

DEVELOPMENT MANAGEMENT COMMITTEE

3 JUNE 2020

Present: Councillor P Jeffree (Chair)
Councillor S Johnson (Vice-Chair)
Councillors N Bell, K Collett, M Mills, J Pattinson, I Sharpe,
R Smith and M Watkin

Also present: Councillor Ian Stotesbury

Officers: Head of Development Management
Development Management Team Leader
Democratic Services Officer
Democratic Services Manager
Business Development Manager

Conduct of meeting

Prior to the start of the meeting agenda, the Chair explained the procedure for the virtual meeting and the method he would employ to ensure the voting was accurately completed. The Chair also ensured that all participants were introduced.

1 APOLOGIES FOR ABSENCE

There were no apologies for absence.

2 DISCLOSURE OF INTERESTS

There were no disclosures of interest.

3 MINUTES

The committee agreed the minutes of the meeting held on 13 May and would be signed once members and officers returned to the Town Hall.

4 20/00300/FUL - LAND REAR OF 250 ST ALBANS ROAD

The Chair introduced the item to the committee and invited the Development Management Team Leader to present his report.

The Development Management Team Leader summarised the report for the committee and referred to the update sheet and a revised drawing that had been received. The Chair invited Ms. Angela Banderas to address the committee.

Ms. Banderas explained that from the outset, the application had caused confusion amongst local residents by the change of address to 250 St Albans Road, when in fact the address was, to all practical extents, in Cromer Road. She added that the road was very tight on space and further obstructed by bins from the nearby shops. Ms. Banderas also complained that the people responsible for the application had left a car in Cromer Road for five months, in a road that was already over-crowded and this application would result in increased parking congestion.

Ms. Banderas then dealt with her concerns over the proposed building and stated that she felt the garage was too small to hold a vehicle, the windows overlooked her property and also the Balmoral Road property to the rear. She added that the dormers and higher roofline would block her light. She added that the property was never used as a workshop and that the workshop building was used merely as a cynical stepping stone to the current application.

Ms. Banderas concluded by imploring the committee to refuse the application as it was causing considerable upset to her and the other local residents.

The Chair thanked her for her comments, summed up the salient planning points of the submission and asked the Development Management Team Leader to address the four main planning issues raised.

The Development Management Team Leader addressed the points:

1. The confusing change of address – any change of address would require an application to the Post Office and the council, but accepted that it may well end up as a Cromer Road address. The application referred to where the land was sited.
2. Bins obstructing the road - it was not possible for planning to control where bins were left by other properties. But the application detailed both bin and cycle storage.
3. Parking issues- the proposal had an integrated garage and the garden area to one side of the property could hold a further vehicle if required. Thus the application was in accordance with the maximum parking standards for a two-bedroom dwelling.
4. Overlooking- the dormer windows were to the front of the property, facing directly down the turning head. Thus, the Balmoral Road property to the rear was not overlooked at all, nor were properties in Cromer Road as the dormer windows faced directly down the turning head.

Accordingly, the size and positioning of the windows was considered acceptable.

The Chair invited Councillor Ian Stotesbury, Ward Councillor for Callowland, to address the committee.

Councillor Stotesbury thanked Ms. Banderas for her comments and confirmed that the application had caused confusion amongst the residents and generated strong feelings. The application had been refused once and would add to the already difficult parking issues. Local residents strongly resented the infill of every small parcel of land. Additionally, the site was extremely close to Balmoral Road and the residents there were very unhappy with the view of a sheer brick wall.

He confirmed that the initial building of a workshop had remained entirely dormant and had clearly been a stepping stone to the current application for a residence. The councillor explained that he felt that although the new application was to address the reasons for the refusal and also the subsequent rejection of the appeal, this new design did not go far enough. The living space was still very small upstairs, the bedrooms had a limited area in which to stand upright. The proposal was substandard in size and this could well be grounds for refusal.

Councillor Stotesbury concluded by urging the committee to refuse the application.

The Chair then invited the Development Management Team Leader to comment on the changes to the application to address the grounds for the first refusal.

The Development Management Team Leader drew the committee's attention to paragraph 6.4 of his report, which detailed the floor area where the ceiling height was above 1.5m. He also pointed out paragraph 3.1, which provided the gross internal area of the development and the sizes of the amenity areas. All these were above the minimum requirements and therefore he submitted that the proposed accommodation was perfectly suitable, with properly sized dormer windows giving good standards of natural light and outlook. Whilst the ceiling heights were mentioned in the reasons for refusal, this had now been addressed.

The Chair summed up briefly and stated that he felt that much of the concern from residents about this proposal was less to do with planning and more to do with the way the developer had approached the application. He added that the building was now there and it was difficult to see how the proposed design would create any additional harm.

