
PLANNING COMMITTEE**MINUTES**

For a virtual/remote meeting held on Thursday 12 November 2020 at 7.30pm to 9.50pm

Councillors present:

Councillors:-

Chris Lloyd (Chair)
Raj Khiroya (Vice-Chair)
Sara Bedford
Steve Drury
Peter Getkahn
Keith Martin

Marilyn Butler
Stephen King
Debbie Morris
David Raw
Alison Scarth

Also in attendance: Councillors Alison Wall, Paula Hiscocks, County Councillor Phil Williams and Batchworth Community Councillor Diana Barber

Officers: Adam Ralton, Matthew Roberts, Freya Clewley, Tom Norris, Kimberley Rowley, Sarah Haythorpe and Jo Welton

PC 48/20 APOLOGIES FOR ABSENCE

None received.

PC 49/20 MINUTES

The Minutes of the virtual/remote Planning Committee meeting held on 15 October 2020 were confirmed as a correct record by the Committee and would be signed by the Chair of the meeting.

PC 50/20 NOTICE OF OTHER BUSINESS

There was no other business.

PC 51/20 DECLARATIONS OF INTEREST

Councillor Chris Lloyd 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.”

PC 52/20 20/0315/FUL - Laying of new 3 metre wide single track tarmac road and five speed bumps, stretching from the junction of South Cottage down to the junction of Berry Lane and construction of double swing gates at both ends at LOWER (SOUTH) END OF SOUTH PARK AVENUE, CHORLEYWOOD, HERTFORDSHIRE, WD3 5DY

The Planning Officer reported an error at Paragraph 3.2 of the report as the height of the speed cushions should read 75mm rather than 0.75m in height which adhered to the Highways (Road Humps) Regulations 1999 to minimise the risk of injury and damage to vehicles such as emergency vehicles etc.

Ten further representations had been received since the report was published; nine in support and one objection. The comments reflected what had already been detailed within the relevant section of the report.

Chorleywood Parish Council who called the application to the Committee had requested that Officers update Members as follows:

We thank the Officer for clarifying the gate is well setback from Berry Lane and the junction South Cottage Gardens and South Park Avenue. Also welcome the clarification that the speed humps have been altered to speed cushions and space will be retained to enable pedestrians and cyclists to avoid both sets of gates to enable unrestricted access to the road.

The applicant had also submitted a photograph which was shared with the Committee.

Councillor Steve Drury asked if the tree indicated on the map at the Berry Lane end was to be removed.

The Planning Officer said no trees would be removed as part of this application. At the southern gate entrance there would be access on both sides of the gate with logs on one side to solely stop vehicles getting through although it would still allow cyclists and pedestrians to come through.

Councillor Marilyn Butler was not in support of having the gates as it would be too urban in the area. It was understood that there was an issue regarding the ownership of the land. Councillor Butler asked when the work was done would the roots of the trees be impacted.

The Planning Officer said that the report set out in detail that the gates were to be one metre high of a timber design and of a rural nature as there was no built form there currently. It could be considered that it would be more urbanised considering the context of the area but Officers considered that there would be no harm. In regard to ownership, checks were done via the Land Registry but this part of the track is unregistered on the Land Registry. As part of the application process, before it was validated, the applicant had signed a Certificate D. Set out in Paragraph 3.9 of the report details had been provided on the steps the applicant had taken to ascertain who the land owner was. The applicants had also placed an advertisement in the Watford Observer. Evidence of that advert had been submitted with the application and Officers were content that the requirements of Certificate D had been met. No other evidence had been submitted to suggest other parties were in ownership of this track other than the applicants. There was a suggestion that Highways England owned the track but that was incorrect. Officers had held discussions and meetings with Highways England and there were conditions included to deal with the safeguarding of the boundary to the woodlands. If it was found that the applicants do not own the land then this application would become invalid.

