

THREE RIVERS DISTRICT COUNCIL

At a meeting of the **Planning Committee** held in the Penn Chamber, Three Rivers House, Northway, Rickmansworth, on Thursday 21 May 2015 from 7.30pm to 8.28pm.

Present: Councillors Chris Whately-Smith (Chairman), Chris Lloyd (Vice-Chairman), Diana Barber, Phil Brading, Marilyn Butler, Peter Getkahn, Alex Hayward, David Major, Debbie Morris, Reena Ranger and Ann Shaw OBE

Officers: Claire Westwood, Matthew Roberts, Rob Morgan, Terence Flynn, Sarah Haythorpe and Helen Wailing

Also in attendance: Councillors Paula Hiscocks and Ralph Sangster

About 10 members of the public.

An apology for absence was received from Councillor Len Tippen.

Councillor Chris Lloyd joined the meeting at 7:38pm.

PC01/15 MINUTES

The Minutes of the Planning Committee meeting held on 23 April 2015 were confirmed as a correct record and were signed by the Chairman.

PC02/15 NOTICE OF OTHER BUSINESS

The Chairman reported that Agenda item 7 (the application for construction of 66 residential apartments, car parking, open space, landscaping and associated works, at FORMER GAS WORKS, WHARF LANE, RICKMANSWORTH, HERTFORDSHIRE, for St William Homes LLP), had been withdrawn.

In regard to Agenda item 14 (15/0879/FUL – 10 Solesbridge Close) the Planning Officer reported that the applicant had signed Certificate B as there was land outside their property but within the red line of the application site that was in the ownership of Hertfordshire County Council. They had since become aware that there was also land within the red line area that was within the ownership of Three Rivers District Council (TRDC).

TRDC had sought legal advice and had requested that the applicant withdrew the current application in order that the appropriate notices could be served. The applicant did not wish to withdraw the application and had challenged TRDC's position that the application needed to be withdrawn or made invalid. They considered that notice could be served during the course of the application and had served notice on TRDC that day.

Officers were seeking further legal advice in relation to this and officers therefore recommended that the application be deferred while further advice was sought. If the application was not withdrawn or deemed to be invalid it would be returned for consideration at next month's committee meeting.

Councillor Phil Brading moved the officer recommendation to seek legal advice and for the Committee to make a site visit, seconded by Councillor Ann Shaw, with regard to this application. On being put to the Committee the motion to defer the application to the next meeting to allow officers to seek legal advice and to make a site visit was CARRIED the voting being unanimous.

RESOLVED:

That the application be DEFERRED to the next meeting to allow officers to seek legal advice and that the Committee undertake a site visit.

PC03/15 DECLARATIONS OF INTEREST

Councillor Reena Ranger declared a non-pecuniary interest in agenda item 11 (15/0570/RSP: part retrospective: single storey front extension and porch at 38 Bedford Road, Moor Park, Hertfordshire, HA6 2AZ for Mr Prashant Chopra) and agenda item 12 (15/0733/RSP: part retrospective: vehicle hardstanding and soft landscaping to site frontage at 8 Ormonde Road, Moor Park, Hertfordshire, HA6 2EL for Ms Ranger) and left the meeting during the consideration of these applications.

PC04/15 CONSIDERATION OF OBJECTIONS AND CONFIRMATION OF THREE RIVERS (LAND BETWEEN BELL LANE AND MILLHOUSE LANE, BEDMOND) TREE PRESERVATION ORDER 2015

The Landscape Officer reported that there was no further update.

The Chairman noted that the tree was within woodland in the Green Belt.

Councillor Ann Shaw moved, seconded by Councillor Phil Brading, that the Committee confirm the recommendation that the objection is noted but that the Three Rivers (Land Between Bell Lane and Millhouse Lane Bedmond) Tree Preservation Order 2015 is confirmed without modification.

On being put to the Committee the motion that the objection is noted but that the Three Rivers (Land Between Bell Lane and Millhouse Lane Bedmond) Tree Preservation Order 2015 is confirmed without modification was declared CARRIED, the voting being unanimous.

