

## THREE RIVERS DISTRICT COUNCIL

At a meeting of the **Planning Committee** held in the Penn Chamber, Three Rivers House, Northway, Rickmansworth, on Thursday 25 February 2016 from 7.30pm to 8.52pm.

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

Officers: Claire Westwood, Joanna Bowyer, Marie Clarke, Rob Morgan, Daniel Monk and Sarah Haythorpe.

Also in attendance: Councillors Ralph Sangster, Alison Scarth and Andrew Scarth, Abbots Langley Parish Councillor Liz Burns, Chorleywood Parish Councillor Barbara Dickens.

Apologies for absence were received from Councillor Marilyn Butler.

About 25 Members of the public.

The Chairman of the Committee led a minutes silence in tribute to the late Councillor Len Tippen.

The Committee welcomed Cllr Stephen Cox.

### **PC91/15 MINUTES**

The Minutes of the Planning Committee meeting held on 21 January 2016 were confirmed as a correct record and were signed by the Chairman.

### **PC92/15 NOTICE OF OTHER BUSINESS**

None received.

### **PC93/15 DECLARATIONS OF INTEREST**

None received.

### **PC94/15 Consideration of Objections and Confirmation of Three Rivers (64- 92 By The Wood Carpenters Park Watford) Tree Preservation Order 2015**

The Landscape Officer reported that the Tree Preservation order had been made as an emergency TPO on 4 individual trees which included some Ash trees, a willow tree and a crab apple tree as they were due to be felled.

Councillor Ann Shaw moved, seconded by Councillor Phil Brading, the recommendation to confirm the TPO without modification.

On being put to the Committee the motion was declared CARRIED the voting being unanimous.

RESOLVED:

That the objection is noted but that the Three Rivers Consideration of Objections and Confirmation of Three Rivers (64- 92 By The Wood Carpenters Park Watford) Tree Preservation Order 2015

PC95/15

**15/2354/HCR3 - Herts County Council Regulation 3 Application: Mineral extraction, processing and importation of sand and gravel and reclamation of materials (from Denham Park Farm) for restoration to agriculture and a small wetland area at PYNESFIELD, OFF TILEHOUSE LANE, MAPLE CROSS, HERTFORDSHIRE, WD3 9YB for Harleyford Aggregates Ltd.**

The Planning Officer reported the Council had now been consulted by Buckinghamshire County Council on the variation to conditions on the Denham Park Farm site as referred to in paragraph 1.6 on page 7 (application reference CM/04/16).

Paragraph 3.8 on page 9 referred to hours of operation, however Herts County Council (HCC) had advised that these were not confirmed at this stage.

Councillor Ann Shaw said the Committee had discussed these issues before and knew the problems local residents faced from this site. We must continue to resist the threats to the local area. This application would be detrimental to the Colne Valley landscape and the protection of the Green Belt was vitally important. The revisions showed an extraction area 330m long and 120m wide and there would remain bunds, an office, lots of dust and mud on the site. There was no proposal to deal with the flooding risk or how to accommodate HS2 in 2018. There would be extra pressure on the local roads with 200 heavy goods vehicles a day. There were already congestion problems on Denham Way and Tile House Lane, these would be exacerbated and would be a significant problem for people in the area.

Councillor Ann Shaw moved, seconded by Councillor Chris Lloyd, the recommendation that the County Council be advised that the Council objects to the application for the reasons indicated in the report.

In accordance with Council Procedure Rule 35 (B), Mr M Fosberry spoke against the application.

On being put to Committee the motion was declared CARRIED. A recorded vote was requested the details of which were as follows:

For: Councillors Diana Barber, Phil Brading, Stephen Cox, Peter Getkahn, Alex Hayward, Chris Lloyd, David Major, Debbie Morris, Reena Ranger, Ann Shaw OBE, Chris Whately-Smith

Against: None

Abstentions: None

RESOLVED:

That the County Council be advised that Three Rivers District Council unanimously objects to the application for the following reasons:

R1 The proposed development would, by reason of the height, length, appearance and resultant prominence of the bund; the general form

and extent of development (including the site office and floodlighting), and the associated site activities result in an urbanising form of development, with unacceptable adverse impact on the natural environment and detrimental to the openness and rural character of the Green Belt. As such, the proposal constitutes inappropriate development. No very special circumstances exist to outweigh the harm caused. The development is therefore contrary to Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD (adopted July 2013).

- R2 The proposed development would, by reason of the height, length, artificial appearance and resultant prominence of the bund; the general form and extent of other development (including the site office and floodlighting), and the associated site activities constitute inappropriate development that would fail to maintain and enhance the landscape in terms of its scenic and conservation value and public amenity. The development is therefore contrary to Policies CP1 and CP9 of the Core Strategy (adopted October 2011).

That HCC are advised that whilst no objection is raised on Highway grounds considering the comments of Hertfordshire Highways, the limit of 200 vehicle movements per day should be from both the Pynesfield and Denham Park Farm sites combined and that a mechanism will need to be in place to ensure this is controlled.

