
PLANNING COMMITTEE**MINUTES**

of the Planning Committee meeting held in the Penn Chamber, Three Rivers House, Northway, Rickmansworth, on 12 September 2019 from 7.00pm to 8.40pm.

Councillors present:

Sarah Nelmes (Chairman)	Keith Martin (Vice-Chairman)
Sara Bedford	Raj Khiroya
Marilyn Butler	Chris Lloyd
Steve Drury	David Raw (for Cllr Debbie Morris)
Stephen Cox (for Cllr Stephen King)	Michael Revan

Also in attendance: Councillors Shanti Maru and Phil Williams, Chorleywood Parish Councillor Jane White, two Members of the Croxley Green Parish.

Officers: Adam Ralton, Claire Westwood, Lauren Edwards, Sarah Haythorpe and Jo Welton

PC 42/19 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Peter Getkahn, Stephen King and Debbie Morris with the named substitute Members being Councillors Stephen Cox and David Raw.

PC 43/19 MINUTES

The Minutes of the Planning Committee meeting held on 15 August 2019 were confirmed as a correct record and were signed by the Chairman.

PC 44/19 NOTICE OF OTHER BUSINESS

The Committee noted that the application at Item 9 (19/1398/FUL – Erection of a single storey detached oak framed home office and games/store room at 1 HIGH CLOSE, RICKMANSWORTH, WD3 4DZ) had been withdrawn.

PC 45/19 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 any view.”

No declarations of interest were received.

PC 46/19 19/0646/OUT - Outline Application: Construction of new Motorway Service Area (MSA) to comprise: amenity building, 80 bedroom lodge, drive-thru coffee unit, fuel filling station with retail shop, together with associated car, coach, motorcycle, caravan, HGV and abnormal load parking, alterations to the A41 including construction of a new roundabout and vehicular access, works to the local highway network and at Junction 20 of the M25 motorway. Provision of landscaping, signage, infrastructure and ancillary works. (Outline Application accompanied by an Environmental Statement with matters of Appearance, Landscaping and Scale reserved) at LAND SOUTH WEST OF JUNCTION 20 OF M25 AND WEST OF A41, WATFORD ROAD, HUNTON BRIDGE, HERTFORDSHIRE

The Planning Officer reported following receipt of the consultation responses, the applicant had submitted additional information to the Environment Agency to respond to their concerns. The Environment Agency had confirmed that the additional information submitted to date did not overcome their objection and therefore they maintained their objection.

The report detailed objections raised by local MPs. It should be noted that David Gauke MP has forwarded to the LPA copies of objection letters he had received from constituents. These letters were also sent directly to the LPA.

A letter of objection had been received from the planning agent acting on behalf of Extra, who have a current planning application under consideration by Chiltern District Council for a MSA between J16 and J17 of the M25. The comments raised generally reflect those already made by interested parties as part of the application, and other comments include:

- There is an alternative site that can better address the existing gap in provision than this site.
- The submitted Green Belt justification is incorrect.
- Traffic will impact on capacity of the local road network.
- Proposed buildings will be prominent in the area

Councillor Sara Bedford asked what weight should Members consider, given that there were two proposed sites within the M25, although the other one would not be determined by this Authority. The Planning Officer said there was very little weight the Council could give to the other application as it was not within this Authority. We had to consider this application on its own merits, having regard to our development plan.

Councillor Sara Bedford asked if the other site finished its determination before this one would that give it a different amount of weight. The Planning Officer said if the other site was granted planning permission it would give it some additional weight, but until it was built, limited weight could be given as it would not technically exist. If it was concluded that there was a need, and the application got granted we cannot say that need was met, until it was under construction. Granting planning permission was just one step, until we knew it was actually going to happen the amount of weight given would not increase.

In accordance with Council procedure 35(b) a member of the public spoke against the application.

Councillor Sara Bedford asked where Officers were regarding the various objections from Highways and what work was being done. It was her understanding that the applicant was attempting to overcome the objections and she asked for an update.

The Planning Officer said the applicant was undertaking additional survey work and modelling of the traffic impact on the surrounding network. Once they had finished they would be submitting the outcome to Highways England to verify in-parallel with the Herts County Council Highways department who would be undertaking a road safety audit on the outcome. TRDC would then formally re-consult Highways England and Herts County Council Highways department.

Councillor Sara Bedford asked if there were any timescales for that. The Planning Officer said that he had been advised that the information the LPA needed to make a decision should be with us by the end of the year.

