
PLANNING COMMITTEE**MINUTES**

of the Planning Committee meeting held in the Penn Chamber, Three Rivers House, Northway, Rickmansworth, on 27 June 2019 from 7.30pm to 20.52pm.

Councillors present:

Sarah Nelmes (Chairman)
Marilyn Butler
Steve Drury
Raj Khiroya
Stephen King
Debbie Morris

Keith Martin (Vice-Chairman)
Michael Revan
Phil Williams (sub for Cllr Peter Getkahn)

Also in attendance: Councillor Joanna Clemens, Batchworth Community Councillor Francois Neckar, Croxley Green Parish Councillors Andy Hobbs and Tony Walker

Officers: Claire Westwood, Claire Wilson, Tom Norris and Sarah Haythorpe.

PC 14/19 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Peter Getkahn, Sara Bedford and Chris Lloyd with Councillor Phil Williams being appointed as the named substitute for Councillor Peter Getkahn.

PC 15/19 MINUTES

The Minutes of the Planning Committee meeting held on 29 May 2019 were confirmed as a correct record and signed by the Chairman subject to the following amendment:

Minute PC10/19 Page 9 (Application 19/0618/RSP) the 2nd Paragraph first line to read "the Environment Agency had provided comments **not** raising an objection."

PC 16/19 NOTICE OF OTHER BUSINESS

None received.

PC 17/19 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 12 (Single storey rear extension, insertion of rooflights to front and rear, alterations to fenestration and extension to raised patio to the rear at CHATSWORTH, 15 SPENCER WALK, RICKMANSWORTH, WD3 4EE) as she knew someone who neighboured the site 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 items 7 (19/0787/FUL - Construction of independent garage structure to front of dwelling with associated alterations to the driveway at THISTLE LODGE, BEDMOND ROAD, ABBOTS LANGLEY, WD3 0QB) and 8 (19/0809/FUL - First floor rear extension at 6 THE CRESCENT, ABBOTS LANGLEY, WD5 0DS) as the Agent was a Liberal Democrat Councillor.

Councillor Raj Khiroya declared a non-pecuniary interest in agenda item 5 (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) as he had campaigned against the application during the elections and would leave the room during the consideration of this application.

PC 18/19 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 the applicant had confirmed that they would accept a pre-commencement condition with regard to the submission of a noise report for the Plant Room.

The applicant had also advised that they would be willing to enter into a Unilateral Undertaking that would prevent future residents from applying for and obtaining parking permits. As such, if Members were minded to grant planning permission, the decision would be delegated to the Head of Regulatory Services to Grant Planning Permission upon completion of the Unilateral Undertaking.

Following re-consultation, seven additional comments had been received, two being from the same site. Concerns were as follows:

- Modifications to the plans have not overcome concerns.
- Proposed fence to 14A Lower Road is not sufficient to prevent cars going through and falling into the garden.

The concerns cited were the same as listed in the officer’s report.

In response: With regard to concerns regarding the car park, a further condition can be added with regard to full details of boundary treatment to be submitted prior to occupation to ensure that appropriate boundary treatment can be installed. Officers can discuss safety concerns with Building Control Officers.

The objections also relate to parking: Insufficient access for delivery vehicles- there is no turning space within the site which means that vehicles will trespass on the private garage forecourt within the access road.

An objection had been received stating that the car parking requirement for the retail element has been incorrectly calculated utilising the parking requirement for retail and small food shops.

Appendix 5 sets out the following standards:

For A1 Retail and small food shops up to 500sqm of gross floor area there should be 1 space per 30sqm of gross floor area.

For Food superstores/hypermarkets up to 2,500 retail floor area there should be one space per 18sqm.

The objection states that the development had a gross floor area exceeding 500square metres, therefore the requirements for Food superstores/ hypermarkets should be applied.