That HCC are advised that this consultation response relates solely to mineral extraction from Pynesfield and importation of reclamation materials from Denham Park Farm and not for any on site processing as incorrectly detailed in the HCC consultation description of development.

**PC96/15 15/2430/RSP-Retrospective: Construction of detached outbuilding at The Wood Cottage, Shire Lane, Chorleywood, Hertfordshire, WD3 5NH for Mr and Mrs D Hance**

The Planning Officer reported that the applicant's agent had confirmed that the outbuilding was served by electricity only. For clarity, as stated at paragraph 3.2 on page 28, the outbuilding only required planning permission due to the positioning of the rear canopy projection less than 2m from the site boundary and the maximum height of the outbuilding exceeding 2.5m.

Councillor Ann Shaw asked if Condition C2 could be made clearer to ensure that the outbuilding was not used for residential use. The Planning Officer advised that the condition could be amended to specify no residential use with the exact wording to be circulated to Members for agreement.

Councillor Ann Shaw moved, seconded by Councillor Alex Hayward, that retrospective planning permission be granted to have effect from the date on which the development was carried out subject to conditions with an amendment to Condition C2 to specify no residential occupation the exact wording of the condition to be circulated to Members for agreement.

On being put to the Committee the motion was declared CARRIED the voting being unanimous.

RESOLVED:

That retrospective PLANNING PERMISSION BE GRANTED and has effect from the date on which the development was 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: No.01 and No.02 Rev A.

Reason: For the avoidance of doubt and in the proper interests of planning and to safeguard the character and appearance of the Locally Listed Building and Conservation Area 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 the Chorleywood Station Estate Conservation Area Appraisal (2005).

- C2 The outbuilding hereby permitted shall not be occupied or used at any time other than incidental to the enjoyment of, and ancillary to, the residential dwelling located on the site and it shall not be occupied as residential accommodation or as an independent dwelling at any time.

Reason: The creation and use of a separate and independent unit would not comply 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](http://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 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.

**PC97/15 15/2610/FUL - First floor side and rear extension, replacement of tile hanging with render, addition of flank rooflight and alterations to fenestration at 6 MILL WAY, MILL END, WD3 8QP for Mr and Mrs Allan Iveson**

Councillor Debbie Morris moved, seconded by Councillor Reena Ranger, that planning permission be granted subject to conditions.

On being put to the Committee the motion was declared CARRIED the voting being unanimous.

RESOLVED:-

That PLANNING PERMISSION BE GRANTED 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 in accordance with the following approved plans: MW001 Rev A, MW002 Rev A, MW003 Rev A, MW004.

Reason: For the avoidance of doubt and in the proper interests of planning and in the interests of the visual amenities of the locality and residential amenity of neighbouring occupiers, 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 Before the building operations hereby permitted are commenced, samples and details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

Reason: This is a pre commencement condition 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 Policies DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C4 Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification), 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 two windows in the first floor flank elevation facing no. 4 Mill Way; 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](http://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) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.
- 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](http://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).

**PC98/15 16/0003/FUL – First floor rear extension at 52 MILL WAY, MILL END, WD3 8QP for Mr Andrew James**

The Planning Officer reported that there was an error at paragraph 7.1.3 on page 43 – the third line of text from the bottom of the paragraph should read that ‘Therefore, the proposed flat roof would not have an adverse impact on the street scene.’

The Chairman of the Committee moved, seconded by Councillor Peter Getkahn, that planning permission be granted subject to conditions.

On being put to the Committee the motion was declared CARRIED the voting being unanimous.

RESOLVED:-

That PLANNING PERMISSION BE GRANTED 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 in accordance with the following approved plans: TRDC001 Rev A (Site Plan), TRDC002 (Location Plan), TRDC003 (Existing ground floor plan), TRDC004 (Existing first floor plan), TRDC005 (Existing second floor plan), TDC006 (Existing elevations), TRDC007 (Existing elevations 2), TRDC008 (Proposed first floor plan), TRDC009 Rev A (Proposed NE elevations), TRDC010 Rev A (Proposed elevations 2)

Reason: For the avoidance of doubt and in the proper interests of planning and in the interests of the visual amenities of the locality and residential amenity of neighbouring occupiers, 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.

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 (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification), 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).

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](http://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) Order 2015. The development maintains/improves the economic, social and environmental conditions of the District.

**16/0029/FUL – Demolition of existing dwelling and erection of three detached family dwellings with associated landscaping and parking at 6 VALLEY ROAD, RICKMANSWORTH, WD3 4DS for Rivergate Homes Limited.**

The Planning Officer reported that as stated at paragraph 8.7.5 on page 187 the applicant had provided further viability evidence in relation to the affordable housing contribution. This evidence had again been independently assessed and the advice to the Council was that a reduced affordable housing contribution of £282,401 should be sought towards affordable housing. The reduced contribution follows a revision to sales values included in the appraisal by the independent assessor.

Discussions remained on-going in relation to the affordable housing contribution and the Committee was referred to the dual recommendation set out at Section 9 of the report on pages 188 – 194.

In response to a question regarding the reduced affordable housing contribution the planning officer advised that the applicant's viability statement had been independently assessed and the contribution required had been reviewed based on the sales values included in the appraisal.