Councillor Sara Bedford said it begs the question as to why they did not do that work first before submitting the application as it would now be a few more months down the line. She wondered wonder where the extra capacity would come from, as that section of road came to a standstill in both directions in the rush hour. She commented that the photos being shown were of a very clear road.

Councillor Sarah Nelmes commented she avoided that section of road because of the amount of traffic.

Councillor Marilyn Butler said she assumed that if the traffic numbers were revised the pollution levels would be revised accordingly. The Planning Officer said that he would expect that and it was on the radar to be addressed.

Councillor Keith Martin said Affinity Water had objected that there were bore holes there where drinking water was drawn from, and they had raised significant concern about the petrol station being put on top of water that was drawn for people to drink. Had the applicants made any progress on that. The Planning Officer said that it was his understanding that they were still undertaking work on that.

Councillor Phil Williams spoke as the Local County Councillor. He said the site was only approximately 9 miles from the service station at South Mimms. He did not know which Government body would recommend another service station so close. The application for a service station at Junction 16/17 of the M25 was probably much more suitable. Other concerns he raised were the impact on the Green Belt, drinking water, water pollution, on the River Colne which was only 100 metres from the site, the canal and on the traffic if the service station was granted permission.

Councillor Sarah Nelmes said as well as objections from the Parish Councils who had great knowledge of the area, objections had been received from Affinity Water, the Environment Agency, Highways Authority, the Wildlife Trust and our own Landscape Department. This seemed a pretty hefty amount of important agencies that were currently unsatisfied.

Councillor Sara Bedford said that it was quite difficult for Members to come up with any more objections as there was an unprecedented amount of statutory consultees that had objected which she had never seen before. Until the applicants had considered the objections and looked to overcome them and the information checked by the consultees and Planners there was not much more to be said.

Councillor Sarah Nelmes said it was unlikely the application would be back in the next couple of months but Officers would make sure that the dates were advertised well in advance so that people can then comment and attend the meeting when the application would be considered for determination.

RESOLVED:

Members noted that there was no recommendation for approval or refusal at this stage in the consideration of the application.

Noted the report and made general comments with regards to the material planning issues raised by the application.

PC 47/19 19/1180/FUL - Demolition of detached bungalow and garage and erection of a terrace of 4 x 4 bed two storey dwellings with accommodation in the roof space, modified vehicular access, forecourt parking, refuse and cycle storage and amenity space at AVIEMORE, 65 LOWER ROAD, CHORLEYWOOD, RICKMANSWORTH, HERTFORDSHIRE, WD3 5LA

The Planning Officer reported with regards to viability, as set out in the report, Adams Integra had reviewed the submitted details and concluded that the scheme showed a deficit of £224,695 and would therefore not be able to support an affordable housing payment. A neighbour had commissioned their own viability assessment, a copy of which had been submitted to the LPA on the afternoon of the meeting. Whilst this assessment agreed with a number of the assumptions of Adams Integra e.g. in relation to sales values, developers profit and benchmark landmark value, there were differences in the approach to build costs and as such this assessment suggests that the scheme would be able to support an affordable housing contribution in the region of £119,000 (£119,350). Members will appreciate that officers would need to review this and seek further advice, as such, officers recommend that the recommendation at Section 8 be amended and that the decision be Delegated to the Director of Community and Environmental Services for officers to seek further advice regarding viability, with the outcome to be circulated to Members and that Planning Permission be GRANTED subject to the Completion of a Section 106 Agreement (Parking Permits) and the Conditions set out in the report. The Section 106 Agreement to be amended to include an affordable housing contribution if appropriate.

Councillor Sarah Nelmes said having been on the site visit she was unclear about the difference in height between the current building and what was proposed particularly in terms of the roof height differences. The Planning Officer said that the existing building was not cited in exactly the same place as the proposed new buildings and was not a direct comparison. The existing building had a maximum height of approximately 6.6 metres. The proposed terrace of four houses would step up in height with the building to the south being lower and then increasing in height towards the north (towards the railway). The bottom left hand corner of the site was two metres from the boundary and the right hand corner was 6.5 metres from the boundary. The eaves height along there was 5.5 metres with a maximum height of 9.1 metres. The existing building was sited further away from the boundary but because of the difference in the buildings there could not be a direct comparison although it could not be disputed it would be a larger building as set out in the report but as Officers had explained the relationship with the neighbours was considered to be acceptable.

