

Agenda Item 5

MINUTES OF MEETING NO 11 OF THE PLANNING (DEVELOPMENT CONTROL) COMMITTEE SOUTH

held in the District Council Offices, St Peter's Street, St Albans Herts AL1 3JE on Monday, 8 February 2010 at 7.00 pm

Present:

Councillors Harrison (Chairman), Poor (Vice-Chairman), Brazier, Day, Gardner, Harris, McAlister-Baillie, Myland, Winstone and Yates

In Attendance:

Councillor Gordon

Officers in Attendance:

Ms J Adamson, Regulatory Solicitor
Ms H Cheesbrough, Head of Planning and Building Control
Ms M \Burroughes - Area Team Leader
Ms J Grimes, Corporate Administrator
Mr A Moorhouse, Development Control Manager
Mr T Thompson, Assistant Trees and Woodlands Officer

1. **DISCLOSURE OF INTERESTS**

Judith Adamson read out a letter from the agent for the applicant seeking temporary permission for change of use of Cemex House stating that it was understood that Councillor Brazier had met with the applicants before the site had become available. It was also alleged that he had visited the site and commented on its suitability to the applicant. The author of the letter opined that as Alan Moorhouse had withdrawn from the previous consideration of the application due to having met the applicant, Councillor Brazier might also take this course of action. Judith Adamson stated that Councillor Brazier had met with representatives of the Legal and Democratic Services Department and after discussion, it had been concluded that Councillor Brazier did not have a personal, prejudicial interest in the application. Councillor Brazier stated that this letter had only come to light that day and that as the Portfolio Holder for Planning and Conservation, he would withdraw from the meeting during consideration of this item. The Chairman and other Members expressed concern and disappointment that Councillor Brazier had considered it appropriate to withdraw from consideration of this application due to the submission of the letter.

2. **MINUTES**

The Minutes of Meeting No 10 of the Committee held on 21 December were confirmed although it was noted that Councillors Brazier, Day and Harrison had not been able to attend the meeting or proffer apologies in advance due to adverse weather conditions.

3. **PLANS**

Having taken into consideration further representations received and reported orally by the Head of Planning and Building Control and the Development Control Manager, the applications for planning consent were dealt with as set out below.

4. **CEMEX HOUSE, BARNET ROAD, LONDON COLNEY AL2 1BD**

Councillor Brazier and Alan Moorhouse were not present for the consideration of this application.

RESOLVED

(i) That the above application be GRANTED subject to:

1. This permission shall be for a limited period expiring 3 years from the date of this notice. On or before that date, the use hereby permitted shall be discontinued and the premises reinstated to their former condition on or before 9/01/2013 in accordance with a scheme of work submitted to and approved by the Local Planning Authority.
2. Before the use commences a scheme providing for the insulation of the building against the transmission of noise and vibration from the building shall be submitted to and approved in writing by the Local Planning Authority. The scheme so approved shall be carried out before the use commences.
3. This permission does not extend to the installation of external lighting.
4. No system for the production of amplified music or speech shall be installed or used within the premises unless otherwise agreed in writing by the Local Planning Authority and any internal system shall not be audible externally.
5. No outside/external public gathering or worship shall take place within the site.
6. Prior to commencement, all windows on the ground and first floor of the rear south elevation of the main building shall be glazed in obscure glass and fixed below a height of 1.7 metres above finished internal floor area.
7. The existing fire escape doorway and stairs shall only be used for emergency purposes, and the door shall otherwise remain closed. The door shall also be permanently obscure glazed.
8. Prior to occupation, a 2 metre high close boarded fence shall be erected along the common boundary with No.10 lowbell lane up to a point level with the front elevation of that dwelling and along the common boundaries with Nos 1, 3, 5, 7 and 9, Colne Gardens. The fences shall be permanently retained.
9. The car parking area on the north side of Lowbell Lane shall be maintained as a permanent ancillary to the use of the site for ecclesiastical purposes. Once the use has commenced the car park site shall be used for the parking of vehicles whilst the premises is in use and shall be used for no other purpose.
10. There shall be no residential use of the building without first seeking the written approval from the Local Planning Authority.

(ii) That an informative note issued pursuant to Department of the Environment Circular 11/95, the applicant be informed of the following:

1. This determination was based on the following drawings and information: Planning Statement, Transport Statement, Flood Risk Assessment, J487/BP1 - Block Plan Parking Layout, Location Plan, J487/FP1 - Floor Plan Main Building (Ground Floor) J487/FP2 - Floor Plan Main Building (First Floor), J487/FP3 - Floor Plans Outbuilding and Shed, J487/E1 - Elevations Main Building (Front and Rear), J487/E4 - Elevations

Shed, J487/E3 - Elevations Outbuilding, J487/E2 - Elevations Main Building (Sides) received on 18 December 2009.