RESOLVED:-

That the objection is noted but that the Three Rivers (Land Between Bell Lane and Millhouse Lane Bedmond) Tree Preservation Order 2015 is confirmed without modification.

PC05/15 15/0261/FUL - CONSTRUCTION OF 66 RESIDENTIAL APARTMENTS, CAR PARKING, OPEN SPACE, LANDSCAPING AND ASSOCIATED WORKS, AT FORMER GAS WORKS, WHARF LANE, RICKMANSWORTH, HERTFORDSHIRE, FOR ST WILLIAM HOMES LLP

This application had been withdrawn.

PC06/15 15/0322/RSP – PART RETROSPECTIVE: RETENTION OF SKYLIGHT ROOF ACCESS, INSTALLATION OF WORKING PLATFORM AND BALUSTRADE FOR PLANT AND ROOF MAINTENANCE ONLY AT 171 HIGH STREET, RICKMANSWORTH, HERTFORDSHIRE, WD3 1AY FOR MR HUNTER

Councillor Chris Lloyd joined the meeting.

The Planning Officer reported that there were no further updates from consultees. A plan had been provided for Members showing the comparisons between the roof terraces proposed under previous planning applications.

Councillor Debbie Morris referred to page 59 of the agenda papers, paragraph 8.2.7 where it stated that the metal balustrades would not be visible from Rickmansworth High Street, whilst only glimpses would be possible from in

between the building and Ebury Road. On page 60, paragraph 8.4.4, it stated that the balustrade would be clear from surrounding vantage points, especially from in front of Farris Mews to the south east and, that the terrace was being used by staff. She noted that these two statements did not concur.

The Planning Officer said in paragraph 8.2.7 there was no reference to the balustrades being visible from Rickmansworth High Street but only from glimpses between the building and Ebury Road. In paragraph 8.4.4, it stated that staff when using the terrace would be visible from Farris Mews.

Councillor Debbie Morris referred to paragraph 8.2.7 and queried why this use of metal balustrades with no panelling further demonstrated that the roof terrace was not being used by staff. She also asked whether that was a Health and Safety restriction.

The Planning Officer said that the balustrades had previously been made of glass. Now they gave the impression that they would be used for maintenance purposes only. The balustrades did not however prohibit use by staff members.

The Chairman referred to Condition C3 (that the roof terrace be used for plant and roof maintenance purposes only) and asked how well this could be enforced.

The Planning Officer said that this was outlined in paragraph 8.4 onwards. He noted that the applicant had requested that this condition be included.

Councillor Debbie Morris referred to paragraph 8.4.1 and said that as the majority of the nearby buildings did not have working platforms or balustrades, how did the reduction in the roof terrace size address these concerns?

The Planning Officer said that when this application had previously been refused, the roof terrace proposed had been significantly larger. Visibility had now somewhat been reduced. The use of the roof terrace would be intermittent as it was for maintenance and plant use only.

The Chairman asked about paragraph 1.2.1 (page 54) in which it stated that in June 2014 the Planning Inspector had dismissed the appeal solely on the impact towards the character and appearance of the Rickmansworth Town Centre Conservation Area, rather than its impact on privacy issues.

The Planning Officer said that the appeal was dismissed solely on its impact on the character and appearance of the Conservation Area. The terrace proposed was now smaller, set back significantly from the rear of the building when compared to the dismissed appeal and refused schemes.

Councillor Ann Shaw said that the application was a significant improvement on the previous one. If the Committee refused the application, it could be seen as being unreasonable.

The Planning Officer noted that the concerns raised by the Planning Inspector had been addressed.

Councillor Phil Brading, seconded by the Chairman of the Committee, moved that part retrospective planning permission be granted to have effect from the date on which the development was carried out and subject to conditions.

Ward Councillor Paula Hiscocks noted the Inspector's comments. Other balconies and roof terraces in the area were not located above the height of the

buildings but this balcony would be visible from Ebury Road. It would not comply with Policy CP12 of the Core Strategy (adopted October 2011) nor with Policy DM3 of the Development Management Policies LDD (adopted July 2013).

Councillor Ann Shaw said that the roof terrace had been moved so that it was now not as visible. She asked what action could be taken if people were seen on the roof terrace, and how quickly.

