
PLANNING COMMITTEE**MINUTES**

of the Planning Committee meeting held in the Penn Chamber, Three Rivers House, Northway, Rickmansworth, on 29 May 2019 from 7.30pm to 21.41pm.

Councillors present:

Sarah Nelmes (Chairman)

Steve Drury

Raj Khiroya

Stephen Cox (substitute for Cllr Stephen King)

Debbie Morris

Reena Ranger (substitute for Cllr Marilyn Butler)

Peter Getkahn

Michael Revan

Also in attendance: Councillor David Raw, Sarratt Parish Councillors Anthony Soothill and David Reece.

Officers: Adam Ralton, Claire Wilson, Scott Volker and Sarah Haythorpe.

PC 01/19 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Marilyn Butler, Stephen King, Chris Lloyd and Keith Martin with Councillors Reena Ranger and Stephen Cox being appointed as the named substitutes for Councillors Marilyn Butler and Stephen King.

PC 02/19 MINUTES

The Minutes of the Planning Committee meeting held on 25 April 2019 were confirmed as a correct record and signed by the Chairman.

PC 03/19 NOTICE OF OTHER BUSINESS

The TPO at agenda Item 5 had been withdrawn.

PC 04/19 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 declared a non-pecuniary interest in agenda item 6 as she knew the agent and would leave the room for this application.

The Chairman declared that all the Liberal Democrat Councillors on the Committee had non-pecuniary interests in item 7 (19/0394/FUL - Removal of existing timber shed, extension of existing basement, extension of existing drive atop of basement structure and construction of car port at WHITE HART HOUSE, SERGEHILL LANE, ABBOTS LANGLEY, WD5 0RT AND 19/0395/LBC - Removal of existing timber shed, extension of existing basement, extension of existing drive atop of basement structure and construction of car port at WHITE HART HOUSE, SERGEHILL LANE, ABBOTS LANGLEY, WD5 0RT) as the Agent was a Liberal Democrat Councillor.

Councillor Raj Khiroya declared a non-pecuniary interest in agenda item 9 as he had campaigned against the application during the elections and would leave the room during the consideration of this application.

PC 05/19 Consideration of Objections and Confirmation of Three Rivers (38 Beacon Way, Rickmansworth) Tree Preservation Order

This item was withdrawn.

PC 06/19 18/2283/FUL: Demolition of garages and change of use of land to accommodate 2 residential park homes with associated works to boundary treatment and parking areas at HIGH VIEW CARAVAN PARK, TOMS LANE, KINGS LANGLEY HERTFORDSHIRE WD4 8NP

Councillor Debbie Morris left the meeting during the consideration of this application.

Councillor Sarah Nelmes said the application was deferred to enable the Committee to make a site visit.

The Planning Officer reported that one additional neighbour objection had been received which included photographs of the parking areas. Comments included that the existing parking areas were currently used and the proposal would result in the loss of a wash bay.

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

Councillor Reena Ranger asked about the parking and if there was a shortage of spaces. The Planning Officer advised that the amount of parking available on the site was not in accordance with current policies and would remain so. The ratio of parking spaces was in the region of 1:3 to 1:4 spaces per unit. There would be at least one space per unit.

Councillor Reena Ranger asked when Officers visited the site did they find that the parking was anti-social or was it manageable. The Planning Officer said that Officers' opinion was that there was no concern. Members had also been and visited the site.

Councillor Sarah Nelmes said that the site visit was early in the morning and at the weekend. Residents would have been home and there was plenty of spaces to park in the main car park. Members had also walked to the other parking area where there was significant space. Overall it looked like the parking was not under pressure.

Councillor Raj Khiroya said having looked at the letters the main objection was

the loss of parking which should be addressed. He had seen the parking situation on the site visit but it was not laid out clearly and people parked in an unreasonable manner.