Councillor Ann Shaw was shocked by the plans as it amounted to backland development.

The Planning Officer advised that this application was a resubmission of the previous application which was dismissed at appeal but only relating to the affordable housing contribution. The Inspector did not object on character or any other grounds.

Councillors on the Committee requested that Officers review potential for a mechanism for review which could be applied for calculating the affordable housing contribution. Officers advised that they would need to seek legal advice on this point and could circulate this to Members following the meeting.

In accordance with Council Procedure Rule 35 (B), Mr Gibson spoke in favour of the application.

The Chairman of the Committee, seconded by Councillor Debbie Morris, moved the recommendation as follows:

That the decision be delegated to the Director of Community and Environmental Services to GRANT PLANNING PERMISSION subject to: the completion of a Section 106 Agreement / Unilateral Undertaking which secures an appropriate contribution towards affordable housing within the District if found to be required, including mechanisms for review of the level of contribution, and subject to conditions. The advice on the mechanism to be circulated to Members.

Councillor Chris Lloyd had concerns about the parking spaces for each property. The Planning Officer advised that each property would be provided with three parking spaces which included the garage. This was the same allocation of parking spaces provided in the previous application.

The motion on being to the Committee was declared CARRIED the voting being 4 For, 0 Against and 7 Abstentions.

RESOLVED:

That the decision be delegated to the Director of Community and Environmental Services to GRANT PLANNING PERMISISON subject to: the completion of a S106 Agreement / Unilateral Undertaking which secures an appropriate contribution towards affordable housing within the District if found to be required, including mechanisms for review of the level of contribution, and subject to conditions (the advice regarding the mechanism to be circulated to Members):

- 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 in accordance with the following approved plans: TRDC001 (Location Plan), TRDC002 (Tree Protection Plan), 15/3360/1 A, 15/3360/3 B, 15/3360/4 A, 15/3360/5 A, 15/3360/6 A, 15/3360/8 and 1214-T-01 C.

Reason: For the avoidance of doubt and in the proper interests of planning in accordance with Policies CP1, CP2, CP3, CP4, CP8, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM4, DM6, DM10 and DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and Policy SA1 of the Site Allocations LDD (adopted November 2014).

- C3 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development.

All hard and soft landscaping works required by the approved scheme shall be carried out and completed prior to the first occupation of the development hereby permitted. Any soft landscaping shall be maintained including the replacement of any trees or plants which die are removed or become seriously damaged or diseased in the next planting season with others of a similar size or species for a period for five years from the date of the approved scheme was completed.

Reason: This is a pre-commencement condition in the interests of visual amenity in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C4 No operations (including tree felling, pruning, demolition works, soil moving, temporary access, construction, or any other operation involving the use of motorised vehicles or construction machinery) shall commence on site in connection with the development hereby approved until the branch structure and trunks of all trees shown to be retained and all other trees not indicated as to be removed and their root systems

have been protected from any damage during site works, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

The protective measures, including fencing, shall be undertaken in accordance with the approved scheme before any equipment machinery or materials are brought on to the site for the purposes of development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.

Reason: This is a pre-commencement condition in the interests of visual amenity in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C5 No development or other operation shall commence on site until a method statement has been submitted to and approved in writing by the Local Planning Authority. This method statement shall include details of timetables of works, method of demolition, removal of material from the site, importation and storage of building materials on the site, details and depths of underground service routes, methods of excavation and construction methods, in particular where they lie close to trees. The construction methods to be used shall ensure the retention and protection of trees, shrubs and hedges growing on or adjacent to the site. The development shall only be implemented in accordance with the approved method statement.

The fencing or other works which are part of the approved scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site.

Reason: This is a pre-commencement condition in the interests of visual amenity in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C6 The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and wheel washing facilities have been submitted to and approved in writing by the Local Planning Authority. The relevant details shall be submitted in the form of a Construction Management Plan and the approved details shall be implemented throughout the construction programme.

Reason: This is a pre-commencement condition to minimise danger, obstruction and inconvenience to users of the highway in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

- C7 Before the above ground works hereby permitted are commenced, samples and details of the proposed external materials shall be

submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

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).

- C8 Before the above ground works hereby permitted are commenced, details of the proposed access arrangements onto Valley Road (including space within the site for a vehicle to wait whilst an incoming vehicle clears the access) have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to first occupation of the development hereby approved and shall be maintained as such thereafter.

Reason: To minimise danger, obstruction and inconvenience to users of the highway in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

- C9 The proposed parking areas or driveway shall be not constructed until details of the proposed method of discharge of surface water from the proposed parking areas and driveway are submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until any works to prevent surface water from discharging onto the adjacent highway have been constructed in accordance with the approved details.

Reason: To minimise danger, obstruction and inconvenience to users of the highway in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

- C10 Prior to first occupation of the dwellings hereby approved a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be erected prior to first occupation of the dwellings hereby approved and shall be maintained thereafter in accordance with the approved details.

Reason: To safeguard the visual and residential amenities of neighbouring properties and the character of the locality 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).