Regarding the gradient this was varied. The gradient and the drainage issues would be rectified by having a more permeable surface on the road. On the trees, there were a significant number of trees around the track and any works to resurface the track could potentially have an impact. Reports were submitted and the Landscape Officer consulted. It was agreed that in order to minimise the risk to the trees a number of bore holes would be inserted at strategic locations which would not upset the roots of the trees. As the entire track was within the root protection areas of these trees this would mitigate the impact on the trees and a condition had been included which required a detailed arboricultural method statement to be submitted setting out the timetable of works, tree protection measures, specific details of the location and depth of any underground surface roots, the methods of excavation and construction methods which needed to be approved by the Council. The Landscape Officer would have site meetings with the appointed arboriculturist.

Councillor David Raw said at this location in Berry Lane under the M25 a lot of water collected and was concerned that having a new road would create more rainwater flooding in the area. Some form of drainage or soakaway should be included before it entered into Berry Lane.

The Planning Officer said drainage was covered in the report at Paragraph 7.8. The area was within Flood zone one. On the Environment Agency mapping it showed that the southern end of this track where it met Berry Lane was prone to flooding. The existing surface was concrete and any water that hit the surface would drain down and enter the woodland. What this application sought was to have a porous surface so the majority of the water would be retained at the site. If further enhanced drainage was required that can be discussed at a later date. Officers were content that a porous surface would be an enhancement.

Councillor Marilyn Butler asked if the track had a variable gradient and why did they need speed humps.

The Planning Officer pointed out that the initial application had included speed humps across the road, but this had been amended to speed cushions which would have gaps in-between.

In accordance with the Council's Planning Committee virtual meeting protocol which sits alongside the Council Procedure Rules a member of the public spoke against the application.

The Planning Officer stated that although the gates would be a barrier they were un-restricted and would allow access. There was a condition included in the recommendation to this effect. Officers had concluded that there was no planning harm identified. The footpath that was indicated on the plans did not require planning permission. Both pedestrians and cyclists would be able to use the resurfaced track.

Regarding the maintenance and monitoring plan, the operation of the gates would be the responsibility of two of the households, and whoever owned these properties would take responsibility of Condition C7. This would be confirmed by the applicant.

Regarding the public right of way that was with the Planning Inspectorate (PINS). The granting of planning permission would not override the requirement to comply with other legislation and other orders that may or may not be enforced. The applicant was fully aware of the issues that may come ahead if they were granted planning permission for the gates. If the public right of way was granted this may or may not require the removal of the gates but that was a matter for the

applicant. Officers had been given legal advice regarding a current pending right of way application with Herts County Council, and the view was that the applicant would need to comply with the legislation.

In accordance with the Council's Planning Committee virtual meeting protocol which sits alongside the Council Procedure Rules a member of the public spoke in support of the application.

Councillor Debbie Morris asked if the officer could explain the comment in the report at Paragraph 7.3.4 referring to the description of the gates as 'somewhat alien'.

The Planning Officer said what was meant by 'somewhat alien' was that as there was no built form there the gates would be stand-alone. Although they would be different they would not be different enough to be harmful.

Councillor David Raw asked if the gradient was over 1 in 10 were speed cushions allowed.

The Planning Officer said the gradient was 1 in 8 and the road was not adopted by the Highways Authority. The speed cushions would be 75mm high. One of the informatives included details on the speed cushions which would need to be designed and provided in accordance with Local Transport Note 1/07 – Traffic Calming (Department of Transport, 2007). Officers were confident that speed cushions can be laid on this track.

Councillor Marilyn Butler said there were still concerns on the impact on the openness of the area, the impact on the trees and how it would urbanise the area.

Councillor Alison Wall asked the Committee to consider refusal of the application although did agree that the road needed to be re-surfaced. Councillor Wall did not see the need for the additional street clutter. A heavy duty gravel was a more favoured material to be put on the road for durability and drainage but this had not been one of the recommendations.

Councillor Keith Martin was concerned that if there was an accident on the road who would be liable.