In response, Officers had set out in the Committee report how they had interpreted and applied Appendix 5. We feel that given the actual size of the retail space of the Co-op as less than 500 square metres, then in this instance it was appropriate to use the standards for a small food store and apply it to the retail space only. Areas such as the plant room/storage areas do not generate footfall. Officers do not consider that the size of this unit is comparable to a food superstore of up to 2.500 square metres for the retail space alone. Such super stores would usually be located in out of town locations, hence the requirement for increased car parking.

In accordance with Council Procedure Rule 35(b) an objector spoke against the application and a supporter spoke in favour of the application.

Chorleywood Parish Council said it was the opinion of the Parish Council that the application was broadly acceptable and went some way to provide much needed housing and was minimally detrimental. They were now aware of public objections after consideration of the application by the Parish. On a previous application (18/1510/FUL) the Parish had objected on the parking provisions but additional parking provision would be provided for this application and they had withdrew the objection as it fell within the Council's parking ratio. If this was found to be incorrectly calculated and the parking ratio was not within the Council's guidelines then they would uphold the earlier objection.

Councillor Debbie Morris said at the last meeting she had asked questions regarding amenity space standards and for the benefit of those Members who were not present she repeated the question as it was important for all Members to know the answer. The question was "do we have different amenity space standards for town centre locations?" The Planning Officer advised that there were not different standards for town centres.

Councillor Debbie Morris said the requirement for this application was 198 square metres of amenity space and the provision was zero. This was justified by Officers because a) it was a town centre location and b) because it was close to public space. The objectors and one of the objector's emails

had stated that the distance from the flats to the Common was 400 metres and was accessed via 22 steep steps so it would not be accessible for those with children in buggies and for those using wheelchairs. The alternative route was 600 metres up a steep hill which meant that it would also not be accessible. The justification by Officers for the total absence of amenity space was unwarranted. The public space would not allow for ball games, BBQs or bikes and would be of limited use to the flat users even if they were able to access it. At other neighbouring developments they had provided some private or shared amenity space by providing courtyards and balconies.

Councillor Phil Williams had a number of concerns with the application. He welcomed that the applicant had listened to the previous concerns raised (with the previous application being withdrawn) and there had been changes made to the plans. His main concern still remained with the amenity space. He had looked at other applications in Watford and Three Rivers and seen balconies everywhere. There needed to be some amenity space for the residents. He referred to the objector's comments regarding the steps to the Common and said there was a lot more than 22 steps. He had visited the site for the site visit and at other times and had seen parking problems on the access road with cars parked and double parked which was obviously an issue. On staff parking the Co-op said this would not be problem but he had asked the staff and they disagreed that taking two spaces away would not be a problem.

Councillor Sarah Nelmes also shared concerns about the amenity space but she was not so concerned about the number of parking spaces for residents due to its close proximity to public transport. She concurred with the suggestion that new residents would know they would not be permitted to apply for residents parking. In terms of the street frontage there would be major improvements on what it looked like now.

Councillor Steve Drury asked who owned the lane behind the shop. The Planning Officer understood that it had shared ownership with the residents and the applicant had part ownership as well.

Councillor Steve Drury said because it was not a public highway the Highways Authority would not have looked at it. The Planning Officer said that Herts Highways had been out to the site and looked at the development and had commented on the visibility from the access road. Their comments showed why they had no objection.

Councillor Steve Drury noted that there were to be no waste collections from that part of the site was this because the waste collection lorries could not go down the access road. The Planning Officer said they understood that the waste collections would be from Lower Road as that was where the Co-ops existing waste collection was. The residents would have their refuse collection from this location. The Environmental Protection team did not have any objection to that aspect of the application.

