
PLANNING COMMITTEE**MINUTES**

At a meeting of the Planning Committee held in the Penn Chamber, Three Rivers House, Northway, Rickmansworth, on 18 October 2018 from 7.30pm to 10.00pm.

Councillors present:

Sarah Nelmes (Chairman)	Chris Lloyd (Vice-Chairman)
Sara Bedford	Marilyn Butler (substitute for Cllr Alex Hayward)
Diana Barber	Alison Scarth (substitute for Cllr Steve Drury)
Stephen King	David Major
Peter Getkahn	Reena Ranger
Debbie Morris	
Peter Getkahn	
David Major	

Also in attendance: Councillors Joanna Clemens, David Sansom, Abbots Langley Parish Councillor Jean Bowman, Chorleywood Parish Councillor Raj Khiroya, Croxley Green Parish Councillors Andrew Hobbs, Chris Mitchell, Emily Benner, Andrew Gallagher and Batchworth Community Councillor François Neckar.

Officers: Claire Westwood, Adam Ralton, Claire Wilson and Sarah Haythorpe.

PC 79/18 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Alex Hayward and Steve Drury with named substitute Members being Councillors Marilyn Butler and Alison Scarth.

PC 80/18 MINUTES

The Minutes of the Planning Committee meeting held on 13 September 2018 were confirmed as a correct record and were signed by the Chairman.

PC 81/18 NOTICE OF OTHER BUSINESS

None.

PC 82/18 DECLARATIONS OF INTEREST

Councillor David Major declared a non-pecuniary interest in agenda items 12 (18/1659/FUL - Proposed change of use of part of paddock to residential curtilage and the installation of 64 solar panels at 8 SEABROOK ROAD, KINGS LANGLEY, WD4 8NU) and 13 (18/1664/FUL: Construction of a detached two storey dwelling including balcony to rear, with associated hardstanding and landscaping including alterations to levels, change of use of land to residential and installation of gates AT LAND ADJACENT TO KINGS VIEW FARM, TOMS LANE, KINGS LANGLEY, HERTS) as a Member of the Abbots Langley Parish Council Planning Committee but would be entitled to stay and vote as he:

- has an open mind about the application;
- is not bound by the views of the Parish Planning Committee; and
- can deal with the application fairly and on its merits at Committee

Councillor Sarah Nelmes read out the following statement to the Committee:

“All Members are reminded that they should come to meetings with an open mind and be able to demonstrate that they are open minded. You should only come to your decision after due consideration of all the information provided, whether by planning officers in the introduction, by applicants/agents, by objectors or by fellow Councillors. The Committee Report in itself is not the sole piece of information to be considered. Prepared speeches to be read out are not a good idea. They might suggest that you have already firmly made up your mind about an application before hearing any additional information provided on the night and they will not take account of information provided on the night. You must always avoid giving the impression of having firmly made up your mind in advance no matter that you might be pre-disposed to a view.”

PC 83/18 18/1381/FUL – Demolition of existing building and redevelopment to provide a total of 10 self-contained apartments within a three storey building including accommodation in roof space and basement car parking, a revised vehicular access, landscaping and associated development at 36 EASTBURY AVENUE, NORTHWOOD, HA6 3LN

The Planning Officer reported an update in relation to viability. As part of the original submission the applicant had submitted a viability assessment contending that it would not be viable for the development to contribute a commuted sum towards Affordable Housing. This assessment was reviewed by the Council's independent assessor who produced a report concluding that whilst the scheme would not be viable to contribute a policy compliant commuted payment of £1,341,250 there was a surplus of £175,444 which could be paid.

Following receipt of this report the applicant reviewed the information and contended that Adams Integra did not take the same approach in assessment of the viability of the development proposed as they had done in assessment of the development on the adjacent plot at 38 Eastbury Avenue (18/0207/FUL). When taking the same approach Adams Integra concluded that there would be a deficit of £179,226 and therefore concluded that the scheme cannot support an off-site financial contribution. As such the recommendation at 8.1 should be amended to omit reference to the completion of a Section 106 agreement and Informative I5 (S106) should also be omitted.

The Landscape Officer had reviewed the Arboricultural Impact Plan and raised no objections subject to a condition requiring the submission of a method statement to provide details of the precise working practices, construction design and tree protection.

Condition C16 should also be amended to refer to balconies in the plural.

Councillor Reena Ranger asked questions with regard to the basement, the proposed car parking and understanding how it would work. It looked like the proposed disabled parking would create tandem parking with the first space on the right indicating it would be difficult to manoeuvre out of the space. It was difficult to see how the parking layout would work.

The Planning Officer advised that the correct amount of parking would be provided in accordance with standards and that the spaces did meet guidance in

terms of their size. There would be a hatched area either side of the disabled spaces to allow the driver and passengers to enter/exit their vehicles. The tandem parking would be assigned to individual units. As part of the conditions, a parking management plan was required to be submitted.

Councillor Reena Ranger had concerns that one flat might not need two disabled parking spaces. She also highlighted that the description of the scheme for the pre-application which Officers had raised concerns over, was similar.

The Planning Officer advised that amendments had been made since the original application and were detailed in Paragraph 3.6 of report and within the planning analysis assessment. The scale had been reduced since the pre-application.