Councillor Reena Ranger asked if the application was approved what was the positioning of the two units, the implications of overlooking and could details be provided on the amenity space. The Committee had heard there would be an erosion of amenity space, which would have a detrimental impact. The Planning Officer said in terms of amenity space it would comply with the minimum standards. On the parking there would be a loss. On the landscaping between the two units, Officers were satisfied there would be no overlooking due to the amenity space around them. There would no more overlooking than you would get anywhere else in the park.

Councillor Stephen Cox questioned the parking reduction and how Officers had come to their recommendation for approval. The Planning Officer said there had been previous applications that had gone to appeal which included a greater loss of parking than what was proposed now. The Planning Inspector had not upheld an objection in respect of the lack of parking. One of the previous applications would have resulted in a loss of 44 spaces, this one was a loss of 28 spaces. The Planning Inspector observed there was sufficient spaces and there was capacity on the site with no detriment or harm.

Councillor Stephen Cox said it seemed the loss of 44 spaces was not a concern therefore we could not be concerned about the loss of 28 spaces. The Planning Officer reconfirmed that the Planning Inspectorate had raised no objections. Officers felt that it would be very difficult to substantiate a reason for refusal when both the Inspectors had not upheld objections on parking.

Councillor Sarah Nelmes moved, seconded by Councillor Peter Getkahn, that Planning Permission be Granted following the completion of a Section 106 Agreement to secure an Affordable Housing Commuted Sum.

On being put to the Committee the motion was declared CARRIED by the Chair the voting being 4 For, 0 Against, 3 Abstentions.

RESOLVED:

That PLANNING PERMISSION be GRANTED following the completion of a Section 106 to secure an Affordable Housing Commuted Sum.

PC 07/19 19/0394/FUL - Removal of existing timber shed, extension of existing basement, extension of existing drive atop of basement structure and construction of car port at WHITE HART HOUSE, SERGEHILL LANE, ABBOTS LANGLEY, WD5 0RT.

19/0395/LBC - Removal of existing timber shed, extension of existing basement, extension of existing drive atop of basement structure and construction of car port at WHITE HART HOUSE, SERGEHILL LANE, ABBOTS LANGLEY, WD5 0RT.

The Planning Officer reported that it was proposed to amend the wording to Condition C4 attached to the Listed Building Consent application to require that the works be undertaken in accordance with the engineering report as approved. There was also a proposal to include this Condition on the planning application.

Councillor Debbie Morris was happy with the application and with the amendment. She moved the recommendation for the FUL application,

seconded by Councillor Sarah Nelmes as she felt it was quite attractive and was not overly dominant.

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

Councillor Debbie Morris moved, seconded by Councillor Sarah Nelmes, that the LBC application be granted.

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

RESOLVED:

That PLANNING PERMISSION 19/0394/FUL and Listed Building Consent 18/0395/LBC be GRANTED subject to the conditions as set out in the Officer report but subject to the rewording of Condition C4 on both the FUL and LBC to read as follows:

Condition C4 (amended wording) to read:

No development or other operation shall commence on site in respect of the extension of the basement hereby approved until an engineering report has been submitted to and approved in writing by the Local Planning Authority. This engineering report shall detail the method of excavation of the basement and entire scope of works of the basement area including the impact on the historic fabric of the Listed Building and any measures to be used to minimise this impact. The development shall thereafter only be implemented in accordance with the details contained within the approved engineering report.

Reason: This is a condition to ensure the integrity of the Listed Building is safeguarded, in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

PC 08/19 19/0437/FUL – Provision of two dormers to the south east elevation (front elevation) at LONG ROOFS, COMMONWOOD, SARRATT, HERTS, WD4 9BA

The Planning Officer reported that comments had been received from Herts Ecology, raising no objections but asking for an Informative to be added regarding bats. The Informative was already included at I4.