Councillor Debbie Morris wished to bring in a third area of concern which was the impact on the amenity of neighbours. She reminded Members about the Council's policies which stated that the Council would expect development proposals to protect residential amenities. What should be taken into the account was the need for adequate levels and disposition of privacy, amenity and garden space. A number of elements of the scheme in terms of its design, size and location would negatively impact on residential amenity. She appreciated that there were similar schemes along the road but she did not see why neighbours should be adversely affected by this scheme. Surely that was

in breach of our development policies. She moved that the application be refused on the grounds of the lack of amenity space, impact on neighbours and parking, seconded by Councillor Phil Williams. She referenced a recent Inspectors appeal decision on a different development. Here the need for housing had justified the decision to allow the appeal and grant planning permission even though there was harm to neighbours and a lack of amenity space. In the current application she recognised that there was a need for housing but in her opinion in this case there were sufficient grounds for objection which had sufficient weight to outweigh the need for housing.

The Planning Officer clarified that the reasons for refusal proposed were on the lack of amenity space for future occupiers and impact on the existing neighbours. With regard to the reason for refusal on parking she advised Members that the amended parking layout proposed was policy compliant for the residential aspect and there would be a restriction on future occupiers obtaining parking permits. On the retail element she noted the concerns raised and the existing problems on the access road but it was not possible to use this application to try and correct this existing situation.

Councillor Phil Williams accepted the Officer comments. He advised that the site did need developing.

Councillor Debbie Morris wished to expand on the impact on neighbours and that the noise element was relevant.

On being put to the Committee the motion was declared CARRIED by the Chair the voting being 7 For, 0 Against, 1 Abstention.

RESOLVED:

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

- R1 The proposed development would provide no amenity space. The absence of amenity space would be to the detriment of the residential amenities of future occupiers and the proposal would therefore be contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).
- R2 The proposed development by reason of its siting, size and design would result in an overbearing, intrusive and unneighbourly form of the development to the detriment of the residential amenities of neighbouring occupiers and would result in increased levels of noise and disturbance by virtue of the increase in activity, to the detriment of the residential amenities of neighbouring occupiers. The proposed development would therefore be contrary to Policy CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM9 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).
- R3 The proposed development would provide insufficient parking to serve the retail unit and would therefore fail to provide sufficient parking to meet the demands arising from the proposed development. The development would therefore place additional pressure on the existing parking provision serving the area exacerbating parking pressures to the detriment of residential amenity. The development would therefore be contrary to Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM13 and Appendix 5 of the

Informative:

The Local Planning Authority has been positive and proactive in considering this planning application in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. Whilst the applicant and/or their agent and the Local Planning Authority discussed the scheme during the course of the application, the proposed development as amended fails to comply with the requirements of the Development Plan and does not maintain/improve the economic, social and environmental conditions of the District.

PC 19/19 19/0754/RSP – Part retrospective: Alterations to front boundary treatment including the provision of new brick piers with stone caps and brick walls with metal railings at 27 ASTONS ROAD, MOOR PARK, HA6 2LB.

The Planning Officer reported that one neighbour comment had been received objecting to the retrospective application on the grounds that:

- The piers and gates are very tall and these additions do nothing to preserve the character of this original pre-1958 house or Astons Road as a whole.
- Prior to the construction, No.27 always had an open frontage with only a planted border between the two driveways.
- Astons Road has already been spoilt extensively by overdevelopment during the last twenty years.
- The Council should resist applications for additions such as front boundary walls, piers and gates, which do nothing to enhance the Conservation Area.
- Similar works have taken place across Astons Road in recent times without planning permission; concern that this has happened because owners do not think action will be taken.

In response, the development is not proposed to be retained as existing. The gates are to be removed and the piers reduced. As set out in the report it is not considered that the development as amended would result in demonstrable harm to the open character of the Conservation Area.

Councillor Sarah Nelmes asked for clarification that they would have permitted development rights for some sort of boundary treatment. The Planning Officer advised that they would have permitted development rights up to one metre in height across the full width of the frontage whether that be a fence, wall or gate or other means of enclosure.

In accordance with Council Procedure Rule 35(b) an objector spoke against the application.