Councillor Sarah Nelmes said in relation to the house "Wroxham" it was significantly further away from the current building although it would be higher. The Planning Officer advised that with regard to the first floor element the proposed building would be 16.5 metres from the boundary and the ground floor 14.5 metres from the boundary. There was a distance annotated on the drawing of 21.4 metres because that took into account approximate spacing on the Wroxham side but what Officers were referring to were specific measurements within the application site.

Councillor David Raw said considering the overbearing nature of the buildings could Officers confirm it would be another 3 metres higher than the neighbour's house. Officers had mentioned 6 or 9 metres above so he presumed it was not being excavated out on the land. The Planning Officer said that they were not comparing

it to the neighbouring house but were comparing that proposed with the existing building on the application site. The existing building (bungalow) on the site had a maximum height of 6.6 metres. The proposed buildings would be higher buildings which was not being disputed but as set out in the report Officers do not consider it would be overbearing. The outlook would change but just because something would be different that was not in itself harmful. Officers had to identify whether or not there would be demonstrable harm and for the reasons set out in the report they did not consider that there was harm to the neighbouring amenity.

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

Councillor Raj Khiroya asked about the Bat survey and whether it had been completed. The Planning Officer said there was a final emergence survey prepared and that was submitted for review by Herts Ecology who raised no objection subject to a condition that was set out in Section 7.7 of the report. Ecology matters had been addressed.

Councillor David Raw said considering an application was refused in February he wondered as a substitute member could anyone advise why all the refusals (R1, R2, R3 and R4) had now changed. Councillor Sarah Nelmes said it was a totally different application as the previous ones were for lots of flats.

The Planning Officer said that one application was for 9 units and one was for 7 units and were different schemes. Each scheme had to be assessed on its own merits. With regard to previous issues on parking the current application proposed policy compliant levels of parking. There were issues with regards to affordable housing but as advised in the update that was something Officers needed to look at further before advising. The concerns about the impact on neighbours had been addressed through the redesign of the scheme and the other issues particularly regarding character were when it was for a flat development. It was now a terrace of four houses and Officers felt that the previous objections had been overcome and this was now a materially different scheme which should be considered on its own merits.

Councillor Sarah Nelmes asked for clarification on the amenity space and whether the application complied. The Planning Officer said essentially the policy required 105 square metres for a four bedroom dwelling. Overall that requirement was exceeded but on two of the houses their gardens to the north were 100 square metres so they were 5 square metres smaller than the policy suggests but the others were larger. Officers had not included the front garden space so overall there was more amenity space. On the calculations it was 100 square metres but Officers looked at the space at the rear and the gardens are of a comparable size to a number of other gardens in that area.

Councillor Sarah Nelmes said it was a town centre type development which effectively had a lot of open space very near so quite possibly could have different space requirements. The Planning Officer said that at the moment our space standards did not differ between an urban or suburban location. However they did have to look at the merits specific to each site and sometimes it was not uncommon for flatted developments to have less space but the proposed houses were potentially family dwellings so that was why it was important that there was private amenity space. Two of them would have a shortfall of 5 square metres but this was not considered significant and the amenity space proposed would be acceptable and would provide for a good standard of accommodation.

Councillor Sarah Nelmes said one of the drawings appeared to show that there would only be a fractional height difference between No.71 and this development in the streetscene. The photograph circulated tonight would suggest it would be

significantly higher. The Planning Officer advised that the photograph circulated before the meeting by the objectors on the streetscene had not been assessed or verified by Officers.

Councillor Sarah Nelmes asked about the trees between the site and the houses in Lower Road as there was some quite big conifers which provided for some protection and she wondered what was happening with them. The Planning Officer said there were a number of trees that would be removed which were all category C or U trees. None of the category B trees were proposed to be removed. The trees to be removed were along the access to the site, in the centre of the site and a couple to the rear of the site. There was part of the Group 17 trees along the boundary with the properties on Lower Road proposed to be removed. The Landscape Officer had reviewed the details and raised no objection to the removal subject to a landscaping condition to require a landscaping scheme as part of the application and supplemented by a condition for Officers to secure replacement planting as part of a landscaping scheme. If there was a particular concern on part of the site then Officers can take this forward when agreeing details on the landscaping.

Councillor Raj Khuroya raised comments on the transport statement dated June 2019. From what he could see it showed a traffic flow along Lower Road of approximately 2,100 vehicles a day, showed the busy times and gave details of the vehicles travelling between 8-9 am and 5-6pm. However, part of the statement could not be read so how could you assess it. London Underground had raised issues on stability and the report had failed to address this and he felt it was an important point. He had a problem with this application.

