
PLANNING COMMITTEE**Draft MINUTES**

of a meeting held in the Penn Chamber, Three Rivers House, Northway, Rickmansworth, on Thursday 27 February 2020 from 7.30pm to 9.24pm.

Councillors present:

Sarah Nelmes (Chairman)
Sara Bedford
Raj Khuroya
Steve Drury
Stephen King

Keith Martin (Vice Chairman)
Michael Revan
Chris Lloyd
Debbie Morris
Shanti Maru (for Cllr Marilyn Butler)

Also in attendance:

Officers: Claire Westwood, Lauren Edwards, Scott Volker, Sarah Haythorpe and Jo Welton.

PC 95/19 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Marilyn Butler with the named substitute being Councillor Shanti Maru

PC 96/19 MINUTES

The Minutes of the Planning Committee meeting held on 23 January 2020 were confirmed as a correct record and were signed by the Chairman.

PC 97/19 NOTICE OF OTHER BUSINESS

None received.

PC 98/19 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 Councilor’s. 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.”

Councillor Debbie Morris advised that herself and her colleagues Councillors Michael Revan and Shanti Maru are Members of the Conservative Party and would be declaring a registrable non pecuniary interest in Item 5 because their local association has offices in Scotsbridge House however they come to the meeting with an open mind and will be dealing with the application fairly and on its merits.

Councillor Sarah Nelmes declared that all the Liberal Democrat Councillors had non-pecuniary interests in item 12 as the Agent was a Liberal Democrat Councillor but Members of the Committee were not personal friends of the Councillor and did not feel there was any conflict.

PC 99/19 19/1684/OUT - Outline Application: Demolition of offices and erection of new landscaping reserved) at SCOTSBRIDGE HOUSE, SCOTS HILL, CROXLEY GREEN, HERTFORDSHIRE WD3 3BB

The Planning Officer reported that the Chiltern Society had submitted comments. With regards to affordable housing, they support the Council's policy of seeking 45% affordable housing and consider that this should apply in the case of this application. Policy CP4 requires provision of 45% affordable housing unless viability evidence demonstrates otherwise. As set out in the Committee report, subject to the completion of a Section 106 to secure a review mechanism, it is considered that the applicant had demonstrated that at the present time the proposal cannot viably afford to provide any affordable housing contribution, but that the viability can be revisited in the future to enable any change in circumstances to be taken into account.

The Chiltern Society was also concerned about possible contamination of the water supply. The Planning Officer responded that the Environment Agency had raised no objection subject to conditions.

Councillor Chris Lloyd said a lot of detail had been provided in the report on flooding but asked if Officers had any additional information as the River Chess had been quite high recently. The Planning Officer said Officers were satisfied that the application had demonstrated that subject to the conditions suggested by the Environment Agency and Hertfordshire County Council as the Lead Flood Authority the scheme was acceptable with regard to flood risk and drainage.

Councillor Chris Lloyd's second point related to the fact the application did not mention the River Chess pathway which stops on the other side of the main road. He would be keen to see the pathway continue and for discussions to take place with London Transport as it would go under their railway bridge. To have the pathway extended would be a definite benefit for the community and future residents.

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

Croxley Green Parish Council said they had received no comments. They took the view that the Parish needs more housing, particularly affordable housing, and it seemed a sensible place to have more higher density housing. The housing would be on a local bus route, in walking distance of a local station and town centre with easy access to recreational spaces. The development did not seem to be overbearing and they were impressed by the high environmental standards of construction.

Councillor Sara Bedford said she would be delighted if it was proposed to keep the pathway but asked if a Condition could be added to ensure this happens. On the Chiltern Society comments the Council cannot exceed or demand higher than the 45% which is in the plan for affordable housing. She wished to voice her irritation that

developers came along and said they cannot afford to provide an affordable housing contribution as a development was not viable. The Government set the rules on viability. The Council had objected on how these viability assessments were forced upon us. On the Community Infrastructure Levy (CIL) developers come along and talk about the CIL money as if it was some sort of bounty to be provided to the Council. CIL money was provided for facilities for the people who would be living at and near to the development and would go towards providing school places, any necessary health facilities and other things which need to serve the development. It was not several hundred thousand pounds that the Council can do what it likes with. The money was clearly controlled to provide the infrastructure required.

The Planning Officer said in response to the comment on the footpath it was not felt this could be something that could be secured by a condition because of issues to do with the extent of the application site and also whether it met particular tests. An advisory informative could be added requiring that the extension of the footpath along the River Chess be explored further by the applicant.