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

Sarratt Parish Council said the planning history went back to 2016 when an application was submitted to double the floor space of the original dwelling. They had objected to the bulk and inappropriate development and the application was refused. Two years later a revised application was approved. The latest proposal reinstated the dormer windows in the front south east elevation. The addition of the two dormers would not substantially increase the footprint although bulk was not just a numerical issue. Policy DM2 of the Development Management Policies considered whether a proposal preserved the openness of the Green Belt. The design criteria of Appendix 2 of the Management Policies document said that a new development should respect the character of the streetscene particularly with regard to the roof form and the positioning of the side windows. Commonwood was a hamlet in the Green Belt

and Long Roofs was a building that fronted onto the Common and was a very prominent building adjacent to Commonwood House a locally important building. The name “Long Roofs” was due to its expanse of terracotta roof tiles facing onto the Common. The two dormer windows in the roof would break up the expanse of roof resulting in demonstrable harm to the visual amenities in the area in accordance with policies CP1, CP12 of the Core Strategy and policy DM1 and Appendix 2 of the development management policies. On that basis the Parish Council requested that the Committee refuse this application.

Councillor Reena Ranger sought clarification on the supplementary planning guidance and disproportionate extensions (Paragraph 7.1.6 of the report). This extension would result in an increase of more than 40% over the floor area of the original dwelling. Paragraph 7.1.7 of the report stated the previous extension to the dwelling included the single storey alternations which resulted in an approx. increase to 56% floorspace from the original dwelling. The proposed dormer windows would increase that to 58%. If 40% was disproportionate and we were now looking at 58% was that not extremely disproportionate. The Planning Officer said supplementary planning guidance was just a guide and Officers had to take each case on its own merits. What might be harmful to the openness in one case might not in another. The report stated that dormer windows were an exception to the 40%. The dwelling was above the 40% at the moment but dormer windows were generally excluded because of the limited impact on the massing of the property as detailed in Paragraph 7.1.8 of the report.

Councillor Debbie Morris asked if examples could be provided of when dormer windows would not be excluded. The Planning Officer stated that when extensions had an accumulative increase in floor space over 40% they would normally be acceptable. Exceptions included dormer windows which did not increase the massing of the building. They would have to increase the massing to an extent which was considered to be harmful.

Councillor Debbie Morris asked if impact on the street scene could constitute a reason for refusal. The Planning Officer said that could be a planning consideration but impact on the street scene and Green Belt were two different considerations.

Councillor Sarah Nelmes said having dormer windows in the roof would be visually intrusive as it was an historic building although not locally listed.

Councillor Peter Getkahn asked if the house was in a Conservation Area. The Planning Officer advised it was in the Green Belt but not in a Conservation Area.

Councillor Reena Ranger said this was development by piecemeal. There was a danger that could continue and we would watch the slow erosion of what was an important building. The speaker had raised a separate issue on the dumping of materials on the site and not being used for the purposes it should be or was intended to be. Was there any remedy or could there be enforcement of this. The Planning Officer advised that this issue was already under investigation as a separate matter.

Councillor Stephen Cox said Paragraph 7.2.5 of the report stated that the insertion of two dormer windows on the front roof slope would not result in any demonstrable harm to the visual amenity of the area. He could not support that statement as it would impact on Commonwood House.

Councillor Raj Khuroya said he had a problem with the development as it would be out of character.

Councillor Peter Getkahn said there were other ways of doing this which did not have so much impact on the streetscene. He asked for Officers comment on some wording for refusal based on the impact on the streetscene, seconded by Councillor Stephen Cox.

The Planning Officer said Members had expressed concerns on the impact on the streetscene and the locally important building, the bulk and it would be out of character. Those were legitimate reasons to refuse an application.

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

RESOLVED:

That PLANNING PERMISSION BE REFUSED for the following reason the final wording have been agreed by Members following the meeting

Reasons for Refusal as agreed:

The proposed dormer windows, by reason of their size, bulk, and siting within the front roofslope, would disrupt the existing roof form and would adversely affect the character and appearance of the dwelling, the street scene, and the adjacent Locally Important Building. The proposed development would therefore be contrary to Policy 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).