The Planning Officer referred to Informative I4 which advised the applicant that a breach of condition 3 would allow the Council to issue a breach of condition notice. There was no right of appeal for the applicant when issued with this notice. A breach of the notice would be an offence under the Planning Acts.

Councillor David Major referred to Condition C1 and asked if the three year period could be shortened. The Planning Officer said that the roof was not currently being used as a terrace and therefore any future works approved must commence within 3 years which was a standing planning condition.

Ward Councillor Ralph Sangster said that someone would need to go outside the balustrade to maintain the air conditioning units but this could be done without a roof terrace.

The Planning Officer referred Members to paragraph 8.4.1 but accepted the concerns raised. The response from the applicant regarding the maintenance of the air-conditioning units had been that the maintenance staff could strap themselves onto the railings to access the units.

On being put to the Committee the motion that part retrospective planning permission be granted to have effect from the date on which the development was carried out and subject to conditions was declared CARRIED the voting being 5 For, 2 Against and 4 Abstentions.

RESOLVED:-

That PART RETROSPECTIVE PLANNING PERMISSION BE GRANTED and has effect from the date on which the development is carried out and is subject to the following conditions:

C1 Those parts of the development hereby permitted that have not yet been carried out shall be begun before the expiration of 3 years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

C2 The development hereby permitted shall be carried out and maintained in accordance with the following approved plans: DRW.NO 01 (Location Plan); TRDC 001 (Proposed Floor Plan) and TRDC 002 (Visual Plan).

Reason: For the avoidance of doubt and in the proper interests of planning in accordance with Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011), Policies DM3 and DM6 of the Development Management Policies LDD (adopted July 2013) and the Rickmansworth Conservation Area, Appraisal and Character Assessment (produced August 1993).

C3 The roof terrace hereby permitted shall be used for plant and roof

maintenance purposes only.

Reason: In the interests of visual amenity in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM3 of the Development Management Policies LDD (adopted July 2013) and the Rickmansworth Conservation Area, Appraisal and Character Assessment (produced August 1993).

- C4 No external lighting shall be installed on the roof terrace or affixed to any fixtures and fittings associated with the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM3 of the Development Management Policies LDD (adopted July 2013) and the Rickmansworth Conservation Area, Appraisal and Character Assessment (produced August 1993).

Informatives:

- I1 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by application form; the relevant form is available on the Council's website (www.threerivers.gov.uk). Fees are £85 per request (or £25 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. The Council's Building Control section can be contacted on telephone number 01923 727132 or at the website above for more information and application forms.

Where possible, energy-saving and water harvesting measures should be incorporated. Information on this is also available from the Council's Building Control section. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

- I2 The applicant is reminded that the Control of Pollution Act 1974 stipulates that construction activity (where work is audible at the site boundary) should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- I3 The Local Planning Authority has been positive and proactive in its consideration of this part retrospective planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2015.
- I4 The applicant is reminded that if the roof terrace hereby permitted is used for purposes other than for plant and maintenance, a Breach of Condition Notice may be served by the Local Planning Authority. For

your information, there is no right of appeal once the notice is served and any breach of the notice is an offence under the Planning Acts.

PC07/15

15/0331/FUL - DISTRICT COUNCIL APPLICATION: TWO STOREY SIDE EXTENSION TO CREATE SEPARATE ENTRANCE TO FIRST FLOOR FLAT, INTERNAL ALTERATIONS AND DEMOLITION OF EXISTING GARAGE, AT ST JOHN FISHER ROMAN CATHOLIC CHURCH, SHIRE LANE, CHORLEYWOOD, HERTFORDSHIRE FOR WESTMINSTER ROMAN CATHOLIC CHURCH DIOCESE TRUSTEE

15/0332/LBC – LISTED BUILDING CONSENT: TWO STOREY SIDE EXTENSION AND DEMOLITION OF EXISTING GARAGE, AT ST JOHN FISHER ROMAN CATHOLIC CHURCH, SHIRE LANE, CHORLEYWOOD, HERTFORDSHIRE FOR WESTMINSTER CATHOLIC CHURCH DIOCESE TRUSTEE

The Planning Officer reported that Paragraph 2.6 on page 64 stated that the building was Locally Listed. Officers had confirmed that the building was Grade II Listed.