Councillor Sarah Nelmes asked if there was a particular planning policy Councillor Khuroya was not happy with.

Councillor Raj Khuroya said he could name a number of them. Councillor Sarah Nelmes said the Committee would need details of which planning policies because they could not turn down the application without these details.

Councillor Raj Khuroya said first of all the issue of overdevelopment. He thought this was a land grab from three gardens and this was the third time the applicant was trying their luck. The impact on the neighbours and poor design would be out of character and they were all planning points and were issues that the Committee must take into account. The dwelling would cause significant harm and this was demonstrable as far as he was concerned. The residents would be directly affected and he could not support the application. The Planning Officer said she had responded in relation to the character and amenity space. On two additional points which had been mentioned in relation to highways, Members would see in the report that the County Council as the Highways Authority had not raised an objection with the information that was submitted on the highways. With regards to London Underground their comments had been taken into consideration and Condition C9 required details of a method statement specifically to deal with the issues raised which London Underground had suggested so Officers considered that these points had been dealt with.

Councillor Marilyn Butler had concerns about the trees because they were crucial on this site and in fact we could do with more trees for screening and not take out any of the existing ones particularly the fir trees along the top boundaries of Lower Road. The Planning Officer said they were to be removed as they were only category C or U trees. The Landscaping Officer had required a Condition (C5) for details of hard and soft landscaping to be submitted at a later date and Officers could ensure that there was particular consideration given to the boundary with Lower Road as Members had identified it required additional landscaping.

Councillor Marilyn Butler raised a further issue on the drawing that was shown when one of the speakers spoke. It looked as if there was going to be quite a lot of excavation to a lower level on the site and she was concerned about stability on the site. The Planning Officer said the granting of planning permission would not overcome the requirements to comply with building regulations. There would be removal of materials from the site but should planning permission be granted there would still be a requirement to satisfy any other regulations or permits to ensure that it was structurally sound.

Councillor Phil Williams said the trees really did provide a screen and if the application was to go through some screening was needed. On Tree T1 which had been taken out he believed that the bat survey had not been completed to its full extent as referenced in point 7.7.4 of the report. It determined they could not tell if bats were present. There was still no parking management plan and no site stability assessment. On the affordable housing the developer was looking to sell for around £950,000 or in that region. Depending on the specification you could be looking at a million pound or more for a property such as this and he wondered whether it would be possible to attach a condition that 'should the application be approved it states you told us they would sell for £750,000 but your selling for one million and we want our affordable housing contributions.' He would like to propose that the application not be approved but if the Committee did approve they needed to look at the information put forward.

The Planning Officer said in relation to parking management there was a Condition at C17 which Members would know was not uncommon and was general practice that we require this by condition and was not something that was different to this application. The level of parking accorded with the Council's standards and we had a condition requiring a parking management plan. There was also a Section 106 agreement being worked up to prevent future occupiers from obtaining permits in the area. In relation to ecology and the bats, Tree T1 was a silver birch and was not proposed to be removed. Herts Ecology did review the additional details and had raised no objection subject to conditions which were set out in the report. With regard to affordable housing and viability as mentioned in the Officer update there had been additional information submitted this afternoon and it had been suggested that the decision be delegated so that Officers could review the information so that they were sure they were satisfied with the information. With regard to the point on the average sales value this point had been agreed and was not in dispute and was covered in the report at Paragraph 7.3.24. Originally the figure put forward was £750,000 but Integra reviewed that and they had suggested that should be amended to £950,000 and the appraisal had been carried out on that basis.

Councillor Sarah Nelmes said it would be great if the Council could go back to a developer after a development was built and look at their profit margins and then take some money but unfortunately that was not allowed so we had to use the standard formulas.

Councillor Stephen Cox asked for clarification on the affordable housing figure of £119,000 and how that figure came about. Councillor Sarah Nelmes said the local residents had put forward alternative information today but Officers had not had time to study it.

The Planning Officer wished to state that the affordable housing figure had not been confirmed as one report indicated that there was a deficit and another report indicated that there was a surplus. Officers must look into that further as there were differences in the build costs and that was why Officers were suggesting that the application be delegated to the Director so that they can seek professional advice on that point and update Members before the decision was issued if Members were minded to approve the application. Officers understood the concerns Members had around the trees and whilst Officers had indicated that there was a landscaping

condition if Members felt it might be appropriate then an additional informative could be added to the decision notice which specifically drew attention to the fact that when details of the landscaping were submitted the importance of that boundary with Lower Road was highlighted. Members may wish to consider this.

