

## **DEVELOPMENT MANAGEMENT COMMITTEE**

**5 OCTOBER 2021**

Present: Councillor P Jeffree (Chair)  
Councillor R Martins (Vice-Chair)  
Councillors N Bell, S Johnson, J Pattinson, A Saffery (Substituted  
by Councillor Tim Williams), S Trebar and M Watkin

Also present:

Officers: Group Head of Place Shaping  
Head of Planning and Development  
Development Management Team Leader  
Principal Planning Officer

### **Conduct of the meeting**

Prior to the start of the meeting, the Chair explained the procedure for the meeting. The Chair also ensured that all participants were introduced and reminded those watching on the webcast that the officer's presentation and the updates to the officers' reports were available online.

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.

An update sheet has been received prior to the meeting. This relates to items 4, 5 and 6 on the agenda and is appended.

During the meeting, the officers will be referring to a presentation document, which is appended.

22

### **APOLOGIES FOR ABSENCE**

Apologies had been received from Councillor Richard Smith.

23

## **DISCLOSURE OF INTERESTS**

Councillor Jeffree stated that in company with Councillor Johnson and Paul Baxter, had visited Bushey Mill lane and spoken with the neighbour of the applied for property. This was to see the development from the neighbour's perspective.

24

## **MINUTES**

The minutes from the meeting on 7 September 2021 were approved and signed.

25

## **21/01284/GPDO16 - TELEPHONE MAST AT JUNCTION OF COURTLANDS DRIVE AND HEMPSTEAD ROAD**

The Development Management Manager delivered his report.

The Chair then invited Mr Andrew Mortimer to address the committee.

Mr Mortimer opened by stating that he was speaking on behalf of a number of local residents. He realised that we needed faster and more efficient telecommunications, but cited the refusal some years ago, of the mast application at the junction of Ridgeway and Courtlands Drive.

He asked if the consultation for this application was properly completed for all the adjacent roads, as he had been informed that this was not the case.

He went on to say that regrettably a number of gateway roads to Watford had buildings that he described as gruesome. He compared these to the multiple masts and associated cabinets at the junction of Hempstead Road and Courtlands Drive.

He stated that although the health concerns were not eligible to be considered, he asked if the radiation from these masts was cumulative or exponential and reminded the committee that the drug Thalidomide was not considered dangerous until the appalling birth defects were realised.

Mr Mortimer accepted that the new 5G masts needed to be larger and taller, but asked what of the next generation of masts, will they be taller still? He asked the committee to refuse the application and go back to the applicant and ask them to develop a mast that could be fitted to street lamps.

The Chair thanked Mr Mortimer and asked the Development Management Manager to comment on two areas, the refusal of the Ridgeway/Courtlands Drive application and the suggestion that the consultation was not complete.

Regarding the refusal of the historic application, the Development Management Manager stated that because it was some time ago, he could not recall exactly why it was refused, but pointed out that the field of telecommunications and wireless internet had moved on considerably, with considerable support and drive from central government. In fact this was to such an extent, that he felt any referral to this old application was no longer relevant.

The Development Management Manager stated that letters had been sent to between 35 and 45 nearby properties for each of the recent applications. Normal planning procedures had been followed.

The Chair thanked the Development Management Manager and passed the matter to the committee for discussion.

Concern was expressed that a Liquid Amber 'show tree', funded by local councillors and planted near the site, would be lost.

There was general concern about the number of masts at this site. The question was asked if this site had been chosen to avoid the Cassiobury Estate and the associated covenants.

The Development Management Manager stated that he was unable to comment on this particular tree, but larger and more mature trees would normally be protected. He pointed out that there were three masts within the Cassiobury Estate.

He was also asked if this site with its number of masts was unique in Watford. He pointed out that there were three masts on Hempstead Road at its junction with Langley Road. With a total of 70 base stations in the borough, some other areas in Watford had a multiple masts although these were often sited on tall buildings. So in that respect, with three 20 metre masts, he considered this area was unique. This application would be the eighth 5G mast in Watford.

A number of questions were put to the Development Management Manager:

- Can we put a restriction on any more masts at this site?
- Would the visual impact of this mast be sufficient reason to refuse the application?

- What is a “reasonable time” for removal of obsolete masts and can we force this?
- How much leeway do we have in moving the suggested location of the mast?
- The officer’s report mentioned that the location of the proposed mast was moved because of technical issues, could it be sited elsewhere?

The officer explained that because 5G masts were a permitted development and fully support by central government, our powers were extremely limited to restrict or refuse masts.