Councillor Peter Getkahn said he struggled to see how residents would exit their vehicles due to the location of the cycle storage area. He noted there would be the same number of units but the building was smaller. Would the flat sizes meet required standards?

Councillor Sara Bedford had concerns with regard to the viability for affordable housing provision.

Councillor Sara Bedford said there was currently one house on the site to be replaced with 10 flats but the report stated this would provide a deficit with insufficient money for a contribution to affordable housing in the District. The Council should be revising its viability assessment and getting a different consultant to assess applications.

Councillor Chris Lloyd moved that the application be deferred, seconded by Councillor Stephen King, to allow Officers to have further discussions with the applicant and to seek further information on the parking and viability.

Councillor Debbie Morris had concerns with regard to the disabled parking which looked as if it was being provided for the same unit. The needs of the residents had not been considered to make the parking viable. She asked which trees were protected by a TPO? She asked if the Landscape Officer could provide details on the methods to be used to protect the trees, shrubs and hedges and to provide more information on the trees being kept. As much of the trees, shrubs and greenery should be retained. The impact on No.34 was a concern although Officers had not considered that the one metre intrusion would result in any demonstrable harm to the residential amenities of 34 Eastbury Avenue. The central part of the block would result in an intrusion of 13 metres. Whilst there was an intrusion, the two storey winged element of the proposed building would be set off the shared boundary with 38 Eastbury Avenue by approximately 2.5 metres and a total distance of four metres between the block and the neighbour at No.34. It would impact on 1 The Marlins as there was only a 16m distance between the rear wall of the flatted development and the rear boundary to No.1's garden. She asked what the distance was between the flats and the rear wall on 1 The Marlins itself. Officers agreed to supply this information in due course.

The Planning Officer said the trees were protected by a blanket TPO on the whole site as part of an individual or group TPO. Nine trees were to be retained and smaller trees categorised as U or C trees which were not worthy of retention were to be removed with replacement planning proposed. An Arboricultural report had been submitted and reviewed by the Landscape Officer who raised no objection.

Councillor Sarah Nelmes asked what size vehicles were used to draw up the size of the parking spaces.

The proposer and seconder of the motion agreed to include in the motion that Officers request further information on the trees and impact on the neighbour in addition to the information required on parking and viability.

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

RESOLVED:

That the application be DEFERRED to allow for further discussions with the applicant and to seek further information on various matters including viability, parking, trees and the impact on the neighbours.

PC 84/18 18/1497/FUL: Single storey front extension and two storey and single storey rear extension at 5 GROVE FARM PARK, NORTHWOOD, HA6 2BQ

The Planning Officer updated that an Informative should be added as per National Grid's comments regarding National Grid apparatus being within the vicinity.

Councillor Debbie Morris said there had been objections received from the Community Council and residents. This would be a substantial extension in a residential estate where the houses were of a similar style and type. This application would introduce a crown and catslide roof which was not typical of the area and would create a highly visible extension. It would be beneficial for the Committee to make a site visit particularly for Members not familiar with Grove Farm Park and also to see the view from the neighbours at No.6. The proposal for a site visit was seconded by Councillor Reena Ranger.

Councillor Chris Lloyd said the materials and tiles proposed would not match the rest of the estate and asked if this could be considered. The materials should be in keeping with the rest of the estate.

The Planning Officer said the applicant had amended the plans to have timber boarding which would be in keeping with the rest of the estate. Condition C3 required the materials to be in accordance with the drawings and needed to be submitted for approval by the Council.

Councillor Reena Ranger referred to Paragraph 7.6.3 and a condition added with regard to the garage to be retained for car parking as there was a shortfall in parking. Could the applicant verify it will be used as a garage?

The Planning Officer stated that it had been indicated that the garage can accommodate a car and this statement had been accepted in good faith by Officers. Officers could request on the site visit that the door of the garage be open. The original consent had removed permitted development rights on the estate for garage conversions to habitable accommodation, however Officers felt it was appropriate to repeat the condition on the current application.

It was confirmed by Officers to Councillor Peter Getkahn that the application site was not in a Conservation Area.

Councillor Sara Bedford said the Council could not force the applicant to park their car(s) in the garage. Three off street parking spaces were to be retained and there was parking in the street.

On being put to the Committee the motion was declared CARRIED by the Chairman the voting being 6 For, 0 Against and 5 Abstentions.

RESOLVED:

That the application be DEFERRED for a site visit.

PC 85/18 18/1540/FUL - Single and two storey side extension, single storey extension to porch, conversion of garage into habitable accommodation and extension to raised patio to rear at RYLSTONE COTTAGE, 10 HADDON ROAD, CHORLEYWOOD, WD3 5AN

In accordance with Council Procedure Rule 35(b) Mrs Southall spoke against the application.

Councillor Reena Ranger asked about the windows on the first floor and potential overlooking into the neighbouring property. The Planning Officer advised that the windows would be obscured glazed and were for an en-suite and utility area. A privacy screen had been suggested to the left of the bi-folding doors to give the neighbours some privacy and this would be conditioned to ensure it was maintained.

Councillor Sarah Nelmes said the neighbour's window was obscure glazed and the development would not breach the 1.2m distance to the boundary.

Councillor Sarah Nelmes moved, seconded by Councillor David Major, that Planning Permission be Granted subject to Conditions.