The Planning Officer said that in respect to the gates and street clutter it was for the Committee to consider whether or not there would be material planning considerations to refuse the application. With regard to a gravel surface the report suggests two options gravel and the preferred option of a permeable surface with boreholes. In regard to who would be liable if there was an accident the Planning Officer could not answer that point. The applicant had put themselves forward as being the owners of the road and would be in charge of the up keep. The LPA had no evidence of that information being incorrect. The existing road surface was unsafe and dangerous for pedestrians and cyclists so the re-surfacing of the road would reduce that risk.

County Councillor Phil Williams said that everyone was in agreement that the road needed to be improved. It was also agreed that the gates at the bottom of the road would be acceptable. Having a gravel surface would be a better option to a permeable surface and would be more sustainable and less likely to cause flooding. On a porous surface water was likely to freeze and could cause pot holes. It was unclear if the public footpath would be wide enough. Would it be possible for the home owners of the road to get public liability insurance so that

the Council and anyone using the road were covered? Councillor Williams thought that by putting in the gates the community would become divided. The Planning Officer said that if Members were looking for an alternative recommendation then there needed to be legitimate planning grounds. The reports set out that there was no planning harm and the public liability issue was outside of the planning remit. What Members needed to consider was whether the installation of the speed cushions, the proposed road surface and gates would be acceptable.

Councillor Steve Drury asked if the gates and speed cushions were necessary. The Councillor's opinion was on this section of road they were not and five speed cushions were excessive. If the applicant wanted to stop the road being a short cut for traffic why did they need both gates and speed cushions they could just have either gates or speed cushions not both.

Councillor Peter Getkahn said that the gates and speed cushions would not be in keeping with the character of the area.

Councillor Debbie Morris moved that planning permission be refused, seconded by Councillor Steve Drury, on the grounds that the gates and speed cushions would be out of character in the area and that they would introduce an urbanisation affect and impact on the openness of the area.

Councillor Chris Lloyd asked if the applicant was to just resurface the road would it require planning permission.

The Planning Officer said that to just resurface the road could be completed under permitted development and planning permission would not be required. This could mean that the surface could be impermeable which could cause issues. An option could be for Members to defer the application to allow Officers to discuss the issues raised with the applicant to see if they would reduce the number of/removing the speed cushions and the gates.

Councillor Sara Bedford asked if there were grounds to refuse on urbanisation. With regard to the gate at the Berry Lane end, it would not be unusual to see gates set back from the road in this location, but the northern gates would be unnecessary and would oppose this. Any form of traffic calming on this road would urbanise the road.

The Planning Officer said the gates at the Berry Lane end would not be out of character or have an urbanising effect because there were already gates serving other properties in the vicinity. The gates proposed would not be out of keeping, would only be one metre high, with a field gate design and timber frame and would be sympathetic to the area. There would be no brick piers which would have an urbanising effect or be out of character

Councillor Sara Bedford proposed to refuse the application based on the northern gate and the traffic claiming having an urbanising effect. Councillor Raj Khiroya said he would prefer the application to be deferred to allow Officers to consult with the applicant and bring the application back to the next meeting.

Councillor Chris Lloyd asked the proposer and seconder, whether they wanted to defer or refuse the application.

Councillors Debbie Morris and Steve Drury did not want a deferral and indicated that a vote be taken on the refusal put forward to the Committee.

Councillor Sara Bedford said the Committee should determine the application tonight but would not support refusal on the southern gate.

Cllr Chris Lloyd asked Cllr Morris and Cllr Drury whether they supported the suggestion of Councillor Bedford or whether there would need to be another vote on both possible refusals. Cllr Debbie Morris confirmed she wanted to leave her recommendation as originally proposed and not modified as suggested Cllr Steve Drury confirmed the same.

Councillor Sara Bedford wished that planning permission be refused, supported by Councillor Raj Khiroya on just the northern gate and the traffic claiming urbanising this road.