Councillor Debbie Morris said looking at the pictures the piers were high but noted they were going to be reduced. The Planning Officer said that the gates were being removed in their entirety.

Councillor Debbie Morris noted the comment made by the objector on the gate hangings and hinges. The Planning Officer said if Members were minded to approve the application a condition could be added to ensure they were removed. The piers were being reduced so they were the same height as the railing where the railing curved.

Councillor Debbie Morris said it would be an improvement but the piers would still be 1.86 and 1.95 metres high which was virtually double what could be undertaken under permitted development. Open frontages were a characteristic of the Conservation Area and the piers would not be characteristic at double the height. The Planning Officer understood the concerns. It was difficult to fully appreciate what it would look like from the pictures. The purpose of the appraisal was as a guidance to safeguard the open character. Did Members think that the proposal would maintain the open character in the conversation area? Officers felt that with the amendments with the removal of the gates, reductions in the pier heights and some additional soft landscaping would maintain the open character of the Conservation Area. A large section of wall could be constructed under permitted development up to one metre in height and this could be of a solid construction and therefore potentially more harmful. Officers had fought a number of applications at appeal on this but had to look at each application on its own merits and Officers found this amended scheme to be acceptable.

Councillor Sarah Nelmes asked for clarification on what they were allowed to do. The Planning Officer said under permitted development they would be allowed a fence, wall and gate and other means of enclosure.

Councillor Sarah Nelmes said if the Committee were minded to approve the application could permitted development rights be removed. The Planning Officer said that Members could remove permitted development rights for Part II Class A which related to fences, walls and gates so essentially they would not be able to put a one metre gate across the opening without making a planning application.

Councillor Raj Khiroya said he had been to the site and walked up and down Astons Road. No.8, No.12, No.16, No.20 and No.26 had got gates and piers. He had read the Officers report and was minded to support the recommendation. The Planning Officer said although Councillor Khiroya had identified a number of other houses in Astons Road with this type of frontage some of these were historic examples and predated the Conservation Area Appraisal, and were not something Officers may support now. Officers found this proposal to be acceptable on its own merits not because of what else there was in the street.

Batchworth Community Council highlighted the Conservation Officer comments that there was harm to the Conservation Area although it would be alleviated by some of the planting. Also why were the Council allowing an application which would cause harm and change of the unique character of the area? They also referred to the planning history on the property, the application being retrospective and if the time constraints conditions could be reconsidered.

Councillor Joanna Clemens had concerns about the impact on the Conversation Area and the fact that the application was part retrospective. If this application was to be accepted a condition should be included that the fence should have greenery behind it to try and mitigate the effects on the Conservation Area.

The Planning Officer noted the comments but planning legislation allowed for the submission of retrospective planning applications. She appreciated that it might not popular but it was not an offense and Officers had to assess each application on its own merits.

Councillor Sarah Nelmes said it was absolutely within our process and the

law to look at retrospective applications. Officers had already put in conditions on the time limit to be within 3 months of the decision. She asked if a further condition could be added removing permitted development rights in relation to fences, walls and gates if the Committee were minded to accept the recommendation to grant permission.

Councillor Debbie Morris picked up on the speaker's comments that the two sets of gates hangings and hinges be removed. The Planning Officer said that Condition C1 could be amended to include this.

Councillor Raj Khuroya, seconded by Councillor Sarah Nemes, moved the recommendation with an amendment to Condition C1 and an additional condition removing permitted development rights in relation to fences, gates and walls.

On being put to the Committee the motion was declared CARRIED by the Chair the voting being 7 For, 2 Against and 0 Abstentions.

RESOLVED:

That PART RETROSPECTIVE PLANNING PERMISSION BE GRANTED in accordance with the Officer recommendation and Conditions as set out in the report with an amendment to Condition C1 and an additional condition removing permitted development rights in relation to fences, gates and walls.