Councillor Sara Bedford asked if that would enable the Council at the detailed stage to refuse the application on the grounds that the details on the footpath had not come forward as it would not be worth including if this was not the case. The Planning Officer said it would be an advisory informative and not a condition. Officers believed that including a condition was not something the Council could not do as it would not meet the relevant planning tests.

Councillor Sarah Nelmes reminded Members this was an outline application and the Committee were not agreeing the reserved matters.

Councillor Sara Bedford said Officers had said that the Council could not refuse the application at the reserved matters stage if the footpath was not provided. What Councillor Nelmes was saying was this is an outline application but the Committee could review the footpath as part of the reserved matters. If the Committee could not insist on the footpath at the reserved matters stage it made no difference if an advisory informative was included. She was now concerned that there would not only be no affordable housing but possibly no footpath.

Councillor Chris Lloyd spoke regarding the materials. The applicant had indicated that they were willing to explore this along with the footpath. He wished to include an informative on the footpath in the decision even though it was not possible to have a condition.

Councillor Peter Getkahn found it odd from an architectural point of view that they wanted to convert the building and not rebuild it. The fact that no one was objecting to the loss of the building put a lot of weight in support and because of that reason he moved the recommendation that Outline Planning Permission be Granted, following the completion of a Section 106 Agreement to secure an Affordable Housing Review Mechanism, subject to the conditions set out in the Officer report and an additional Informative on the footpath, seconded by Councillor Sarah Nelmes.

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

RESOLVED:

That Outline Planning Permission be Granted, following the completion of a Section 106 Agreement to secure an Affordable Housing Review Mechanism and subject to the conditions set out in the Officer report and with an additional Informative on the footpath.

PC 100/19 19/1992/FUL: First floor rear extension and single storey front extension to dwelling and construction of two storey and single storey side and rear extensions with basement level to be occupied as two, two bedroom flats with associated parking served by extended crossover, landscaping and bin storage at 1 WOODHALL LANE, SOUTH OXHEY, HERTS, WD19 6HE

The Planning Officer reported there were no updates.

Councillor Shanti Maru asked if Condition C3 (Construction Management Plan) could be amended to include a reference to the requirement for deliveries avoiding school drop off and pick up.

Councillor Debbie Morris said the condition that Councillor Maru was referring to came from a similar situation in Moor Park where there was a development in the same road as a school. Officers had restricted deliveries to avoid school drop off and pick up times so as not to block the road. The Planning Officer said that the condition on the Construction Management Plan (CMP) could be amended to include reference for the requirement for deliveries to avoid school drop off and pick up times.

Councillor Debbie Morris asked if Officers knew any details regarding the amenity space. The Planning Officer said in Paragraph 7.2.2 of the report there was reference to the need for a Condition which required details on the boundary treatments in terms of their style and size and details on the siting of the boundary line at Condition C11. The recommendation proposed approval subject to a Section 106 Agreement to secure a personal planning permission and subject to conditions relating to time limit, plans, material samples, tree protection, construction management plan, hours of opening, lighting details and time and informatives (standard informatives in addition to those requested by Highways and Herts Ecology).

Councillor Sara Bedford moved the recommendation, seconded by Keith Martin, that Planning Permission be Granted subject to Condition C3 being amended (Construction Management Plan) to include reference to the requirement for deliveries avoiding school drop off and pick up times.

Councillor Sara Bedford asked if the Chairman could write to the Parish Councils to say if they wish to call in an application it would be really polite if they could come along to the Committee meeting and speak on the application otherwise Members having nothing but the comments in the report to consider. It is a privilege of the Parishes to be able to call in applications to the Committee as not all Councils allow this.

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

RESOLVED:

That Planning Permission be Granted subject to the conditions set out in the Officer report and an amendment to Condition C3 (Construction Management Plan) amended to include reference to the requirement for deliveries to avoid school drop off and pick up times. The wording of the Condition C3 to read:

PC 101/19 19/2089/FUL - Demolition of existing cricket club and construction of two storey cricket pavilion including WCs and changing facilities, cafe and kitchen, gift shop, meeting and training space and other associated support/facility areas and viewing terrace at CHORLEYWOOD CRICKET CLUB, CHORLEYWOOD COMMON, RICKMANSWORTH ROAD, CHORLEYWOOD, WD3 5SL

The Planning Officer reported that there was no update.