On being put to the Committee the Motion was declared CARRIED by the Chairman the voting being 8 For, 0 Against and 3 Abstentions.

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: 01 Rev A, 02, 03 Rev A, 04 Rev E, 05 Rev E

Reason: For the avoidance of doubt and in the proper interests of planning and to safeguard the character and appearance of the Conservation Area in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM6, DM8, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and the Chorleywood Conservation Area Appraisal (2005).

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 window in the first floor side 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 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 Prior to the first occupation of the development hereby permitted the proposed privacy screen as show on approved plan numbers 04 Rev E and 05 Rev E shall be installed and permanently maintained 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).

- C6 The development hereby permitted shall be carried out in accordance with the Structural Method Statement outlined within the email dated 24.08.2018.

To preserve the character and appearance of the Conservation Area in accordance with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM3 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 formal application. Fees are £116 per request (or £34 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. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. It is a requirement under Regulation 67 (1), Regulation 42B(6) (in the case of residential annexes or extensions), and Regulation 54B(6) for self-build housing) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your

development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. 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 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, 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 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.
- 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: 0300 060 3900

Herts & Middlesex Bat Group: www.hmbg.org.uk

or an appropriately qualified and experienced ecologist.

(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).

PC 86/18 18/1554/FUL – Single storey side and rear extension and front porch canopy, two storey rear extension and alterations to frontage at 12 BRUSHWOOD DRIVE, CHORLEYWOOD, WD3 5RT

The Planning Officer reported on the content of an additional letter of objection received from the neighbour, and summarised the content of a letter from a

Ward Councillor. The Planning Officer confirmed an amended site plan had been received which corrects a discrepancy from the previous site plan, and the Plan Numbers condition therefore needs updating to refer to this amended plan.

Councillor Sara Bedford asked if the guttering would be overhanging or not?

The Planning Officer advised that the guttering would be up to the boundary but not over. The brickwork would be 0.5m from the boundary.

Councillor Debbie Morris noted the 0.5m from the boundary for the guttering at the ground floor but for the first floor there was a requirement for 1.2m distance.

The Planning Officer said the application met all requirements.

Councillor Reena Ranger said looking at the site plans the rear of building would be on the same building line as the neighbouring two properties but asked if the site plan had been updated. Could Officers provide assurance that on their site visit they used the drawings the Committee had in front of them tonight? The paving at the rear of the single storey extension would be marginally different at the first floor level looking at the footprint. There was also a shortfall of one parking space.

In accordance with Council Procedure Rule 35(b) Mrs Main spoke against the application.

Councillor Debbie Morris asked Officers for a view on the impact on the light at No.12. The Planning Officer said there would be no detrimental impact to the light due to relationship between the houses and the land levels.

Councillor Chris Lloyd asked for views on the speaker comments. The Planning Officer stated that they could not verify the accuracy of the site plan and drawings but the aerial view of No.12 and No.14 showed the extension would be closer to the rear of the neighbouring property but there would be a gap between the boundary and the property.

Councillor Marilyn Butler was concerned about the overhang being so close to the boundary and the practical difficulties this would create. The Planning Officer advised that this was not a material planning consideration.

Councillor Debbie Morris had concerns regarding the percentage increase in size due to the increase in square footage by 80%.

The Planning Officer said they were unable to verify the 80% increase. The site was in a built up area where percentage increase was not considered. The percentage was a subjective assessment of what it would look like. If the site was within the Green Belt the maximum percentage increase was 40%.

Councillor Sarah Nelmes moved, seconded by Councillor Peter Getkhan, that Planning Permission be Granted subject to conditions.

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

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: E100, E101, LP01, P101, P102 and SP01 R1.

Reason: For the avoidance of doubt and in the proper interests of planning and to safeguard the character and appearance of the Conservation Area in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM6, DM8, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and the Chorleywood Conservation Area Appraisal (2005).

- 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 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 windows/dormer windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the flank elevations or roof slopes of the extension/development hereby approved.

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 Before the first occupation of the building/extension hereby permitted the additional two-casement window at first floor level within the north eastern flank elevation serving the ensuite bathroom of bedroom one; 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).

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 formal application. Fees are £116 per request (or £34 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. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. It is a requirement under Regulation 67 (1), Regulation 42B(6) (in the case of residential annexes or extensions), and Regulation 54B(6) for self-build housing) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. 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 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, 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 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: 0300 060 3900

Herts & Middlesex Bat Group: www.hmbg.org.uk

or an appropriately qualified and experienced ecologist.

(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).

- 14 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.

PC 87/18 18/1597/FUL – Part single storey and part two storey side and rear extensions, creation of new vehicular access from The Green and alterations to drive, alterations to landscaping including replacement boundary wall and gates at 13 THE GREEN, CROXLEY GREEN, RICKMANSWORTH, HERTS, WD3 3HL

The Planning Officer reported that the development description should be amended to read part retrospective to reflect the fact that planning permission 16/2355/FUL had been part implemented.

Councillor Sara Bedford was away from the meeting.

Croxley Green Parish Council had concerns regarding over development of the site, the crossover area being safe and that the development would set a precedent in the Conservation Area. The Planning Officer stated that the applicant had reduced the width of the crossover in accordance with the Highways comments and the visibility splays were acceptable. Two previous applications had been approved in 2013 and 2016 although a smaller size and bulk. There were no Conservation Officer objections but a condition could be added that the landscaping be carried out and maintained.