PC 09/19 19/0568/FUL - Demolition of existing building and construction of three storey building comprising one retail unit (Class A1) at ground floor and the provision of eight residential flats (at first and second level and within one separate block to the rear) with associated parking at 16 - 18 LOWER ROAD, CHORLEYWOOD, RICKMANSWORTH, HERTS, WD3 5LH

Councillor Raj Khiroya left the meeting during the consideration of this application.

The Planning Officer reported that Paragraph 7.10.8 of the report should be amended to state "for the residential aspect of the development there would be a requirement for 14.75 car parking spaces." Therefore the total allocation of 13 spaces for the residential element would have a shortfall of 1.75 spaces. However, Appendix 5 of the Development Management Policies document states that in areas of high accessibility and good service provision a reduction in the level of parking for perceived residential usage maybe appropriate. In this case the application site was in zone 2 where a restraint of 25-50% can be applied. As such the proposed parking provision would still be considered acceptable allowing 1.6 spaces per unit. This would be in accordance with Appendix 5 which requires one assigned space for a unit of this size. Amended plans had been received to correspond with the floor plans and indicated that the kitchen window in the second floor elevation of the rear floor facing the access road would be cleared glazed. This did not alter the Officer report. The neighbour comments should be updated to state that two comments had been received in support of the application. Since the time of the publication of the report three further letters of objection had been received which did not raise any new issues or concerns and had already been addressed in the report. Condition C11 should be updated to remove the wording "and should be top opening only at 1.7 m above floor level" and a further condition should be added with regards to the plant room stating that "prior to occupation a noise assessment with regard to the proposed plant room shall be and approved in

writing by the LPA in order to protect the residential amenity of neighbouring properties and future occupiers of the application site.” In addition a block plan had been received which highlighted the relationship between the proposed and existing buildings. National Grid had also suggested an Informative reminding the applicant that there was apparatus within the vicinity.

Councillor Debbie Morris said the noise assessment should be submitted and approved and asked what the criteria for not approving it would be. Presumably the recommendation would change if it failed. The Planning Officer said that they could add a condition requiring a noise assessment to be submitted prior to occupation and to require details of the noise levels to be submitted. Officers would consult with Environmental Health and if they felt those details were not acceptable they would not discharge the condition.

Councillor Debbie Morris said if you have a condition it should be before construction and not before occupation. The Planning Officer said the condition can be prior to commencement if Members felt that was necessary. Prior to occupation would mean that they would need to submit details in good time to the LPA before the flats were occupied with no noise impact to future or existing residents.

Councillor Sarah Nelmes said you could submit a statement which said all the sound proofing would be wonderful but subsequently it might not be effective. Would it be possible to have both a plan for approval and a check before occupation? The Planning Officer did not feel you could put both on. Ultimately if approval was given and whatever mitigation was put in place the noise from the chiller unit and the freezer unit could be a concern to the people living in the flats. As with any planning condition if it was breached then enforcement could be taken.

Councillor Reena Ranger said if the chiller unit was built in accordance with the conditions but was just noisy that could potentially be an environmental health complaint. The Planning Officer said that Environmental Health legislation would deal with the noise nuisance. The Committee would be approving the condition to ensure any noise or vibration was mitigated against throughout the building and did not adversely impact on the residents. Officers would expect an acoustic report to be submitted to be reviewed by Environmental Health colleagues to see whether the noise would be excessive and would harm the residents.

Councillor Reena Ranger asked if a condition could be included so that anything that was noisy or emitted vibration should be kept to a minimum. She noted the Conservation Officer comments but did not think anybody would like to be associated with this architectural style which was uncomfortable in appearance and awkward. She did not know if there was any scope for something more in keeping with the street scene and more sympathetic. She did not want to approve something which would be contrary to Policy CP1 which was to preserve and enhance the character of the area. She asked where the residential parking was and where the shoppers would park. She noted from the report that when Officers had visited the site the access was blocked. If the access road was blocked with delivery lorries that meant potentially one access road could be closed if a lorry was unloading and you would only have one access point. There was a parking shortfall for both the residents and shoppers and although we might be trying to get a reduction in parking due to its location near the station how many bags of shopping do you need for it to be unfeasible to use a train.