Councillor Raj Khiroya felt the point Councillor Cox had made was important and wondered how the Committee could make a decision based upon something they were unsure about. Councillor Nelmes said the Council had a standard approach to affordability. Officers had not had time to look at the information submitted today hence the suggestion that the decision be delegated to the Director for the technical information to be checked. She had not heard enough to think that she would want to go against the Officer recommendation and moved that the application be approved with the suggested Informative on the trees and that the decision be delegated to the Director of Community and Environmental Services for officers to seek further advice regarding viability, with the outcome to be circulated to Members, and that Planning Permission be Granted subject to the Completion of a Section 106 Agreement (Parking Permits) and the Conditions set out in the report. The Section 106 Agreement to be amended to include an affordable housing contribution if appropriate.

Councillor Sarah Nelmes asked if any Member of the Committee was happy to second her motion or alternatively propose another. Councillor Sara Bedford seconded the motion.

On being put to the Committee the motion was declared LOST by the Chairman the voting being 4 For, 6 Against and 0 Abstentions.

Councillor Sarah Nelmes said as the motion was LOST to approve the application Members of the Committee needed to provide planning reasons for refusing it. Could the Members who voted against approving the application put forward relevant planning reasons on why the application should be refused. Members should be aware that we can only turn down applications on planning reasons.

Councillor Chris Lloyd said as there were no valid planning reasons for refusing the application if it went to appeal it was likely to be very difficult to defend refusal. The Committee should consider bringing back information. He understood the concerns of the residents but if you actually look at planning law the people who voted against the application were voting with regard to sentiment rather than any planning reason which put the Council in a very difficult position.

Councillor Sarah Nelmes said Members could not refuse applications unless there were valid planning reasons and all Members should know this as they had all been on training.

Councillor David Raw said as far as he was concerned he had spoken about reasons for refusal R1 and R4 with regard to a previous application and he thought that Reason R1 still stood as it would be overbearing and would have an impact over the character and beauty of the area and he did not think anything had changed.

Councillor Sarah Nelmes advised that they were different reasons for refusal for a different applications and for different buildings. This application was for four houses not flats so it was not possible to use those reasons for refusal.

Councillor Stephen Cox said he thought the issue was around the affordable housing and did not wish to see this issue being delegated to the Director. Councillor Lloyd was correct that it should be brought back to the Committee as it was received as late information along with the information provided by the Developers.

Councillor Sara Bedford said that the alternative information had been provided by the objectors and the information provided by the Developers had been checked by independent consultants who we engage on this. The information provided by the Objectors was only provided today at 3.33pm asking us to defer because of their information. The applicant provided the information at the time they were asked to do so and this had been looked at and analysed correctly by the consultants. The Planning Officer confirmed the information from the objectors had only been submitted today. It was important that this information was reviewed but we have not had a chance to do that in detail which was why the recommendation was being requested to be amended to delegate the decision to the Director and that Members of the Committee be notified of the results of that review and updated on any decision that was issued. Essentially the application would not have come back to the Committee. The alternative was that the application be Deferred to come back to the Committee but Officers considered that was not appropriate in this instance but Members may wish to consider this.

Councillor Sara Bedford said we could maybe have refusal on the grounds that the affordable housing contribution had not been offered and on that basis the Director could refuse if that was confirmed following the review. The Planning Officer said that ultimately once Officers had reviewed the information and if it was found that there was a surplus and the scheme was able to support an affordable housing contribution they would have to discuss with the developer whether or not they would be prepared to pay a contribution. Essentially you could have a situation where it could be refused under delegated powers as it did not comply with Policy CP4.

Councillor Sarah Nelmes pointed out that Members had already voted to approve the application but it had been LOST. The only reason we have with regard to refusing the application was possibly on the affordable housing.

Councillor Sarah Nelmes said the reasons for refusal that had been put forward were technically incorrect.

Councillor Raj Khiroya said the Committee were talking about planning grounds with regard to the impact on the character of the area. Councillor Nelmes said she had not heard any planning grounds and that was not a planning ground to refuse this application.

Councillor Raj Khiroya said that people had been waiting for information for two weeks on the affordable housing and only received the information this morning. Councillor Nelmes said that was outside the Council's control.