Amended Condition C1 to read:

Within THREE MONTHS of the date of this decision, the two sets of gates, brackets, hinges and associated paraphernalia shall be removed and the brick piers lowered, so that the development hereby permitted shall be completed in accordance with the following approved plans: TRDC001 (Location Plan) and 4883/PL/500B (12.06.2019).

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

And the new Condition to read as follows:

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

Part 2

Class A - erection, construction, maintenance or alteration of a gate, fence, wall or other means of enclosure

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

Reason: To ensure adequate planning control over further development in the interests of the character, appearance and visual amenities of the site, street

scene and Moor Park Conservation Area, in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

PC 20/19 19/0787/FUL - Construction of independent garage structure to front of dwelling with associated alterations to the driveway at THISTLE LODGE, BEDMOND ROAD, ABBOTS LANGLEY, WD3 0QB

The Planning Officer reported no further updates.

Councillor Debbie Morris noted there had been a previous refusal for what was described as a triple garage at Paragraph 1.9 of the report. This garage seemed substantial at 6.8 metres by 6 metres. Could Officers advise what the dimensions would have been for the triple garage? The Planning Officer advised that in 2009 the application was refused but the garage would of had a width and depth of 6.6 metres by 10 metres and a height of 5.8 metres with an overall floor space of 60 metres square. Since the time of the 2009 refusal the site circumstances had changed in that adjacent to the site an application was permitted on appeal for the provision of three dwellings which were almost constructed now. When you view the proposed garage in the backdrop of the houses Officers do not feel that it would be prominent or impact on the openness because you were viewing it in the backdrop of a two storey development.

Councillor Steve Drury asked if there was a plan of what the garage would look like. The Planning Officer confirmed it would 6 metres by 6.8 metres and 4.4 metres in height with a floor space of 40.8 metres.

Councillor Debbie Morris said sometimes the Committee were minded to add a condition to restrict the use of substantially sized outbuildings to ancillary use only. Could this be considered here? The Planning Officer confirmed they did not think it was of a substantial footprint and was just one space with a garage door with no other accommodation. Officers did not think it was reasonable and Members needed to bear in mind that you can appeal conditions although if Members felt it was appropriate and justified a condition could be included.

Councillor Debbie Morris said she noticed that the garage on the main building had been converted and she was wondering if there was a creeping development. The Planning Officer said she thought that on that basis if Members wanted the condition it could be added.

Councillor Sarah Nelmes moved, seconded by Councillor Phil Williams, that Planning Permission be Granted with conditions with an additional condition with regard to the garage being for ancillary use only.

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

RESOLVED:

That PLANNING PERMISSION BE GRANTED in accordance with the Officer recommendation and Conditions as set out in the report with an additional condition regarding ancillary use only the wording of the condition being as follows:

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

Reason: The creation and use of a separate and independent unit would not comply with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM2 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

PC 21/19 19/0809/FUL - First floor rear extension at 6 THE CRESCENT, ABBOTS LANGLEY, WD5 0DS

The Planning Officer reported that Certificate of Lawfulness application ref. 19/0785/CLPD has been permitted. As such, it is suggested that an additional informative be added to this planning application to advise the applicant that the CLPD and FUL applications could not both be implemented.

Councillor Debbie Morris moved, seconded by Councillor Keith Martin, that Planning Permission be Granted subject to conditions with an additional informative advising CLPD and FUL could not both be implemented.

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 and Conditions as set out in the report with an Informative advising that CLPD and FUL could not both be implemented.

PC 22/19 19/0851/FUL – Single storey rear extension, two storey rear extension, single storey side and front extension and front porch infill extension at 33 YORKE ROAD, CROXLEY GREEN, WD3 3DW

The Planning Officer no further updates.

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

Croxley Green Parish Council acknowledged that the scheme had now changed. Their initial objection was that the roof line would change the hip but this had now been taken out. They had not seen any further objection. The amended plans showed improvements and removal of the loft conversion and therefore they now had no objections. If there was to be a resubmitted loft conversation which would change the hip they would object again.