There followed general comments from the committee members who were in agreement with the application.

The Development Management Team Leader addressed one question about the possible course of action, should the developer not comply closely with the planning requirements. He assured the committee that should this situation occur, the enforcement team could step in and ensure compliance.

The Chair then proposed a vote to approve the application in accordance with the officer's recommendation.

In accordance with Standing Committee Procedure Rules, paragraph 4.2, Councillor Peter Jeffree requested that it be recorded in the minutes how members cast their votes.

Those members voting for the motion:

Councillors Bell, Collett, Jeffree, Johnson, Mills, Pattinson, Smith and Watkin.

Those members voting against the motion:

None

Councillor Sharpe excused himself and did not vote on the motion, as he had been absent for a short part of the deliberations.

The motion was declared to be **CARRIED** by eight to none with no abstentions.

RESOLVED –

That planning permission be granted subject to the completion of a legal agreement under s.106 of the Town and Country Planning Act 1990 to secure the planning obligations listed below and the following conditions:

Section 106 Heads of Terms

i) To secure the provision of the area of land forming the western part of the application site as private garden land for the proposed dwelling.

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 shall be carried out in accordance with the following drawings, unless otherwise approved in writing by the Local Planning Authority:

Site location plan
Block plan (April 2020)
Existing and Proposed Floor Plans and Elevations (Amended 18/05/2020)
Section (March 2020)

3. All the external surfaces of the development shall be finished in materials to match the colour, texture and style of the existing building.

4. The dwelling hereby approved shall not be occupied until a detailed soft landscaping scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The approved soft landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of development. 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.

5. The integral garage shall only be used for the parking of vehicles and shall not be used as habitable accommodation or for any other purpose, without the written approval of the Local Planning Authority.

6. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015, as amended (or any modifications or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E and G of the Order shall be carried out to the dwellings hereby approved without the prior written permission of the Local Planning Authority.

Informatives

1. IN907 - Positive-proactive statement – GRANT
2. IN910 - Building Regulations
3. IN912 - Hours of Construction
4. IN909 - Street Naming and Numbering
5. IN913 - Community Infrastructure Levy Liability
6. IN914 - Section 106 Obligation

5 **20/00356/FUL 807 ST ALBANS ROAD WATFORD WD25 0LE**

The Development Management Team Leader summarised his report to the meeting, including the relevant planning history of the site, and advised the committee of one additional representation that had been received from 7 Gwent Close.

The Chair noted that there were no speakers and commented that the application seemed policy compliant and that the scale of the proposed development seemed to fit well within the location. He also noted that it was a mixed development area.

There was comment from the committee that supported the application. The committee particularly welcomed the fact that the application was for family housing.

The Chair then proposed a vote to approve the application in accordance with the officer's recommendation.

In accordance with Standing Committee Procedure Rules, paragraph 4.2, Councillor Peter Jeffree requested that it be recorded in the minutes how members cast their votes.

Those members voting for the motion:

Councillors Bell, Collett, Jeffree, Johnson, Mills, Pattinson, Sharpe, Smith and Watkin.

Those members voting against the motion:

None

The motion was declared to be **CARRIED** by nine to none with no abstentions.

RESOLVED –

That planning permission be granted subject to the conditions listed below:

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 shall be carried out in accordance with the following drawings, unless otherwise approved in writing by the Local Planning Authority. The following drawings are hereby approved:

20-68-01 Existing Plans

20-68-20 Rev F Proposed Plans

20-68-21 Rev F Proposed Elevations

3. Prior to the commencement of the site works the applicant shall submit a construction management plan setting out details on any demolition works, removal of materials from site, parking for all contractors, subcontractors, visitors and delivery vehicles, storage of materials to be approved in writing by the Local Planning Authority in consultation with the Highway Authority and that area shall be maintained available for use at all times during the period of site works.

4. A 2mx2m pedestrian visibility sight splay, free from obstruction between a height of 600mm and 2.0m and relative to the back of the footway shall be provided on both sides of vehicular access prior to the operational use and thereafter.

5. Before being brought in to use new parking areas shall be surfaced in tarmacadam or similar durable bound material and arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into highway.

6. Prior to commencement of the proposed development works the existing gates at the two access points should be removed permanently to avoid vehicles parking on a busy highway a main distributor road for gates to be opened and closed.

7. No external facing materials shall be installed on any building of the development until full details and samples of all the materials to be used for the external surfaces of the buildings have been submitted to and approved in writing by the Local Planning Authority.

8. No part of the development shall be occupied until full details of both hard and soft landscaping works, including details of all trees and soft landscaping to be planted, any changes to ground levels around the building, all pathways, all hard surfacing, amenity areas/paving and boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include increased soft landscaping to the front area of the site. The approved landscaping scheme, with the exception of the planting, shall be completed prior to any occupation of the development. Any proposed planting shall be completed not later than the first available planting and seeding season after completion of the development. Any new trees or plants 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.