Councillor Sara Bedford said the Committee were concerned at the last meeting about weighing up the issues around the fact that the site is on the Common in the Green Belt. The Council's desire was to support the charity in their extremely good venture. The concern was that in the future there was the possibility that it could become a commercial venture. Officers had undertaken a lot of work and sought legal advice. The option put forward at the last meeting could not be taken forward so the Committee now needed to discuss how they felt about the application. Members need to look at the potential harm to the Green Belt. We have the Officers view but the Committee have the opportunity to have a different opinion. We all know what we want to do and what we would like to prevent but we need to try and compromise in the middle if we want the application to go ahead and find a legal planning way to do it.

Councillor Chris Lloyd said he did not think that the current building was one of great beauty and felt the new building would enhance the area. The key question was the Green Belt issue. The community would benefit from the new facility and there are very special circumstances but Members need to ensure that there are conditions on any granting of planning permission, if that is the decision of the Committee, must be clear.

Councillor Debbie Morris said her concern last time related to lighting and the hours associated with the winter opening hours of the café. She had suggested that the closing time of the café during the winter be 4pm so that there would not be any extra illumination which she felt would impact detrimentally on the ecology, environment and the Green Belt and she remained of that view. She had no objection to longer summer opening hours. She thought that there was only one external light and the Committee had talked about covering the lighting by condition. Any lighting should be minimal and only be there for personal safety.

Councillor Martin Trevett said the current club house was very run down. He had been helping the cricket club over a number of years to try and get something which would be acceptable to replace it. The benefits of the new pavilion would be to expand the facilities for all people to enjoy. Mission Employable would be providing an excellent facility for Chorleywood which would provide employment for young people.

Councillor Phil Williams said everyone wanted the application to go ahead but we have to look at this very carefully as it is a weighted decision. There would be an impact on the Green Belt and on the heritage building nearby but the benefits of the new pavilion and café would outweigh this. The new building would be a few metres bigger but we would gain so much more for the community. There are concerns about the lighting and the hours but these can all be addressed. The Church had a hall added so surely we can have a new pavilion with all the benefits that would come with it. Officers had suggested that we have a Section 106 Agreement, but that can be challenged. He asked if the café could be tied to Mission Employable so there would be very little chance it would go to someone else.

The Planning Officer said it was possible to draw up a Section 106 Agreement between the interested parties which would be a personal permission to Mission Employable. If Members were of the view that there were very special circumstances which outweigh the impact on the Green Belt those special circumstances needed to be identified. Officers had suggested that a Section 106 Agreement would be the best way of securing the café but ultimately a Section 106 can be challenged at any point by a third party or by a person named in the Section 106. Whilst it is the most appropriate thing to do in this circumstance to achieve a personal permission it is not without its shortfalls.

Councillor Raj Khiroya said he believed there were 64 supporters of the application and not a single objector. Equal evaluation should be given to both support for an application and objections. The planning system was strictly to look at the use of the land and the building. This building would bring great advantages to the community.

Councillor Sara Bedford said if the application had come forward as a fast food drive through restaurant or eat in restaurant we would not be looking at seeing this as a reason for overcoming the very special circumstances to overcome the Green Belt objections. The reason the Committee were considering granting planning permission was because of who the applicant was and it being a charitable venture. However, Officers had made some good points about the Section 106 and Members understand that it can be challenged but Members did not think Mission Employable would do that. In addition the Parish Council would have to give permission as the landlord for that to be overcome and hoped they would not do that either. She realised that Mission Employable could cease to operate but the Council needed to have a mechanism in place should that happen. Members should take the decision that there are very special circumstances to allow the café here.

Councillor Peter Getkahn referred to the Church extension opposite which was a very modern building which had fitted in well. He would like to see some proposals coming forward based on agreeing a Section 106 Agreement, conditions and informatives and also details on the opening hours for the café.

The Planning Officer picked up on the comments made with regard to the personal permission for the café. If at any point that personal permission was to cease and the floor space became vacant obviously that floor space would be unused within the building. The NPPF did allow for the reuse of the building in the Metropolitan Green Belt which would fall within one of the exceptions of the NPPF and wished Members to be aware of that should that personal permission cease.

Councillor Raj Khiroya said the Committee should not be involving itself in the lease arrangements as that was a civil matter. He felt that there were exceptional circumstances to allow permission to be granted.

Councillor Sarah Nelmes said there was a balance to be considered on whether there were special circumstances which Members had to weigh up.

Councillor Debbie Morris asked if Officers were aware of any exterior branding/signs relating to the café. Assuming that there are none apart from the word café outside if a commercial enterprise wanted to take over they would wish to brand it on the exterior. Would that need planning permission?