Councillor Debbie Morris moved, seconded by Councillor Peter Getkahn that Planning Permission be Granted subject to conditions with the proposed amendment and additional condition.

On being put to the Committee the motion was declared CARRIED by the Chairman the voting being 10 for, 0 Against and 0 Abstentions. Councillor Sara Bedford was not present in the room for the vote.

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:

TRDC 001 (Location Plan), TRDC 002 (Block Plan), DHP/545P Sheet 1 of 5 (C), DHP/545P Sheet 2 of 5 (C), DHP/545P Sheet 3 of 5 (C)

DHP/545P Sheet 4 of 5 (C), DHP/545P Sheet 5 of 5 (C)

Reason: For the avoidance of doubt, in the proper interests of planning and to protect the character and appearance of the Conservation Area; in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM6 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and the Croxley Green Conservation Area Appraisal.

- 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 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 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(s) in the first floor flank elevation facing No.11 The Green 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(s) 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).

- C6 The first floor flank rooflight facing no.11 The Green hereby permitted shall be positioned at a minimum internal cil height of 1.7m above the internal floor level.

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).

- C7 The driveway shall be constructed using the surface materials agreed under 18/0573/DIS.

Reason: To ensure that the proposed hardstanding is sympathetic to the character and appearance of the Croxley Green Conservation Area and to minimise danger, obstruction and inconvenience to highway users in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C8 All soft landscaping works indicated on approved plan DHP/545P shall be carried out and maintained in accordance with the approved details.

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).

- C9 Notwithstanding the details on the approved plans, within one month of the date of this permission, the protective measures, including fencing, shall be undertaken in accordance with the approved scheme as indicated on the Tree Protection Scheme, Issue B, 04 October 2018 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: To prevent damage to trees during construction 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).

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 formal application. Fees are £116 per request (or £34 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. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. It is a requirement under Regulation 67 (1), Regulation 42B(6) (in the case of residential annexes or extensions), and Regulation 54B(6) (for self-build housing) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be

made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. 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 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, 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: 0300 060 3900

Herts & Middlesex Bat Group: www.hmbg.org.uk

or an appropriately qualified and experienced ecologist.

(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).

- 15 Construction standards for new/amended vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.

Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

- 16 Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website

[https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspxor by telephoning 0300 1234047](https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspxor%20by%20telephoning%200300%201234047)

Councillor Sara Bedford returned to the meeting.

PC 88/18 18/1600/RSP - Part Retrospective: First floor side extension, two storey rear extension, loft conversion including rear dormers and front rooflights and conversion of garage into habitable accommodation at 1 PARROTTS CLOSE, CROXLEY GREEN, WD3 3JZ.

The Planning officer reported that a previous objector had submitted further comments in relation to the following matters:

- Work had commenced including drilling holes for air conditioning units;
- The rooflight windows have been changed but they have not tiled around them correctly. The side extension had been increased in height and introduced a deep fascia; and
- Brickwork on the north facing elevation not consistent with original house

In response, the works in relation to the air conditioning units had ceased, the gaps around the rooflights was the flashing to prevent water ingress, the deep fascia was to be reduced and the brickwork is to be applied with a tinting kit in due course. The enforcement department are aware of the above comments.

Croxley Green Parish Council had concerns on the air conditioning units and the impact they would have on the environment, privacy on the neighbouring properties and the inadequate parking due to the size of the property.

The Planning Officer advised that the air conditioning units had been removed, the first floor window on the flank elevation would be obscured glazed so there would be no overlooking. On the parking there was no change and had been previously approved. It was confirmed that this application was with regard to the window, the single storey extension being bricked and not rendered and internal layout changes.

Councillor Debbie Morris sought clarification on the side flank window. The Planning Officer confirmed it would be obscure glazed with a top fan light opening.

Councillor Peter Getkahn moved, seconded by Councillor Debbie Morris, that Part Retrospective Planning Permission be Granted subject to conditions.

On being put to the Committee the motion was declared CARRIED by the Chairman the voting being 10 For, 0 Against and 1 Abstention.

RESOLVED:

That PART RETROSPECTIVE PLANNING PERMISISON BE GRANTED 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 in accordance with the following approved plans: PC1-02-1001 & PC1-02-1002A.

Reason: For the avoidance of doubt, to safeguard neighbouring amenity and the character and appearance of the Croxley Green Conservation Area 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, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and the Croxley Green Conservation Area Appraisal (1996).

- C2 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 extensions integrate with the existing dwelling and do not harm the character and appearance of the Croxley Green Conservation Area 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 Croxley Green Conservation Area Appraisal (1996).

- C3 Before the first occupation of the first floor side extension hereby permitted, the window in the northern elevation serving an en-suite bathroom; 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 as shown on drawing number PC1-02-1002A. The window shall be permanently retained in that condition thereafter.

Reason: To safeguard the amenities of the occupiers 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).

- C4 The front rooflights hereby permitted shall be set flush with their adjacent roofing materials, and not project above the plane of the roof in which they are located. The rooflights shall be permanently retained in that condition thereafter.

