
PLANNING COMMITTEE**DRAFT MINUTES**

of the Planning Committee meeting held in the Penn Chamber, Three Rivers House, Northway, Rickmansworth, on 21 March 2019 from 7.30pm to 9.40pm.

Councillors present:

Sarah Nelmes (Chairman)
Sara Bedford
Diana Barber
Stephen King
Debbie Morris
Reena Ranger

Chris Lloyd (Vice-Chairman)
Marilyn Butler
Steve Drury
David Major
Peter Getkahn

Also in attendance: Councillor Joanna Clemens, Abbots Langley Parish Councillor Owen Roe and Batchworth Community Councillor Francois Neckar.

Officers: Adam Ralton, Matthew Roberts, Claire Wilson and Sarah Haythorpe.

PC 154/18 APOLOGIES FOR ABSENCE

None received.

PC 155/18 MINUTES

The Minutes of the Planning Committee meeting held on 14 February 2019 were confirmed as a correct record and signed by the Chairman subject to the following amendments: to add Councillors Sara Bedford and Stephen King in attendance.

PC 156/18 NOTICE OF OTHER BUSINESS

None.

PC 157/18 DECLARATIONS OF INTEREST

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.”

Councillor Debbie Morris advised that herself and her colleagues Councillors Reena Ranger, Marilyn Butler and Diana Barber are Members of the Conservative Party and would be declaring a registrable non pecuniary interest in Item 6 because their local association has offices in Scotsbridge House. However they come to the meeting with an open mind and we will be dealing with the application fairly and on its merits.

Councillor David Major declared a non-pecuniary interest in agenda item 12 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 Joanna Clemens also wished to declare the same interest as detailed by Councillor Debbie Morris.

PC 158/18 18/2163/FUL: Partial demolition of existing dwelling and erection of two storey and single storey rear extension, loft conversion including increase in ridge height, extension to basement and alterations to fenestration detail at 6 ASTONS ROAD, MOOR PARK, HA6 2LD

Councillor Debbie Morris asked if a presumption had been made that this was a pre-1958 dwelling. The Planning Officer advised that was correct. The Conservation Officer had considered that the property dated from the earliest days of the Moor Park estate and therefore assumed that it pre-dated 1958.

Councillor Debbie Morris referred to the Moor Park Conservation Area Appraisal which stated the Council would seek the retention of buildings erected up to 1958. Therefore the building should be retained but it was clear that a substantial part was to be demolished. Whilst she appreciated that the front façade was being retained the overwhelming majority was not and that did not follow the Conservation Area Appraisal. On the basement she believed there was possibly a discrepancy in what Moor Park 1958 said and what she had learnt from Officers in correspondence. She asked for clarification on the proposed basement size. Was it 271sqm or was it 391.7sqm the latter being bigger than Moor Park 1958 had said. The Planning Officer said the measurements were based on the internal measurements which had been done via the online system measuring from the scale plans making it 271sqm. Officers were not sure if Moor Park 1958 had done external calculations which maybe where the discrepancy was.

Councillor Debbie Morris said the basement was currently 42.6sqm so it was going to be a huge increase. Her concern related to the flood risk assessment not being required on the basis that this was not a flood risk zone. Referring to the Conservation Area Appraisal it was a requirement that applications which included a basement should submit a flood risk assessment to show the effects the proposals could have on the existing underground water courses. This was not about surface water this was about the impact of a substantial basement on the water course. She asked Officers to review their disregard to require a flood risk assessment. The application should be deferred to acquire one to satisfy all those in the vicinity that the construction if approved would not put other properties at risk.

Councillor Reena Ranger asked about the ridge height. In Paragraph 7.1.8 it stated that the dwelling already had a higher ridge height than the adjacent neighbour (No.4). As the dwelling was already prominent in the street scene she asked for Officer comments on the increase in ridge height by some 5 metres,

what would be the total height over the neighbour and what the relationship was to the neighbours. The Planning Officer said Paragraph 7.1.8 of the report justified why Officers considered the increase in height was acceptable. The ridge height was already higher and of noticeable presence in the street scene which was predominantly due to the gable projection. Officers did not consider that a further increase in height would significantly increase it any further than it already was. During the course of the application the roof form was amended so the ridge height over the gable would be retained which further reduced the impact. On the difference between the neighbouring property and the application dwelling the street scene drawing which had been submitted in the Officers view was an accurate reflection. Officers were not sure if No.4 had been surveyed so could not provide an exact difference in height. Officers did not feel there would be significant harm.

Councillor Reena Ranger commented on the plot coverage of the house and a shed already in existence at the back. She knew there was already over 19% plot coverage which was over and above the guideline in the Conservation Area plan and suggested that if the application was approved that any further permitted development rights be removed.

Councillor Debbie Morris noted a construction method statement and further method statements would be supplied. She wished to know who would be assessing these statements. Was it Planning Officers? Did they feel confident to assess such a complex structure? Would it be more appropriate that structural engineers or building regulation officers assess it? She said this as there had been an incident in Moor Park where a property was given permission not for full demolition but a front façade had to go because what was actually permitted ended up not being able to be constructed without the demolition of the total building. Whoever assessed it must be 100% competent to do so. The Planning Officer advised that Condition C3 required the submission of a Construction Method Statement prior to the commencement of development. Officers would have a look at that document and if they were not confident in dealing with it they would seek advice from Building Control.