The Planning Officer said whether it was Mission Employable or any commercial venture in the future advertisement consent would be required for any exterior signs.

Councillor Debbie Morris said she felt that this in some way protected the Council from a commercial operator as they would probably be reluctant to take over the premises without being able to advertise it.

Councillor Sara Bedford said she had not heard any objections to granting the application. She moved that Planning Permission be Granted subject to conditions to be agreed and specifically to the completion of a Section 106 Agreement to secure as far as we possibly can the use of the café and also specific conditions looking at the lighting and any other environmental measures required in this location, seconded by Councillor Raj Khiroya.

The Planning Officer said they noted the recommendation to Grant Planning Permission but felt it might be helpful before Members vote on this that Officers go through a list of conditions which might be appropriate. The list being: lighting, opening hours (which may need more discussion although officers can circulate the details to Members for agreement), standard timing, to be in accordance with the plans to include the floorspace as outlined in the plans, submission of sample materials for the exterior although some are shown they need to be submitted, external lighting to cover both ecology and the site being within the Conservation Area, tree protection plan so that the trees around the building would not be impacted during the construction and that no materials to be stored in these locations. The opening hours to be separate for the café and cricket club and a construction management plan with regard to the hours of work, deliveries of materials. Informatives would be standard informatives on construction hours, ecology and highways.

Councillor Peter Getkahn asked for more clarification on the opening hours of the café.

Councillor Debbie Morris proposed an amendment to the standard opening hours for the café of 9 to 4 in the winter, supported by Councillor Peter Getkahn.

Councillor Sara Bedford said it was stated in the update at the beginning that the opening hours be restricted to when the cricket club is open and if the cricket club is open during the cricket season and people are enjoying a post cricket match social activity she could not see any harm in people enjoying a cup of coffee. She said the weighting for a social community facility overcame the Green Belt issues.

The Planning Officer clarified that the applicant had proposed opening hours for the café of 9-5 in the winter and 8.30 to 5 in the summer.

Councillor Debbie Morris asked if the cricket club would have other refreshment facilities like a bar beside the café.

The Planning Officer said the cricket club would have its own bar and lounge area separate to the café.

The Planning Officer noted the concerns raised by Members around the lighting and suggested that the condition include details on the lighting and the hours of operation. Notwithstanding the opening hours we can have control of the lighting separately. Obviously there was sensitivity of the site being in the Green Belt and Conservation Area.

Councillor Sara Bedford asked if there were any conditions on the lighting around the existing pavilion.

Officers were not aware of any and looking at the building there was no external lighting.

Councillor Sara Bedford said she would not wish to see people who had been celebrating a great victory fall over as they come back to their vehicles because there was no lighting. These points should be taken into consideration and considered as part of the conditions for Members to review.

On being put to the Committee the amendment suggested on the opening hours to be 9 to 4 in the winter was declared LOST the voting being 2 For, 9 Against and 1 Abstention.

On being put to the Committee the motion that Planning Permission be Granted subject to a Section 106 Agreement to secure a personal planning permission and subject to conditions relating to time limit, plans, material, samples, tree protection, construction management plan, hours of opening, lighting details and time and informatives (standard informatives in addition to those requested by Highways and Herts Ecology). Full details of conditions/informatives to be circulated to Members for agreement was declared CARRIED by the Chairman the voting being unanimous.

RESOLVED:

That Planning Permission be GRANTED subject to a S106 agreement to secure a personal planning permission and subject to conditions relating to time limit, plans, material samples, tree protection, construction management plan, hours of opening, lighting details and time and informatives (standard informatives in addition to those requested by Highways and Herts Ecology). Full details of conditions/informatives to be circulated to Members for agreement and are provided below:

Conditions

C1 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

C2 Plans

The development hereby permitted shall be carried out in accordance with the following approved plans: HCC-871-DA-01, HCC-871-DA-02, HCC-871-PL-011, HCC-871-PL-015, HCC-871-PL-101, HCC-871-PL-010, HCC-871-PL-100, HCC-871-PL-200, HCC-871-PL-201, HCC-871-PL-202, HCC-871-PL-301.

Reason: For the avoidance of doubt and in the proper interests of planning and to safeguard the character and appearance of the Conservation Area, to safeguard the openness of the Metropolitan Green Belt and the residential amenity of neighbouring occupiers in accordance with Policies CP1, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011), Policies DM2, DM3, DM6 and DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013) and the Chorleywood Common Conservation Area Appraisal (2010).