Councillor David Raw was asked to clarify his reasons for refusing the application. He advised that it was with reference to the reason for refusal R1 on application 18/2423/FUL as it would appear at odds to the surrounding character of the area and obviously we had policies which were attributed to that. He felt it was still not overcoming this and reason R4 with regard to the access issue although Highways were concerned about road parking, 12 cars would still have to come out of this entrance and nobody had mentioned anything about the safety aspect. This was seconded by Councillor Raj Khiroya.

Councillor Sara Bedford asked whether there had been any highways objections and if having a reason for refusal on highways access could be upheld. Councillor Nelmes replied there had been none.

The Planning Officer said the character on the area could be a reason for refusal that Councillor Raw had mentioned and could be something Members may wish to vote on. Officers would advise against voting on a reason for refusal on highways specifically because the County Council do not object.

Councillor Stephen Cox said he was nery of the decision on affordable housing being delegated to Officers but Councillor Sarah Nelmes reiterated that Members had already voted and refused approval of the application so that was not going to happen.

Councillor Sarah Nelmes stated she was asking for legimate reasons on planning grounds to refuse the application because there were no reasons in the Officer report. Although the Committee had a proposer and seconder for a reason for a refusal this needed strengthening to ensure it was a comprehensive reason for refusal.

The Planning Officer said there had been a proposal to refuse the application on character grounds which Members may vote on. The only other Officer comment was that with regard to the issue of viability they remained in the situation where with the additional information which Officers had received they were unable to categorically say whether or not they think the application accords with Policy CP4 or does not which was why they suggested the delegation of the application. Members would need to refuse it for failing to comply with Policy CP4 with the potential that this reason be removed post Committee if Officers were satisfied with the information but Members need to consider if they are including CP4 at this stage.

Councillor Sara Bedford said regular attendees would know her comments around affordable housing. It was astonishing how many houses were knocked down and rebuilt at a loss and wondered why people did it. The Committee needed some form of condition that can be removed if the affordable housing contribution should be made or removed if we agree with the Council's specialist's figures. She was trying to think of a way around this that would satisfy the viability issue. The Planning Officer said that she thought it would be in the same way that we were suggesting the decision be delegated that we suggest that the decision still be delegated but essentially delegated to be refused on the character grounds subject to a vote and also on the affordable housing ground subject to a review of the information to be circulated to Members post the meeting.

Councillor Sara Bedford said that caused a problem for people who might support one ground for refusal and not the other. The Planning Officer said that the alternative would be to defer the item to be brought back to another meeting once the review of the affordable housing was completed.

Councillor Sarah Nelmes said the Committee had already had a vote to refuse the application. The Committee Clerk advised that the vote had been to approve the application but this had been LOST.

Councillor Sara Bedford said until the Committee had a reason to refuse they could not refuse the application. When this application went to appeal the Council would be asked why it was refused and the Planning Officers would not have a valid reason. This was why we were having to spend time putting together a reason for refusal as only reasons for refusal which the Committee agreed could be placed before an Appeal Inspector. You cannot simply refuse an application without grounds and those grounds have to stand up. She could see a possible reason for deferall on the basis that we want to look at the affordable housing although she would rather see that conditioned. Reason for refusal R1 for application 18/2423/FUL was for a flatted development that was taller, had a flat roof and was out of keeping with the area because it was flats.

Councillor Sarah Nelmes reiterated she was trying to find out from the Members who objected to her motion what it was they want to refuse the application on.

Councillor Sara Bedford moved an amendment, seconded by Councillor Chris Lloyd, that the application be Deferred for Officers to sort out the affordable housing and that the application come back to the Committee then for a vote.

On being put to the Committee the amended motion to DEFER the application to enable Officers to review the additional affordable housing information was declared CARRIED the voting being 5 For, 0 Against and 5 Abstentions.

RESOLVED:

That the application be DEFERRED to enable a review of additional affordable housing information to be reviewed.

PC 48/19 19/1258/FUL - Installation of a single storey timber outbuilding to be used as additional classroom space at CHRIST CHURCH CHURCH OF ENGLAND SCHOOL, RICKMANSWORTH ROAD, CHORLEYWOOD, WD3 5SG

The Planning Officer had no updates.

Councillor Sara Bedford moved, seconded by Councillor Sarah Nelmes, 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 Recommendations and Conditions as set out in the report.