Councillor Sarah Nelmes said that she understood permitted development was dealt with within the Conditions.

In accordance with Council Procedure Rule 35(b) Mr Peters, Moor Park 1958 spoke against the application and Mr Seabrook spoke in support of the application.

Councillor Peter Getkahn could not see much wrong with the application as it seemed to preserve the street scene and fitted in with the area. The increase at the back seemed to be almost un-viewable from the front and the highway. He was inclined to agree with the recommendation and moved that Planning Permission be Granted subject to Conditions, seconded by Councillor Sara Bedford.

Councillor Reena Ranger supported deferral of the application. She had concerns about the ridge height as it was an imposing dwelling and to say that a little increase was acceptable was not correct. Having heard the speakers and it was the collective contribution of many neutral houses which made up the Moor Park Conservation Area. Knowing the area well a flood risk assessment should not be overlooked. Residents called frequently about gardens being water logged with water running off which we would not have expected. The flood risk assessment was something which should be given more weight and was needed along with a review of the ridge height and perhaps the bulk and mass.

Councillor Sarah Nelmes said Officers had advised the application site was not in the flood zone but potentially it could be made a condition.

Councillor Debbie Morris repeated the Conservation Area Appraisal required flood risk assessments because of the impact on underground water courses. She was not an expert on flood risk zones but there should be a flood risk assessment particularly in the light of the huge basement that was proposed. She hoped Members would support that.

The Planning Officer said the requirement for a flood risk assessment was not a statutory requirement although Officers understood Member concerns. It could be conditioned as a pre-commencement condition if Members felt it was necessary. Informative I2 directed the applicant to be mindful of the flood risk and surface water flooding. Officers did not feel they could refuse the application in the absence of a flood risk assessment when it was not a statutory requirement.

Councillor Sara Bedford asked if Members were talking about flood risk as a statutory flood risk, as flood risk zones, as water courses or surface water. They were different things and were often confused. Paragraph 7.1.12 stated "however, the application site is not in a flood risk area and it would be unreasonable to refuse planning permission on these grounds." If Members were now minded to put a condition on would it be unreasonable. Either it was unreasonable or not. If it was not unreasonable then why were we not already asking for it in the recommendation? The Planning Officer said that the Conservation Area Appraisal said a flood risk assessment should be submitted but in this case was not. Officers would not have been able to invalidate the application for that reason because if an appeal had been made they would not have been able to uphold that. Officers could not refuse the application on that basis and it would be an unreasonable condition.

Councillor Sara Bedford asked if Members were talking about the Environment Agency flood risk area or surface water flooding as they were two different things. The Planning Officer said that the flood risks zones generally refer to water courses. Officers don't have concerns about the water courses or flooding in the basement.

Councillor Debbie Morris referred to the Officer response that the applicant should have submitted a flood risk assessment. Officer's view was that the application could not be invalidated and could not be refused because it was not submitted. This meant no applicant within the Moor Park Conservation Area would be required to submit a flood risk assessment. If the Committee decided not to include a condition any other applicant can refuse to do so and the threat of flooding would be exacerbated throughout the estate.

Councillor Sara Bedford said the Committee could not now ask for a flood risk assessment when the area was not in a flood risk zone and quite clearly it would be unreasonable to do so. There are parts of Moor Park that do flood, down towards Tolpits Lane there was a lot of flooding but this site was not. It was unreasonable to require a flood risk assessment because of the location which was not near enough to a water course to flood. The Environment Agency advised what was or was not a flood risk area it could not be both.

Councillor Sarah Nelmes said the advice given was that it was not in a statutory flood risk zone. The Officers view was it was not a flood risk area.

Councillor Diana Barber said surely the pre 1958 status in the Moor Park appraisal took precedent. Councillor Sarah Nelmes advised the appraisal was subservient to National Planning policy and was a material consideration rather than statutory.

Councillor Chris Lloyd said he had not heard sufficient details to defer the application. The Committee had sufficient information to make a decision so his proposal would be that Members do not defer it.

Councillor Reena Ranger said Members bring local knowledge and understanding to the meetings and appreciated the application was not in Tolpits Lane. In Bedford Road there had been gardens which had been water logged and you could not walk in them when it rained. In addition issues had been raised in Russell Road, Wolsey Road and Astons Road. She had concerns regarding surface water run off which did not do what it should in many parts of the estate. She was concerned about the size of the basement and would urge deferral.

The motion to defer the application on being put to the Committee was declared LOST by the Chairman the voting being 5 For, 6 Against and 0 Abstentions.

Batchworth Community Council had concerns on the scale, height and massing. The basement was going to be increased on a seven fold basis to nearly 300sqm and that would harm the water course. It may not be in an Environmental Agency flood risk area but there was an enormous amount of surface water created by basements.

Councillor Joanna Clemens queried whether the new development attempted to respect the contribution that a pre-1958 dwelling made to the Conservation Area. They would be removing the chimneys which were not being replaced which seemed construction for construction sake. The front door arch was being torn out with no conditions to preserve the key elements which contributed to the Conservation Area.