He pointed out that because this would be only the eighth 5G mast in Watford, it was doubtful the network was yet operational. So the old mast would likely still be in use and could not yet be removed.

The siting of masts was a highly technical matter to form a continuous cellular network. Accordingly, councils could not determine where masts were to be sited. Furthermore, with no tall buildings nearby, even if it was to be moved, it would be onto a residential road and potentially closer to residential properties. It was difficult to think of a better location in that area. The Development Management Manager pointed out that due to the tree cover, it was very difficult to see the masts as you travelled into Watford, the view was really upon exiting the town.

The officer concluded by explaining that the previous possible location was only 10 to 12 metres away and the proposed location was probably moved due to various underground services in the area.

The committee expressed concern about the appearance of the area, which was described as a blight on the streetscene. This prompted a discussion on ways to conceal and camouflage the visual impact of the proposed mast.

The Development Management Manager explained that a few years ago, some masts were disguised as trees; but this was no longer seen as a solution and such masts had been received with some derision in planning circles, as they were often more prominent than standard masts. The current thinking was to make the masts as slim as possible, but he accepted that masts were getting bigger.

The Chair pointed out that paragraph 115 of the NPPF stated that numbers of masts and sites should be kept to a minimum and camouflaged where appropriate. He suggested that the mast be

painted in two colours, a dark green on the lower section to blend in with the trees and a lighter blue/grey to blend in with the sky for the top antenna section.

The Development Management Manager showed the committee a CGI of the proposed two-tone mast, stating that the applicant was happy to paint the mast in two colours. This suggestion was positively received by the committee.

The Chair moved that prior approval be granted subject to the conditions contained within the officer's report and noting the updated ICNIRP Compliance Certificate, as detailed in the update sheet. Additionally to incorporate the recommendation for the two-tone mast.

RESOLVED –

that, prior approval be granted subject to the following conditions and the addition that the mast shall be painted in two colours to better blend in with the surroundings:

#### Conditions

1. The development to which this permission relates shall be begun within a period of five 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:

Master Drawing No. 941969\_WFD009\_50707\_WD0094\_M002B

002 Site Location Plan

003 Access Plan

005 Cherry Picker and Crane Location

100 Existing Site Plan

150 Existing Elevation A

215 Proposed Site Plan

265 Proposed Site Elevation

3. The mast pole shall be coloured Sherwood Green (BS 12 D 45) and the antennas coloured light grey (unless otherwise agreed in writing by the Local Planning Authority) and shall be retained as such at all times.

Due to an issue with the red line on the site location plan, which was incorrect, this application has been made invalid and has been withdrawn.

The Principal Planning Officer delivered her report and reminded the committee that there were some late updates that had been provided and had been published online.

The Chair thanked the Principal Planning Officer and passed the matter over to the committee for debate.

Comment was made that the applicant had behaved very badly and going forward, should be subject of close scrutiny to ensure future compliance as to what might be built and also its quality, even down to the footings. Officers were thanked for the obvious coordination between enforcement and planning.

The Chair pointed out that checking footings was not a planning matter, but perhaps this could be referred to in the consent letter, along with a reminder of the need for a party wall agreement.

The Principal Planning Officer agreed that whilst Building Regulations matters are outside the scope of planning, this could be added as an informative.

The Chair moved that planning permission be granted subject to conditions, as set out in section 8 of the officer's report, the update sheet.

**RESOLVED –**

that planning permission be granted subject to conditions, as set out in section 8 of the officer's report, and amended by the update sheet.

Conditions

1. The unauthorised single storey side extension shall be removed within 3 months of the date of this decision notice.
2. The development of the single storey side extension to which this permission relates shall be begun within a period of three years commencing on the date of this decision notice.

3. 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:

21018-010 REV D - PRE-EXISTING SITE PLAN  
21018-011 REV E - PRE-EXISTING FLOOR PLANS  
21018-030 REV D - PRE-EXISTING ELEVATIONS  
21018-110 REVB - PROPOSED SITE PLAN  
21018-001 REV D - SITE LOCATION PLAN  
21018-111 REV D - PROPOSED FLOOR PLAN  
21018-310 REV C -PROPOSED ELEVATIONS  
21018-311 REV B - PROPOSED ELEVATION

4. The external wall of the side elevation of the single storey side extension shall be finished in a red tone facing brick to match the colour, texture and finish of the brick finish seen on the front elevation of the existing dwelling.