- C11 The development hereby permitted shall be implemented in accordance with the details of the submitted C-Plan Energy and Sustainability Statement. The approved details shall be implemented prior to the first use of the development and permanently maintained thereafter.

Reason: To ensure that the development meets the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM4 of the Development Management Policies LDD (adopted July 2013) and to make as full a contribution to sustainable development principles as possible.

- C12 Immediately following the implementation of this permission, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification) no development within the following Class of Schedule 2 of the Order shall take place.

Part 1

Class A - enlargement, improvement or other alteration to the dwelling.  
Class E – construction of outbuildings

No development of the above class shall be constructed or placed on any part of the land subject of this permission.

Reason: To ensure adequate planning control over further development having regard to the limitations of the site and neighbouring properties and in the interests of the visual amenities of the site and the area in general, 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).

- C13 The approved buildings shall be built to the ground levels and heights as shown on the approved drawings or lower. If the indicated existing heights and levels of the neighbouring properties should prove to be erroneous, then the heights of the proposed buildings as constructed shall be no higher than the relative height difference(s) between the heights of the neighbouring properties as shown on the approved drawings and the proposed building.

Reason: To ensure that the proposed development is built to the heights relative to adjoining properties as shown on the approved drawings, or lower, in the interests of visual amenity and to meet the requirements of 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).

- C14 Before the first occupation of the buildings hereby permitted those windows identified as being obscure glazed within the approved plans 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).

- C15 Should they be required, detailed proposals for the fire hydrants serving the development as incorporated into the provision of the mains water services for the development whether by means of existing water services or new mains or extension to or diversion of existing services or apparatus shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the occupation of the development and shall be maintained in full operation until such time as the fire hydrants are adopted by the Fire and Rescue Authority for Hertfordshire.

Reason: To ensure the development is served with fire hydrants and to meet the requirements of Policies CP1 and CP8 of the Core Strategy (adopted October 2011).

#### Informatives

- 11 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](http://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.
- 14 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](http://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).

- 15 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 groundwater. Where the developer proposed to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
- 16 The applicant is advised that a license must be obtained from the Highway Authority before any works are carried out on any land forming part of the highway. Prior to commencement of any works the applicant is advised to contact the County Council Highways via either the website <http://www.hertsdirect.org/services/transtreets/highways/> or telephone 0300 1234047 to enter into the necessary agreement with the Highway Authority to enable works in the highway to proceed.

That in the absence of the completion of a satisfactory S106 Agreement / Unilateral Undertaking the decision be delegated to the Director of Community and Environmental Services to REFUSE PLANNING PERMISSION for the following reason:

- R1 The proposed development fails to meet the requirements of Policy CP4 of the Core Strategy (adopted October 2011) and SPD: Affordable Housing (approved June 2011) in that the scheme is for market dwellings and no contribution has been made towards the provision of affordable housing.

#### Informatives

- I1 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) Order 2015. Whilst the applicant and the Local Planning Authority discussed the scheme during the course of the application, the proposed development, fails to comply with the requirements of the Development Plan and does not maintain/improve the economic, social and environmental conditions of the District.

#### POST MEETING NOTE:

At February Planning Committee Item 13 was agreed as per the agenda with the recommendation at 9.1 updated to read:

“The decision be delegated to the DCES to grant planning permission subject to:

1. the completion of a S106 Agreement / Unilateral Undertaking which secures an appropriate contribution towards affordable housing within the District if found to be required, including mechanisms for review of the level of contribution, and
2. the following conditions”

Advice regarding the review mechanism was to be circulated to Members.

Officers have sought legal advice and advice from the independent viability assessor. The advice received is that a review mechanism would not be appropriate in this instance due to the scale of the development, which is for the erection of three units.

Notwithstanding the above, the independent assessor remains of the view that an affordable housing contribution be sought in relation to this scheme. The applicant has failed to agree the required contribution and a S106 Agreement / Unilateral Undertaking has not been signed. The application has therefore been refused as per the recommendation at 9.2:

"That in the absence of the completion of a satisfactory S106 Agreement / Unilateral Undertaking the decision be delegated to the DCES to refuse planning permission for the following reason:

R1 The proposed development fails to meet the requirements of Policy CP4 of the Core Strategy (adopted October 2011) and SPD: Affordable Housing (approved June 2011) in that the scheme is for market dwellings and no contribution has been made towards the provision of affordable housing."

**PC100/15 16/0005/FUL – Hybrid planning application for the phased comprehensive redevelopment of the land at South Oxhey (South Oxhey Central, Maylands Road, Hayling Road and Hallows Crescent) to include the demolition of existing buildings and provision of residential-led mixed use development comprising Use Classes C3, A1/A2/A3/A4/A5 and D1/D2, with associated site preparation/enabling works, transport infrastructure works, landscaping works and provision of car parking at LAND AT SOUTH OXHEY CENTRAL, MAYLANDS ROAD, HAYLING ROAD AND HALLOWES CRESCENT for Countryside Properties Plc**

The Planning Officer reported the following updates:

### **1) Neighbour letters**

3 additional letters of objection on the grounds of:

3 minutes is not sufficient time to address the application. It is a done deal. If the Council were true to their words of 'extensive consultation' the application would not have got to first base. 7 storeys and 1000 cars and car park is overdevelopment.

