

# Agenda Item 5

## MINUTES OF MEETING NO 12 OF THE PLANNING (DEVELOPMENT CONTROL) COMMITTEE CENTRAL

held in the Council Chamber, District Council Offices, St Peter's Street, St Albans, Herts AL1 3JE on Monday, 1 February 2010 at 7.00 pm

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### Present:

Councillors Frearson (Chair), Clegg (Vice-Chairman), J Churchard, K Morris, Pia, Wartenberg and Witherick.

### Apologies for Absence:

Councillors Gaygusuz, Leach and Leonard.

### In Attendance:

Councillor Green.

### Officers in Attendance:

Ms M Burroughes, Deputy Team Leader  
Mr D Edwards, Principal Legal Executive  
Mr A Moorhouse, Development Control Manager  
Mr P Warne, Corporate Administrator

### 1. **MINUTES**

The Minutes of Meeting No. 11 of the Committee, held on 11 January 2010, were confirmed.

### 2. **SCHEDULE OF PLANNING APPLICATIONS**

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

### 3. **5/2009/2112 FULL - 02.11.2009 - SINGLE STOREY FRONT AND REAR EXTENSION, TWO STOREY FRONT, SIDE AND REAR EXTENSION AND ROOF EXTENSION (RESUBMISSION FOLLOWING REFUSAL OF 5/09/0341) - 42 LANCASTER ROAD, ST ALBANS AL1 4ET FOR MR M OLDROYD**

#### **RESOLVED**

- (i) That the above application be GRANTED subject to the following conditions:
  - 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 those of the existing building.
  3. The window(s) to be created in the first floor side elevation facing towards nos. 40 and 44 Lancaster Road shall be glazed in obscure glass to a standard comparable with Level 4 of the Pilkington Glass range and shall not be altered to clear glazing without the prior written approval of the Local Planning Authority. Furthermore, no new windows or other openings shall be inserted in this elevation or the side roofslopes.
- (ii) That in an informative note issued pursuant to Department of the Environment Circular 11/95:
1. The applicant's attention is drawn to the Party Wall Etc Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.
  2. The applicant is advised that this application was accompanied by a Certificate stating that the applicant was the owner of all the land shown within the application site and therefore, this decision is issued on the understanding that no part of the development extends beyond the cartilage of the application premises.

#### Reason for Grant

The proposed extensions address the previous reason for refusal and the Inspector's comments. There will be no significant adverse effect on the amenity or living conditions of the occupiers of no. 44 Lancaster Road. It is acceptable in terms of size, scale, bulk, massing, position and levels. There is adequate car parking. The proposal complies with Policy 69 (General Design and Layout) and Policy 72 (Extensions to Dwelling Houses) of the St Albans District Local Plan 1994.

Note: Mr M Oldroyd, who had given notice, spoke in favour of the application.

#### 4. 5/2009/2237 FULL - 18.11.2009 - ERECTION OF ONE, TWO BEDROOM DWELLING ON LAND REAR OF 38 BERNARD STREET, ST ALBANS FOR MR E CLIFFORD

#### RESOLVED

- (i) That the above application be GRANTED, subject to the following conditions:
1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
  2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
  3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no enlargement or extension of the dwelling(s) hereby permitted, including