The Planning Officer confirmed that the loft conversion was now not part of the description for this application. The applicant could do the loft conversation because it was permitted development and did not require planning permission.

Councillor Debbie Morris moved, seconded by Councillor Phil Williams, that Planning Permission be Granted subject to conditions.

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

RESOLVED:

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

PC 23/19 19/0894/RSP – Part Retrospective: Erection of three storey front/side extension with balcony to rear at 62 TOWNFIELD, RICKMANSWORTH, HERTFORDSHIRE, WD3 7DD.

The Planning Officer reported that amended plans had been received which had removed errors with the original drawings and also include details of a obscurely glazed privacy screen for the rear balcony. As a result of the amendments, a further re-consultation is underway and expires on 30 June. As the consultation period has not yet expired, the recommendation at 8.1 of the report will need to be amended to read:

That the decision be delegated to the Head of Regulatory Services to consider any representations received and that PART RETROSPECTIVE PLANNING PERMISSION BE GRANTED, subject to the following conditions:

Conditions C1 (plans) and C3 (balcony details) will therefore need to be updated.

Since the publication of the report 6 objections been received, although a number of neighbours have commented twice. The objections cover the following points:

- Application does not state that the wall belonging to Kildare Management is to be demolished and rebuilt
- Major invasion of privacy from first and second floor Juliet balconies
- Design not in keeping and brickwork does not match
- Loss of natural greenery
- Concerns over its future use

In response, the boundary wall plays no part of the development and its removal and future replacement is a civil matter. The brickwork on the existing house is of multi brick and therefore a true match will be hard to achieve. The bricks used to date are considered acceptable. In terms of its future use, the application is for an extension to a dwelling and not for any other purpose. If at a later date the house has been subdivided this will be a matter for planning enforcement and is not something Officers feel can be controlled by planning conditions. Other matters raised are set out within the Officer report.

Councillor Sarah Nelmes confirmed that the application was retrospective because it had been started after the previous granted planning permission had expired.

In accordance with Council Procedure Rule 35(b) a speaker spoke against the application.

The Planning Officer said that planning permission was previously granted for works but essentially this was for a slight reduction in that the side extension was now stepped the same distance off the boundary at all levels whereas previously that was not the case. There would be more spacing between the flank boundary. The front previously included a true balcony with an external space but that had now been omitted. There were Juliet balconies proposed at the front but essentially they would have inward opening doors. In terms of the level of overlooking it would not be any different from what you would expect from windows. For the reasons set out in the report, Officers considered that the application was acceptable. Officers had visited the site and felt that there was a good match with the bricks which had been constructed to date. On the trees the Landscape Officer had looked at the time of the previous application and said they were of poor quality and there was no objection. They were not protected and could be removed.

Councillor Phil Williams had concerns about the trees especially following the

motion by Council declaring a climate emergency. The Planning Officer confirmed that the trees were not protected and could not see how this could be a reason for refusal of the application.

Councillor Steve Drury asked if a condition could be added that the trees were replaced elsewhere in the garden. The Planning Officer said that the trees were not within the application site. There were trees within the curtilage of Kildare which was in close proximity and there was concern about the potential impact on those trees. The applicant was not proposing to remove the trees. On the concern about whether or not the extension would have an impact on the trees, for the reasons set out in the report and having spoken to the Landscape Officer there was no objection and it would not be appropriate to have a condition as it did not meet the condition test.

Councillor Sarah Nelmes asked if a condition could be added to protect the root zone. The Planning Officer said as it was a part retrospective application with work having already started at the ground floor element she did not think that would be appropriate because of the constraints of the site.

Councillor Debbie Morris said if the trees were damaged and removed as a result of the work then those who live next door would suffer. The Planning Officer said that would be a civil matter.