If a public house is to be built on the site of the former Barclays Bank it is a horrifying prospect for those of us who live nearby, as pubs in South Oxhey are drinking dens that provide a focus for antisocial behaviour.

A pub or restaurant on the Barclays Bank site would lead to a reduction in the quality of our lives due to early morning deliveries, late-night finishes, noise and odour pollution. We are already affected by drunks coming off trains. South Oxhey has a long history of problems caused by alcohol.

### **2) Petition**

With regard to the petition for Maylands Road, to confirm, there are 41 different names on the written and e-petitions (some are duplicated).

### **3) Landscape and Visual Impact Assessment**

An updated Landscape and Visual Impact Assessment has been received. The additional verified views show that the impact would either be neutral, negligible or of minor benefit to the character of the area.

### **3) Sunlight and Daylight Assessment Addendum**

An addendum to the Sunlight and Daylight Assessment has been received. This provides additional assessments, including:

- Results of a 'worst-case' no sky-line assessment for neighbouring buildings
- Room depth criteria assessment for Phase 1A
- Additional images of shadowing
- Modelled views of the development from 'worst-case' neighbouring properties, and
- Additional images showing results of the Vertical Sky Component (VSC) assessment

Overall, these additional assessments support the conclusions of the original Assessment in confirming the limited impacts of the proposed development.

### **4) Corrections to Officer's report**

Paragraph 3.1.11 on page 52 should read that the maximum floorspace of the foodstore has been amended to 1, 754 sqm, not 1,1754 sqm.

Paragraph 7.4.7 on page 116 refers to there being 6,356 sqm of existing retail / commercial floorspace. This should read 8,356 sqm.

### **5) The Planning Officer provided a short summary:**

In summary, this is an application for the redevelopment of South Oxhey town centre, along with three satellite sites referred to as Maylands Road, Hayling Road and Hallows Crescent, as shown on the location plan which is plan number 1 in the Members' pack. The majority of the town centre site, or South Oxhey Central, is in outline form only, and this includes the Station Approach area.

A small element of South Oxhey Central has been submitted in detail. This is known as Parcel 1A and is shown on plan numbers 3 and 4. The three satellite sites have also been submitted in detail, as can be seen on plan numbers 5, 6 and 7.

The redevelopment scheme is to be phased. The phasing is indicated on plan number 2. Phase 1 is to include building a total of 56 homes on the three satellite sites, 48 of which are to be affordable. This would allow for the rehousing of existing tenants in the 'northern block' which includes Luffenham House. Parcel 1A would also be developed along with a temporary public car park on part of the existing open space along Henbury Way, followed by the Station Approach area in Phase 1B.

Phase 2 is to consist of redevelopment of the northern element of the town centre, including The Ox public house and the scout hut site, which would provide an additional 48 affordable dwellings prior to demolition of the rest of the site, thus allowing for rehousing of tenants in the existing 'southern block' which includes Pennard House.

Phase 3 would then comprise redevelopment of remaining South Oxhey Central site, with existing shops in this area able to continue to trade up until this point.

It was noted that 5,055 consultation letters were sent out

Councillor Reena Ranger raised concerns about the parking provision even though it was in close proximity to the railway station and bus routes. Even if a couple commuted to work they may require a car for the weekend and evening use. On page 108, it stated that many residents had trade vehicles and a private car but it was unclear if this had been addressed. On page 67, HCC had raised concerns regarding parking on the highway. On page 144, paragraph 7.8.8, the survey was in inner and outer London and this area was very different. The trip generation results were taken in July but was this within the summer holidays? The amenity space and public areas on page 83 did this satisfy the questions raised by HCC public health? On page 85, paragraph 4.1.3, the information regarding security and the electronic panels for the communal entrance to the flats would this be picked up as conditions or informatives in the final decision?

The Planning Officer noted the points made regarding parking. The existing parking ratios for South Oxhey central were 0.62 cars per unit but this proposal was slightly higher at 0.71 cars per unit. On amenity space, the comments by HCC public health were quite general but officers would look at this again. Safety, crime and security could be controlled by conditions and informatives.

The Chairman of the Committee queried whether consideration had been given to the crossing on plan 3 at Henbury Way, with regard to access into the playground, more detail was required on this.

Councillor Phil Brading said when South Oxhey was originally built the level of car ownership was very low but over the years this had increased significantly. A lot of money had been spent providing parking spaces to allow residents to park their cars. The Committee must not compound the original error and not create enough parking places. In addition, a higher than average number of trade vans were also parked on a regular basis around the estate.

The Planning Officer said the existing parking ratio was taken from the 2011 census not when the estate was built and was still relevant to this application.

Councillor Peter Getkahn said when you regenerate an area it creates an interest to move there and the area becomes more affluent. He would want to see the same parking in the area even though there was good access to London.

Councillor Reena Ranger advised that on page 96, NHS England had stated that 1000 new patients would be generated by the development. This was a huge number. The Committee must ensure the parking was future proof.