The Chair confirmed a vote would be taken on Cllr Sara Bedford's proposal first, and if it is carried it becomes the substantive reason.

The Planning Officer clarified the reasons for refusal: The proposed northern gate and speed cushions by reason of their urbanising appearance would appear as incongruous features which harm the rural character and appearance of the street scene and area.

The Chair asked Members to vote on the amendment proposed by Councillor Sara Bedford and Councillor Raj Khiroya motion.

On being put to the Committee the motion proposed by Councillor Sara Bedford and seconded by Councillor Raj Khiroya to refuse the application was declared CARRIED by the Chair of the meeting the voting being 5 For, 4 Against and 2 Abstentions.

RESOLVED:

THAT PLANNING PERMISSION BE REFUSED (overturn of the officer recommendation) on the following ground:

R1. The proposed northern gate would result in an urbanising form of development and the introduction of speed cushions appearing as incongruous features which collectively would be out of keeping with and harm the open and rural character and appearance of the street scene and locality. This is contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011).

PC 53/20

20/1461/FUL - Change of Use from a Restaurant (Use Class A3) to a Hot Food Takeaway (Use Class A5) with internal and external alterations including installation of new extractor system and external flue and intake grill to rear, removal of existing extraction flue, and associated parking for motorcycles to rear at WALPOLE BUILDING, SHOP 4 CHURCH STREET RICKMANSWORTH WD3 1BU

The Planning Officer reported that since this application was submitted and validated by the LPA, on the 1 September 2020 amendments had been made to the Use Class Order. Therefore, the description of this application should be amended such that the Use Class A3 is replaced with Class E and Use Class A5 is replaced with Sui Generis.

In addition, officers consider an addition condition should be attached to any planning permission which states;

No vehicles (including delivery vehicles or motorbikes) under the control of the premises hereby permitted shall be parked on the highway (including pavement) on Church Street at any time.

Councillor Debbie Morris asked if the space to the rear under the stairs where the two mopeds would park would have enough room as there were two condenser units and a rear door that opened outwards in this location. According to comments made by Herts County Council Highways the space under the stairs was very tight. Councillor Morris was concerned that in an emergency that rear door could be blocked, putting users of the restaurant at risk.

Councillor Peter Getkahn asked if Officers could confirm that the business does not have permission to use the access road to the rear. The Highways Agency comment in Paragraph 4.2 of the report stated *the LPA is the parking authority and as such, if they feel that parking is not adequate it will cause the property to lose delivery vehicle parking which may cause delivery vehicles to park outside the front of the property*, this comment is of concern.

Councillor Marilyn Butler said that the waiting area at the front of the shop was very small and had concerns that if a lot of people were queuing waiting for orders, they could spill out onto the narrow pavement.

Councillor Sara Bedford asked Officers what the contribution of having an A5 hot food take-away would have on the vitality and viability of a primary shopping frontage.

The Planning Officer said that the development plan did mention resisting the loss of A1 units. This unit was an A3 unit and therefore within the Local Plan it was considered that A5 use would be complimentary within this locality. A recent appeal decision in Rickmansworth High Street from December 2018 where the Appeal Inspector found that the change of use from an A2 unit to a Sui Generis tattoo parlor would maintain the vitality and diversity of the High Street. A hot food take-away would be complimentary to the other uses in the High Street.

Councillor Sara Bedford said that a tattoo parlor was not the same as a hot food take-away. There were double yellow lines outside the premises but no sign to signify no loading. Councillor Bedford was very concerned that vehicles could park outside the takeaway in Church Street which was a narrow road with bad visibility. There would not be any enforcement to monitor vehicles parking outside on the road at the times the premises was open.

Councillor David Raw said that the parking of the two mopeds and staff and the delivery drivers talking would take place not only during the day but into the evening at the back of the building which would be unacceptable, and would disturb residents especially those with children.

