

DEVELOPMENT CONTROL COMMITTEE

27 NOVEMBER 2014

Present: Councillor R Martins (Chair)
Councillors S Bashir, J Connal, S Johnson, I Sharpe (Present for minute number 48), M Watkin, T Williams and P Jeffree

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

45 APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP

There was a change to the Committee for this meeting: Councillor Jeffree replaced Councillor Derbyshire

Apologies were received from Councillor Bell.

Councillor Sharpe had sent apologies as he had been delayed.

46 DISCLOSURE OF INTERESTS (IF ANY)

There were no Disclosures of Interest.

47 MINUTES

The minutes of the meeting held on 6 November 2014 were submitted and signed.

48 LAND TO REAR OF SOTHERON ROAD

The Committee received a report of the Development Management Section Head including the relevant planning history of the site and details of five letters of objection.

The Chair invited Mr Gregory, the Applicant, to speak to the Committee.

Mr Gregory explained that the application site comprised a large building which had remained vacant for 10 years despite his repeated attempts to find a tenant. He said that he had had comprehensive consultation with Planning officers and that he had complied with all appropriate regulations.

The proposal was for a ground floor single storey studio flat; Mr Gregory stressed that there would be no overlooking of other residents' property. The

conversion would provide accommodation in central Watford within a 5 minute walk of both the town centre and Watford Junction. Mr Gregory drew the Committee's attention to page 21 onwards in the officer's report and noted that a positive response to all objections had been provided.

Mr Gregory advised that the building had been in light industrial use from the 1960s. He considered, however, that such use in future would be detrimental to neighbouring residents: traffic would be increased through delivery vans and possible late night working would impact on residents' lives.

Mr Gregory said that the practice of converting commercial buildings to residential use had been increasing and was in line with current government advice. He concluded by stating that the fly-tipping and rough sleeping which had been an aspect of the site in recent years would cease and that the conversion would improve the location and provide much needed accommodation.

The Committee then discussed the application.

Councillor Williams asked whether it was permissible for sites previously in commercial use to be converted to homes.

The Senior Planning Officer said that a study had recently been undertaken which had considered whether the conversion of sites in designated industrial areas was likely to be acceptable in the context of strategic employment land availability. He assured the meeting that the application was not in a designated industrial area but was in a location which was almost totally residential. As a consequence a residential unit would be more appropriate within the context of the site. He added that the narrow entrance to the site did not lend itself to either commercial or industrial use. The Development Management Section Head commented that the employment land study had focussed principally on the need to protect prime office space; in Watford such space was located in Clarendon Road and Bridle Path.

The Senior Planning Officer further advised that the building had been vacant for a number of years and that the National Planning Policy Framework (NPPF) encouraged conversion of commercial to residential use particularly in an area which had been identified as needing additional housing.

Councillor Bashir agreed that the application would be an improvement in the area: the building had been vacant for 10 years and was an 'eyesore'; the proposal would constitute a better use for the site. He noted, however, that although the home would be car-free, visitors' cars would impact on the locality. He also noted that the area for amenity space was smaller than that advised by the Residential Design Guide (RDG).

The Senior Planning Officer replied that a legal agreement had been entered into whereby no visitor's vouchers would be granted to residents at the flat: visitors would not be able to park in the street during controlled parking hours.

With regard to amenity space, the Senior Planning Officer advised that, whilst this space was less than recommended, it was considered to be appropriate in

the context of the site. The proposal was for a studio flat; other properties in the vicinity had no garden space whatsoever.

The Chair stated that a refusal on the grounds of the size of the amenity space would be unsustainable.

Councillor Jeffree said that he approved the proposed change of use but considered the design could be improved. He felt that better use could have been made of the walled courtyard as an outside room; the design did not make maximum use of the space.

The Chair expressed concern regarding noise during construction and proposed that building work be restricted to Monday to Friday working and that condition 2 be amended.

The Committee agreed to this change.

The Committee then voted on the application.

NOTE: Councillor Sharpe was present for the end of the meeting but did not vote as he had not been present for either the presentation or for the entire discussion.

RESOLVED –

that, in consequence of a unilateral undertaking under s.106 of the Town and Country Planning Act 1990 (as amended) having been entered into to secure the provision set out in this report, 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 part of the existing building and construction of the development hereby permitted shall not take place before 8am or after 6pm Mondays to Fridays and not at all on Saturdays, Sundays and Public Holidays.
3. Notwithstanding the information already submitted, no works of construction shall commence until details of the materials, type and finish of all new windows and doors 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 part of the development shall be occupied until the refuse and recycling storage has 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.
5. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or

any modifications or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, C, D, E and G of the Order shall be carried out to the dwelling hereby approved without the prior written permission of the Local Planning Authority.

6. No development shall commence within the site 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 contractor's parking, the delivery and storage of materials, measures to mitigate noise and dust and a contact procedure for complaints. The Plan as approved shall be implemented throughout the construction period.
7. Notwithstanding the information already submitted, the dwelling hereby approved shall not be occupied until details of the size, type, siting and finish of the proposed cycle storage have been submitted to and approved in writing by the Local Planning Authority. The storage approved under this condition shall be provided prior to the first occupation of the dwelling and shall be retained at all times for cycle storage only and shall not be used for any other purpose.

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 a financial payment 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.

Drawing Numbers

A1/3778/SUR/1.00/A – amended plan received 14.11.14; A1/3778/SCH/2.00/C –

amended plan received 14.11.14

Chair

The Meeting started at 7.30 pm
and finished at 7.45 pm