

DEVELOPMENT MANAGEMENT COMMITTEE

27 AUGUST 2015

Present: Councillor R Martins (Chair)
Councillor G Derbyshire (Vice-Chair)
Councillors N Bell, S Bolton, K Collett, M Turmaine, M Whitman,
S Williams and T Williams

Officers: Fiona Dunning
Ellen Higginson
Committee and Scrutiny Officer

20 APOLOGIES FOR ABSENCE/COMMITTEE MEMBERSHIP

There were three changes of membership for this meeting: Councillor Bolton replaced Councillor Sharpe, Councillor Collett replaced Councillor Johnson and Councillor S Williams replaced Councillor Bashir.

21 DISCLOSURE OF INTERESTS (IF ANY)

During minute number 23 Councillor Derbyshire stated he should have declared that he had been in email contact with the resident at 4 Trefusis Walk, Mr Pickford. He had only spoken to the resident about the process and not the merits of the application.

22 MINUTES

The minutes of the meeting held on 6 August 2015 were submitted and signed.

23 15/01012/FUL 2 TREFUSIS WALK

The Committee received a report of the Development Management Section Head including the relevant planning history of the site and details of seven representations objecting to the application.

The Development Management Section Head introduced the application, highlighting aspects of the report. She informed the Committee that officers recommended the addition of a further condition which proposed the removal of the permitted development rights.

The Chair invited Mr Quentin Pickford to speak to the Committee as he was against the application.

Mr Pickford informed the Committee that he was one of the residents directly affected by the application. He provided copies of diagrams he had composed showing aspects of his presentation to the Committee.

Mr Pickford referred to the Residential Design Guide and the information about the 45 degree angle. The footprint of his property was not the same as that shown on the applicant's plans. His drawing illustrated that the application breached the 45 degree rule. He suggested that the planning officer was not aware of the window on his property as they had not investigated.

Mr Pickford commented that the infill above the garage was not appropriate as the development caused a loss of space between the two properties. This was against the guidance in the Residential Design Guide.

Mr Pickford then referred to the housing mix of the street. He considered that this reflected the different needs of the Watford community. It had been shown that the need for older people had increased and the need for large family homes had decreased. There was a requirement to meet the needs of an increasingly older population and vulnerable people. The proposal was not in line with the guide or the County Council's policies.

Mr Pickford said that the officer had reported that there was no consistent building line at the rear of the premises, however, the Google plan showed that this was not the case. The Residential Design Guide stipulated that new developments had to match strong building lines.

Mr Pickford added that there had been no objection to the proposal from Highways. He was concerned about the number of parking spaces provided for a five-bedroom house. He considered it to be insufficient. There had already been an increase in the number of vehicles parking in the street and one neighbour some times had difficulty accessing her property due to the parked vehicles.

The Chair invited Mr Alan Monroe to speak to the Committee on behalf of the applicant.

Mr Monroe stated that the proposed property was located in a cul de sac and backed on to properties in Cassiobury Drive. There were numerous examples of properties in excess of the planned property on Cassiobury Drive. The proposal was not out of character with other properties on Cassiobury Estate. He said that the distance between the two properties would be in line with the Residential Design Guide. The ridge height of the property would sit nicely between the two neighbouring properties. The property would sit comfortably within the street scene. The dormer window faced to the rear to ensure it did not affect the overall view at the front.

Mr Monroe commented that the officer's report had outlined everything about the application. The proposal had been amended following discussions with officers and to ensure it met the Residential Design Guide.

Mr Monroe said that he wished to respond to the comments raised by Mr Pickford. With regard to the 45 degree angle comments, he confirmed that the proposal was within the requirements set out in the Residential Design Guide. The proximity of the development to neighbouring properties also met the requirements. In his opinion the references to the housing mix should be taken to mean borough-wide and not as local as at street level. The building line referred to in the guide related to the frontage of properties and not the rear. The highways officer had commented on parking standards and these had been met.

Mr Monroe finished by stating that the Residential Design Guide included information to give guidance to designers when developing proposals. He said that the application met those requirements and asked the Committee to approve the application.

The Chair asked the Development Management Section Head if she could provide the Committee with clarification about the 45 degree angle and building line.

The Development Management Section Head commented that the document provided by Mr Pickford did not show how the angle should correctly be calculated. The drawing did not have an indication of scale. She referred the Committee to the location plan on page 19 of the report. This showed that the current property had a significant extension. The planning officer had considered the impact of the proposed development on the neighbouring property. The current building at 2 Trefusis Walk had a unique building line compared to others in the street.

Councillor Derbyshire said that he understood how the neighbours felt about the property. If a person had lived in a property for a long time any change was disruptive. The Council had to follow its own planning policies and those set nationally. He had noted that Mr Pickford had highlighted two things, the 25 degree privacy arc and the 45 degree line. There was clearly disagreement between the two parties. He said that the Committee had to be sure that an application was in line with the Residential Design Guide. He asked the officers for further clarification. He was aware that if there were an appeal the Inspector would have to weigh up the information from all parties.

The Development Management Section Head advised that the plan provided by Mr Pickford was not accurate. The 45 degree angle should be taken from the centre of the window. It was also not certain that the window was shown in the correct place. She said that she was unable to comment on the 25 degree privacy aspect as no plan had been provided.