Councillor Debbie Morris asked Officers what other hot food takeaway was in close proximity and if they were on primary frontage sites. Councillor Morris understood that the previous restaurant was open until 10pm and the takeaway would be open until 11pm.

The Planning Officer said there were two takeaways in the High Street Mangal Express and Upper Crust further down the High Street although Upper Crust had an element of retail. Both of these premises were located on Primary frontage areas. In relation to the opening hours of the previous restaurant the opening hours were from 12pm to 2.30pm then 6pm to 10pm although the licensed hours were 10am to midnight Monday to Saturday and 12.00pm to 11.30pm on Sundays.

Councilor Steve Drury said there was a national pizza takeaway in Croxley Green and delivery vans were regularly parking on the double yellow lines

outside the shop. It was highly unlikely that a delivery van would go the rear of the takeaway and the two mopeds would also park at the front of the shop. With regards to Mangal Express in the High Street that takeaway already creates traffic problems as cars park on the double yellow lines outside the takeaway.

In accordance with the Council's Planning Committee virtual meeting protocol which sits alongside the Council Procedure Rules a member of the public spoke against the application.

In accordance with the Council's Planning Committee virtual meeting protocol which sits alongside the Council Procedure Rules a member of the public spoke in support of the application.

Councillor Peter Getkahn asked Officers to comment on the natural surveillance, and to provide their opinion on 60 to 70% of all sales being reliant on home delivery on the two mopeds and how Officers had come to the conclusion that this was deemed acceptable for a premises of this size.

The Planning Officer said that natural surveillance was a general planning and design principle. If you have people in a premises it reduces the fear of crime. That reference can also be found when considering applications for housing developments. Whilst there was space for two mopeds that would not mean that only two individual mopeds could service the takeaway. Whilst the two mopeds could be out making deliveries there could be another two waiting to pick up other takeaways for delivery, and that is one way the site could operate. If this application was to be approved the condition included in the recommendation could be made clearer to reflect this, plus there was also a public car park to the rear that the mopeds could park there.

Councillor Peter Getkahn pointed out that it was a paid car park.

Councillor Steve Drury asked where the staff would park and would they be taking up all day spaces in the car park.

Councillor Debbie Morris asked for an Officer response regarding the rear door and the space where the two mopeds would park as the space to be provided did not look feasible or safe. The increase in trading hours compared to the previous restaurant would bring more disturbance to the local residents from noise, traffic, etc. The other two takeaway places were on the High Street so it was irrelevant to this application. She proposed refusal of the application on the grounds of safety issues at the rear of the property with regard to the exit which would be blocked by the two mopeds which would restrict access through the back door and there would be insufficient parking for the delivery vehicles servicing the takeaway and the use of the site would increase noise and disturbance to the detriment of the amenity of residents living nearby.

Councillor Raj Khiroya reiterated the points already raised regarding insufficient parking for delivery drivers and seconded the proposal to refuse the application.

The Planning Officer said in relation to the access through the rear door there was no planning requirement with regard to the access at the back or for people exiting the takeaway. The mopeds would park under the stairs and not in front of the rear door and therefore there would be no obstruction. A condition could be added to state that all deliveries should be collected from the rear entrance of the takeaway.

If Members wished to consider including in the reason for refusal noise disturbance this would need to be substantiated. As the longer opening hours

would generally be at the noisiest part of the day where there is more background noise from school children, buses and more cars driving in the area. Members needed to indicate how the longer hours would impact on the residents. The premises will not be open any later than the previous restaurant and there were other premises open later which provided eat in facilities.

Councillor Debbie Morris said that it was clear from the photograph shown of the rear that there would be lack of space to the rear to park the mopeds. Regarding noise, if there was an intensification of use, by reason of the extended hours, even if only an hour at the end of the evening, that would be a critical hour.

Councillor Peter Getkahn asked for more clarification on the access road to the rear and the ability of a delivery van to use the access road when they do not have permission.