Reason: In the interests of visual amenity and to safeguard the character of the Croxley Green Conservation Area in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C5 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 windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the first floor flank elevations or roofslopes of the extensions 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:

- 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 formal application. Fees are £116 per request (or £34 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. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.
- Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. It is a requirement under Regulation 67 (1), Regulation 42B(6) (in the case of residential annexes or extensions), and Regulation 54B(6) for self-build housing) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.
- Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.
- Where possible, energy saving and water harvesting measures should be incorporated. 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 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.
- 13 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site

boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

PC 89/18 18/1609/FUL - Replacement of current skate park with new skate park facility at CROXLEY GREEN SKATE BOARD PARK, BALDWINS LANE RECREATION GROUND, BALDWINS LANE, CROXLEY GREEN, HERTFORDSHIRE

Councillor Chris Lloyd moved, seconded by Councillor Peter Getkahn, who advised this was an excellent leisure facility for Croxley Green, that Planning Permission be Granted subject to conditions.

On being put to the Committee the motion was declared CARRIED by the Chairman 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: TRDC0001 (Location Plan), TRCG-PSP02, TRCG-PSP01 REV A, TRMH-SCP01 REV A.

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 PSP2, CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM6, DM11 and DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

- C3 The development shall not be erected other than in the materials as have been approved in writing by the Local Planning Authority as detailed on the application form and shown on the approved plans and no external materials shall be used other than those approved.

Reason: To ensure that the external appearance of the development is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011).

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 formal application. Fees are £116 per request (or £34 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. Please contact Hertfordshire Building

Control (HBC) on 0208 207 7456 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - If your development is liable for CIL payments, it is a requirement under Regulation 67 (1) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. 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 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, 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 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.

PC 90/18 18/1659/FUL - Proposed change of use of part of paddock to residential curtilage and the installation of 64 solar panels at 8 SEABROOK ROAD, KINGS LANGLEY, WD4 8NU

Councillor Sara Bedford said if the solar panels were granted planning permission would the land then be classified as previously developed land. She was concerned that it would set a precedent for having future housing on the site and it would be difficult to stop this happening.

The Planning Officer reported that agreement to allow the solar panels and being developed land could not be used to pre judge an application.

Councillor Sara Bedford said it was quite disturbing and disconcerting. This was a huge site in the Green Belt which Members would not like to see come forward

for development and where the Council would find it difficult to not refuse planning permission.

Councillor Marilyn Butler said this was a huge area to generate electricity and wondered how much extra money could be gained.

The Planning Officer said that the National Planning Policy Framework (NPPF) stated that land which was occupied by permitted structure could be previously seen as developed land.

Councillor Debbie Morris said that the dimensions of the solar panels were huge being 32m wide and 2.6m high.

Councillor Diana Barber said it would look like a solar panel farm.

In accordance with Council Procedure Rule 35(b) Mr Lambert spoke in support of the application.

Councillor Peter Getkahn said in light of the applicant's comments with regard to the fixing of the panels and their permanency it did sound viable. He suggested that the Committee should consider deferral to seek further advice.

The Planning Officer said the site for the panels is not currently in the residential curtilage and case law is very complex at defining whether land is or is not within the curtilage of a building. If the site of the panels is not within the residential curtilage, the use of the land would need to be changed to residential.

Councillor Sara Bedford said having solar panels was a good thing. Her concerns were regarding the siting within the Greenbelt and the site being brought into the residential curtilage of the property. She could not vote to approve planning permission or vote on this to have the potential for flats or houses to be built in the Green belt in the future.

Councillor Diana Barber said the solar panels would be permanent forever with the house and would not be taken down.

Councillor Peter Getkahn had sympathy with the applicant but understood the risks highlighted by Councillor Sara Bedford. He moved the recommendation, seconded by Councillor Debbie Morris, that Planning Permission be Refused.

Councillor Debbie Morris was of the view that the grounds for refusing the application should be those recommended in the Officers report.

Councillor Sara Bedford asked that the additional reason for refusal with regard to permanence be investigated by Officers to seek clarification regarding its inclusion as a reason for refusal.

The Planning Officer stated that they would seek legal comments on whether it would be appropriate to add this additional reason for refusal with details circulated to Members for approval after the meeting.

On being put to the Committee the motion with clarification to be sought regarding the inclusion of the reason for refusal regarding permanence with details to be circulated to Members was declared CARRIED by the Chairman the voting being unanimous.

RESOLVED:

That **PLANNING PERMISSION BE REFUSED** for the following reasons:

(POST MEETING NOTE: An additional reason for refusal has not been added following agreement with Members but Reason R1 has been amended)

R1 The proposed change of use of the land to residential curtilage and the installation of 64 solar panels would fail to preserve the openness of the Green Belt and would conflict with the purpose of Green Belts by resulting in permanent encroachment to the countryside of residential use and large inappropriate structures. The development would therefore result in an inappropriate form of development which, by definition, is harmful to the Green Belt. No material planning considerations of sufficient weight have been demonstrated which would constitute very special circumstances to outweigh the inappropriateness of the development and the actual harm to the openness of the Green Belt. As a result the development would be contrary to Policies CP11 and CP12 of the Core Strategy (adopted October 2011), Policies DM2 and DM7 of the Development Management Policies LDD (adopted July 2013) and the revised NPPF.

R2 The change of use of the land to residential curtilage (including the installation of 64 solar panels) results in an incompatible form of development given the scale and unduly prominent form of development leading to the overdevelopment of the site to the detriment of the character of the area and the visual amenity of neighbouring properties. The development is therefore contrary to 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).

