000 provided for car free developments which had good access to existing passenger transport services. He noted that the flats would be within walking distance of both train stations and bus stops; he added that the proposal would be sited in a sustainable location and that shops and amenities were close by. He also advised that there were bus stops located within 200m of the site.

The Senior Planning Officer further advised that the site was located within a Controlled Parking Zone and since occupiers of the flats would not be entitled to parking permits, this would act as a deterrent to car ownership.

Councillor Bashir then referred to the issue of privacy as stated on page 23 of the report. He noted that the report had explained that the proposal would 'not give rise to significant impact on the privacy of neighbours' and asked whether the application should be granted when privacy remained an issue.

The Senior Planning Officer advised that the new development could actually improve levels of privacy for neighbours in some respects. He said that there were currently two first floor windows on the southeast elevation of 1 Percy Road which faced windows on the rear of number 28 Market Street and that those windows were currently fitted with clear glass; the new building, however, would have no windows on this elevation. The officer added that the new windows on the rear elevation of the new building closest to No. 3 Percy Road would not be sited nearer to the rear of the properties located on Market Street when compared to those which exist at present at the rear of No. 1A. He also advised that some of those windows on the rear elevations of Market Street properties were small and did not serve habitable rooms, as detailed on the plans.

Councillor Sharpe asked whether Mr Drage, who had made objections to the proposal and had expressed a wish to speak to the Committee, was aware that the current meeting was being held.

The Chair replied that at a residents' meeting on the previous evening, Mr Drage had said that it appeared that he was the only party with an interest in the proposed development. The Chair had spoken to Mr Drage earlier in the day and confirmed that he was aware of the time and date of the meeting but had decided not to attend and make representations.

Councillor Sharpe said that the decision of the Development Control Committee was constrained by the situation regarding the buildings currently on the site.

Members were required to consider whether the proposal would be more harmful than the existing situation; if this were the case then this would impact on the decision. However, the Committee could not require any new development to improve on the current situation.

Councillor Sharpe noted that occupiers of the flat would not be entitled to a parking permit and would consequently need to make alternative arrangements.

Councillor Derbyshire expressed his approval for the development. He considered that the buildings currently on the site were unattractive and did not complement the nearby heritage assets which encompassed Holy Rood Church and Holy Rood Court.

Councillor Derbyshire said that the proposal constituted a substantial improvement and would raise the standard of this corner of Percy Road.

Councillor Derbyshire then praised the proactive interest of officers and the amendments on fenestration: in design, height and the effect on soffits. He added that the materials would harmonise with the houses in Percy Road and Market Street and would create a positive enhancement to the area.

Councillor Bell agreed that changes to the original plans had resulted in a more attractive appearance for the development but added, however, that he had concerns regarding parking and refuse collection. He noted that the refuse collection vehicles would be unable to access the flats and suggested that sensitivity was required when dealing with narrow Victorian streets, such as Percy Road, and the commercial buildings on Market Street.

The Senior Planning Officer agreed that ideally there would be space for the collection vehicles on site; however, this was not always possible. He agreed that there was insufficient space for the vehicles to access and manoeuvre on site but noted that there would be only nine flats and that communal bins would be provided. Collection, therefore, would not take a significant amount of time. He said that whilst the situation was not ideal this did not constitute a reason for refusal.

In reply to a question from Councillor Bell, the Senior Planning Officer said that, as far as he was aware, the only scheme submitted for consideration was the current one for nine flats; there had been no proposals suggested for a smaller scheme. He added that the proposed garden space and internal room sizes were in excess of the minimum requirements and therefore the scheme did not represent overdevelopment.

Councillor Bashir reiterated his concerns regarding parking; he noted that the new residents would almost certainly have vehicles and added that visitors would arrive after 6.30 p.m. when parking restrictions ended. He said that parking in this vicinity was already 'horrendous' and asked how this could be addressed.

The Chair reminded the Committee that parking difficulties were not a sufficient reason for refusal of the application.

Councillor Sharpe explained that when the Committee had, in the past, used parking as a reason for refusal the decision had, almost universally, been reversed on appeal because of Central Government and District Plan policies on maximum, rather than minimum, parking standards. He said that the Committee were well aware of parking problems in the terraced-homes areas of Watford but that if the current application were to be turned down the result of an appeal would certainly be approval for the scheme.