Councillor Debbie Morris agreed with the comments made on parking. On page 122, paragraph 7.5.25 she asked why the sub-station within parcel of land 1A was being relocated. The Planning Officer said it was being relocated within close proximity to the existing sub-station and was shown on the plans as being a single storey building with a flat roof. The Environmental Health Officer had raised no concerns regarding noise but officers could include a condition. Officers would ask the applicant why it was being replaced and moved from its current location.

Councillor Chris Lloyd commented on the architecture proposed. In relation to the 7 storey building he asked if consideration had been given to a pitched roof rather than a flat roof. Were there any details on the materials to be used? On the sustainability of the building, flat roofs had to be replaced earlier and did not last as long.

The Planning Officer said the majority of the development in South Oxhey central was in outline only at this time. A pitched roof would add to the height and bulk of the 7 storey building.

Councillor Alex Hayward thanked officers for the opportunity to consider the application at this time. She asked if the disabled parking was for the lifetime of the homes. Officers advised it would be. She asked if the commercial and retail parking spaces would be marked off or would there be a free for all. The Planning Officer advised that at this time the parking would be separate for the food store and retail parking would be along Prestwick Road. Restrictions on the parking would be included within a management plan which would be secured by condition.

The Chairman of the Committee said there needed to be some long term future proofing on the selling of disabled parking spaces. Should there be an annual lease to avoid the loss of these spaces.

Councillor Ann Shaw said there would never be enough parking but as much as possible needed to be provided to avoid using the grass verges. Could the Oak Tree in Maylands Road be retained. The Planning Officer stated that due to the proximity of the proposed southern flatted block, the developer could not avoid removing the tree. The Landscape Officer said the tree could not be retained within this scheme. If the tree could not be retained could the replacement be a Hornbeam?

Councillor Debbie Morris asked if the vertical sky component referred to on page 130, paragraph 7.6.18 could be increased to over 90%? On amenity space on page 133, paragraph 7.6.44, the 4 bedroom dwellings in Maylands Road would have 85sqm and 64 sqm which was more than a slight shortfall against the standard of 105sqm. She asked for the measurements of the shortfall for the future occupiers of Hayling Road. On the 7 storey building, Councillor Ty Harris had received comments from residents on the height and the eyesore it would create in the vicinity.

The Chairman of the Committee said the 7 storey building design would need to be good.

The Planning Officer noted the point on the amenity space shortfall and would amend the next report accordingly. The depths and widths of the amenity space were not dissimilar to others in the vicinity and the gardens would be south facing. On paragraph 7.6.59 only two gardens would not meet the standard. On average the gardens would be 105sqm which would meet the standards.

Councillor Stephen Cox was concerned for residents on the height of the proposed building on the corner of Fairfield Avenue and Prestwick Road although it had now been reduced to 7 storeys. He had noted the points regarding the flat roof as a trade off. He could not see how the houses in Fairfield Avenue would see a benefit to their light from this building. The loss of the amenity area at Maylands Road, Ferndown Road and Ballater Close and the 8 parking bays was a concern along with the tree. Not all residents

had access to good transport links and did not bear any reality to the problems residents face. Originally, when the estate was built, very few residents had cars but this was no longer the case. The residents were more affluent and he was not convinced the car parking provision was right.

Councillor Alison Scarth said although wind tunnel assessments had been completed (paragraph 7.5.16/17) other areas would have excessive wind funnelling effects due to the narrower spaces. The shading effect of the taller buildings would create an unpleasant micro climate. The proposed market place would be a major social area but would be in shade for a significant part of the day. The 7 storey building on the corner of Prestwick Road and Fairfield Avenue had the potential for over dominance and loss of light on properties in Fairfield Avenue and other nearby roads.

Councillor Andrew Scarth referred to paragraphs 7.8.0 to 7.8.28. The design and access statement said the development would provide sufficient parking, as South Oxhey was well served by public transport. Although there was a good train service, the bus service stopped at 7.30pm. People needed cars to travel to and from work, and to follow leisure and recreation activities. It was vital to get the parking right to make the Central area thrive and prosper. 27 spaces had been provided in the new build at Hallows Crescent, 3 below what would be desirable. The adjacent shops, cafes, takeaway, pharmacy and post office already competed with tenants in the flats above for parking spaces. The temptation to park in the wrong place can be avoided if there was sensible provision in both the new build and along the front of Crescent retail units. There were “not good transport links” at this part of Hayling Road [Hallows Crescent to Sandy Lane].

Oxhey Hall residents association appreciated their comments being included in the report.

Councillor Peter Getkahn said people needed to be able to meet and get together. The developers needed to think about the design and open space and how the community would use it.

Councillor Alex Hayward said the drawing on plan 4 showed two double beds in the room but could you fit two singles in the bedroom. Officers said they would check this.

In accordance with Council Procedure Rule 35 (B), Ms Cushway spoke against the application and Mr Ludlow spoke in favour of the application.

Councillor Ann Shaw said the Council were trying to achieve a much better future for the area of South Oxhey.