C3 Submission of sample materials

Before any building operations above ground level hereby permitted are commenced, samples and details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

Reason: To prevent the building being constructed in inappropriate materials in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and the Chorleywood Common Conservation Area Appraisal (2010).

C4 Lighting

No external lighting shall be installed on the site or affixed to any buildings on the site unless the Local Planning Authority has first approved in writing details of the position, height, design, hours of use and intensity. The lighting shall be installed in accordance with the approved.

Reason: In the interests of visual amenity and biodiversity and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policies DM3, DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

C5 Tree Protection

No operations (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) whatsoever shall commence on site in connection with the development hereby approved until the branch structure and trunks of all trees shown to be retained and all other trees not indicated as to be removed and their root systems have been protected from any damage during site works, in accordance with a scheme designed in accordance with BS5837:2012, to be submitted to and approved in writing by the Local Planning Authority.

The protective measures, including fencing, shall be undertaken in full accordance with the approved scheme before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained as approved until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.

Reason: This condition is a pre commencement condition to ensure that no development takes place until appropriate measures are taken to prevent damage being caused to trees during construction and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C6 Opening hours for café

The A3 use (café) hereby permitted shall not operate other than between the hours of 8:30 and 17:00 during summer months (1 April to 31 October inclusive) and 9:00 and 17:00 during winter months (1 November to 31 March inclusive).

Reason: In recognition of the Very Special Circumstances identified for the approved scheme in accordance with Paragraph 144 of the NPPF and in order to safeguard the purposes of Green Belt land in accordance with Policy CP11 of the Core Strategy (adopted October 2011), Policy DM2 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2019).

C7 Opening hours for Cricket Club

The Cricket Club hereby permitted shall not operate other than between the hours of 8:30 and 00:00 inclusive.

Reason: In recognition of the Very Special Circumstances identified for the approved scheme in accordance with Paragraph 144 of the NPPF and in order to safeguard the purposes of Green Belt land in accordance with Policy CP11 of the Core Strategy (adopted October 2011), Policy DM2 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2019).

C8 Construction Management Plan

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for:

- i. parking of vehicles of site operatives and visitors
- ii. construction of access arrangements including the routing of vehicles
- iii. loading and unloading of plant and materials
- iv. storage of plant and materials used in constructing the development
- v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- vi. wheel washing facilities
- vii. measures to control the emission of dust and dirt during construction
- ix. Delivery arrival times (not during school pick up or drop off)

The approved Construction Method Statement shall be adhered to throughout the

construction period.

Reason: This condition is a pre commencement condition in the interests of highway safety and convenience in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM10 of the Development Management Policies LDD (adopted July 2013).

Informatives:

I1 Standard informative

With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £116 per request (or £34 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions IF relief has been granted.

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

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

I2 Working Hours

The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

I3 Positive and proactive

The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The applicant and/or their agent and the Local Planning Authority engaged in pre-application discussions which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

I3 Ecology

The applicant is reminded to keep any areas of grass as short as possible up to, and including, the time when the works take place so that it remains / becomes unsuitable for Great Crested Newts to cross. Stored materials (that might act as temporary resting places) should be raised off the ground e.g. on pallets or batons away from hedgerows if possible. Caution should be taken when moving building materials as any sheltering animals could be impacted on. Trenches should be provided with a means of escape for any animals that may have become trapped; this is particularly important if the trench fills with water. In the event that a Great crested newt is encountered during works, construction must stop immediately and ecological advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England

I4 Ecology

If bats, or evidence for them, are discovered during the course of demolition works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.

I5 Highways

Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

I6 Subject to S106

The applicant is reminded that this planning permission is subject to either a unilateral undertaking or an agreement made under the provisions of Section 106 of the Town and Country Planning Act 1990.

I7 Advertisement Consent

The applicant is reminded that any external signage for the Cricket Club or the Café will require a separate application for advertisement consent.

PC 102/19

19/2213/FUL - Demolition of existing workshops and construction of a two-storey building containing 4 residential units (Use Class C3) including accommodation within the roof served by dormers to the front and rooflights to side and rear, alterations to vehicular access, associated car and bicycle parking, refuse and recycling storage, landscaping and associated works at GREYSTONE WORKS, THE GREEN, CROXLEY GREEN, HERTS, WD3 3AN

The Planning Officer reported comments had been received from the Conservation Officer. They raised no objections to the demolition of the existing units or the principle of residential redevelopment of the site. They note that the previous approval was sensitively designed as a pair of semi-detached dwellings which they consider more in keeping with the character of the Conservation Area. They consider that the greater bulk now proposed is somewhat incongruous in the street scene and consider that the design could be improved. They therefore conclude that the proposal would result in a low level of less than substantial harm which should be weighed against public benefits in accordance with paragraph 196 of the NPPF.