The Planning Officer advised that on the Environment Agency website there was a very useful tool that pulled in all the data available and showed the extent of flooding from not only seas and rivers but also from surface water. The map showed that whilst there were elements of Moor Park which were potentially at risk from flooding from rivers, the sea and surface water this particular site was shown as very low risk.

Councillor Sara Bedford asked for clarification on the chimneys she thought two were being retained and one was being moved. The Planning Officer confirmed that was correct.

On being put to the Committee the motion that Planning Permission be Granted subject to conditions was declared CARRIED by the Chairman the voting being 6 For, 4 Against and 1 Abstention.

RESOLVED:

That PLANNING PERMISSION BE GRANTED subject to the conditions and informatives set out in the Officers report.

**appearance, landscaping and scale reserved) at SCOTSBRIDGE HOUSE,
SCOTS HILL, CROXLEY GREEN, HERTFORDSHIRE WD3 3BB**

The Planning Officer reported that since the Committee report was published, the applicant had submitted additional information in support of the application. The applicant's agent had submitted evidence that a series of quotes had been obtained relating to the implementation of the Permitted Development scheme at this site – for example a quote relating to the provision of kitchens and appliances, bathrooms, re-wiring of the existing building and roof repairs to the existing building. These feed into a costs report prepared by a Quantity Surveyor which has been prepared to demonstrate that the cost of converting the existing building to residential would be cheaper than the cost calculated by the Council's viability assessor.

The applicant's agent had also submitted a copy of a letter from the landowner and the main part states "the Society has resolved that office use at the premises will cease going forward and fully intends to pursue a residential re-development of the property". They have confirmed that all occupiers are now on short term arrangements and that office use will not be accommodated at the premises going forward.

The Officer suggested that Members may wish to consider whether this additional information does or does not give more weight to the prospect of the fallback position being implemented.

In relation to the third reason for refusal, which was recommended by the Environment Agency (EA), the applicant had undertaken additional modelling and investigation works in order to provide the EA with the information they require. The applicant's consultant had advised that these works showed that the basement would have a negligible effect on the physical groundwater flow within the site boundary and no effect beyond the site boundary.

The results of this exercise have been forwarded to the EA, and they have provided a response this evening confirming that they maintain their objection due to a lack of sufficient information. They have advised that no modelling data was included with the revised report and they require this data in order to assess the potential impacts of the underground car park on groundwater for the life of the development. The modelling data has been sent to the EA by the applicant immediately following the EA's request, however a response following receipt has not yet been received. As a result, the EA's objection remains relevant.

Because the EA had advised that they expect to issue their further response next week, it is considered reasonable to amend the recommendation to enable the decision to be amended depending on the outcome of the EA consultation. Therefore the recommendation is changed to:

subject to the removal of the objection by the Environment Agency the application be delegated to the Director of Community and Environmental Services to:

REFUSE PLANNING PERMISSION without the existing third reason for refusal

OR

REFUSE PLANNING PERMISSION with the existing third reason for refusal if the Environment Agency do not withdraw their objection

Councillor Sarah Nelmes said the building already had permission under

permitted development for it to be turned into flats. Government Regulations allowed that in most circumstances if the owner wished to. This application was to build from scratch a new building in a more modern style with different environmental characteristics.

Councillor Chris Lloyd asked if the applicant had pre application discussions and had any comments been received from Croxley Parish Council. The Planning Officer said there had not been any pre application discussions with the applicant. With regard to the Parish Council comments they were provided at Paragraph 4.1.1. They wished to mention policy point RE2: Safeguarding Employment, from the Croxley Green Neighbourhood Plan which outlines a presumption against a change of use from any B Use Classes to Residential Use on the grounds of loss of employment. The permitted development was not a policy consideration as the NPPF supersedes that.

Councillor Peter Getkahn asked Officers to run through the changes which had been made since the previous application. The Planning Officer said the existing access at the very bottom of Scots Hill would remain the way into the site and the existing access further up Scots Hill would be closed and relocated in the region of 30 metres further down the hill to be the exit only. The reason for relocating that access was to ensure better visibility for cars coming out than there was from the existing access. Highways had been fully involved and were happy with the access arrangements.

Councillor Sarah Nelmes said some of the points made previously in terms of the size of the building, roof line and better shaping had not been reflected in this application. Did Officers know why the applicant had not reviewed those issues? The Planning Officer could not advise why there had been no engagement. Some indicative elevations had been received and changes had been made to reduce the scale and more articulation which were not up for approval. From a Green Belt point of view they were more satisfactory.

Councillor Marilyn Butler asked if the affordable housing contribution could be conditioned. The Planning Officer said affordable housing could not be conditioned as it was subject to a viability appraisal and needed to be secured by legal agreement.

Councillor Debbie Morris referred to the Officer update. The report stated at Paragraphs 7.3.4 and 7.3.5 that no evidence had been submitted regarding the loss of office floor space as being a reason for refusal. Could the Officer confirm that there was still no evidence and was that still a sound ground for refusal? The Planning Officer said they could not see any reason to change the recommendation. It was undoubtedly a matter of fact that more evidence and justification had been provided which added weight to the possibility of the permitted development scheme being implemented. The judgement of Officers was that the recommendation remains but there was more evidence to increase the possibility and more thought had gone into the development.