The Planning Officer said the access road was a single road with access points from Berks Hill and South Road. The parking would be for residents and

employees of the Co-op with no onsite parking for shoppers which was the existing situation. There was parking on Lower Road which the shoppers used and there was also a local car park within the vicinity. In terms of the Co-op itself it was used by local residents who don't necessarily travel a significant distance and were predominately on foot. When the Highways Officer visited the site the access from South Road was blocked. The applicant had confirmed that both ends of the access road were accessible. Highways had confirmed that they had no objection on highways grounds and had confirmed they had visited the site.

Councillor Sarah Nelmes said it was actually a dirt track but asked who owned it? The Planning Officer said that the residents had a right of access. The owner of the existing building at 16-18 Lower Road had confirmed in writing that they had got rights of access across that track and had done so since Budgens was in existence. Officers understand that a number of other residents, mainly the ones nearest in Berks Hill and South Road, also had access as they had garages there. If Members were unclear on the exact site circumstances then perhaps a site visit might be appropriate.

Councillor Reena Ranger said if there was a delivery and a vehicle was parked in the access road how would residents be able to come in and out, emergency vehicles and other services how would that work if it was not clear all the time. The Planning Officer said that the access road was already in use and Highways could not refuse on the basis it could be obstructed. With regards to deliveries to residents Officers would not be able to control where the vehicles stopped and where they entered as unfortunately this was not enforceable. The car park could be used by delivery drivers if there was space.

Councillor Sarah Nelmes said on the parking for the staff why could they not use the car parks which the shoppers used? It seemed wrong to cut down the parking for the residents. The Planning Officer said that a parking management plan had been submitted which showed the allocation and how that would be controlled. Officers had added a condition that the parking management scheme be implemented and enforced.

Councillor Peter Getkahn asked if there were any plans to improve the access road as it could break up significantly. The Planning Officer said there was no proposal put forward to carry out any resurfacing. The Highways Officer had commented based on the plans and its existing condition.

Councillor Sarah Nelmes said comments had been received from residents in South Way about overlooking from the kitchen windows which weren't proposed to be obscure windows. This might be another reason to make a site visit. The Planning Officer said in terms of the windows on the rear block and the ones that would face out there was a discrepancy between the floor plan and the elevations which had now been updated so that the kitchen window would be clear glazed. That corresponded with the floor plan. Officers did not feel that it would result in significant overlooking and no more than the existing relationships along the access road. The applicant had indicated that they would be happy to accept a condition requiring that window to be obscure glaze but suggested a site visit to observe the relationship maybe appropriate.

Councillor Debbie Morris said was happy to propose a site visit but if Members did agree could there be some reconsideration of the design at the front. On the amenity space, there was a requirement for 198sqm but there was no provision to be provided and this was justified because of the town centre location. She asked if there were different amenity space requirements for town centre locations. The Planning Officer said that in this instance the site was in

an area which was approximately 400m walking distance from the Common. Appeal Inspectors had not dismissed applications for this type of development when in such close proximity to open space.

Councillor Debbie Morris said the scheme included a flat with obscure glazed windows and no amenity space. What sort of condition was that for someone to live in? Everything about this development suggested that it was contrived and over developed. If Members made a site visit she would like the developers to rethink this, reduce the number of flats, provide some private amenity space and include adequate parking.

Councillor Reena Ranger said at paragraph 7.10.8 it stated that the requirements for parking was 12.75 spaces and we had got 13. The Planning Officer clarified that there should be 14.75 spaces with a shortfall of 1.75 spaces

The speakers both for and against agreed to defer speaking to the next meeting. On being put to the Committee the motion to DEFER for a site visit was declared CARRIED by the Chairman the voting being unanimous.

RESOLVED:

That the application be DEFERED for a site visit.