The development would make a contribution towards making up the shortfall in housing in the District. The development would also be making a contribution towards affordable housing. Officers therefore consider that the low level less than substantial harm is outweighed by public benefits.

A speaker spoke against the application and a speaker spoke in support of the application.

Croxley Green Parish Council had received no comments but noted the concerns subsequently expressed by the residents. They remain concerned that the height of the proposed buildings and potential loss of privacy in the rear gardens of the adjacent properties. They did not oppose the development of the site but feel an amended design would be more suitable in this location and supported the objection.

Councillor Peter Getkahn had sympathy with the residents in Windmill Drive and felt it would be overbearing. He also had concern about the amount of green space to be provided and wondered if there were any standards required with regard to the amenity space with regard to the size of the building. The Planning Officer said Section 7.8 of the report provided details on the amenity space standards. The development would require a total of 124sqm of amenity space provision. A total of 50 sqm of amenity space would be provided and the site would be approximately 0.3 miles/7 minute walk from Croxley Guilds Sports/Scotsbridge therefore there is public space in the vicinity. Officers did not feel that this would result in harm to warrant refusal.

Councillor Debbie Morris asked if the plan could be shown of the amenity space at the rear of the building. She asked about the size of the narrow green area of amenity space. The Planning Officer said that the area to the north would be the shared communal space which would be 26 sqm. There would be two separate spaces wrapping around the L-shaped projection for the two ground floor units.

Councillor Debbie Morris asked if the space at the front where the trees were counted as amenity space? The Planning Officer said that in terms of the distance to the rear at the closest point it was 1 metre. The space at the front was not counted as amenity space serving the development but enhanced the setting of the building.

Councillor Debbie Morris said she found it very unsatisfactory but the Committee had seen other developments with unsatisfactory amenity space layouts.

The Planning Officer said they considered that the amenity space met the standards required in the NPPF. Members would need to consider if the adverse impact would significantly and demonstrably outweigh the benefits of the development. If Members identified there were adverse impacts it had to be demonstrated that these outweighed the benefits of the scheme.

Councillor Sarah Nelmes asked about the comments from the objector with regard to the view from the terraces and a precedent being set. The Planning Officer said a precedent was not a right to refuse obviously concerns regarding overbearing and overlooking are relevant but Officers had set out in the report that the impact of the development was acceptable. There was no right to a view in planning terms.

Councillor Debbie Morris asked about the glazing to the rear was it all obscure glazed top opening. The Planning Officer said there were 4 windows and was covered by Condition C11 to be obscure glazed and fan light opening to a minimum height of 1.7 metres which is a standard requirement. They would be secondary windows to the bedrooms/kitchen and it would not be inappropriate that these be obscure glazed.

Councillor Raj Khuroya thought the application was within a Conservation Area. The

Planning Officer said it was but the Conservation Officer had commented on the application and identified that there is a low level and less than substantial harm. The NPPF requires that this is weighed against public benefit. If Members were minded to say it would harm the heritage asset they would have to be clear on the reasons.

Councillor Chris Lloyd said the shops nearby were not old buildings. He asked about the parking and although he would like to see more people walking he was concerned about the amount of parking to be provided. The Planning Officer said there would be a shortfall of 3 parking spaces. 5 parking spaces are proposed to serve the development with 4 allocated spaces (1 per unit) and 1 visitor space. The Policy requires 2 spaces per unit (making a total of 8 spaces) therefore there is a shortfall of 3 spaces. As set out in the report, Officers had taken into consideration the location of the site, the provision to be provided, and did not feel they could justify refusing on parking grounds. No objections had been received from the Highway Authority but they had requested conditions. Permission had previously been granted in 2012 for an application with 6 parking spaces with a shortfall of 2. This had a further additional shortfall of 1 but it was considered acceptable.

Councillor Peter Getkahn said the previous application had a shortfall of 2 parking spaces but this one was now 3. He felt it would be overdevelopment and had concerns about the impact on the neighbours and being overbearing and would like to see the application refused. The Planning Officer clarified that Members had discussed the application being overbearing and overdevelopment, how the building looks and the impact on the character of the area. If Members were minded to refuse the application and they needed to be clear on the reasons identified.

Councillor Peter Getkahn felt that the impact on the neighbours, the building being overbearing, amenity space and insufficient parking were all valid reasons for refusal. The Planning Officer understood the Councillors points but as set out in the report Officers considered the application to be acceptable.