2. Consideration is needed to be given to accessible toilets and shower facilities, and disabled car parking. The development should comply with Part M of the Building Regulations.

Reason for Grant

Considering the proposal on its own individual material planning merits and in light of the previous refusal; a temporary permission for 3 years would enable the Local Planning Authority to assess the proposed use in terms of its level of usage and impact upon residential amenity and its impact upon the adjoining Conservation Area. The proposal complies with the development plan, in particular Policy 2 (Settlement Strategy); Policy 9 (Non residential uses within residential areas); Policy 24 (Non Allocated Employment Areas); Policy 34 (Highway Considerations in Development Control); Policy 39 (Car Parking); Policy 67 (Public Meeting Rooms and Facilities) of the St Albans District Local Plan Review 1994.

Note: 1) Mr P Madoc, who had given notice, spoke against the application and Mr P Trevelyan spoke on behalf of Mr F Bokus, who had given notice, in favour of the application.

2) Comments raised that were not considered to be a planning matter were not reported in the Committee report nor did they form any part of the recommendation.

5. **56 LAKESIDE PLACE, LONDON COLNEY AL2 1PZ**

RESOLVED

(I) That the above application be GRANTED, subject to:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
2. The external surfaces of the development hereby permitted shall be constructed only of materials, the type and colour of which match exactly those of the existing building .
3. The extension or building hereby permitted shall not be used at any time other than for purposes ancillary to the residential use of the dwelling.
4. No materials, debris, pollutants, vehicles or machinery associated with this development are to be stored within, leached into or used to access the development through the Wildlife Sit no 77/006 Broad Colney Lakes.

Reason for Grant

The proposed development is considered acceptable, as it is compatible with the style and form of the original building and with the scale and character of the street scene. There will be no adverse impact on neighbouring properties and car parking requirements are adequate. The proposal is in accordance with Policy 12 (Accommodation for Relatives, Dependants or Staff) Policy 39 (Parking Standards, General Requirements), Policy 40 (Residential Development Parking Standards), Policy 69 (General Design and Layout), Policy 72 (Extensions in Residential Areas) and Revised Parking Policies and Standards, January 2002 of the St. Albans District Local Plan Review 1994.

Note: Mr L Wilson, who had given notice, spoke in favour of the application.

6. **TREE PRESERVATION ORDER 1103 - YULE CLOSE, PARK STREET**

The Committee was asked to consider the revocation of Tree Preservation Order (TPO) 1103 in respect of an area order protecting all the trees in Yule Close. Revocation was sought following confirmation of TPO 1494 which protected the two remaining trees which were considered to worthy of preservation.

RESOLVED

That consideration of the revocation of TPO 1103 be deferred to enable the presentation of more detailed information about the trees protected by that order.

7. **TREE PRESERVATION ORDER 1499 - 11 BIRCH COPSE**

The Committee was asked to consider confirmation of TPO 1499 preserving three silver birch trees at this location together with the revocation of TPO 1078 which the new order would replace. The trees were considered to have important amenity value and the new order was part of the TPO review. No objections had been received

RESOLVED

- (I) That TPO 1499 in respect of three trees situated to the front of 11 Birch Copse be confirmed with the modification of changing Birch Close to Birch Copse on the documentation.
- (II) That TPO 1078 be revoked.

8. **TREE PRESERVATION ORDER 1504 - 129 MOUNT PLEASANT ROAD**

The Committee was asked to consider confirmation of this order preserving two oak trees at this location. These trees were of important amenity value and no objections had been received.

RESOLVED

That TPO 1504 for two oaks trees to the front of 129 Mount Pleasant Lane, Bricket Wood be confirmed with the modification that TPO 1503 to 1504 on the map.

9. **REPORTS TO BE RECEIVED**

The following reports were received and noted by the Committee:

- (i) Statistical Information
- (ii) List of Delegated Decisions
- (iii) Digest of Appeal Decisions – November 2009
- (iv) Quarterly Digest of Appeals – Performance Indicators

During consideration of these items, Alan Moorhouse referred to the deletion of a post and the introduction of Electronic Document Management Systems whilst highlighting some of the appeal decisions.

The Meeting ended at 8.50 am

(SIGNED)

CHAIRMAN