Councillor Paula Hiscocks said there was no objection to a take-away Pizza facility but this was the wrong location. It would have an adverse impact on the area and would not bring any benefits to the area. The main concerns were outlined in Paragraph 7.1.3 of the report. Ordering a takeaway was undertaken by phoning through the order and the takeaway being delivered or collected. This would not promote the vitality and viability of Church Street and would reduce foot fall. The takeaway would not conserve or enhance the character of the Conservation Area and would bring bold and prominent signs. The impact on the 8 flats above the premises outside amenity space would be significant. These flats used the same stairway where the mopeds would be waiting to collect the pizzas. This would not be safe. There were children living in these flats and the lighting and noise would disturb the residents sleeping, being able to work at home or use the outside amenity space. There needs to be six parking spaces for staff and six for customers but none had been provided.

Batchworth Community Councillor Diana Barber reiterated the points already raised regarding the impact on residents customers queuing outside the premises, parking restrictions, deliveries to the rear and parking to the front of the premises.

The Planning Officer said that in terms of noise disturbance and increased activity to the rear of the premises there could be harm to the amenity of neighbours due to noise disturbance and this could be considered as a legitimate planning reason for refusal. There has been a suggestion that the proposal could harm the vitality and viability of the primary frontage given the unit could be used primarily by people not using/visiting the high street so that too could be a judgement. Officers would not recommend anything about noise and disturbance to the front of the site. Officers did not consider a highway safety reason for refusal could be sustain as there were local public car parks which the takeaway could use to park their vehicles. There are double yellow lines to the front of the premises which would be enforced so there could not be a highway safety related reason for refusal. The two reasons for refusal which could be considered, if Members were minded to refuse the application, were noise disturbance to the rear because of increased activity and harm to the vitality and viability of the town centre.

Councillor Sara Bedford said there would be an impact on the vitality and viability of the town centre as the majority of customers would be phoning in their orders and collecting them and therefore would park outside the premises to pick up their order. Very few of the customers would use any other shops or add anything to the town centre. There was no ability to prevent the collection of the takeaways by the moped drivers or for passing trade that had phoned in their

order. Having a takeaway there would cause a pedestrian hazard as the pavements are narrow and would cause traffic congestion and Councillor Bedford could not see why this could not be added as a reason for refusal.

Councillor Peter Getkahn said there was no provision for the use of the rear access road and the proposal would rely on that access road being able to be used.

The Planning Officer said the parking and access could be dealt with by using a pre-commencement condition that would require the applicant to provide evidence that they were able to use that access road before starting any works on the premises. If they are unable to satisfy that condition they would not be able to implement the planning permission.

Councillor Debbie Morris asked for an additional reason for refusal to be added that there is insufficient parking for the delivery vehicles which would require to service the business. Councillor Morris reiterated the points already raised regarding space at the rear for mopeds to park, the positioning of the condenser units, the rear door opening outwards and insufficient parking.

The Planning Officer said a reason for refusal could be added regarding insufficient parking provided for the delivery vehicles.

Councillor Debbie Morris moved that planning permission be refused, seconded by Councillor Raj Khuroya, based on noise disturbance, harm to the vitality and viability of the town centre and impact on the parking in Church Street which would harm the highway, pedestrian safety and insufficient parking proposed for the delivery vehicles.

On being put to the Committee the motion that PLANNING PERMISSION BE REFUSED was declared CARRIED by the Chair of the meeting the voting being unanimous.

RESOLVED:

The Planning Permission be REFUSED for the following reasons:

R1. The proposed development, by reason of the increased activity from people and delivery vehicles to the rear of the site, and the extended hours of activity would result in an intensification of the use to the rear and additional noise and disturbance to occupants of neighbouring residential properties which would be harmful to the amenities of the occupants of these properties. The proposed development would therefore be contrary to Policies CP1 and CP12 of the Local Plan Core Strategy (2011), and Policy DM9 of the Development Management Policies LDD (2013)..