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

Councillor Sara Bedford had concerns about the groundwater although details had been provided on how this could be addressed. She was also concerned about the affordable housing issue as regardless of anything else that stands as a rejection. If this went ahead it would be a large and very profitable development. Very little had happened in the way of pre-application advice. She did not think developers could put something forward and if the Committee did not like it that was okay you can have another couple of months to think about

it. Developers should come with well-rounded schemes which were understanding of the qualities that we expect. The Committee should make decisions on what stands before them and not defer for the developer to be put forward more information.

Councillor Sarah Nelmes added that it would save an awful lot on architectural drawings to discuss with Officers the details to get it right first time. This building would be converted into flats at some point as it was not financially viable to remain as offices. She wanted it to be a green and attractive building with a contribution towards affordable housing and access to the Chess.

Councillor Chris Lloyd said he would like to see access to Chess which he had requested on the previous application. He was concerned about the chalk stream and the issue on affordable housing needed to be addressed although he was concerned about the applicants view on affordable housing. The Council need to have a substantial contribution towards affordable housing.

Councillor Sara Bedford asked Officers to give details on the reasons for Refusal at R3 and R1. How would they stand up on appeal as there was already permitted development due to Government policy. She wondered what the case law was. The Planning Officer said it was about how likely the fallback position of permitted development was to be implemented. Officers had reported that more information had been submitted which indicated that it was getting close to being implemented. It then came down to was there enough information that the reason for refusal could be removed. At appeal it was whether there was a prospect of the permitted development scheme being implemented ultimately there was a planning judgement on whether the permitted development scheme was better or worse or more or less likely to come forward. If the developer wants to do luxury flats or small non luxury flats there was a judgement to be made on how likely it was to take precedence. As more information was received it was certainly a lot closer than what it was when the report was written and information was still coming in. With regard to the Environment Agency question if the Committee were minded to agree with the recommendation to refuse on that ground it would be subject to the removal if the objection from them was removed. The removal would be delegated to Director to refuse without the Environment Agency reason for refusal but if they were still objecting then Officers would refuse to include that reason for refusal.

Councillor Sara Bedford had concern about including reason for refusal R1 (loss of office space) because there was permitted development. There was extra office accommodation provided at Croxley Business Park which was expanding by around 20% and had plans for further expansion. She thought it would be very hard to say the area did not have sufficient office space. The amount to be provided was more than 10 times what was being lost here. However reason for refusal R2 and R3 completely stand and therefore she moved refusal on those two grounds seconded by Councillor Chris Lloyd.

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

RESOLVED:

That Reason for Refusal R1 (relating to the Loss of Office Space) be deleted BUT Reason for Refusal R2 relating to the provision of affordable housing be retained.

That subject to the removal of the objection from the Environment Agency the decision be delegated to the Director of Community and Environmental Services

to REFUSE OUTLINE PLANNING PERMISSION without the existing third reason for refusal, or REFUSE OUTLINE PLANNING PERMISSION with the existing third reason for refusal if the Environmental Agency do not withdraw their objection.

PC 160/18 18/2418/RSP – Retrospective: Conversion of a dwellinghouse into two self-contained flats at 19 LYNWOOD HEIGHTS, RICKMANSWORTH, WD3 4ED

The Planning Officer reported that the recommendation at section 8.1 on page 12 should be amended to read: that RETROSPECTIVE PLANNING PERMISSION BE REFUSED for the following reason.

Councillor Reena Ranger asked about the role of restrictive covenants. The Planning Officer said they were unable to get involved in restrictive covenants. The granting of planning permission did not override the requirement of the land register to remove any other legal requirements on the land.

In accordance with Council Procedure Rule 35(b) Mr Bishop spoke against the application.

The Planning Officer clarified an Enforcement notice had not been issued, what was issued was a letter sent from the Enforcement Officer setting out to the owners that a) there was a planning breach and b) as there was a planning breach they should reinstate the house back to a single dwelling by a specific time point. If that was not undertaken then the next step if it was expedient to do so was the issuing of an enforcement notice. At this point no notice had been issued.

Councillor Sarah Nelmes said it was perfectly legal to put in a retrospective planning application so whilst it might look an odd way round it was permitted.

Councillor Debbie Morris said following the speaker comments on the parking provision could Officers comment on that. The Planning Officer said as it stands the plans were for a one bedroom unit and a four bedroom unit although there was scope to increase that to a two bedroom unit and a five bedroom unit by using the study in the loft. In respect of the parking there were five parking spaces to be provided and if planning permission was granted we would require a parking management plan to be submitted.

Councillor Marilyn Butler was concerned this could set a precedent for multiple occupancy dwellings in the area.

Councillor Sara Bedford asked for information on the parking layout. Were the Committee meant to say there was room or would we expect that to come forward later. The Planning Officer advised that the application was recommended for refusal on affordable housing grounds. As advised earlier there would be a requirement for a parking management plan if approval was given which would set out the spaces to be allocated to the dwellings and the maneuverability as there were two separate families on site.