PC 10/19 19/0618/RSP – Part Retrospective: Creation of an overflow car park including installation of ancillary equipment including erection of access gate, external lighting and of 6.5 metre pole and close boarded timber fencing at LAND AT REAR OF 2-3 STATION ROAD, KINGS LANGLEY, HERTS

The Planning Officer said that the Lead Local Flood Authority had provided further comment and had withdrawn their initial objection but suggested the inclusion of a pre-commencement condition requiring the submission of details relating to surface water drainage.

The Environmental Agency had provided comments raising an objection in regard to the flood risk however their primary concern was the fact that the development appeared to have taken place within a protected species area namely the European Bull Head Fish and could therefore potentially object to the application. They would require further time to investigate. The Officer comment was that whilst they acknowledged the comments raised Members should bear in mind that the application was part retrospective and therefore works had already taken place on the land. Furthermore work had taken place to create an earth bund located approximately 10 to 15 metres from the water course. The car park was sited approximately 35 metres away. The Landscape Officer had raised no objection. The Kings Langley and District Residents Association raised an objection on the following grounds: impact on the Green Belt, lack of need for the overflow car park, increase in traffic risks, impact on neighbours as a result of the increase in air and noise pollution, a precedent would be set if the application was approved. The Campaign to Protect Rural England had also commented and made an objection to the development in the Green Belt. An initial neighbour objection was received and was circulated by Officers to Members and had also been circulated by the neighbour themselves.

Councillor Debbie Morris sought clarification on the provision of parking spaces when the office block was built and whether there was adequate parking in terms of our standards. She was puzzled why 30 more spaces were required now if the office block had not changed in size since its construction.

Councillor Sarah Nelmes raised the point that the location of the office block was next to the station therefore close to public transport.

The Planning Officer said that Concept House had a provision of 73 parking spaces which met the need for the building originally.

Councillor Debbie Morris asked for clarification that the building had not increased in size since it was built. The Planning Officer advised that there had been a number of new companies operating since then. There was about 250 employees with a maximum potential of 300.

Councillor Debbie Morris said when a building was built presumably it was for a certain number of employees and therefore if the building had not changed the parking need should not change. When it was first built it may not have been fully occupied but presumably it was now. When permission was given the presumption should have been it was going to have maximum occupancy at some point. The Planning Officer said there had been no increase in the footprint of the building.

In accordance with Council Procedure Rule 35(b) Mr Jenkins spoke against the application and Sir Hosein Yassaie spoke in support of the application.

Councillor Debbie Morris said the speaker against said there were two empty car parks nearby did Officers know how far away and if they were genuinely under used. Also one of the speakers referred to parking problems being created following the construction of the college. The Planning Officer said that they were not aware of the two other car parks in the area.

Councillor Sarah Nelmes said with technology changing more people worked from home so therefore the need for cars was decreasing rather than increasing.

Councillor Stephen Cox had concerns about the extension to the car park as what they had in the first place was deemed sufficient. He did not quite know why they needed more parking and why they had to put aggregate or whatever surface it would be all over the Green Belt and red, white and green poles. How had the Planning Officer come to the recommendation to approve the application?

Councillor Sarah Nelmes said a green traffic management plan should be required. It was not a time to be increasing transport and there should be encouragement of shared driving. The Planning Officer said there is an open enforcement case relating to a breach of Condition 7 (Green Travel Plan) of planning permission 13/0946/FUL. Both Pure Bricks Limited who currently own Concept House and the original owners Imagination Technologies were in discussions with the LPA to work towards remedying the breach. With regards to the need for the overflow car park, Concept House was the responsibility of Pure Bricks Limited and the car park was associated with Concept house but was a separate planning unit.

The Planning Officers said what was quite important was that we had heard the speaker say that there is in the region of 70 car parking spaces when the building was built in accordance with our policy so they provided policy compliant car parking when built but there was a lot more people being employed there and more and more people being attracted to the area and unfortunately the amount of car parking required at the time does not keep up with people who are now employed there. Officers' understanding is that there is not enough car parking on the site for the amount of people in the building.

