

## **DEVELOPMENT MANAGEMENT COMMITTEE**

**18 MAY 2021**

Present: Councillor P Jeffree (Chair)  
Councillor S Johnson (Vice-Chair)  
Councillors N Bell, A Grimston, J Pattinson, R Smith and  
M Watkin

Also present:

Officers: Head of Planning and Development  
Development Management Manager  
Democratic Services Officer (IS)

### **Conduct of the meeting**

The committee will take items in the following order:

1. All items where people wish to speak and have registered with Democratic Services.
2. Any remaining items the committee agrees can be determined without further debate.
3. Those applications which the committee wishes to discuss in detail.

### **1 APOLOGIES FOR ABSENCE**

Apologies had been received from Councillor Williams. There was also one vacancy on the committee.

### **2 DISCLOSURE OF INTERESTS**

There were no disclosures of interest.

### **3 MINUTES**

The minutes from the meeting on 15 March 2021 were approved and would be signed at the conclusion of the meeting, along with all other unsigned minutes from the lengthy period where minutes had not been signed because meetings were virtual.

**21/00303/FUL - LAND TO THE REAR OF 4-6 LOWER PADDOCK ROAD,  
WATFORD, WD19 4DS**

The Development Management Manager delivered his report. The Chair then invited Mr Damien Sharkey of Chess Wilkinson to address the committee.

Mr Sharkey commented that the site had already been approved for development as three generous dwellings and had been lawfully implemented as confirmed by a lawful development certificate. The new scheme increased the scheme to four houses. The reduced size of these better suited the scale of the surrounding dwellings and kept to the same massing as the original.

He went on to describe the design of the proposed dwellings as being a contemporary reflection of the design threads in the local area. Mr Sharkey noted that the statutory consultees such as Thames Water and Highways had not objected to the proposed development.

He concluded by stating that the scheme brought much needed housing to the Borough.

The Chair thanked Mr Sharkey and invited Councillor Karen Clarke-Taylor, a Ward Councillor for Oxhey, to address the committee.

Councillor Clarke-Taylor emphasised the number and strength of the objections to the development. She pointed out that some years ago a proposal was rejected as an overdevelopment, with the three house option being a compromise. She expressed the view of the residents that to approve the four house option would be seen as backtracking.

The Councillor went on to say that the homes were not in keeping with the conservation area. She pointed out that residents were not allowed to make amendments to their homes, yet this build might be approved.

The proposed houses were narrower and offered inadequate accommodation for families. Further concerns were the height of the homes, with an associated negative impact on the streetscene and light levels for nearby properties.

Garden areas were below the minimum size of 65 square metres. This was offset by the community garden area. The present application had gardens as small as 48 square metres and a significant reduction in the area of communal amenity space. This could set a precedent for sub-standard garden sizes.

The councillor highlighted the increase in parking spaces and that the location of these meant there was a possibility of increased light and noise pollution. She pointed out the potential issue with access for emergency vehicles and general access problems due to the narrow access road.

The councillor moved on to highlight the ecological and environmental concerns, including water run-off and the potential for flooding.

The conduct of the developers was mentioned as this had upset a number of residents. The site had been stripped for development, but then left as an eyesore for three years. Residents felt that the applicants were requesting increasing levels of development to enhance profits with little regard for them.

The councillor concluded with a request for limits on timings for deliveries to the site, together with a strict prohibition on the size of vehicles and requested the application be rejected.

The Chair asked the Development Management Manager to address some of the points raised by Councillor Clarke-Taylor.

The Development Management Manager explained that garden sizes were often a compromise, with some meeting the requirements and some not, in such a dense urban area. He added that it was considered that the proposed houses were in keeping with the character of the conservation area.

He then went on to the parking spaces and parking concerns. The three parking spaces resulting in reduced communal amenity space were a compromise, but as parking is a significant issue in the Oxhey Conservation Area, it was considered this was a reasonable balance. The officer acknowledged there was more hard standing space as a result, but this was the compromise. He did not consider this would cause any significant harm in terms of fumes or noise pollution to surrounding gardens.

With regards to the suggestion that the houses were undersized, it was pointed out that they exceeded the nationally described space standards.

The Chair summed up that the approved scheme for three houses and the applied for scheme for four did not raise sufficient issues to refuse. He passed the matter over to the committee for debate.

Councillor Bell agreed with the Chair and confirmed that he did not feel he could refuse the application, citing some of the officer's report. He added that it was nice to see an application for houses not flats.