Councillor Sara Bedford asked if there was room to have parking for two different households. There was no point asking for a parking management plan if there was not enough space. The Planning Officer said they believed it could be achieved. They had fought this particular aspect at a property in Croxley Green which had been lost on appeal as the Inspector advised it would be down to both occupiers of both houses to try and sort the matter out. Obviously we would want a more formal arrangement. Where the car was parked now it would be angled potentially the other way round so there would

be the ability to leave the site and obviously there was the garage and the space in front of the property.

Councillor Sara Bedford also asked for clarification on what it said in the local plan regarding the sub-division of properties. The Planning Officer said policy DM1 of the development management policies set out in the officer report at 7.3.2 said:

- i) The building is suitable for conversion by reason of its size, shape and number of rooms. Normally only dwellings with three or more bedrooms will be considered suitable for conversion
- ii) The dwellings created are completely self-contained, with separate front doors either giving direct access to the dwelling, or a secure communal lobby or stairwell which itself has a secure entrance
- iii) Adequate car parking, services and amenity space can be provided for each new unit in compliance with the Council's standards
- iv) The character of the area and the residential amenity of immediate neighbours are protected

The last point was not applicable as this was not a semi-detached dwelling

Councillor Reena Ranger said one of the dwellings would have zero amenity space. The Planning Officer advised that the amenity space would be communal so both families would be able to use the garden.

Councillor Debbie Morris followed up on Policy DM1 on dwellings being created which were completely self-contained and requiring separate front doors. The Planning Officer said there would be a single front door which would then go into a secure lobby area to gain access to either dwelling.

Councillor Reena Ranger asked how the residents in Flat B would access the amenity space. The Planning Officer advised the residents would come down the stairs into the lobby through the front door and round the corner of the property.

Councillor Diana Barber asked why Flat B on the first floor needed a bathroom in the loft if that was not part of the flat. The Planning Officer advised it was part of the flat and potentially there could be a further bedroom in the roof with the bathroom.

The requirement to comply with building regulations regarding fire escapes was not a planning issue.

Councillor Peter Getkahn asked if the garage would be used as a parking space. The Planning Officer said the plans showed the bin storage being a separate external area. If planning permission was granted the ability to convert the garage would be removed. In terms of meeting the parking standards we would want the garage to be used as a parking space but not all garages are.

Councillor Sarah Nelmes asked if there was any difference visually from what was previously granted permission. The Planning Officer said there was no visual difference.

Councillor Peter Getkahn's concern was the precedence this application takes. We sit on the Committee having retrospective developments coming forward which was completely legal. He moved refusal of the application as per the Officer recommendation.

Councillor Debbie Morris said the character of an area was defined by the

physicality, the size of the buildings and the density of development within each building. Instead of having a single household there would be two so could potentially fail on that ground.

Councillor Sarah Nelmes said the Committee would look at the application differently if it was for a multi generation house or a granny flat to be subservient to the main family living in the house.

The Planning Officer said that character was objective, but in this particular instance there was no external alteration. Sub divisions were far more obvious which would have a material impact on the street scene along with two front doors and separate frontages. That was not the case as it would be a shared drive and obviously it would look and appear as a single dwelling house.

Councillor Diana Barber said more retrospective applications were coming forward and the Committee should take a stand and make sure they came through in the correct order. Councillor Sarah Nelmes said it was legal to put in a retrospective application.

Councillor Sara Bedford said there was nothing we can do until the Government changed the law. If the Committee were minded to refuse on this we would be taken to appeal and would lose and would probably get costs. She did not want to give up £15,000 of tax payers' money to make a stand that we would lose. She could not see how a reason for refusal based on character could be defended at an appeal as it looked like a single house. The fact that there maybe four or five cars on the driveway was not unusual for a house of this size. If there were two front doors it would be different or if they were putting walls down the middle of the garden or the middle of the drive or extra access. We don't need to condition against it being turned into a HMO as that would require separate planning permission for a change of use. It would be unlikely that in an area like this it would go ahead as it would not be viable. Issues had been raised on parking and the need to have a parking management scheme. If the application was refused on the lack of a Section 106 agreement for contributions towards affordable housing and they gave that money we would have no reason for refusal. If they came up with a parking scheme we did not like it might be difficult at that point to try and enforce it. The conversions of semi-detached houses into flats allowed on appeal had people ending up with their master bedrooms next door to some ones living room and kitchen was not very helpful if their watch television quite legitimately to 2am.

Councillor Reena Ranger said there was a difference between this being a multi-generational home and two flats. With a multi-generational house you would hope they would talk to each other to move a car and use the amenity space without any formalisation. They should have amenity management space planned as you would have two different families living next door to each other and there would need to be significant parking management as well.

Councillor Debbie Morris wished to include as a reason for refusal the change to the character. This area was not populated with houses divided into flats and therefore it was a change albeit not visible but in terms of population and development density. It was legitimate to include and we should also include parking provision as a ground for refusal. She proposed three grounds for refusal the one in the report, and two more with regard to character and parking provision

Councillor Peter Getkahn sought clarification on the amendments to his proposal.

The Planning Officer said parking was a material consideration that Officers had considered hence there would be a requirement for a parking management plan if the application was approved. If the applicant was to appeal the decision clearly officers would put forward to the Inspector that a parking management plan was essential as part of the acceptability of the scheme but would be down to Inspector to consider. They considered it reasonable given the fact that there would be two families on the site. An Informative could be included if Members required this.