Councillor Diana Barber said the affordable housing should be distributed more widely around the development.

Councillor Stephen Cox said more affordable housing should be provided and not shared ownership.

Councillor Phil Brading was not happy with the elevations of the plots as they would be very pedestrian. He hoped to see that the final details before the Committee were more inspiring for South Oxhey central than at present.

Councillor Alex Hayward asked about the 96 dwellings and whether they would be designed to meet the lifetime home standards. Officers advised that they would be designed to meet the lifetime home standards but would seek

clarification on this.

RESOLVED:-

Members noted the report at this stage in the consideration of the application and made the general comments with regard to the material planning issues raised by the application as detailed above.

**PC101/15 16/0025/RSP – Variation of Condition 9 (obscure glazing) of planning permission 15/1225/FUL to allow clear glazing and opening casement to ground floor kitchen window in north-west elevation of Plot 1 at GROVELANDS, CHORLEYWOOD ROAD, RICKMANSWORTH, WD3 4ER for Riverdene Developments Ltd**

Councillor Ann Shaw, seconded by Councillor Reena Ranger, moved the recommendation that planning permission be granted subject to conditions.

On being put to the Committee the motion was declared CARRIED the voting being unanimous.

RESOLVED:

That **retrospective** planning permission be granted subject to the following conditions:

- C1 The development hereby permitted shall be completed and maintained in accordance with the following approved plans: 100 Rev. 11, 210 Rev. 06, 211 Rev. 06, 212 Rev. 06, 213 Rev. 06, 220 Rev. 06, 221 Rev. 06, 222 Rev. 06, 223 Rev. 06, 310 Rev. 09, 311 Rev. 07, 315 Rev. 07, 316 Rev. 07, 320 Rev. 04, 321 Rev. 07.

Reason: For the avoidance of doubt and in the proper interests of planning in accordance with Policies CP1, CP3, CP4, CP8, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM4, DM6, DM10 and DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and the Site Allocations LDD (adopted November 2014).

- C2 The development shall be completed in accordance with the external materials approved in writing by the Local Planning Authority on 18 May 2015 under planning application 15/0564/DIS and no external materials shall be used other than those approved.

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).

- C3 The development shall not be brought into use until the works for the disposal of surface water have been constructed in accordance with the drainage layout approved in writing by the Local Planning Authority on 9 April 2015 under planning application 15/0242/DIS.

Reason: To minimise danger, obstruction and inconvenience to highway users in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

- C4 The development shall be completed in accordance with the Construction Management Plan approved in writing by the Local Planning Authority on 9 April 2015 under planning application 15/0242/DIS.

Reason: In order that the Local Planning Authority may be satisfied as to the details of the proposal(s) and in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

- C5 The development shall be completed and maintained in accordance with the C-Plan Energy and Sustainability Statement approved in writing by the Local Planning Authority on 10 November 2014 under planning application 14/1711/FUL.

Reason: To ensure that the development meets the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM4 of the Development Management Policies LDD (adopted July 2013) and to make as full a contribution to sustainable development principles as possible.

- C6 All hard and soft landscaping works required by the hard and soft landscaping scheme approved in writing by the Local Planning Authority on 17 November 2015 under planning application 15/1862/DIS shall be carried out prior to first occupation of the dwellings hereby approved. The soft landscaping works shall be maintained including the replacement of any trees or plants which die are removed or become seriously damaged or diseased in the next planting season with others of a similar size or species for a period of five years from the date that the approved scheme was completed.

Reason: In the interests of visual amenity in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C7 The boundary treatments which have been approved in writing by the Local Planning Authority on 17 November 2015 under planning application 15/1862/DIS shall be erected prior to first occupation of the dwellings hereby approved and shall be maintained in accordance with the approved details.

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

- C8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification) no development within the following Classes of Schedule 2 of the Order shall take place.

Part 1

Class A - enlargement, improvement or other alteration to the dwelling

Class B - enlargement consisting of an addition to the roof

Class C - alteration to the roof

Class D - erection of a porch

No development of any of the above classes shall be constructed or placed on any part of the land subject of this permission.

Reason: To ensure adequate planning control over further development having regard to the limitations of the site and neighbouring properties and in the interests of the visual amenities of the site and the area in general, 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).

- C9 Before the first occupation of the dwelling on Plot 1 the windows in the first floor of the north-west elevation of the dwelling on Plot 1 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).

- C10 Before the first occupation of the dwelling on Plot 1 the rooflights in the north-west roof slope of the dwelling on Plot 1 shall be fitted with purpose made obscured glazing and shall be fixed shut. 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).

- C11 No trees, hedgerows or shrubs within the curtilage of the site, except those shown on the approved plan(s) or otherwise clearly indicated in the approved details as being removed, shall be felled, lopped or pruned, nor shall any roots be removed or pruned during development and for a period of five years after completion of the development hereby approved. Any topping or lopping approved shall be carried out in accordance with BS: 3998 (2010) 'Recommendations for tree works'. Any trees, hedgerows or shrubs removed or which die or become dangerous, damaged or diseased before the end of a period of five years after completion of the development hereby approved shall be replaced with new trees, hedging or shrub species (of such size species and in such number and position as shall be submitted to and agreed in writing by the Local Planning Authority), before the end of the first available planting season (1st October to 31st March) following their loss or removal.