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) Order 2015. The Local Planning Authority encourages applicants to have pre-application discussions as advocated in the NPPF. The applicant did not have formal pre-application discussions with the Local Planning Authority and 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.

PC 91/18 18/1664/FUL: Construction of a detached two storey dwelling including balcony to rear, with associated hardstanding and landscaping including alterations to levels, change of use of land to residential and installation of gates AT LAND ADJACENT TO KINGS VIEW FARM, TOMS LANE, KINGS LANGLEY, HERTS

In accordance with Council Procedure Rule 35(b) Mr Shaw spoke against the application and Mrs Pryce-Kennedy spoke in support of the application.

Councillor Peter Getkahn moved, seconded by Councillor Sarah Nelmes, that Planning Permission be Granted subject to conditions. She had read the report in full and felt there was no question but to confirm the recommendation.

Councillor Debbie Morris said the Officer recommendation for approval was not because of any special circumstances but on planning matters. The Planning Officer advised that the building would be lower, with a flat green roof in part and there would be no more adverse impact on the Green belt. Approval had already been given for a dwelling on the site. This proposed dwelling would be set

further back and sunk into the land. The two storey element had been moved away from the boundary and would be in keeping with the area.

Councillor Sara Bedford said calling for viability payments to be made were not appropriate here with the family building the house for the future needs of their family and their disabled child.

On being put to the Committee the motion to grant planning permission with conditions was declared CARRIED by the Chairman 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: P 2155-100 C, P 2155-101 a, P 2155 110 D, P 2155-111 E, P2155 112 E, P2155 113 E, P 2155 114 E, P 2155 115 E, P 2155 116 E, P 2155 120 (16 October 2018)

Reason: For the avoidance of doubt, in the proper interests of planning and to protect the openness and rural character of the Metropolitan Green Belt; in accordance with Policies CP1, CP2, CP4, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM2, DM4, DM6, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

C3 No development shall take place until details of the existing site levels and the proposed finished floor levels and sections of the proposed buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: This condition is a pre commencement condition in order to ensure a satisfactory form of development relative to surrounding buildings and landscape 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).

C4 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 landscaping works required by the approved scheme shall be carried out and completed prior to the first occupation of the development hereby permitted. All soft landscaping works required by the approved scheme shall be carried out in accordance with a programme to be agreed before development commences and 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 condition 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 Before any building operations above ground level 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 prevent the building being constructed in inappropriate materials in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM2 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C6 Prior to occupation of the development hereby permitted, a plan indicating the full details of the appearance and location of the proposed gate to be erected at the site entrance shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be erected prior to occupation in accordance with the approved details and shall be permanently maintained as such thereafter.

Reason: To ensure that the gate is sympathetic to the 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).

- C7 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 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).

- C8 Before the first occupation of the building/extension hereby permitted the window(s) in the first floor flank elevations 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(s) 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).

- C8 The rooflights hereby permitted shall be positioned at a minimum internal cill height of 1.7m above the internal floor level.

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 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 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

Class E - provision of any building or enclosure

Class F - any hard surface

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, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM2 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C11 The development shall not be occupied until the energy saving and renewable energy measures detailed within the Energy Statement submitted as part of the application are incorporated into the approved development.

Reason: To ensure that the development meets the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM4 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and to ensure that the development makes as full a contribution to sustainable development as possible

- C12 Should they be required, detailed proposals for 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 prior to the occupation of development. The development shall thereafter be implemented in accordance with the approved details prior to occupation of any building forming part of the development.

Reason: To ensure that there is adequate capacity for fire hydrants to be provided and to meet the requirements of Policies CP1 and CP8 of the Core Strategy (adopted October 2011).

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 formal application. Fees are £116 per request (or £34 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. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at

buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. It is a requirement under Regulation 67 (1), Regulation 42B(6) (in the case of residential annexes or extensions), and Regulation 54B(6) (for self-build housing) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. 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 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.
- 13 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, 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 Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047

- 15 Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047

PC 92/18 18/1680/FUL – Demolition of existing garage and construction of single storey and two storey front, side and rear extensions, first floor rear extension and alterations to roof to include increase in ridge height at 23 LEWES WAY, CROXLEY GREEN, RICKMANSWORTH, HERTFORDSHIRE, WD3 3SN

The Planning Officer reported that the agent had confirmed in writing during the course of the application that white render was proposed to the flank and rear elevations of the development however the front elevation would be finished in brickwork to match the existing. Therefore, Condition 3 (materials) should be updated to reflect this.

In accordance with Council Procedure Rule 35(b) Mr Birch spoke against the application and Mr Harrington spoke in support of the application.

Councillor Debbie Morris asked about the rendering element to the flank elevation and the brickwork to the front and rear. The Planning Officer said they were advised that there would be brickwork at the front and rendering to the rear, and both sides. Councillor Debbie Morris said there should be brickwork all the way around. The Planning Officer said discussion had taken with the applicant who advised that there would be render to the side and rear which Officers felt was acceptable.

Croxley Green Parish said the development should not be to the detriment of the building and environment and should not have an effect on the neighbours. The appearance of the property should not be prominent in the street scene or create a terracing effect. The house would be prominent in relation to the existing properties, insufficient car parking, increase to the hardstanding, create structural problems and could become a house of multiple occupancy. Natural light would be lost, overlooking, loss of privacy, ridge height increase, intrusion of the 45 degree line and overdevelopment.