Councillor Peter Getkahn asked if there were photographs of what the car park

looked like prior to the work. Officers showed an aerial image of the site before the work was undertaken which included the land at the rear of the florist now as part of the car park. This part retrospective application proposed to reduce the size of the car park. With regard to the need itself it was considered to be an engineering operation which was an accepted form of development and was one of the exceptions to inappropriate development in the Green Belt. If it was considered to be inappropriate development very special circumstances would be required to justify the inappropriate development. In this case Officers did not think it was inappropriate development because it fell within one of the exceptions and therefore the very special circumstances surrounding the need for the car park did not need to be taken into account.

Councillor Sarah Nelmes said putting a car park in the Green Belt would immediately take it out of the Green belt and make it Brownfield land. We should not be encouraging further car use. The Planning Officer said it would not take the site out of the Green Belt but it would be become Brownfield land rather than Green field land so it would be previously developed. The Green Belt statutory designation would not change.

Councillor Reena Ranger said if planning permission was granted what could be done to make sure that the land could not be used for anything other than the purpose being asked for. Were there conditions/enforcement to ensure that could never happen? She accepted that the alternative could be anti-social parking but was mindful of a balance between parking standards when built and what would be the parking requirement if the office had been built today. The Planning Officer said anything built on the site would require its own planning permission.

The Planning Officer showed photographs of the car park. The site had been extended further but had been shortened in depth. The florist would still retain an area for refuse and storage and there was still sufficient parking for the florist to facilitate the business.

Councillor Reena Ranger referred to the motion passed at the Annual Council meeting on climate change emergency. She wanted to see a lot more trees planted in this District and she felt that if permission was granted we should double our landscaping requirements to make sure that whatever was taken out was put back although you would never fix what had already been taken away.

Councillor Stephen Cox said if housing was being built here Officers would be emphasizing the close proximity to the train service into London Euston. He was not persuaded by the argument that this parking was desperately needed within the Green Belt.

Councillor Peter Getkahn said when looking at retrospective planning permissions Members judged them on whether they would have given permission based on its own merits if no work had been done. Having looked at the details and information provided and the photographs he would struggle to have passed an application as it represented such a material change to the Green Belt. He was not convinced the Committee would have passed it. He wished to reject the application as the more he heard the more uncomfortable he was.

Councillor Debbie Morris was happy to support a proposal to reject the application but if Members were considering giving approval then she wished to suggest that the application be deferred to establish the current parking requirements, the proximity to other parking and the use of the alleged two empty car parking sites nearby.

The Planning Officer clarified what was currently there and what was proposed

and showed a photograph which denoted the original block plan. In the photograph the area used for storage and refuse by the florist had been taken as part of the car park. The applicant had also built into a further area and laid additional hardcore to create the car park. The proposal was that an area of existing Brownfield land would become soft landscaping and green space. What the applicant had done as part of this application had brought the fence panel further forward and Officers illustrated which area was now going to be car parking.

Councillor Sarah Nelmes said the reality was that if an application had come through to use the Green Belt land to build flats or a car park we would have said no. The Planning Officer said inevitably the car park was considered an engineering operation which in this case was considered an accepted form of development within the Green Belt subject to it not being harmful to the openness of the Green Belt.

Councillor Reena Ranger said if you returned it back to green grass what would prevent someone from just parking on the grass. The Planning Officer said there was a hard and soft landscaping condition requiring details to be provided. There would also be a clear demarcation between the car park and the soft landscaping area to prevent people from being able to park and drive onto the grassed area.

Councillor Debbie Morris wished to add further reasons for refusal due to the impact on the neighbour because of noise, light, air quality and it diminished their enjoyment of their open space.

The Planning Officer said that the reasons for refusal needed to be quantifiable as if the application went to appeal we would need to have evidence that the light from the lighting columns would be harmful to the amenity space and the air quality.