One further neighbour letter had been received by officers and a second letter had been sent directly to Planning Committee Members. Both letters reflected the comments previously received which were summarised at paragraph 4.2.4 on page 65.

The wording of Condition 4 of application reference 15/0331/FUL on page 70 should be amended to omit the reference to rooflights as no rooflights were proposed in the north-east elevation.

Councillor Ann Shaw proposed, seconded by Councillor Chris Lloyd, that both applications be deferred for a site visit.

On being put to the Committee the motion that both applications be DEFERRED for a site visit was CARRIED the voting being unanimous.

RESOLVED:

That both applications be DEFERRED for a site visit.

PC08/15

15/0435/FUL – Erection of gas pressure reduction station, at BRITISH GAS TRANSCO, WHARF LANE, RICKMANSWORTH, HERTFORDSHIRE, for National Grid

The Planning Officer reported that Paragraph 7.2.2 on page 86 should be updated to refer to the colour of the PRS as goose grey (not green) as noted in the updates at the start of the report.

A letter had been received from the applicant's agent on 20 May 2015 which sought to clarify points in the committee report. The letter had been made available on the website upon its receipt and had been circulated to Committee Members.

In summary:

- In relation to the location of the PRS (point 5 on pages 64 and 75) it was stated that the proposed location was the optimal position to safely and efficiently continue the supply of gas to properties in Rickmansworth.

- the letter disagreed with the officer comment that vegetation would provide a degree of screening and considered that the PRS would be almost entirely screened by vegetation during spring and summer.
- The PRS was not out of keeping and reflected the historic use of the site as a gasworks.
- Further clarification regarding noise and odour reduction had been provided which emphasised that the proposal would have no adverse effect.

Councillor Ann Shaw said that a decent and reliable gas supply was important. However a major question was why the PRS had to go in front of people's homes and not elsewhere on the site. Members had asked for consideration of alternative sites but none had been brought forward. She moved, seconded by Councillor Peter Getkahn, that the application be refused.

Councillor Peter Getkahn said that there was no other application in place for that site, so the PRS could now be placed anywhere on the site.

Councillor Reena Ranger said that she had been to visit a PRS device on Field Way, Rickmansworth. Field Way was a busy road but even so, a low-level noise could be heard (a slight hum) from the PRS. The PRS being proposed would be on a quiet site with no traffic noise, and residents would be aware of the low-level noise. The PRS on Field Way was completely covered but noise could still be heard.

The Chairman of the Committee said that the PRS was harmful to the character of the area due to its siting and design. The proposal was unneighbourly and would affect the outlook of the residents who lived there, particularly as a result of its open roofed design.

Councillor Phil Brading said that he agreed with re-siting the proposed PRS, as the current proposed siting would provide for a very unfortunate and unneighbourly situation. The future situation of the site would be far better than what had been there previously. However siting the PRS where it was proposed seemed to be a nonsense and unneighbourly to everyone. There must be other locations on the site. He accepted what the agent had said, that the PRS could not go back on its existing site, but there was no evidence that the only other suitable site was the one being proposed. He also referred to page 75 in the report in which the agent had said that noise travelled in a straight line. This was not scientifically correct.

The Planning Officer had heard Members' concerns. Whilst comments regarding alternative locations were noted, the current application had to be considered on its merits. It was noted that Members had said that the proposed PRS would be out of character and would be unneighbourly.

Councillor Peter Getkahn said that the residents in the flats in Salters Close would also overlook the PRS.

The Chairman of the Committee proposed that the application be refused, as previously moved by Councillor Anne Shaw, on the grounds noted above and that the wording for the refusal should be circulated after the meeting to the Committee Members, seconded by Councillor Debbie Morris.

Councillor Ann Shaw said that there had been a suggestion that the PRS could not be sited near the '9 Lives' building due to a puddle. She said that she had been to view the puddle and that it was very shallow and was not a consideration.