PC 49/19 19/1331/FUL - Demolition of Grove Court and the construction of 43 apartments, 21 x 1-bedroom and 22 x 2-bedroom units, associated parking and landscaping, internal cycle storage and refuse/recycle bin store and shared access at 40-92 GROVE COURT, GROVE CRESCENT, CROXLEY GREEN, WD3 3JU

The Planning Officer reported that in relation to ecology, it can confirmed that the emergence and re-entry surveys had been undertaken and submitted to the LPA. The submitted report confirmed the absence of bat roosts in the building. The report had been forwarded to Herts Ecology for review.

The Highway Authority had provided comments this week advising that they raised no objection subject to a number of conditions. Their comments needed to be reviewed by Officers ahead of an updated report being returned to Committee for determination.

Eight additional neighbour objections had been received, these reiterated those points set out in the report at Paragraph 4.2.4 raising specific concerns regarding the scale of the development, parking and impact on neighbours. One of the comments raised queries with the comments received this week from the Highway Authority. These comments were currently being reviewed by Officers and would be included when an updated report was returned to the Committee. There were also concerns that elderly residents had been unable to submit comments online. Whilst we do encourage the submission of comments online, residents can submit comments in paper form too.

Councillor Chris Lloyd said he had called the application to the Committee as there was a lot of local interest. He could not see from the plans the impact the application would have on the properties in Manor Way. He wondered if a plan could be provided that showed this when the application came back to Committee. The Planning Officer indicated on the plan where No.71 Manor Way was in relation to the development and No.63 but would look to provide a plan when the application came back to the Committee.

In accordance with Council procedure 35(b) a member of the public spoke against the application.

Councillor Steve Drury asked about the cladding on the outside of the buildings. The Planning Officer responded that the materials were as set out in Paragraph 3.7 of the report and were a mixture of brown and buff facing brick. The flat roofed area had a different kind of membrane, mid-grade steel for the balconies, hand rails and privacy screens. It was slightly premature to be able to provide all the details but with any applications of this nature the Council would obviously be seeking sample materials to be submitted.

Council Sarah Nelmes asked if the flats would all be social or affordable housing. The Planning Officer said they were 100% affordable. They were proposing 18 affordable rented units which was equivalent to 42%, 25 shared ownership units which was 58% and that would exceed our normal requirements of 45% although we would generally usually be seeking 70% social rented and 30% intermediate so the affordable housing was something Officers we would be looking at.

Councillor David Raw said in the report the affordable housing did not comply with Policy CP4b was that correct. The Planning Officer stated that it did not comply with the policy in terms of the type of affordable housing to be provided although they were providing more overall. Normally we would require 45% of the scheme to be provided as affordable housing with a split of 70% social rented and 30% intermediate. Councillor Sarah Nelmes said that it therefore exceeds our normal requirements on the numbers of affordable units but does not quite exceed our preferred percentage of different types.

Councillor Chris Lloyd said the existing blocks were two storey but the proposed blocks would be four storey but acknowledged there were some three storey blocks already in Grove Crescent. He wondered how the four storey blocks, in terms of their height, compared to the three storey blocks. The Planning Officer said she had not got measurements but she could show some photos. Obviously the existing block was two storey but there were a number of other flatted blocks including quite a few three storey including one next door and one four storey block. The majority were three storey and two storey but she could not give an exact comparison in terms of the height.

Councillor Sarah Nelmes said there had been comments made on the distance and height from the houses in Manor Way and asked if Officers could comment and also whether any sun tracking had been undertaken. The Planning Officer said Officers had not made a full assessment of the application at this stage so were unable to comment if there was an acceptable relationship with the neighbours as the application was still being considered. In terms of distances, from the top corner of Block A across to the rear of No.77 that was a distance of approximately 26 metres. Block A was approximately 14 metres off the boundary. If you move down to the bottom corner of Block A it was approximately 23 metres from the rear of No.73 and the distance increased slightly from the top corner of Block B where there was approximately 34 metres to the rear of No.67. There was a mid point on the building of 29 metres between the rear of that and No.61 and 26 metres between No.67 and the rear. Obviously there was guidance in relation to the back to back distance of 28

metres, increasing where something was higher than two storeys but it was also to do with the positioning of any windows in considering the relationship with the houses and whether there was overlooking. With the way Block A was orientated the side elevation would be the flank side onto the rear gardens. Whereas Block B to the south it's rear elevation would back onto the gardens in Manor Way. On the sun tracking the document the neighbour had highlighted with the sun not going past 3pm was potentially something that Officers would discuss with the applicant. They were showing June, December and March at different times throughout the day of 9am, midday and 3pm.