Councillor Sara Bedford said Paragraph 7.8.3 looked at Policy CP1 and reading through all the policies she could not see how in line with our planning policies a reason for refusal on character would stand up when the house looks exactly the same. It was an area of very low density housing and with the conversion was still very low density.

The Chairman took the motion to include a reason for refusal on the change of character. On being put to the Committee the motion was declared TIED by the Chairman the voting being 5 For, 5 Against and 1 Abstention.

On the vote being TIED the Chairman used her casting vote against the motion as she did not think it was reasonable and she did not think it affected the character and was not materially different and declared the motion LOST the voting being 5 For, 6 Against and 1 Abstention.

The Planning Officer mentioned there had been an appeal at 180 Highfield Way in Rickmansworth which was not identical to this street but was an area predominantly of detached residential properties. They had sought to subdivide the property with limited change to the external appearance. It was refused by Officers on character grounds and whilst it was dismissed at appeal the Inspector said there was no harm on the character because of lack of visual change.

Councillor Sarah Nelmes took the motion put forward by Councilor Peter Getkahn, seconded by Councillor Diana Barber that Retrospective Planning Permission be Refused as set in the officer report and that an informative be added with regard to a parking management plan.

Councillor Sara Bedford moved that a reason for refusal be added on parking as she could not see you could get five cars parked and maneuvered at the front. This additional reason for refusal was accepted by the proposer and seconder of the motion.

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

RESOLVED:

That RETROSPECTIVE PLANNING PERMISSION BE refused as set out in the Officer recommendation with an additional reason for refusal relating to the lack of car parking management scheme to enable users to maneuver into and out of the site, as detailed below:

In the absence of a Car Park Management Plan it has not been demonstrated that an acceptable level of maneuverability into and out of the site between vehicles of both flats can practically be achieved without undue conflict. The development is therefore contrary to Policy CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

PC 161/18 18/2444/FUL – Front porch; single storey rear extension; single storey side extension and conversion of garage to habitable accommodation; roof extension; subdivision of site and creation of semi-detached two storey dwelling with associated parking and landscaping and relocation of existing vehicular access to serve both dwellings at 1A LINKS WAY, CROXLEY GREEN, WD3 3RG

The Planning Officer reported that Croxley Green Parish Council had written this afternoon to advise there was no official comment from the Parish Council or their Planning Committee on the amendments, however one Councillor had commented that they was glad to see the proposal had now taken notice of the Neighbourhood plan.

The Planning Officer suggested an update to Condition C3 to require the materials to be in accordance with the submitted plan, and update condition 11 to require details of the appearance of the cycle store to be submitted to the LPA for approval before the store is built, and thereafter built in accordance with the approved details.

Councillor Peter Getkahn had concerns on the access being adjacent to the corner and if there was any restriction in this location. The Planning Officer said the Highways Authority was happy with the access. They had reviewed it and knew that the existing access was being removed and the new access would be closer to the junction. The Highway engineers were satisfied that the visibility splays were achievable but had recommended a condition be included to ensure the splays were provided to make the access safe.

Councillor Steve Drury was not happy with the Highways comment. He would expect Highways to actually have a look and not just do a desk based survey. He was not happy with the creation of a new crossover which would be very tight to land which did not belong to this house and they would be using that land to drive into the back garden where they were going to put another house. This was backland development.

The Planning Officer pointed out it was a shared driveway at the front with nothing at the back. It was turning a detached house into a pair of semis.

Councillor Sara Bedford said in the light of application just discussed and others tonight and taking away the fact that it was an additional separate dwelling Members should look at actual appearance of the proposed extension to become a separate dwelling. She had concerns about the appearance on the existing property. It would be closer to Baldwins Lane, it would be out of keeping in appearance, would create a house which was not of the same appearance as the houses in that part of Croxley which were quite uniform. In this part of north Croxley whilst the houses were not identical they were of a similar type and the spacing was very similar. It was not a Conservation Area but it would be out of keeping and closer to the road than the existing property.

Councillor Sarah Nelmes asked if Highways could be invited to look at the site more thoroughly. The Planning Officer advised they could not advise if Highways had visited the site or whether they based their comments on a desk top exercise. Officers could ask them how they came to their conclusions.

Councillor Debbie Morris said in previous applications the Committee had been told it was unwise to refuse on highways grounds if there was no Highways objection as it would not stand up on appeal. Could officers confirm that? The Planning Officer said if Members were minded to refuse on Highways grounds they would need to have a demonstrable Highways adverse impact and be

confident this could demonstrate harm to highway safety that was contrary to the professional Highway engineer's opinion.

Councillor Steve Drury referred to the plan which looked at the front of the house. He felt the shared drive would be far too close to Baldwins Lane. He said the photo did not show there were two bollards under the first Links Way and the shared drive would be right next to it along with the pavement. Where they were going to build was a street sign. Were they going to have that removed? He felt the Committee had grounds for Highways to come and look at it.

Councillor Peter Getkahn moved deferral of the application for Highways to visit the site.