Councillor Johnson agreed with the position that it was difficult to refuse this application and explained the difficulties facing the committee. This stance was agreed by other members of the committee.

Councillor Pattinson sought clarification regarding the exact number of car parking spaces.

The Development Management Manager explained that there were eleven spaces applied for, with a twelfth already in existence. This one was outside the red line on the plan.

Councillor Grimston asked if the parking spaces could be constructed with “grasscrete” to improve appearance and drainage. She also suggested a prohibition on all weekend work and a ban on heavy vehicles between 10am and 3pm.

The Development Management Manager explained that in his experience, “grasscrete” never looked very nice. He suggested permeable block paving as a more attractive option with good drainage. He added that controlling access on a public road was something that planning could not really enforce, but the council could ensure that any access condition was carried over to the new permission.

The Chair moved the officer’s recommendation that planning permission be granted, subject to conditions as set out in Section 8 of the officer’s report.

**RESOLVED –**

That planning permission be granted subject to conditions as set out in Section 8 of the officer’s report.

**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:  
PGA00\_01\_Rev A – Proposed Ground Floor Plan / Site Layout Plan  
PGA00\_02\_Rev A – Proposed General Arrangement  
EGA00\_03\_Rev A – Proposed Front and Rear Elevations  
EGA00\_04\_Rev A – Proposed Entrance Elevation (showing side elevations)  
PGA00\_07\_Rev A – Proposed Roof Plan  
PGA00\_08\_Rev A – Proposed First Floor Plan  
PGA00\_09\_Rev A – Proposed Second Floor Plan
3. No development shall commence until a construction management plan setting out details of any demolition works, removal of materials from site, parking for all contractors, subcontractors, visitors and delivery vehicles, storage of materials has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented throughout the development works.
4. No development shall commence until details of the external materials to be used for the development 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. No development shall commence until an Arboricultural Impact Assessment and an Arboricultural Method Statement in respect of tree protection measures (including ground protection) relating to trees located within the site have been submitted to and approved in writing by the Local Planning Authority. The tree protection measures approved under this condition shall be implemented prior to the commencement of any works and shall be maintained as such at all times whilst the construction works take place.
6. No removal of trees, scrub or hedges shall be carried out on the site between 1st March and 31st August in any year unless a suitably qualified ecologist has previously searched the trees, scrub or hedges and certified in writing to the Local Planning Authority that such works of removal may proceed.
7. No dwelling shall be occupied until full details of a soft landscaping scheme have 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 the 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. No dwelling shall be occupied until details of the cycle stores and refuse stores have been submitted to and approved in writing by the Local Planning Authority and have been constructed in accordance with the approved drawings. The stores shall be retained as approved at all times thereafter.
9. Prior to occupation of the proposed dwellings, 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 the vehicular access, and retained thereafter.
10. No dwelling shall be occupied until full details of the hard surfacing materials have been submitted to and approved in writing by the Local Planning Authority and installed in accordance with the details approved. The development shall be constructed of permeable surfacing for the access road and car parking spaces..
11. The two roof level conservation-type velux windows to each flank side elevation (as annotated on plan ref: EGA00\_04\_Rev A) shall be installed and retained with

- obscure-glazing prior to first occupation and retained for the lifetime of the development.
12. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any modification or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B, C or D of the Order shall be carried out to the new houses without the prior written permission of the Local Planning Authority.

Informatics

1. IN907 - Positive and proactive statement - GRANT
2. IN910 - Building Regulations
3. IN912 - Hours of Construction
4. IN909 - Street Name and Numbering
5. IN913 - Community Infrastructure Level Liability
6. IN808 – Vehicular Crossover
7. HIGH – Storage of Materials – Highway
8. OBSHIG – Obstruction of the Highway
9. MUD – Mud on highway

5      **21/00076/FULM - 250 LOWER HIGH STREET, WATFORD, WD17 2DB (THIS ITEM HAS NOW BEEN WITHDRAWN AT THE REQUEST OF THE APPLICANT)**

This application was withdrawn by the applicant prior to the committee meeting.

6      **21/00304/FUL - LAND AT LYCH GATE, WATFORD, WD25 0LS**

The committee received the report of the Development Management Manager.

The Chair then invited Mrs Susan Wilkins to address the committee. Mrs Wilkins opened by describing the parking situation at Lych Gate as horrendous and this had escalated since the closure of the parking bay in 2008. She expressed her concern over the loss of more parking spaces and garages, estimating that if this proposal was approved, it would result in 20 additional vehicles.