Ward Councillor Paula Hiscocks said this siting was the worst for residents. National Grid said they would need to develop a flood zone next to the '9 Lives' building, but a smaller application would not require this. Having visited smaller stations the noise emitted had been masked by traffic noise. A substantial hiss could be heard when there was a lull in traffic. Residents in Salters Close would hear the noise if their windows were open. At one PRS gas could be smelt.

On being put to the Committee the motion that planning permission be refused on grounds relating to siting/design/appearance and impact on character and appearance of area and neighbouring amenity, was declared CARRIED, the voting being unanimous.

RESOLVED:

That planning permission be refused for the following reason (the final wording having been agreed by Members after the meeting):

Reason:

The proposed pressure reduction station by reason of its siting, design and appearance and the open roofed design of the enclosing compound would result in demonstrable harm to the character and appearance of the area, would be an un-neighbourly form of development, and would adversely affect the amenity of neighbouring residential occupiers. The development would therefore be contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011).

Informative:

The Local Planning Authority has been positive and proactive in considering this planning application in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012. Whilst the applicant and the Local Planning Authority discussed the scheme during the course of the application, the proposed development, as amended, fails to comply with the requirements of the Development Plan and does not maintain/improve the economic, social and environmental conditions of the District.

PC09/15 15/0570/RSP: PART RETROSPECTIVE: SINGLE STOREY FRONT EXTENSION AND PORCH AT 38 BEDFORD ROAD, MOOR PARK, HERTFORDSHIRE, HA6 2AZ FOR MR PRASHANT CHOPRA

Councillor Reena Ranger left the meeting during the consideration of this application.

The Conservation Officer had provided the following comments:

"The property is located in the Moor Park Conservation Area. The proposed front extension and porch is modest in scale and works with the existing architectural elements - such as the oversailing roof. The part of the building in question has been extensively rebuilt and the cumulative impact on the host building and wider conservation area is not considered to be negative."

Councillor Debbie Morris moved, seconded by Councillor Ann Shaw that the application be delegated to the Director of Community and Environmental Services to grant part retrospective planning permission subject to conditions.

On being put to the Committee the motion that the application be delegated to the Director of Community and Environmental Services to grant part retrospective planning permission, subject to the conditions, was declared CARRIED, the voting being unanimous.

RESOLVED:

That subject to no new material considerations being raised, the application be delegated to the Director of Community and Environmental Services to **GRANT PART RETROSPECTIVE PLANNING PERMISSION** and has effect from the date on which the development is carried out and is subject to the following conditions

- C1 The development hereby permitted shall be completed and maintained in accordance with the following approved plans:

01, 02, 03, 04, 05, 06A, 07A, 08, 09A, 10A, 11A, 12

Reason: For the avoidance of doubt, in the proper interests of planning and residential amenity and to safeguard the character and appearance of the Moor Park Conservation Area in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and the Moor Park Conservation Area Appraisal (adopted 2006).

- C2 All new works or making good to the retained fabric shall be finished to match in size, colour, texture and profile those of the existing building unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the building is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and the Moor Park Conservation Area Appraisal (adopted 2006)

Informatives:

- I1 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by application form; the relevant form is available on the Council's website (www.threerivers.gov.uk). Fees are £97 per request (or £28 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. The Council's Building Control section can be contacted on telephone number 01923 727132 or at the website above for more information and application forms.

Where possible, energy-saving and water harvesting measures should be incorporated. Information on this is also available from the Council's Building Control section. Any external changes to the building which may

be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

- 12 The applicant is reminded that the Control of Pollution Act 1974 stipulates that construction activity (where work is audible at the site boundary) should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- 13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The development maintains/improves the economic, social and environmental conditions of the District.

PC10/15 15/0733/RSP – PART RETROSPECTIVE: VEHICLE HARDSTANDING AND SOFT LANDSCAPING TO SITE FRONTAGE AT 8 ORMONDE ROAD, MOOR PARK, HERTFORDSHIRE, HA6 2EL FOR MS RANGER

Councillor Reena Ranger left the meeting during the consideration of this application.

The Planning Officer reported that a letter of objection had been received. However following correspondence with the objector they were happy with the proposed plans.