The Chair advised that at the previous evening's residents' meeting, consideration had been given to an extension of the CPZ parking enforcement hours. He added that this is something ward councillors had agreed to explore but could not predict the outcome

RESOLVED –

that planning permission be granted, subject to the following conditions:

1. The development to which this permission relates shall be begun within a period of three years commencing on the date of this permission.
2. Demolition of the existing buildings and construction of the development hereby permitted shall not take place before 8am or after 6pm Mondays to Fridays, before 8am or after 1pm on Saturdays and not at all on Sundays and Public Holidays.
3. Notwithstanding the information already submitted, no works of construction shall commence until details of (a) the materials to be used for all the external finishes of the building, the new brick wall and all hard surfaced areas, (b) the reveal treatment to be applied around all windows and doors and (c) the external finish of the dormers and the eaves/soffit treatment, including in the case of (b) and (c) drawings illustrating the relevant details at a scale of 1:20, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the details approved under this condition.
4. No development shall commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details of contractors' parking, the delivery and storage of materials, wheel washing facilities, measures to mitigate noise and dust and a contact procedure for complaints. The Plan as approved shall be implemented throughout the construction period.
5. Notwithstanding the information already submitted, no works of construction shall commence until full details of both hard and soft landscaping works, including details of any new planting, any changes to ground levels, all pathways, amenity areas/paving, lighting and, where required, a phasing

programme have been submitted to and approved in writing by the Local Planning Authority.

The approved landscaping scheme, with the exception of the planting, shall be completed prior to any occupation of the development or in accordance with an approved scheme of phasing. Any proposed planting shall be completed not later than the first available planting and seeding season after first occupation of any part of the development. For the purposes of this condition a planting season is the period from 1 October in any one year to 31 March in the next following year. 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.

6. Notwithstanding the provisions of Part 2 of the Second Schedule to the Town and Country Planning General Development Order 1995, as amended (or any Order revoking or re-enacting that Order), no gates, fences, walls or other means of enclosure, other than that approved under Condition 10, shall be installed within the undercroft entrance or anywhere else on the site without the prior written approval of the Local Planning Authority.

7. No part of the development shall be occupied until the cycle, refuse and recycling storage enclosures have been laid out and constructed in accordance with the approved drawings and made available for use, and these facilities shall thereafter be kept clear of any obstruction and shall not be used for any other purposes.

8. No part of the development shall be occupied until details of the closure of the existing vehicle access to Percy Road (by raising the existing dropped kerb and reinstating the footway, verge and highway boundary to the same line, level and detail as the adjoining footway, verge and highway boundary) have been submitted to and approved in writing by the Local Planning Authority and the works have been constructed and completed in full, in accordance with the approved details.

9. No works of construction shall commence until details of a lighting scheme for the development have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be installed as approved before the first occupation of any part of the development and thereafter shall be maintained as approved.

10. Notwithstanding the information already submitted, no part of the development shall be occupied until details of the exact siting, type, design and finish of the proposed gates and fencing to be installed within the undercroft entrance have been submitted to and approved in writing by the Local Planning Authority. The gates and fencing shall be installed and completed in accordance with the details approved under this condition before the first occupation of any part of the development and thereafter shall be maintained as approved.

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.
2. This planning permission is accompanied by a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure financial payments towards the provision or improvement of public open space, childcare, education, youth facilities, library facilities and sustainable transport measures within the Borough of Watford and the provision of any fire hydrants that are necessary to serve the development, in accordance with the provisions of Supplementary Planning Guidance 10 (SPG10), Policies L8 and H10 of the Watford District Plan 2000 and Policies T4, T5 and INF1 of the Watford Local Plan Core Strategy 2006-31. In addition, the legal agreement secures a contribution towards the variation of the Borough of Watford (Watford Central Area and West Watford Area) (Controlled Parking Zones) (Consolidation) Order 2010 to exclude future residents of the development from entitlement to resident parking permits for the controlled parking zones in the vicinity of the site, in accordance with Policy T24 of the Watford District Plan 2000.
3. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the Hertfordshire County Council website at <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
4. Before commencing the development the applicant shall contact Hertfordshire County Council Highways (0300 123 4047) to obtain i) their permission/ requirements regarding access for vehicles involved in the demolition of the existing buildings; ii) a condition survey of any adjacent highways which may be affected by construction vehicles together with an agreement with the highway authority that the developer will bear all costs in reinstating any damage to the highway.
5. The developer is advised that a watching brief be undertaken during ground works for any visual/olfactory evidence of contamination (particularly within the vicinity of the garage for any hydrocarbon contamination). Should any contamination be identified, the Council's Contaminated Land Officer must be informed without delay, advised of the situation and an appropriate course of action agreed. The Council's Contaminated Land Officer can be contacted on 01923 278435.
6. There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from

Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

7. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

8. With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Veolia Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Drawing Numbers

PR/14/LP01; PR/14/EX01; Sheet Number 1 (Topographical Survey); Sheet Number 3 (Elevations Survey); PR/14/L01B; PR/14/L02D; PR/14/L03C; PR/14/L04B; PR/14/L05B; PR/14/L10D; PR/14/L11B; PR/14/L12C; PR/14/P01; PR/14/P02; PR/14/P03A; PR/14/P04A

Other documents

Design, Access and Planning Statement

Chair

The Meeting started at 7.30 pm
and finished at 8.00 pm