Councillor Chris Lloyd did not think Councillor Getkahn had outlined any valid reasons for refusal to go against the officer recommendation. Lots had changed up and down the Green and there had been other developments which had made a bigger impact. He would prefer the Council to be building on brownfield sites and not on the Green Belt. If you had been living there while the site was actively being used you might well have a different consideration. He had not heard any planning grounds to refuse the application and moved that Planning Permission be Granted subject to conditions, seconded by Councillor Sarah Nelmes.

The Planning Officer wanted to be clear on the proposal to refuse the application, was this due to the impact on the neighbours and character? Did the Committee wish to include amenity space and parking. Councillor Peter Getkahn wished to include all these reasons for refusal, seconded by Councillor Stephen King.

On being put to Committee the proposal to REFUSE the application was declared LOST by the Chairman the voting being 2 For, 4 Against and 5 Abstentions.

On being put to the Committee the motion that the application be GRANTED was declared CARRIED the voting being 5 For, 2 Against and 4 Abstentions.

RESOLVED:

That Planning Permission be GRANTED subject to the conditions set out in the Officer report.

PC 103/19 19/2484/RSP – Part-Retrospective: Erection of three storey building with habitable roof space to create 8 x 2-bed self-contained flats with associated

parking on basement level, cycle and refuse store, amenity areas, raised terrace and landscaping following demolition of existing dwellinghouse at 38 EASTBURY AVENUE, NORTHWOOD, HA6 3LN

The Planning Officer had no update.

Councillor Debbie Morris asked to see the parking layout in the basement and if Officers could explain where the additional spaces had been located. The Planning Officer said that this scheme proposed two additional parking spaces as opposed to the previous scheme and they would be located on the left hand side of the basement car park.

Councillor Debbie Morris said vehicle tracking diagrams had been provided which Hertfordshire County Council the Highways Authority had accepted was that correct? The Planning Officer confirmed this was correct. The spaces were exactly the same as previously approved and Herts County Council had commented on the vehicle tracking for the two additional spaces and raised no objections.

Councillor Debbie Morris asked about the rear boundary screening which was currently provided by mature trees. She noted Condition C10 referred to the boundary treatments, landscaping and planting but if the application did get approved she would like some kind of strengthening of that condition to ensure that the retention of that rear screening by mature trees or in the event of their demise they get replaced by similar. The Planning Officer said the trees at the back were protected by a TPO but Officers can strengthen the condition.

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

Councillor Sarah Nelmes moved, seconded by Councillor Raj Khuroya, that Part Retrospective Planning Permission be Granted with an amendment to Condition C10 to strengthen the condition in relation to tree replacement/retention.

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

RESOLVED:

That Part Retrospective Planning Permission be GRANTED subject to the conditions set out in the Officer report and that Condition C10 be strengthened in relation to the tree retention/replacement the wording to be as follows:

Condition C10: Prior to the first occupation of the development hereby approved, a landscape management plan, including long term design objectives, management responsibilities, timescales and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall ensure that if any existing trees situated along the rear boundary of the site shared with 2 The Marlins, are removed, die, become severely damaged or diseased they shall be replaced with trees of appropriate size and species in the next planting season (i.e. November to March inclusive). The landscape management plan shall be carried out as approved..

Reason: In order to ensure that the approved landscaping is satisfactorily maintained and ensure that adequate screening is maintained between the proposed development and neighbouring property to the rear, in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1 and DM6 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

PC 104/19 19/2500/FUL - Change of use from Industrial (B1) to Mixed Use (Auction House (Sui Generis) and Light Industrial (B1)) at ABBOTS BUSINESS PARK, UNIT 16, PRIMROSE HILL, KINGS LANGLEY, WD4 8FR

The Planning Officer had no update.

Councillor Sara Bedford said she had received concerns from local residents with regard to the parking in the area. She understood that the applicant was not talking about physical customers turning up to the auctions. There was very little room on the business park to park. There was a problem with parking outside the park and there could be possible parking restrictions in the future. She wanted to know what the possibility would be if it suddenly turned into a business which could see 200 people turn up if it was to become a physical auction house.

The Planning Officer said the existing unit was only served by 3 parking spaces. Within the submitted details the applicant had stated that they only expected to have 8 people visiting the auctions they hold. Due to the size of the unit it limited the number of people who can attend. Any further changes to increase the floor space to allow more people to visit would be a material change to the building and would require planning permission. Condition C3 limited the number of auctions to be held to 12 per calendar year.