Councillor Steve Drury asked when the application came back to the Committee could Members see a neighbourhood block plan to show the orientation of the three storey existing blocks and the four storey existing block in comparison to the orientation of these blocks. He would want to see the orientation of the three storey blocks to see if it would overshadow the existing houses or impact on each other. There were large gaps between the buildings but would that be exacerbated if the buildings were closer and taller to the boundary. The Planning Officer said that Officers could request that of the applicant.

Councillor Sara Bedford said it would not be appropriate to make an objection on the affordable housing if it exceeds our requirement. If we are to follow policy we would be getting 14 flats for affordable rent and 5 for shared ownership but this way we are getting 19 and 25 so it would be silly to say this exceeds our requirements so therefore we are going to refuse on that basis.

Councillor David Raw said considering the overbearing factor due to the size of the buildings and that it would not comply with policies CP1, CP3 and CP12 it would be a cramped form of development and impact on the character of the area.

Councillor Chris Lloyd said a number of points had been made by residents but asked why they had gone for four storey and two storey blocks. Would there be less impact on residents if they were both three storey which was like the majority of the flats within Grove Crescent. He also picked up the point raised by Councillor Drury on the orientation of the buildings and the impact on light. If it was three storey blocks would this reduce the impact on residents in Manor Way. The Planning Officer clarified that Block B to the south is part 2, part 3 and part 4 storey so it steps up in height with it being 2 storey at the south and 4 storey at the north. Block A was 3 storey and 4 storey. Officers noted the points made.

Councillor Stephen Cox said on the affordable housing he welcomed the increase but asked on the applicant could be persuaded to reduce the height and whether it had to be this high it get this amount of housing and could it be redesigned.

RESOLVED:

Members noted that there was no recommendation for approval or refusal at this stage in the consideration of the application.

Noted the report and made general comments with regards to the material planning issues raised by the application as detailed above.

PC 50/19

19/1398/FUL - Erection of a single storey detached oak framed home office and games/store room at 1 HIGH CLOSE, RICKMANSWORTH, WD3 4DZ

This applicant had been withdrawn.

PC 51/19 19/1421/FUL - District Council Application: Refurbishment of existing play area including the installation of new equipment and the erection of boundary fencing at SWILLET PLAY AREA, HERONSGATE ROAD, CHORLEYWOOD, HERTFORDSHIRE

The Planning Officer reported that one further comment had been received from a neighbour they were not objecting they just wanted us to note that there is a new bench that would extend the play area to adjoin their boundary and they had also raised comments regarding recent incidents of anti social behaviour and requested that the seating area be moved away from the boundary to discourage late night gatherings. Except for these comments they welcomed the positive upgrade and provide a great local facility.

Councillor Chris Lloyd asked if the seating area could be moved. The Planning Officer said it could be an amendment. She had noted on the photographs that there was already an existing seating area which was close to their boundary so whilst there would be one additional seating area there was one there already.

Councillor Chris Lloyd, seconded by Councillor Raj Khiroya, moved the recommendation that Planning Permission be Granted subject to Conditions.

Councillor David Raw had concerns about the anti social behaviour as people living nearby had concerns. Was there anything the Committee could do to help the neighbours. Councillor Sarah Nelmes said that was not a planning issue this application was just about replacing the equipment.

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 Recommendations and Conditions as set out in the report.

PC 52/19 19/1427/FUL - District Council Application: Refurbishment of existing play area including the installation of new play equipment at CASSIOBRIDGE PLAY AREA, RECREATION GROUND, WATFORD ROAD, CROXLEY GREEN, HERTFORDSHIRE

The Planning Officer reported that a comment had been received from Croxley Green Parish which outlined no objection to the refurbishment of existing play area. Members felt that planting more trees and using natural materials for the play equipment would be more appropriate. Project may have benefited from wider consultation.

Councillor David Raw had concerns regarding rats and whether any fencing could be provided around the play area or an investigation made. The Planning Officer said that could not be conditioned as part of this planning application but could be dealt with by the Environmental Health separately because the issue did not result from this proposal.

Councillor Sara Bedford said the site was right next to the canal so there was likely to be all sorts of animals there and she suspected that most gardens had rats. There were rats everywhere and there was no form of fencing that can stop them.

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

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

RESOLVED:

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

CHAIRMAN