20/00121/VARM - 7-15 BRIDLE PATH

The Chair introduced the item to the committee and invited the Development Management Team Leader to present his report.

The Chair thanked the Development Team Leader and, noting there were no speakers, invited any comments from the Committee. There were no comments, so the Chair then proposed a vote to approve the application in accordance with the officer's recommendation.

In accordance with Standing Committee Procedure Rules, paragraph 4.2, Councillor Peter Jeffree requested that it be recorded in the minutes how Members cast their votes.

Those members voting for the motion:

Councillors Bell, Collett, Jeffree, Johnson, Mills, Pattinson, Sharpe, Smith and Watkin.

Those members voting against the motion:

None

The motion was declared to be **CARRIED** by nine to none with no abstentions.

RESOLVED –

That planning permission be granted subject to the completion of a legal agreement under s.106 of the Town and Country Planning Act 1990 to secure the planning obligations listed below and the following conditions:

Section 106 Heads of Terms

i) To secure the following works within the public highway, as shown in principle on approved drawing no. 1321-GTA-ZZ-XX-PS-A-0001 Rev. P04:

- a) The closure of the existing access at the eastern end of the site and the reinstatement of the footpath within the public highway.
- b) The closure of the existing access at the western end of the site and the reinstatement of the footpath within the public highway.

Conditions

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

1321-GTA-ZZ-XX-PS-0001_Rev P04
1321-GTA-00-PG-A-0002_Rev P01
1321-GTA-3Z-ZZ-GA-A-0001_Rev P05
1321-GTA-3Z-ZZ-GA-A-0002_Rev P04
1321-GTA-3Z-ZZ-GA-A-0003_Rev P04
1321-GTA-3Z-ZZ-GA-A-0004_Rev P04
1321-GTA-3Z-ZZ-GA-A-0005_Rev P04
1321-GTA-3Z-XX-GE-A-0001_Rev P04
1321-GTA-3Z-XX-GE-A-0002_Rev P02
1321-GTA-3Z-XX-GE-A-0003_Rev P04

2. The development shall be carried out in accordance with the following external materials, window reveals and patterned brickwork, as approved under application ref. 17/00295/DISCON, unless otherwise agreed in writing by the Local Planning Authority:

Drawing nos. 4156/WD/220D, 221E, 222D, 240B, 241A, 242A, 460
Ground floor facing brick - Vandersanden Neo Magnolia
Upper floors facing brick - Hoskins Brick Ledbury

3. The foundations of the development shall only be constructed utilising flight auger piling, in accordance with the following details approved under ref. 17/00295/DISCON, unless otherwise agreed in writing by the Local Planning Authority:

24761_T_DRAFT - Topographical Survey
14414-10 T2 - Piling Layout
14116:SK02 - Sewer and Pile Location Plan

4. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to, and obtained written approval from, the Local Planning Authority for a remediation strategy detailing how this unsuspected contamination is to be dealt with. All works shall be carried out in accordance with the approved details.

5. The development shall only be carried out in accordance with the surface water drainage scheme, as approved under ref. 17/00295/DISCON, unless otherwise agreed in writing by the Local Planning Authority:

Drawing nos. 14116:101 T2, 102 T1, 103 T1, 104 T1
Drainage Maintenance Plan dated 02 June 2017 (ref. DS/14116) by
Simpson Consulting Engineers.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

6. The development shall not be occupied until a final Travel Plan, based upon the submitted Travel Plan by RGP (Ref. RLR/WHIT/16/3182/TP02, dated July 2016), has been submitted to and approved in writing by the Local Planning.

7. The development shall not be occupied until a detailed soft landscaping scheme for all the land within the site has been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of development. 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.

8. The development shall not be occupied until a detailed hard landscaping scheme for all the land within the site, including details of all site boundary treatments, has 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.

9. The development shall not be occupied until the refuse and recycling bin store, as shown on approved drawing no. 1321-GTA-ZZ-00-PG-A-0002 P01, has been constructed and made available for use. These facilities shall be retained as approved at all times.

10. No plant or equipment shall be sited on the external elevations of the building unless details of the plant or equipment have been submitted to and approved in writing by the Local Planning Authority. The details shall include size, appearance, siting and technical specifications relating to noise and odour control as appropriate.

Informatives

1. IN907 - Positive-proactive statement – GRANT
2. IN910 - Building Regulations
3. IN912 - Hours of Construction
4. IN913 - Community Infrastructure Levy Liability
5. IN909 - Street Naming and Numbering
6. IN915 - Highway Works - HCC agreement required

Chair

The Meeting started at 7.00 pm
and finished at 7.55 pm