Councillor Debbie Morris thought they were only planning on holding 5 auctions a year so why the condition for 12. The Planning officer said they hold 5 but 12 would allow for one a month. 5 would be hard to control when these are held. Members could amend the condition if they felt 12 was too many.

Councillor Sara Bedford said if we decide 5 is acceptable then 12 is acceptable. We do want local businesses to thrive.

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

Councillor Debbie Morris moved, that Planning Permission be Granted with conditions, seconded by Councillor Chris Lloyd.

Councillor Sara Bedford said the applicant had said all the auctions were on a Saturday and asked if the Committee could condition they are only on Saturdays. They could always come back for a change of the condition. The Planning Officer said Condition C3 could be amended to Saturdays and would not prevent the applicant or another person asking to vary that condition. The amendment was supported by both the proposer and seconder.

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

RESOLVED:

That Planning Permission be GRANTED subject to the conditions set out in the Officer report and an amendment to Condition C3 regarding the auctions being on Saturday the condition to read:

Condition C3:

PC 105/19 20/0034/FUL - Proposed two storey rear extension, single storey front and side extension and single storey front porch extension at 16 GONVILLE AVENUE, CROXLEY GREEN, WD3 3BY

The Planning Officer clarified regarding amenity space. Paragraph 7.3.2 sets out that

the site would retain a rear garden of 85sqm, however, this does not exclude an existing outbuilding to the rear of the site which whilst not shown on the proposed block plan, is proposed to be retained. The resultant rear garden would therefore be 77sqm which represents a shortfall of 28sqm against standards (the policy requirement for a 4 bedroom dwelling being 105sqm). Officers do not consider that the shortfall would result in harm to amenity justifying the refusal of planning permission.

Councillor Debbie Morris said you could see that the property takes up a lot of the plot in comparison to others in the vicinity. Whilst she does not object to the application she would like to seek a condition to remove permitted development rights Class E (outbuildings) so that there is no further encroachment onto the already below standard amenity space. The Planning Officer said a condition could be added to cover this.

Croxley Green Parish Council had received no resident comments. Gonville Avenue was identified in the neighbourhood plan (under policy CA4) streets and areas of special characteristics. The design of all new buildings and extensions in the neighbouring streets and areas should respect and enhance the character and environment. They suggested that a small detail in the side of the roof over the porch be modified to be more harmonious with adjacent buildings.

The Planning Officer said amendments had been received during the course of the application which Officers believed to be sufficient to justify granting the application.

Councillor Peter Getkahn moved, seconded by Councillor Raj Khiroya, that the application be granted with an additional Condition removing permitted development rights (Class E) and subject to the conditions set out in the office report.

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

RESOLVED:

That Planning Permission be GRANTED subject to the conditions set out in the Officer report with an additional Condition removing permitted development rights (Class E) the wording to be as follows:

PC 106/19 20/0048/RSP – Part retrospective: Alterations to frontage including extension to drive at 87 KINDERSLEY WAY, ABBOTS LANGLEY, WD5 0DG.

The Planning Officer had no update.

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

The Planning Officer said this was a part retrospective application. Works had been carried out not in accordance with the previous planning permission granted. Changes were proposed to what was currently in situ. These details were advised to the Committee through photographs of the site. The Planning Officer advised that the raised planter and a section of the driveway was proposed to be removed. A 1.7m high holly hedge would be planted on the boundary as indicated on the slides and would be adjacent to the front elevation. The 1.7m height was the planting height it would start at and would grow from that point. There would be planting by the existing steps within the existing raised element as indicated on the photographs by the Officer.

Councillor Sara Bedford said the gardens do slope down on this side of the road and slope up on the other side. The houses had originally had a large expanse of green with the drive at the side but the majority of the houses had changed their gardens and

there are issues due to the gradients in the front gardens there. This was not out of keeping in the road. This scheme provided a better parking arrangement but understood why the neighbour does not like it. She was struggling to find a planning reason to refuse it.

Councillor Sara Bedford said in response to Councillor Revan's question about safety when its icy any road in the winter required people to drive very carefully but she had never seen anyone collide with their neighbour or drive into their garage.

Councillor Sarah Nelmes moved, seconded by Councillor Keith Martin, that Part Retrospective Planning Permission be Granted subject to the conditions set out in the officer report.

On being put to the Committee the motion was declared CARRIED by the Chairman the voting being 7 For, 0 Against and 4 Abstentions.

RESOLVED:

That Part Retrospective Planning Permission be GRANTED subject to the conditions set out in the Officer report.

CHAIRMAN