Councillor Debbie Morris said you were talking about 30 additional car parking spaces right next to a resident's home that was significant. She acknowledged the parking was restricted to 12 hours a day Monday to Friday but some people were not up at 7am in the morning and some could be sitting in their gardens at 4,5 or 6 pm in the summer and it would have an impact.

Councillor Sarah Nelmes said it was not policeable in terms of who uses the car park as it could be turned into an overflow station car park

Councillor Peter Getkahn said surely pollution was a big issue as every car pollutes.

Councillor Stephen Cox said the entrance was currently controlled by means of a barrier.

The Planning Officer clarified the two reasons for refusal. The first being the development was inappropriate in the Green Belt, the impact on the Green Belt and the impact on the character of the area because of the hard standing. Secondly the adverse impact on neighbours as a result of a combination of noise from the cars, lighting, and the impact on air quality from the cars with the wording to be circulated to the Committee.

This was agreed by the proposer and seconder of the motion.

Councillor Reena Ranger was worried if the application went to appeal what grounds there were and would it be upheld. There were office blocks that were empty in parts of the District and would it be sensible to look at a scheme as a

halfway compromise.

Councillor Sarah Nelmes wished to take a vote on the motion before the Committee.

Councillor Debbie Morris asked if it could be added that the Committee were not satisfied that there was a need for parking. The Planning Officer said that if Members wanted it could be incorporated in the Green Belt reason for refusal. The proposer agreed to include this.

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

RESOLVED:

The Planning Permission be REFUSED for the following reasons the final wording having been agreed by Members following the meeting:

- R1 The car park and associated ancillary equipment by reason of their size and siting would adversely impact on the character of the area and would fail to preserve the openness of the Green Belt. The development would conflict with a purpose of including land within the Green Belt by resulting in permanent encroachment to the Green Belt and introduction of inappropriate structures. The development would therefore result in an inappropriate form of development which, by definition, is harmful to the Green Belt. No very special circumstances have been demonstrated which 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 proposed use of the car park and associated ancillary equipment would lead to unacceptable increases in air, light and noise pollution to the detriment of the residential amenity of surrounding neighbouring properties contrary to CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

PC 11/19 19/0703/RSP – Part Retrospective: First floor side and rear extension, front porch, alterations to fenestration detail, removal of chimneys and change to materials to include render at 8 FULLER WAY, CROXLEY GREEN, RICKMANSWORTH, WD3 3PJ

Councillor Sarah Nelmes said this application had been called in by Croxley Green Parish Council who had not sent a representative to the meeting to explain their concerns about the application. The Chair said she would be writing to the Parish Council with regard to process for call-ins to the Committee.

Councillor Peter Getkahn moved, seconded by Councillor Reena Ranger, that part retrospective Planning Permission be Granted.

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

RESOLVED:

That PART RETROSPECTIVE PLANNING PERMISSION BE GRANTED in accordance with the Officer recommendation and Conditions as set out in the report.

PC12/19 EXCLUSION OF PRESS AND PUBLIC

The Chair moved, duly seconded and it was

RESOLVED:

“that under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs (1 and 7) of Part I of Schedule 12A to the Act. It has been decided by the Council that in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

PC13/19 PROPOSED USE OF POWERS TO TAKE ACTION UNDER SECTION 219 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) AT A PROPERTY IN PHEASANTS WAY, RICKMANSWORTH

The Planning Officer clarified that any cost would be charged on the property.

RESOLVED:

That authority be given to the Head of Regulatory Services to exercise powers under Section 219 Town and Country Planning Act 1990 in respect of land and a property in Pheasants Way, Rickmansworth, Hertfordshire, WD3 7HA to enter the land and carry out the works referred to in paragraph 1.5 as required by the Council's Section 215 Notice dated 3 October 2016 (served 4 October 2016) and to recover the expenses reasonably incurred in so doing from the landowner:

That public access to the report is denied until after the Planning Committee meeting (subject to redaction of personal data).

That public access to the decision be immediate after the Planning Committee meeting (subject to redaction of personal data).

CHAIRMAN