The Planning Officer said the application did not intrude the 45 degree line, the first floor flank window would be obscure glazed and not overlook, on the percentage increase there was no specific figure and each application was considered on its own merits. The matter of subsidence was noted, however, the grant of planning permission did not overcome the requirements to comply with Building Regulations which would cover this. Three parking spaces were to be provided which accorded with parking standards. There had been extensions to other properties of both single storey and two storey and the houses in the street were of different varieties. The single storey ridge height would not be prominent and the spacing at the first floor level would stop any terracing effect.

Councillor Chris Lloyd said with so many Croxley Green Parish Councillors at the meeting he moved, seconded by Councillor Peter Getkahn, that the Committee

make a site visit to see what had been partially been built and the materials being used.

Councillor Peter Getkahn said it was not illegal for the applicant to build without Planning Permission. The Planning Officer confirmed the applicant could start work at their own risk and it was not a criminal offence. There were a number of different styled properties in the road and some with front porches although not the same variety or style.

On being put to the Committee the motion was declared CARRIED by the Chairman the voting being 10 For, 0 Against and 1 Abstention.

RESOLVED:

That the application be DEFERRED for a site visit.

PC 93/18 18/1720/FUL Single store rear extension with basement beneath extension at 22 WHITELANDS AVENUE, CHORLEYWOOD, WD3 5RD

Councillor Chris Lloyd moved, seconded by Councillor Stephen King, that Planning Permission be Granted subject to conditions.

On being put to the Committee the motion was declared CARRIED by the Chairman the voting being 10 For, 0 Against and 0 Abstention.
(Councillor Reena Ranger left the meeting during the voting).

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: 001A, 002,003,004,005A, BP-01A, P001A, P002B, P003B, P004B, P005B, P006 and TRDC001 (Location Plan).

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 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 windows/dormer windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the flank elevations or roof slopes of the extensions 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:

- 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 formal application. Fees are £116 per request (or £34 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. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. It is a requirement under Regulation 67 (1), Regulation 42B(6) (in the case of residential annexes or extensions), and Regulation 54B(6) (for self-build housing) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. 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 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, 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 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.

PC 94/18 18/1744/FUL - Demolition of garages and erection of two storey building with further roof accommodation to provide six flats, with associated garden, car parking and landscaping at LAND AND GARAGES REAR OF 2-34, GREEN STREET, CHORLEYWOOD, HERTS, WD3 5QR

The Planning Officer reported that there was some text missing at paragraph 7.4.2, this should say: "In terms of new residential development, Policy DM1 of the DMP LDD advises that the Council will protect the character and residential amenity of existing areas of housing from forms of 'backland', 'infill' or other forms of new residential development which are inappropriate for the area. Development will be only be supported where it can be demonstrated that the proposal will not result in:

- i) Tandem development
- ii) Servicing by an awkward access drive which cannot easily be used by service vehicles
- iii) The generation of excessive levels of traffic
- iv) Loss of residential amenity
- v) Layouts unable to maintain the particular character of the area in the vicinity of the application site"

Condition C2 (plan numbers) needed to be updated to include 203 B showing the clarified boundary treatment layout.

Councillor Sara Bedford said permission for two semi-detached houses was allowed on appeal but this application was for flats which was totally different.

The Planning Officer said this application would provide for 11.5 parking spaces with 6 spaces assigned to the flats which would equate to a shortfall of 4.5 spaces. The Council amenity space standards were 166sqm but this application would provide 129sqm a shortfall of 37sqm.

Councillor Debbie Morris said the application was below our standards for parking and amenity space and these were valid reasons for refusal. She echoed the concerns raised, the appeal decision was for two semi-detached houses this application was for flats which was a significantly different scheme.

In accordance with Council Procedure Rule 35(b) Mr Meyjes spoke against the application and Mr Sewell spoke in support of the application.

Councillor Reena Ranger shared the concerns raised and noted Herts County Council's comments regarding access for the refuse and waste collection service and emergency vehicles. The shortfall on the parking and having only one visitor parking space would put pressure on the parking in the area which was already an issue. In paragraph 7.3.4 of the report it stated there would be no contribution for affordable housing but this was a bigger and more diverse scheme.

Councillor Marilyn Butler said the height was unacceptable on the neighbours and the parking would be appalling.

The Planning Officer said on balance the application was acceptable. The scale, siting, bulk and the siting of windows were acceptable and there had been no objection on the amenity space at the appeal. The appeal scheme was acceptable in terms of emergency access.

Councillor Sara Bedford proposed refusal of the application, seconded by Councillor Marilyn Butler, on the grounds of lack of parking and amenity space with the exact wording to be circulated to Members for approval after the meeting.

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

RESOLVED:

That PLANNING PERMISSION BE REFUSED for the following reasons (the final wording having been agreed by the Members after the meeting):

- R1 The proposed development would provide insufficient off-street parking, and the resultant shortfall of parking provision to serve the proposed dwellings would result in an increase in pressure for parking outside of the application site to the detriment of the safe movement and free flow of other highway users. The proposal would therefore be contrary to Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).
- R2 The proposed development would fail to provide sufficient and usable amenity space to the detriment of the residential amenities of future occupiers. This is contrary to 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).