Councillor Chris Lloyd moved, seconded by Councillor Ann Shaw, that subject to no new material considerations being raised, the application be delegated to the Director of Community and Environmental Services to grant Part Retrospective Planning Permission and has effect from the date on which the development is carried out and subject to conditions

On being put to the Committee the motion that subject to no new material considerations being raised, the application be delegated to the Director of Community and Environmental Services to grant Part Retrospective Planning Permission and has effect from the date on which the development is carried out and subject to conditions was declared CARRIED, the voting being unanimous.

RESOLVED:

That subject to no new material considerations being raised, the application be delegated to the Director of Community and Environmental Services to **GRANT PART RETROSPECTIVE PLANNING PERMISSION** and has effect from the date on which the development is carried out and is subject to the following conditions:

- C1 The development hereby permitted shall be carried out and maintained in accordance with the following approved plans: 1222/P/1 (Proposed Plan) and Sheet 1 of 1 (Existing Topographic Survey).

Reason: For the avoidance of doubt and in the proper interests of planning in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM6 and DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and Moor Park Conservation Area Supplementary Planning Guidance (SPG) Appraisal 2006.

- C2 Within TWO MONTHS of the date of this decision, the new soft landscaped (lawn) areas which are to replace existing paving as shown on plan number 1222/P/1 (Proposed Plan) shall be laid in accordance with the details hereby approved and be permanently retained thereafter.

Reason: In the interests of visual amenity in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policies DM3 and DM6 of the Development Management Policies LDD (adopted July 2013) and Moor Park Conservation Area Supplementary Planning Guidance (SPG) Appraisal 2006.

Informatives:

- I1 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by application form; the relevant form is available on the Council's website (www.threerivers.gov.uk). Fees are £85 per request (or £25 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. The Council's Building Control section can be contacted on telephone number 01923 727132 or at the website above for more information and application forms.

Where possible, energy-saving and water harvesting measures should be incorporated. Information on this is also available from the Council's Building Control section. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

- I2 The applicant is reminded that the Control of Pollution Act 1974 stipulates that construction activity (where work is audible at the site boundary) should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- I3 The Local Planning Authority has been positive and proactive in its consideration of this part retrospective planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2015.

PC11/15 15/0754/FUL - FIRST FLOOR SIDE EXTENSION, CONVERSION OF GARAGE INTO HABITABLE ACCOMMODATION AND ALTERATIONS TO FENESTRATION AT 66 BYEWATERS, CROXLEY GREEN, HERTFORDSHIRE, WD18 8WJ FOR MRS PHILLIPS

The Planning Officer reported that Croxley Green Parish Council had no objection to the proposal.

Councillor Phil Brading said that normally he would have concerns over parking issues on Byewaters, but that given the location of the house, being the end of terrace house of three on the main Byewaters Estate Road, parking would be a

little easier there. The Councillor said that in every other respect the application improved the look of the house.

In accordance with Council Procedure Rule 35 (B), Ms Raksha Barai spoke against the application. One of the points raised by the speaker was in regard to the measurement referred to in paragraph 2.3, that the application dwelling was separated from the neighbours to the northwest by their gardens, approximately 20m in depth. The speaker said the distance was in fact 12m.

Councillor Phil Brading said that the proposal did not increase the footprint of the building so it would not affect the drainage. He said that he was sympathetic to the suggestion that there would be a loss of light but that the proposed building would not make a significant difference. These were not grounds for refusal.

The Planning Officer said that they had checked the measurement and that 20m was stated on the plans which had been submitted. Officers did not feel that there were grounds for refusal on the basis of amenity grounds. If planning permission was granted, there would be an informative attached that the applicant still had to comply with building regulations.

Councillor Phil Brading suggested that officers be asked to check the dimensions but that even if they were found to be different, this would not be grounds for refusal. He suggested that the matter be delegated to officers, subject to the measurement being checked.

Councillor Chris Lloyd asked if the measurement was found to be 12m, whether this would affect the recommendation. The Planning Officer said that it would not justify a refusal, and that there would still be sufficient spacing. Officers had made a site visit and assessed the impact of the development on neighbouring amenity. Whether the distance was 12m or 20m the proposal would be considered acceptable and the recommendation for approval would remain.