#### Informatives

1. Positive and proactive statement
2. Building Regulations
3. Party Wall Act
4. Hours of construction

28

#### **21/01033/FUL 2 BRIAR ROAD WATFORD WD25 0HN**

The Principal Planning Officer delivered her report.

The Chair thanked the Principal Planning Officer and invited Councillor Tim Williams to address the committee.

Councillor Williams explained that this site had a good deal of planning history, with a number of applications and refusals. Residents feel that this plot is already heavily built on and this application would just increase the amount of building.

Councillor Williams noted that Herts County Council Highways had objected to this proposed scheme, but only on the grounds of the crossover, not highway safety. He felt this was a shame as the site was on a dangerous corner.

He pointed out that this application was very similar to the one that was refused, with the only real difference being that it was set back by one metre. He surmised that this set back might be the reason why the officer had recommended approval. He added that his opinion and that of residents differed from the officer's conclusion and that this proposal would still result in an unbalanced property, be of poor design and adversely affect the building and the streetscene.

Councillor Williams pointed out that the reasons for the previous refusal were still valid and he expressed his hope that the committee would refuse the application.

The Chair thanked Councillor Williams and passed the matter over to the committee for debate.

In response to a question as to how the set-back could increase the space, the Principal Planning Officer explained that the original application was for a one bedroom flat, whereas the current application was for a studio flat, which would be open plan rather than having a separate bedroom. A dwelling with a separate bedroom must have a minimum of 50 square metres, whilst an open plan dwelling can be 37 square metres. Thus this application now meets the required standards.

The officer was asked if this was an extension on a single house, would the proposed development comply with the required standards. She explained that the permitted development rights state that any extension can be up to 50% of the width of the house. But she pointed out that for this property, extensions of 50% could be built on both sides of the house. However, she acknowledged that the proposed 4.6 metres wide extension was still 1.4 metres wider than permitted development would normally allow.

Comment was made that this application appeared to give an unbalanced building design. The Principal Planning Officer explained that whilst this might be the case in the front view, the one metre set-back made the proposal sit better alongside the existing structure. She pointed out that whilst it might breach guidance in relation to its width, any planning inspector would look at what harm it caused.

Whilst it was felt this was not a good design and was still remarkably similar to the application that was refused, no strong reasons were found for refusal. It was noted that there were a number of larger extensions in the immediate vicinity.



The Chair moved 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 following conditions:

#### 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:

Site Location Plan

Sheet No2

Sheet No3 (Sept 2021)

Sheet No4 (Sept 2021)

3. All the external surfaces of the development shall be finished in materials to match the colour, texture and style of the existing building. In the event of matching materials not being available, details of any alternative materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the development shall only be carried out in accordance with any alternative details approved by this Condition.

4. No development shall commence until full details for the width, location, design and material of the access, crossover and parking area from Briar Road have been submitted to and approved in writing by the Local Planning Authority. The details shall include details of any other associated works to highway and utility furniture required to secure the access. The access, crossover and parking area approved under this condition shall be installed and made available for use prior to the occupation of the development and shall be retained at all times

5. No part of the development shall be occupied until details of the size, type, siting and finish of refuse and recycling storage enclosures for the new and existing dwellings has been

submitted to and approved in writing by the Local Planning Authority. The stores approved under this condition shall be installed and made available for use prior to the occupation of any part of the development and shall be retained at all times for refuse/recycling only and shall not be used for any other purpose.

6. No part of the development shall be occupied until details of the size, type, siting and finish of a cycle storage enclosure for the proposed dwelling has been submitted to and approved in writing by the Local Planning Authority. The storage approved under this condition shall be installed and made available for use prior to the occupation of any part of the development and shall be retained at all times for cycle storage only and shall not be used for any other purpose.
7. No part of the development shall be occupied until full details of both hard and soft landscaping works, including details of all existing trees to be retained, trees and soft landscaping to be planted, any other arboricultural works to be carried out, details of 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 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.

Reason: In the interests of the visual appearance of the site, to safeguard trees, to ensure the provision of suitable car parking, to ensure suitable amenity for future occupiers, to ensure suitable screening is maintained or provided between the site and neighbouring occupiers in accordance with 'saved' policies T21 and SE37 of the Watford District Plan 2000.

8. Prior to occupation of the development, appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

#### Informatives

1. Positive and proactive statement
2. Building regulations
3. Party Wall Act
4. Hours of construction
5. Community Infrastructure Levy
6. Street naming and numbering

Chair

The Meeting started at Time Not Specified  
and finished at Time Not Specified