Following a question from the Chair about the accuracy of the officer's drawings, the Development Management Section Head responded that it was possible that Mr Pickford considered the drawings to be inaccurate.

The Chair said that he would break with the normal procedures and then asked Mr Pickford if he wished to explain why he felt the figures were incorrect.

Mr Pickford explained that the drawings on display did not show his study. He informed the Committee of the proximity of the wall to the boundary and the window's location from the corner of the property. He could not understand how the proposed development could meet the 45 degree rule.

The Development Management Section Head acknowledged the study and garage were adjacent to 2 Trefusis Walk. The officer had seen the extension plan for the study and had then made his assessment on the new property's impact to the neighbour's property.

The Chair thanked everyone for their comments. He then moved the officer's recommendation.

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

5505/1p3, 2p4, 3p3
3. No construction of the development hereby permitted shall take place before 8am or after 6pm Mondays to Fridays, before 8am or after 1pm on Saturdays or at any time on Sundays and Public Holidays.
4. No construction works shall commence until details of the materials to be used for all the external finishes of the building, including walls, roof, 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.
5. The dwelling shall not be occupied until full details of a hard landscaping scheme for the front parking area, including details of a sustainable drainage scheme for surface water, have been submitted to and approved in writing by the Local Planning Authority, and the works have been carried out in accordance with the approved details.
6. The first floor windows in the south-east and north-west flank elevations shall be fitted with obscured glass and top-hung opening fan lights only. Both windows shall be retained as such at all times.
7. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any modification or re-enactment thereof), no development permitted under Schedule 2, Part 1 Classes A, B, C, D, E or F of the Order shall be carried

out to the new house without the prior written permission of the Local Planning Authority.

Informative

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. The Council also gave pre-application advice on the proposal and undertook discussions with the applicant's agent during the application process.

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15/00767/FULH 31 LEVERET CLOSE

The Committee received a report of the Development Management Section Head including an update following the decision being deferred at the previous meeting. It was noted that the Highways Authority had opted to take a more pragmatic approach and had no objection, subject to an appropriate condition being added. This had been included in the officer's recommendation.

The Chair invited Mrs Angela Fiskin to speak against the application.

Mrs Fiskin said that she objected to the erection of the fence and was concerned about safety. It was necessary for some of the residents to reverse along the road to exit the close. They were able to look across the corner and see any traffic or pedestrians. The fence blocked the access to this view. Many people parked in the close including those accessing the garages at the end or parents stopping to drop their children at school. There were transit vans regularly parked in the road and none of them belonged to the residents of Leveret Close. She had noted the comments that there had been no collisions or accidents in the road but this was because there was no fence blocking the view. Often drivers came along Leveret Close thinking they could cut through to the A405. When they realised this was not possible they had to reverse back out of the close. Residents at 29 Leveret Close had experienced damage to their cars and garage door. Drivers backed into parked vehicles as they reversed out of the close. She noted that one councillor had visited the road to view the street; residents had made the councillor aware of their views. The councillor had then had problems as they reversed out of the close.

Mrs Fiskin referred to comments about privacy. She said the property was not overlooked except for a small utility room, but this had blinds at the window. She added that the fence was not in keeping with the rest of the street. It gave a hemmed in feeling, particularly to residents at 27. The fence obstructed everyone's vision. There had been reference to hedges but this was not relevant in this part of the close.

Councillor Collett said that she knew the area very well. She was concerned about the upkeep of the property and that an illegal fence had been erected around an unkempt area. She was also concerned about the owners future plans for the site. It was a lovely area, however cars and vans were constantly parked in the close. The property and its fence, which the application referred to, was not in keeping with the rest of the area. She objected to the application.

The Development Management Section Head suggested that if the Committee were minded to grant the application, it might be reasonable to amend the first condition. She suggested that instead of allowing three years to carry out the work, it could be changed to ensure that the height of the fence was reduced within three months of permission being granted.

The Chair considered this to be a sensible amendment. He said that the Highways Authority was responsible for commenting on highways matters. At the last meeting the Committee had agreed to defer the item to ask for further information from the Highways Authority. The highways officers had responded and had accepted the proposal.

Councillor T Williams had noted the comments about the upkeep of the property and questioned whether it was possible to add a condition relevant to this matter.

The Development Management Section Head advised that if residents considered the premises to be untidy they should contact the planning enforcement team. The team was able to carry out investigations into untidy land.

Councillor S Williams commented that if the fence were not in place and the land was unkempt it was likely to be more visible from the public highway.

The Chair reminded the Committee that the structure was more important than what was behind it.

Councillor Bell said that he was still concerned about the highway.

The Chair noted that no one had identified reasons to refuse the application and moved the officer's recommendation and amended as suggested by the Development Management Section Head.

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 months 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 proposed fence will be erected in accordance with the alignment shown on drawing number 1810-10 Proposed New Fence Site Plan. It will spring from the corner of the house extension and run north west to the property boundary. The corner splay nearest the end garage opposite number 27 should measure a minimum of 2m x 2m to provide for pedestrian sight lines.

Informatives

1. The existing fence does not have planning permission and must be removed and replaced with a fence in line with these agreed plans.

Chair

The Meeting started at 7.30 pm
and finished at 8.10 pm