Councillor Sara Bedford said if the Committee were minded to refuse the application it would be better to refuse in a similar way to the Scotsbridge application and say if the Highways Authority support the refusal then it can be added rather than deferring for another month.

Councillor Sara Bedford provided grounds for refusal, seconded by Councillor Steve Drury, based on the proposed additional dwelling would be too prominent in the street scene by virtue of its corner location and adversely affect the area, visual amenity, not in keeping and overdevelopment. It would also be subject to the outcome of a second review of the application by the Highways Authority.

Councillor Debbie Morris said she was not familiar with the road and asked what the officers view was on street scene as she would be uncomfortable refusing it on that basis and suggested as an alternative a site visit and then others who were not familiar with the vicinity can make their own assessment. This proposal was not seconded.

Councillor Chris Lloyd wished to clarify what Councillor Sara Bedford had proposed. He also mentioned there was a steep hill there.

The Planning Officer sought clarification on whether Members would want the Highways response circulated or if they revisit and decide to object we refuse it on the highways ground as well or if they revisit and say it was okay we don't include that reason. If Officers request that they come out and if they still say no problem Officers don't think we have a choice but agree with that decision. Members said that they would be happy to meet the highways officers on site.

On being put to the Committee the motion to refuse the application was declared CARRIED by the Chairman the voting being 9 For, 0 Against and 2 Abstentions.

RESOLVED:

That Planning Permission be refused for the following reasons (reason to be circulated to Members) and subject to the outcome of a second review of the application by Hertfordshire County Council as the Local Highway Authority including a site visit (for which Members would be willing to attend) include a Highways reason for refusal if the Highways Officer raises concerns, or otherwise refuse only for the street scene reason.

The proposed side extension to form a new dwellinghouse, by reason of its width, height, design and proximity to the site boundary would appear as an incongruous and overly prominent overdevelopment of the site, which would disrupt the appearance of and adversely affect the visual amenities of the street scene. The proposal would be contrary to Policies CP1 and CP12 of the Core

Strategy (adopted October 2011), Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and the National Planning Policy Framework.

In the absence of an agreement under the provisions of Section 106 of Town and Country Planning Act 1990, the development would not contribute to the provision of affordable housing. The proposed development therefore fails to meet the requirements of Policy CP4 of the Core Strategy (adopted October 2011) and the Affordable Housing Supplementary Planning Document (approved June 2011).

POST MEETING NOTE: Following the meeting Hertfordshire County Highway Authority were approached to discuss Members' concern. They confirmed that a site visit was made prior to the Highway comments being submitted to the LPA. Herts Highways have confirmed that the proposed access would be 15 metres from the junction of Links Way and Baldwins Lane which is acceptable and in accordance with Hertfordshire County Council's Dropped Kerbs Terms and Conditions. The dropped kerb would not interfere with the pedestrian crossing point. On this basis, a reason for refusal relating to highway matters will not be attached

PC 162/18 19/0035/RSP – Part Retrospective: Construction of a raised patio to side and rear, boundary treatment, and landscaping at 94 GREENFIELD AVENUE, CARPENDERS PARK, WATFORD, HERTFORDSHIRE, WD19 5DQ.

Councillor Reena Ranger asked if the patio level and height had increased. The Planning Officer advised that the view was taken that there was an increase. The works that were being undertaken and also what was proposed required planning permission. Officers had assessed what the harm was in relation to what is being proposed.

Councillor Reena Ranger asked if Officers knew by how much the patio had risen from what it used to be. The Planning Officer advised that there was a photo which had been taken before the extension taken by an Officer. This was all Officers had to go on from the original land levels. As the Committee can see where the original hedging is on the photo and you can see the window of the neighbours extension but it is very hard to tell how much of an exact increase it had gone up. Clearly the height was relatively close to where it currently is at that point. It was very hard for Officers to say exactly what the increase is.

Councillor Reena Ranger asked if there was an after picture. The Committee were shown a picture of what the level was and they could see the fencing was below the height of where the hedging was historically.

Councillor Sarah Nelmes asked if the fence was now lower than where the hedge was previously. The Planning Officer confirmed this was correct.

Councillor Reena Ranger asked if the floor had gone up or the boundary treatment had gone down. The Planning Officer advised that the floor had gone up and the boundary treatment had gone down.

Councillor Marilyn Butler was confused about the position of the manhole. The Planning Officer advised that the manhole would not be something they could get involved in from a planning perspective that would be a civil matter and something that would need to be raised with Building Control or the relevant utility company.

Councillor Steve Drury said when this floor level was raised surely the manhole level was raised at the same time or else it would have been by two feet lower. Was the manhole moved because it appears to be slightly under the fence. The Planning Officer could not advise if it was moved or not because the evidence that Officers had got was the photos which we had previously which made it difficult from Officers perspective to understand what the true levels were before the work took place.

Councillor Steve Drury asked if there was a photograph of the floor level showing the manhole cover. Councillor Sarah Nelmes said that was not a planning issue.

Councillor Diana Barber said it should have been on the plans when they were submitted? If you are building an extension and there is a manhole you have to show it. Councillor Sarah Nelmes advised this was in the patio not the extension and was not a planning matter as Officers had advised and would be for Building Control to consider.