- any additions or alterations to the roof, and no building or enclosure shall be constructed within the application site without the prior written permission of the Local Planning Authority.
4. The development hereby permitted shall not be commenced until drawings showing existing levels and proposed slab levels have been submitted to and approved in writing by the Local Planning Authority.
  5. No demolition or construction works relating to this permission shall be carried out on any Sunday or Bank Holiday nor before 08.00 hours or after 18.00 hours on any days nor on any Saturday before 08.00 hours or after 13.00 hours.
  6. On site parking shall be provided for the use of all contractors, sub-contractors and delivery vehicles engaged on or having business on the site in accordance with details to be agreed in writing with the Local Planning Authority before the commencement of site works. The parking area shall remain until building and clearance work have been completed.
  7. All materials and equipment to be used during the demolition / construction shall be stored within the curtilage of site unless otherwise agreed in writing by the Local Planning Authority prior to the commencement of the development.
  8. The windows and doors shall be white painted timber.
  9. All existing trees, shrubs and other natural features not scheduled for removal shall be fully safeguarded during the course of any demolition, site works and building operations. No work shall commence on site until all trees, shrubs or features to be protected are fenced along a line to be agreed with the Local Planning Authority of 1.2 metres minimum height chestnut paling to BS 1722 Part 4 securely mounted on scaffold poles. Such fencing shall be maintained during the course of the works on site. No unauthorised access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced area.
  10. No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include (a ) proposed finished levels and contours; (b) means of enclosure; (c) car parking layouts; (d) other vehicles and pedestrian access and circulation areas; (e) hard surfacing materials; (f) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); (g) proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines manholes, supports etc.); (h) retained historic landscape features and proposals for restoration where relevant; (I) existing trees to be retained; (j) existing hedgerows to be retained.
  11. Soft landscape works required to be submitted under Condition 10 shall include planting plans; written specifications (including cultivation and other operations associated with the plant and grass establishments); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; an implementation programme should be submitted.
  12. If within a period of five years from the date of the planting of any tree or plant, that tree or plant, or any tree or plant planted in replacement for it is removed, uprooted or destroyed or dies or becomes seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless otherwise the

Local Planning Authority gives its written consent to any variation. The tree or plant shall be planted within [3] months of felling/dying or if this period does not fall within the planting season by 31 January next.

13. No development shall take place on site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.
14. Prior to the commencement of development the position of all new buildings shall be pegged out on site. The position shall then be agreed in writing by the Local Planning Authority.
15. Prior to occupation details of the proposed bin store shall be submitted to and approved in writing by the Local Planning Authority. It shall be provided in the agreed form prior to occupation of the dwelling.

(ii) That in an informative note issued pursuant to Department of the Environment Circular 11/95:

1. The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.
2. The applicant is informed that the Local Planning Authority would encourage the use of sustainable energy efficient building materials and alternative energy sources in construction and would encourage the consideration of alternative forms of heating, for example solar power.
3. The applicant's attention is drawn to the Party Wall Etc. Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.
4. The applicant is requested to ensure no damage is caused to the footpath and highway verge during the course of the development. Any damage should be repaired to the satisfaction of Hertfordshire Highways.
5. Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
6. The applicant should ensure that on site wheel washing facilities are available for construction traffic.
7. This determination was based on the following drawings and information: plans TL:0932:01, TL:0932:02 and TL/0932/03 and Design & Access Statement received on 11/11/2009

### Reason for Grant

The proposal is considered acceptable. The reason for refusal of the previous application 5/08/1592 has been addressed and the principle of residential redevelopment on the site is acceptable. The proposal is compatible with the scale, character and appearance of the streetscene and this part of the Conservation Area. There will be no adverse impact on neighbouring properties and the provision of amenity space is sufficient. Car parking requirements and access arrangements are adequate. The proposal is in accordance with Policy 2 (Settlement Strategy), Policy 4 (New Housing Development in Towns), Policy 34 (Highway Considerations in Development Control), Policy 39 (Parking Standards, General Requirements), Policy 40 (Residential Development Parking Standards), Policy 69 (General Design and Layout), Policy 70 (Design and Layout of New Housing), Policy 74 (Landscaping and Tree Preservation) and Policy 85 (Development in Conservation Areas) of the St Albans District Local Plan Review 1994.

Note: Mr A Perkins, who had given notice, spoke against the application. Mr D Lane, who had given notice, spoke in favour of the application.

### 5. **REPORTS TO BE RECEIVED**

The Committee noted the following reports

- (i) Statistical Information;
- (ii) List of Delegated Decisions;
- (iii) Appeals Decisions for November 2009;
- (iv) Quarterly Digest of Appeals Decisions.

The Meeting ended at 8.30 pm.

**(SIGNED)**

**CHAIRMAN**