Mrs Wilkins explained that the parking was impacting nearby roads and had been exacerbated when the freeholder had removed access to the parking bays. She added that access to the garage block would also be harmed as people would have to park in front of their garages. She added a variety of concerns:

- Access difficulties for emergency and refuse vehicles. bullying
- The freeholder failing to maintain the block and general mistreatment of the residents.
- Compromised privacy for nearby properties.
- Loss of light and outlook compromised.

- Reduced road safety.

At the request of the Chair, the Development Management Manager commented on the privacy and daylight issues, stating that it was considered there would be no loss of privacy or daylight to nearby properties. Indeed the proposal would replicate the position of dwellings on the opposite side of the street.

The Chair thanked Mrs Wilkins and noted that Wakelin Associates had provided a written submission, as they were unable to be present at the meeting. This would be appended to the minutes as Appendix 1.

Councillor Saffery, the Ward Councillor for Woodside, then addressed the committee, noting that there was an ongoing issue with parking across the Borough, but that it was particularly acute in the area. He added that some years ago a “grasscrete” bay had been installed, but this had only been a temporary solution and it was now overwhelmed by demand.

Councillor Saffery challenged the assertion in the parking survey that removal of the three informal spaces would not see supply outstrip demand, citing aerial images and local experience that clearly showed that parking was at a premium. He commented that since the garages and associated hard standing were clearly constructed with car parking in mind, it was inappropriate to demolish them.

He pointed out that whilst the planning framework might tie the hands of the committee, local residents were vehemently opposed to the application. He asked that if the committee were minded to grant the application, they impose conditions to mitigate the impact on parking and to increase the parking provision. He urged the committee to heed the concerns of the residents.

The committee discussed the application and expressed their sympathy with the residents’ position. However, the consensus was that this application was policy compliant and had the appropriate parking included.

Councillor Bell suggested that Councillor Saffery might lobby the relevant County Councillor over the parking issues, but that could not affect the decision before the committee.

The Chair moved the officer’s recommendation that planning permission be granted, subject to conditions as set out in Section 8 of the officer’s report.

**RESOLVED –**

That planning permission be granted, subject to the conditions as set out in Section 8 of the officer’s report.

## 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:  
LGW-21- L02 – Proposed Ground Floor Plan  
LGW-21-L03A – Proposed First Floor Plan  
LGW-21-04A – Proposed Elevations  
LGW-21-05A– Proposed Elevations  
LGW-21- L01 – Proposed Site Plan  
LGW-21- LP01 – Site Location Plan
3. No development on site shall commence until a construction management plan setting out details of any demolition works, removal of materials from site, parking for all contractors, subcontractors, visitors and delivery vehicles, storage of materials and to ensure that Lych Gate shall be maintained available for use at all times during the period of site works, has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented at all times during development works.
4. No construction works above ground level (excluding demolition 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. No development on site shall commence until details in the form of an updated Arboricultural Method Statement and Tree Protection Plan in respect of tree protection measures (including ground protection) relating to the tree located adjacent to the site have been submitted to and approved in writing by the Local Planning Authority. The tree protection measures approved under this condition shall be implemented prior to the commencement of any works and shall be maintained as such at all times whilst the construction works take place.
6. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:
  - 1) A preliminary risk assessment which has identified:

- All previous uses;
- Potential contaminants associated with those uses;
- A conceptual model of the site indicating sources, pathways and receptors; and
- Potentially unacceptable risks arising from contamination at the site.

- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

7. No development shall commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to, and approved in writing by, the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the Local Planning Authority.
8. No dwelling shall be occupied until details of the cycle stores and refuse stores have been submitted to and approved in writing by the Local Planning Authority and such stores have been constructed in accordance with the approved drawings. The stores shall be retained as approved at all times thereafter.
9. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning

Authority. The remediation strategy shall be implemented as approved.

10. The two side-elevation windows at first floor level (as annotated on plan ref: LGW-21-L03A) shall be installed and retained with obscure-glazing and shall be non-opening other than in parts of the windows which are more than 1.7 metres above the internal floor level of the rooms in which the windows are installed prior to first occupation and retained for the lifetime of the development.

Informatives

1. IN907 - Positive and proactive statement - GRANT
2. IN910 - Building Regulations
3. IN912 - Hours of Construction
4. IN909 - Street Name and Numbering
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Chair

The Meeting started at 7.00 pm  
and finished at 8.05 pm