Councillor Reena Ranger asked if a condition could be added to have a more robust environmentally friendly boundary treatment instead of the fencing to compensate for the floor going up. The Planning Officer advised that initially it was proposed to have hedging however some of the concerns were that the hedging would not grow to maturity given the limited space to where the current raised patio is. Also there was a concern about the enforceability of a hedge because it could be damaged and Members should appreciate we would require it to reach a certain height. What was currently proposed is that the fencing along the boundary would be slightly reduced so that is all of a uniform height and the fencing would then stagger down the garden. There were conditions proposed that the fencing was retained for privacy purposes and should not be altered thereafter and that this also applies to the other neighbour in terms of that fence being slightly increased to prevent any overlooking. It was also proposed by condition that the patio be built in accordance with the plans and that the landscaping in terms of the planting boxes must be built strictly in accordance with the plans so they can't be altered at a later date for another raised patio area. Also the ramp that would go adjacent to the boundary is also to be permanently maintained in its approved position and angle of slope so in the future if it was raised then that was something that Officers could enforce if there was a breach of condition.

Cllr Sarah Nelmes said there was a substantial set of conditions here to maintain it so that it does not continue to change.

Cllr Sara Bedford asked about the issue of the gullies and the air bricks was that a matter for Building Control? The Planning Officer advised that it would be and also potentially a civil matter between both parties in terms of the neighbours access to those air bricks.

Councillor Sarah Nelmes moved the officer recommendation that retrospective planning permission be granted subject to conditions seconded by Councillor Peter Getkahn. He said it frustrating sometimes for the Committee and this was one of those occasions.

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

RESOLVED:

The Retrospective Planning Permission be Granted in accordance with the

Officer recommendation in the report.

PC 163/18 19/0140/ADV: Installation of two fascia signs, one projecting sign, one set of individual letters, poster cases and associated lighting at DRUIDS, 205 HIGH STREET, RICKMANSWORTH, WD3 1BB

The Planning officer reported that Hertfordshire Highways were consulted and raised no objections to the development.

Councillor Sarah Nelmes said the Conservation Officer had made some comments and asked if the applicant had taken those on board. The Planning Officer confirmed that was correct.

Councillor Chris Lloyd moved, seconded by Councillor Marilyn Butler that advertisement consent be granted subject to conditions.

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

RESOLVED:

That ADVERTISEMENT CONSET BE GRANTED in accordance with the Officer recommendation in the report.

PC 164/18 19/0153/FUL: Single storey front and side extension at 225 PRESTWICK ROAD, SOUTH OXHEY, WD19 6EJ

Councillor Sarah Nelmes said that the application had been called in by Watford Rural Parish Council but no one was there to represent them at the meeting.

Councillor Reena Ranger said she expected if there was lots of noise it would be dealt with under Environmental Health.

The Planning Officer reported that National Grid had requested that an informative be added with regard to their apparatus. In terms of any noise it was confirmed it would be dealt with by Environmental Health.

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

On being put to the committee the motion was declared carried the voting being unanimous.

RESOLVED:

That PLANNING PERMISSION BE GRANTED in accordance with the Officer recommendation in the report.

PC165/18 19/0357/ADV – Advertisement Consent: Erection of eight non-illuminated signs at LEAVESDEN COUNTRY PARK, COLLEGE ROAD, ABBOTS LANGLEY, HERTFORDSHIRE WD5 0GU

The Planning Officer reported that Abbots Langley Parish Council had objected to the proposed replacement signs as they would be unsympathetic with this heritage park, in particular the one on the north side at the Collage

Road entrance. They also feel that the existing Langley Lane Map is of an appropriate design and should be replicated for the new signage. The Landscape Officer had raised concerns with three signs given that they would be within the root protection area of protected trees.

It was considered appropriate to impose a condition requiring the works to be supervised by the Landscape department. If the proposed signs need to be significantly re-sited to a due to their potential impact, a further application would need to be submitted for consideration.

Councillor Sara Bedford said a lot of money was being spent in the Park which was almost entirely provided by the Heritage Lottery Fund and Warner Bros with the rest from Section 106 funding which was brilliant in terms of the extra facilities (cycle hub, café and the hive building which had now opened). We are smartening up the railings, improving the cemetery, the paths and steps and she thought we should improve the signage for all the new things taking place in the park.

Councillor David Major asked if the signs were representative of what the final signs would be. The Planning Officer confirmed they were. He felt they were not in keeping with the park and certainly not the signs with the large grey area underneath.

Councillor Debbie Morris echoed the comments made regarding the two large grey signs and felt they looked unsightly.

Councillor Sarah Nelmes felt it was nice to see something that was quite modern.

Councillor Chris Lloyd said if we had not owned the site this would not be coming to the Committee and officers would have approved it. A lot of money had been spent in park and on balance he would like to see this approved.

Councillor Peter Getkahn moved that Planning Permission be Granted, seconded by Councillor Chris Lloyd.

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

RESOLVED:

That PLANNING PERMISSION BE GRANTED subject to the Conditions and Informatives set in the officer recommendation including a further landscape condition set out below:

No below ground works shall commence unless such works to erect all advertisements hereby permitted are supervised in person by the Council's Landscape Department.

CHAIRMAN