Councillor Peter Getkahn said that he had a lot of sympathy with the objections raised by the speaker, and moved that the application should be deferred until the measurements had been checked. This was not supported by the Committee.

The Chairman of the Committee moved, seconded by Councillor Phil Brading, the recommendation to grant planning permission, delegated to the Director of Community and Environmental Services, but that approval not be issued until officers had checked the measurement. If there was a significant difference in the measurement, the Group Spokespersons should be consulted before the decision was issued.

The Planning Officer asked whether the Committee wished the application to be returned to Committee if there was a discrepancy in the measurements. The Committee did not wish the application to be returned to Committee.

On being put to the Committee the motion that it be delegated to the Director of Community & Environmental Services to grant planning permission after officers have checked the measurements on site. Group Spokespersons to be advised of any discrepancies prior to the decision being issued was declared CARRIED the voting being 8 For, 1 Against and 2 Abstentions.

RESOLVED:

That the application be delegated to the Director of Community and Environmental Services to grant PLANNING PERMISSION after officers have checked the measurements on site. Group Spokespeople to be advised of any discrepancies prior to a decision being issued. Planning Permission to be subject to the following conditions:

- C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

- C2 The development hereby permitted shall be carried out and maintained in accordance with the following approved plans: 001B (Location Plan, Block Plan and Existing Elevations); 002 (Proposed Elevations and Sections) and 003 (Existing and Proposed Floor Plans and Roof Plans).

Reason: For the avoidance of doubt and in the proper interests of planning in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM6, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

- C3 All new works or making good to the retained fabric shall be finished to match in size, colour, texture and profile those of the existing building unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the building is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no windows/dormer windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the elevations or roof slopes of the extension/development hereby approved.

Reason: To safeguard the residential amenities of neighbouring properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C5 Before the first occupation of the building/extension hereby permitted the window in the north-west first floor flank elevation; shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The windows shall be permanently retained in that condition thereafter.

Reason: To safeguard the amenities of the occupiers of neighbouring residential properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

Informatives:

- I1 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by application form; the relevant form is available on the Council's website (www.threerivers.gov.uk). Fees are £97 per request (or £28 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. The Council's Building Control section can be contacted on telephone number 01923 727132 or at the website above for more information and application forms.

Where possible, energy-saving and water harvesting measures should be incorporated. Information on this is also available from the Council's Building Control section. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

- I2 The applicant is reminded that the Control of Pollution Act 1974 stipulates that construction activity (where work is audible at the site boundary) should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- I3 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2015.
- I4 Bats are protected under domestic and European legislation where, in summary, it is an offence to deliberately capture, injure or kill a bat, intentionally or recklessly disturb a bat in a roost or deliberately disturb a bat in a way that would impair its ability to survive, breed or rear young, hibernate or migrate, or significantly affect its local distribution or abundance; damage or destroy a bat roost; possess or advertise/sell/exchange a bat; and intentionally or recklessly obstruct access to a bat roost.

If bats are found all works must stop immediately and advice sought as to how to proceed from either of the following organisations:

The UK Bat Helpline: 0845 1300 228
Natural England: 0845 6014523
Herts & Middlesex Bat Group: www.hmbg.org.uk

(As an alternative to proceeding with caution, the applicant may wish to commission an ecological consultant before works start to determine whether or not bats are present. A list of bat consultants can be obtained from Hertfordshire Ecology on 01992 555220).

[Post-meeting note -

Since the meeting, officers have been on site to check the measurements and confirmed that the distance is 12 metres as indicated by the neighbour, not 20 metres as shown on the submitted location plan. The agent has submitted a corrected location plan for the application file. In accordance with the Committee resolution Group Spokespersons have been notified of the discrepancy prior to the decision being issued.]

PC12/15 15/0879/FUL – ERECTION OF AN ATTACHED THREE BEDROOM DWELLING WITH ASSOCIATED PARKING AT 10 SOLESBRIDGE CLOSE, CHORLEYWOOD, WD3 5SP FOR MS JULIE COLLINS

RESOLVED:

that the application be deferred to allow officers to seek further legal advice.

That the application be DEFERRED for a site visit.