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) Order 2015. The Local Planning Authority encourages applicants to have pre-application discussions as advocated in the NPPF. The applicant did not have formal pre-application discussions with the Local Planning Authority and 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.

PC 95/18 18/1781/RSP - Part Retrospective: Conversion of garage into habitable room, front porch extension, increase in height of existing side and rear extensions and construction of raised patio to rear at 53 HILLCROFT CRESCENT, OXHEY HALL, WD19 4PB

Councillor Chris Lloyd moved, seconded by Councillor Stephen King, that planning permission be granted subject to conditions.

On being put to the Committee the motion was declared CARRIED by the Chairman the voting being 10 For, 0 Against and 1 Abstention.

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: TRDC0001 (Location Plan), 001 Rev A, 002, 003

Reason: For the avoidance of doubt and in the proper interests of planning and to safeguard the character and appearance of the Conservation Area in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM6, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and the Oxhey Hall Conservation Area Appraisal (2007).

- C3 All other 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 dwelling is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1 and DM3 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 formal application. Fees are £116 per request (or £34 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. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - If your development is liable for CIL payments, it is a requirement under Regulation 67 (1) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. 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 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, 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 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.

PC 96/18 18/1922/FUL - Installation of proposed solar-pv panels to the roof at 15 BURY LANE, RICKMANSWORTH, HERTFORDSHIRE

The Planning Officer reported that comments had been received from the Conservation Officer who does not object to the proposals. In summary, they note that the panels have a symmetrical layout along the ridge line which minimises their visual appearance and reduces any cluttered appearance. They have minimal projection and will be of dark colour which will reduce their visual impact. They consider that the proposal would not cause harm to the Conservation Area.

Comments had been received from a Ward Councillor objecting to the application. Whilst they are in favour of solar panels they consider that the proposed panels would not fit into the Conservation Area. They note that the planning portal comments that in conservation areas panels should not face or be visible from the road. Concerns are also raised regarding the proposal setting a precedent.

In response, the Committee report sets out why officers' consider the proposal acceptable, including on conservation grounds, and the Conservation Officer raises no objections. The Planning Portal provides guidance on permitted development not requiring planning permission and states that in a conservation area panels cannot front a highway. This does not mean that they are not acceptable, just that permission would be required. With regards to precedent, each application is assessed on its individual merits.

Councillor Debbie Morris said there were no other solar panels in the Conservation Area. The Officer recommendation that the decision be delegated to the DCES subject to any representations being received and that planning

permission be granted as the consultation period had not finished should be amended so that the decision was retained for the Committee and not delegated as the Council was the applicant.

The Planning Officer said it was a large Conservation Area and they could not categorically say there were no other solar panels in the Conservation Area. It was standard procedure that if the consultation period was still running to delegate the decision to the DCES to grant permission subject to any representations being received. With the applicant being TRDC if Members were minded to approve the application, Officers could update Members before issuing the decision. There had been no other further comments received other than the Ward Councillor comments as reported.

Councillor Peter Getkahn supported solar panels on buildings as they enhanced the environment and made the buildings more sustainable.

Councillor Reena Ranger said the Committee had rejected a previous application for solar panels. This was a contentious site in the Conservation Area and respect should be made when considering the application. It should be in keeping and in accordance with the Conservation Area. This was the Council's own application and we should wait until the end of the consultation period. The Planning Officer said the applications were different with different site circumstances. The previous application had been contrary to Green Belt policies. This application accords with relevant policies.

Councillor Debbie Morris said the Committee should be open about its discussion and decision.

Councillor Diana Barber could not disagree with the need for solar energy but if the decision was delegated there would be no control by the Committee over the specification, installation and aesthetics of it.

The Planning Officer had assessed every planning aspect in the making of the recommendation to the Committee. The Committee could delegate to the DCES to grant planning permission unless further representations were received raising different issues or objections it could come back to the Committee and there could be re-notification to the neighbours. The Committee noted that the panels would be below the ridge height.

Councillor Peter Getkahn moved the recommendation, seconded by Councillor Chris Lloyd, that the decision be delegated to the Director of Community and Environmental Services to consider any representations received and that Planning Permission be Granted subject to conditions and that Members be advised if any further representations were received prior to issuing the decision.

Councillor Sara Bedford advised that solar panels had been given planning permission in Conservation areas in Nightingale Road, Heronsgate and at Chorleywood Station.

On being put to the Committee the motion was declared CARRIED by the Chairman the voting being 6 For, 4 Against and 1 Abstention.

RESOLVED:

That the decision be delegated to the Director of Community and Environmental Services to consider any representations received and that PLANNING PERMISSION BE GRANTED, subject to the following conditions and that

Members be advised if any further representations were received prior to issuing the decision:

- 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: ACM-E0012-201; ACM-E0012-202; ACM E0012 101; ACM-E0012-102.

Reason: For the avoidance of doubt, in the proper interests of planning and in accordance with Policies CP1, CP8, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM4, DM6 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 formal application. Fees are £116 per request (or £34 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. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. It is a requirement under Regulation 67 (1), Regulation 42B(6) (in the case of residential annexes or extensions), and Regulation 54B(6) (for self-build housing) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. 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 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, 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.

CHAIRMAN