R2. The proposed use, by reason of its location within a primary shopping frontage and its use as a takeaway with an estimated average of 60-70% of orders being for home delivery, would not provide a use complementary to the primary shopping frontage and would not sustain the vitality and viability of Rickmansworth Town Centre. On this basis the proposed development would be contrary to Policies PSP1, CP1 and CP7 of the Local Plan Core Strategy (2011), and Policy SA4 of the Site Allocations LDD (2014).

R3. The proposed development, by reason of its use as a Hot Food Takeaway with public collection at the Church Street entrance, and the lack of dedicated car parking, would result in increased injudicious parking along Church Street, to the detriment of highway and pedestrian safety and the free flow of traffic on this busy local distributor road. The proposal would therefore be contrary to Policy

CP10 of the Local Plan Core Strategy (2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (2013).

R4. Insufficient and inadequate space is proposed for delivery vehicles to access the rear of the site, park outside, turn and leave the site and the limited space provided is not demonstrably useable. The insufficient space would result in injudicious parking, turning and delivery movements and an inability to safely and adequately access the application site, and would be detrimental to highway safety and the free flow of traffic in the area. The proposal would be contrary to Policy CP10 of the Local Plan Core Strategy (2011).

PC 54/20 20/1786/FUL - Construction of a lower ground floor and alterations to land levels including construction of raised level to rear at 27 BISHOPS AVENUE, NORTHWOOD, HA6 3DD

The Planning Officer reported the application was now accompanied by an Arboricultural report, with an Arboricultural Impact Assessment, Method Statement and Tree protection measures, following the BS5837.

The Planning Officer confirmed the landscape officer's comments have been received. They do not wish to raise any objections and have no concerns with the proposed works.

In accordance with the Council's Planning Committee virtual meeting protocol which sits alongside the Council Procedure Rules a member of the public spoke in support of the application.

Batchworth Community Councillor Diana Barber wished the Committee to consider rejecting the application due to the lack of information regarding ground works and drainage. The GHA Trees Arboricultural and Planning Integration report dated August 2020 stated that elements of the proposed level changes and drainage may impact on the adjacent trees. The report stated there would be installation of underground apparatuses and drainage systems with the use of a mechanical digger. This could sever any roots present and may change the structure of the nearby soil. This could affect the nearby trees and the stability of the boundary soil of No.25. No details of mitigation had been provided. The report stated that the sub base was to be removed by a 360 excavator working outside of the root protection area and that access being only from the side of the plot. More details were needed regarding the TPO marked on the plan, and Condition C10 should be amended. The steep fall from the house to the rear could cause drainage problems.

The Planning Officer said the Landscape Officer was happy with the level of information provided, and a condition had been added requesting that details be provided on the method statement. No works could be undertaken on the basement until details are provided on tree protection. The dwelling is not within a flood zone and any concerns regarding the neighbours would fall under Building Control.

Councillor Debbie Morris asked if the alterations to the land levels including the construction of the raised level to the rear which related to additional steps and replacement to the existing raised patio were identical.

The Planning Officer said the works would not change from what was previously there and it would be no higher.

Councillor Sara Bedford moved that planning permission be granted seconded by Councillor Raj Khiroya.

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

RESOLVED:

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

PC55/20 20/1809/FUL - Provision of a single storey detached annexe adjacent to 4 BRIERY COURT AT 4 BRIERY COURT, BRIERY FIELD, CHORLEYWOOD, WD3 5TN

The Planning Officer reported that following publication of the Officer Report, Chorleywood Parish Council had withdrawn their objection as the suggested conditions would ensure that the proposed building would only be used as ancillary to the main dwellinghouse by a family member and over 350sqm of amenity space would be retained.

Councillor Sara Bedford said as the Parish Council who originally called in the application had withdrawn their objection.

Councillor Sara Bedford moved that planning permission be approved seconded by Councillor Chris Lloyd.

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

RESOLVED:

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

CHAIR