Reason: The existing trees/hedgerows/shrubs represent an important public visual amenity in the area and should be protected in accordance with the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C12 The development shall be completed in accordance with the tree protection measures as approved in writing by the Local Planning Authority on 17 November 2015 under planning application 15/1862/DIS. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. No fires shall be lit or liquids

disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.

Reason: To protect the visual amenities of the trees, area and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C13 The development shall be completed in accordance with the arboricultural method statement approved in writing by the Local Planning Authority on 17 November 2015 under planning application 15/1862/DIS.

The fencing or other works which are part of the approved scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site.

Reason: To protect the visual amenities of the trees, area and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C14 The development shall be completed in accordance with the tree planting scheme approved in writing by the Local Planning Authority on 18 May 2015 under planning application 15/0564/DIS.

Reason: To protect the visual amenities of the trees, area and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C15 The proposed buildings shall be built to the ground levels and heights as shown on the approved drawings or lower. If the indicated existing heights and levels of the neighbouring properties should prove to be erroneous, then the heights of the proposed buildings as constructed shall be no higher than the relative height difference(s) between the heights of the neighbouring properties as shown on the approved drawings and the proposed buildings.

Reason: To ensure that the proposed development is built to the heights relative to adjoining properties as shown on the approved drawings, or lower, in the interests of visual amenity and to meet the requirements of 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](http://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 applicant and the Local Planning Authority engaged in pre-application discussions which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.
- 14 It is an offence under Section 14(2) of the Wildlife and Countryside Act 1981 (as amended) to plant or otherwise cause to grow in the wild any plant listed in Schedule 9, Part II to the Act. This includes Japanese knotweed. Any management of, removal and subsequent disposal from the site of any plants listed under Schedule 9 of the Wildlife and Countryside Act 1981 must be undertaken to comply with the law and on the advice of an appropriately qualified professional experienced in such removal/management work. Further information specifically on Japanese knotweed can be found at [http://www.environment-agency.gov.uk/static/documents/Leisure/japknott\\_1\\_a\\_1463028.pdf](http://www.environment-agency.gov.uk/static/documents/Leisure/japknott_1_a_1463028.pdf).
- 15 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 groundwater. Where the developer proposed to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

PC102/15 **16/0038/FUL – Single storey rear extension; loft conversion including hip-to-gable alteration, rear dormer and front rooflights; and additional hardstanding to frontage at 41 LUDLOW WAY, CROXLEY GREEN, RICKMANSWORTH, WD3 3SJ for Mr R Lewington**

The Chairman of the Committee, seconded by Councillor Ann Shaw, moved the recommendation that planning permission be granted subject to conditions.

On being put to the Committee the motion was declared CARRIED the voting being unanimous.

RESOLVED:

That PLANNING PERMISISON BE GRANTED 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 in accordance with the following approved plans: Drawing Numbers: TRDC 001 (Location Plan), LUD – 41/1 and LUD-41/2A.

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 Unless specified on the approved plans, 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.

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 Before the first occupation of the extension hereby permitted the first floor window on the western flank elevation of the dwelling 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 window 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).

- C5 The development shall be constructed in accordance with the approved details with the parking spaces provided prior to the occupation of the extensions hereby permitted. The parking spaces shall thereafter be kept permanently available for the use of residents and visitors to the site.

Reason: To minimise danger, obstruction and inconvenience to users of the highway and to ensure adequate off-street parking in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

Informatives:

- 11 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](http://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.
- 14 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](http://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).

PC103/15

**16/0151/FUL: District Council Application: Replacement entrance doors, window and alterations to frontage at WATERSMEET, HIGH STREET, RICKMANSWORTH, HERTS, WD3 1EH for Three Rivers District Council.**

The Planning officer reported that the Conservation Officer and HCC Archaeology had raised no objection.

Councillor Ann Shaw asked if the colour of the sign could be changed. Officers advised that the application was made for the development as shown in the plans and details.

Councillor Peter Getkahn, seconded by the Chairman of the Committee moved the recommendation that subject to no new material considerations being raised, planning permission be granted subject to conditions.

On being put to the Committee the motion was declared CARRIED the voting being 6 For, 2 Against and 3 Abstentions.

RESOLVED:

That subject to no new material considerations being raised, PLANNING PERMISSION BE GRANTED 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 in accordance with the following approved plans:

TRDC 001 (Location Plan), TRDC 002 (Existing), TRDC 003 (Proposed), TRDC 004 (Window detail), TRDC 005 (Details for doors)

Reason: For the avoidance of doubt and in the proper interests of planning and in the interests of the visual amenities of the Conservation Area and residential amenity of neighbouring occupiers, in accordance with Policies PSP1, 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 Town Centre Conservation Area Appraisal and Character Assessment (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](http://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 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.
- 13 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.
- 14 The applicant is reminded that this consent does not include approval for any signage and that full planning permission may be required.

CHAIRMAN