Councillor Marilyn Butler was concerned about the look of the development. There was a strong building design in the area and she was not sure whether it would fit in well. The Planning Officer said for the reasons set out in the report, the fact that it would potentially be at the end of the terrace and as far as possible have matching materials it was acceptable. The balcony at the rear and some of the fenestration would be different but different was not harmful and Officers did not think there would be harm to the street scene to justify refusal.

Councillor Steve Drury said although the trees were not in the curtilage of this house they were definitely going to be affected and would need to be cut back if going above one storey. Would the applicant have to seek permission to get the trees cut back? The Planning Officer said there was overhanging of trees onto your property you were within your rights to take that back to the boundary. An old rule was if you cut back the branches you take those branches back to the neighbour.

Councillor Sarah Nelmes moved, seconded by Councillor Stephen King, that Part Retrospective Planning Permission be Granted as set out in the Officer report and subject to conditions with Conditions C1 And C3 being amended

On being put to the Committee the motion was declared CARRIED by the Chairman the voting being 8 For, 0 Against and 1 Abstention.

RESOLVED:

That PART RETROSPECTIVE PLANNING PERMISSION BE GRANTED in accordance with the Officer recommendation and Conditions as set out in the report with Conditions C1 and C3 to read as follows:

- C1 The development hereby permitted shall be carried out in accordance with the following approved plans: P01 (Location Plan); PO2-Exist Plans-Rev B; PO3-Prop Plans-Rev F; PO4-Exist Elevations-Rev D; PO3-Prop Plans-Rev F; P05-Prop- Elevations-Rev F & P08.

Reason: For the avoidance of doubt, in the proper interests of planning, to safeguard neighbouring amenity and the visual amenity of the area in accordance with Policies CP1, CP8, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM6 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C3 Before the first occupation of the extension hereby permitted, details of screening to a height of 1.8m as measured from the surface of the balcony to be provided to the east flank of the first floor rear balcony, shall be submitted to and approved in writing by the Local Planning Authority. The screening shall be erected prior to occupation of the development in accordance with the approved details and permanently maintained therefore.

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

PC 24/19 19/0948/RSP – Retrospective: Part single/part two storey rear extension, alterations to external materials and fenestration detail at 215 BALDWINS LANE, CROXLEY GREEN, HERTFORDSHIRE, WD3 3LH

The Planning Officer had no update.

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

Councillor Steve Drury could not see the relevance of the other pictures of the house. The Planning Officer advised that the pictures were included in relation to the grey roof tiles. There were a couple of other properties in Baldwins Lane which had similar coloured roof tiles. Members noted that you can reroof a house without requiring planning permission. With regard to the un-obscure window the Planning Officer said because it was within the rear Officers did not believe that it would be necessary to condition this. In the interest of the neighbours privacy and the homeowners they would want to have it obscure glazed which had been identified as the applicants intention which was why officers had included an advisory Informative rather than a condition.

Croxley Green Parish Council had concerns about the application being retrospective, the size of the building, the fenestration and the bathroom facility being beamed out as it would be overlooked. He wished the applicant would refer back to the original plan. The tiles do not fit in with the Council's neighbourhood plan

Councillor Raj Khiroya said there was a number of houses in Croxley that had different coloured tiles and moved that Part Retrospective Planning Permission be Granted subject to conditions seconded by Councillor Stephen King.

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.

PC 25/19 19/0960/FUL - Single storey rear extension, insertion of rooflights to front and rear, alterations to fenestration and extension to raised patio to the rear at CHATSWORTH, 15 SPENCER WALK, RICKMANSWORTH, WD3 4EE

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

The Planning Officer reported that the Landscape Officer had confirmed that they raised no objection to the development.

Councillor Sarah Nelmes said there had been no neighbour objections and moved the recommendation that Planning Permission be Granted subject to conditions, seconded by Councillor Stephen King.

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

RESOLVED:

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

CHAIRMAN