

DEVELOPMENT MANAGEMENT COMMITTEE

25 JUNE 2015

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

Officers: Head of Regeneration and Development
Senior Planning Officer
Committee and Scrutiny Support Officer (RC)
Committee and Scrutiny Support Officer (IM)

7 APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP

There were no apologies for absence.

8 DISCLOSURE OF INTERESTS (IF ANY)

There were no disclosures of interest.

9 MINUTES

The minutes of the meeting held on 4 June 2015 were submitted and signed.

10 15/00609/FUL - TOAD HALL NURSERY, 100 HEMPSTEAD ROAD

The Committee received a report from the Head of Regeneration and Development including the relevant planning history of the site and details of responses to the application.

The Senior Planning Officer introduced the application, explaining to the Committee that the application was a re-application which sought to address the reasons for which the previous application (14/01036/FUL) had been refused in 2014 by officers under delegated powers.

The Chair invited Mrs Sarah Sugarman to speak to the Committee in objection to the application.

Mrs Sugarman stated that the proposed extension would affect neighbours in the surrounding area with regards to the noise, traffic and parking.

With regards to noise, Mrs Sugarman questioned the reliability of the report produced by an acoustic consultant on behalf of the applicant. She highlighted that the report was carried out on an overcast day in February when the children

at the nursery were not outside, however on a sunny, summer day children would be outside all day, every day which would increase noise levels.

With regards to traffic and parking, the speaker referred to the report carried out by a transport consultant on behalf of the applicant. Mrs Sugarman considered the estimated increase of 24 additional daily trips for 25 additional children to be extremely conservative and unrealistic. She believed the number would be more likely to be around 60 additional trips. She also noted that the estimate did not account for staff who were dropped off at the nursery. She also questioned the estimated duration of picking up or dropping off children. While the consultant's report that had been submitted stated this took a matter of seconds she believed that in practice this took 15 minutes.

Mrs Sugarman noted that the flow of traffic on Hempstead Road was continually interrupted and the increase in traffic which would result from the proposed application would further exacerbate the situation. Mrs Sugarman also noted the parking problems generated on Woodville Court.

Mrs Sugarman also highlighted the clerical error in the paperwork sent to neighbouring properties by the Council which reduced the time available to thoroughly prepare objections to the application.

The Chair invited Mr Phil Grover to speak to the Committee in favour the application.

Mr Grover stated that the applicant provided a valuable service to the community and was a vibrant local employer. The services of the nursery were described as highly sought after and it was noted that there was a waiting list for places at the nursery.

The application sought to improve the service by the better use of the application site. The proposed changes were to the building line, garage, former staff room and side access which would be gated. Mr Grover noted the height of the proposed new extension on the right side of the building would be lower than the existing structure that it would replace.

Mr Grover stated the nursery did not follow a school style timetable therefore children arrived at different times during the day. Parking arrangements were only for the dropping off and picking up children and the proposals would introduce a more managed approach. Staff were encouraged to car-share. He highlighted the response of County Council Highway Officer who deemed the proposals adequate. The data of the noise report was collected using a methodology agreed with Environmental Health Officers.

Mr Grover concluded by stating that the legacy of the application would benefit children using the nursery.

The Chair invited the Senior Planning Officer to clarify a number of points raised by the speakers.

The Senior Planning Officer noted that a clerical error had been made by the Council. Paperwork sent to neighbours and interested parties had erroneously included the description of the previous application which included a second vehicular access to Hempstead Road. This second access had however been removed from the current application. Once the error had been recognised all parties were informed of the error. The officer explained that, from the outset, any interested member of the public who had looked at the application, whether online or at the Town Hall, would have been able to see that this application was not proposing the creation of a new vehicular access point.

The Senior Planning Officer responded to the speaker's comment that the noise consultant had visited during inclement winter weather when children were less likely to be playing outside, by pointing out that the consultant's report had acknowledged this, and that the consultant had therefore, acting on advice from the Council's Environmental Health Officer, carried out a desk-top analysis of likely increases in noise levels during good weather. The worst case scenario was an increase in noise of 3 decibels which would be barely discernable to the human ear.

The Chairman opened the debate to the Committee Members.

Councillor Bashir stated he supported the application as the applicant provided an excellent nursery which offered a fantastic provision for young children. He noted that the previous objections had been addressed, such as the second vehicular access having been deleted, a noise report having been submitted, and parking and traffic issues having been addressed. He noted that the objector challenged the reliability of the noise report however in the absence of any other expert's report to rebut its findings; he saw no grounds on which to refuse the application. He did however note that traffic was an issue at all schools and he hoped the applicant would work with parents to address the problem.

Councillor Derbyshire stated that he agreed with Councillor Bashir. He highlighted the importance of childcare provision and noted that it allowed people with children to work and thus contribute to the economy. He did not believe an increase in noise levels of 3 decibels was a significant enough increase to refuse the application. He noted that housing on Woodville Court was flats and therefore parents parking there to drop off children would not cause private drives to be blocked. He also noted that this was only an issue for a short period of time with parking on the road protected by the Controlled Parking Zone. He therefore felt there was not significant enough potential harm to refuse the application.

Councillor Turmaine questioned the modelling used to conclude an additional 25 children at the nursery would result in an additional 24 daily trips. The Senior Planning Officer responded that he was not an expert in this field and therefore relied on the advice of the Highways Officer at the County Council who confirmed this conclusion was appropriate. The Senior Planning Officer noted there was an assumption that not every parent would drive their child to the nursery, nor would every child arrive in a separate car.

Councillor Turmaine also noted that the representations made in the officer's report at page 20-21 of the agenda referred to paragraphs 4.11 and 4.18, however the response only discussed paragraph 4.18. The Senior Planning Officer noted that one of those paragraphs had been removed, along with several other parts of the report that had been relevant to the first application, but were no longer relevant to this second application as they related to a previously proposed second vehicular access which had been removed from the application.

Councillor T Williams questioned whether the flat roofs of the extensions were acceptable designs. The Senior Planning Officer stated that the proposed flat roofs with parapets were in-keeping with the neo-Tudor style of the building.

The Chair stated the application had addressed the reasons the previous application had been refused and moved the officer recommendation.

RESOLVED:

That planning permission be approved 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. 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. The walls shall be finished in bricks to match the colour, texture and style of the existing building.
4. That part of the new parking surface that falls within the root protection area of the two trees that are protected by a Tree Preservation Order shall be laid without excavation, following removal of the existing gravel surface.

Informatives

- 1 The planning officer's full report gives more detail than is to be found in the Decision Notice. The full report can be obtained from the Council's website www.watford.gov.uk/planning, where it forms part of the appendix to the agenda for the meeting of the Development Management Committee on 25th June 2015.
- 2 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 2015.

- 3 The applicant is reminded that there are trees located on the front boundary of the site that are protected by Tree Preservation Order 3. It is an offence to prune, fell or cause harm to such trees, whether intentionally or not, without the written permission of the Local Planning Authority. The planning permission hereby granted does not include permission to carry out works to any trees. Therefore care should be taken not to crush, severe, smother or poison the roots of these trees, and not to damage the trunk, the bark or the branches.

Chair

The Meeting started at 7.30 pm
and finished at 8.05 pm