
RECONVENED PLANNING COMMITTEE

DRAFT MINUTES

For a virtual/remote meeting held on Thursday 17 December 2020 at 7.00pm to 9.30pm

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: Croxley Green Parish Councillors Chris Mitchell and Andrew Gallagher.

Officers: Adam Ralton, Clare Westwood, Matthew Roberts, Lauren Edwards, Kimberley Rowley, Suzanne O'Brien, Sarah Haythorpe and Jo Welton

PC 65/20 APOLOGIES FOR ABSENCE

None received.

PC 66/20 NOTICE OF OTHER BUSINESS

There was no other business.

PC 67/20 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 Councillor'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 68/20 20/1881/FUL - Demolition of existing buildings for residential development comprising two-storey houses and three-storey blocks of flats (160 dwellings in total), together with car parking, landscaping, and other associated works at Killingdown Farm, Little Green Lane, Croxley Green, Rickmansworth, Hertfordshire, WD3 3JJ

The Planning Officer reported that the report was a preliminary report and Members were not being asked to make any decision. The report set out details on the application, consultee comments received to date and the policy framework against which the application would be considered. Members were invited to raise any material considerations and any particular questions or points of clarification that they would wish covered in the full report when it was presented to the Committee.

There were a couple of updates to report following the submission of the Archaeological Evaluation Report and with further comments now provided by the Historic Environment Advisor at Herts County Council (HCC). In summary the Archaeological Evaluation Report advised that whilst archaeological remains are present, the results suggest that they are unlikely to be of such high significance and density to impact on the viability of the development. Therefore they do not object to the application but do suggest a number of provisions to be secured by planning conditions in the event of planning permission being granted.

The Landscape Officer had also reviewed the application and raised no objections to the proposal.

In response to the comments from the Highways Authority an amended site layout plan which was shown to Members had been provided by the applicant. The amended plan allowed pedestrian access from the southern cul-de-sac into the main part of the site. This had been achieved by slightly repositioning the house and garage on plot 156. The Highways Authority had been re-consulted on the amended plan. The Landscape Master Plan and Landscape Plans had also been updated to reflect this change to the site layout.

Councillor Chris Lloyd asked for the pedestrian access to the site to be pointed out to Members of the Committee.

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 and a member of the public spoke in support of the application.

Parish Councillor Chris Mitchell said the Parish Council objects to the proposals. The site access would have a detrimental effect on Little Green Lane and the Conservation Area and the access to the site should be relocated in Grove Crescent as originally proposed. The comments from Herts Highways had been noted but there were concerns from No.9 and No.12 Dugdales on the current access and footpath plans which could have an impact on their parking and asked if Officers could review this. The proposals do not conform to Policies CA1 and REO1 of the Croxley Green Neighbourhood Plan. There would be a lack of infrastructure for the development and there would put added pressure on existing resources. There were no provisions for Healthcare, retail or recreation space and the area suffers from intermittent water shortages and regular burst water pipes. There was also no climate change matters included in the design of these properties and there should be.

Councillor Sara Bedford had concerns with regards to the amount of vehicles that would be going into the site including delivery vehicles and that the proposed access from Little Green Lane is unacceptable, and that the access should be from Grove Crescent. Also the use of energy saving devices in the properties had not been considered by the applicant. The Council were trying to make these changes where they can, but at the moment our hands are tied as the Government believe they are a waste of time.

Councillor Peter Getkahn agreed with the concerns raised regarding access and climate change. The Councillor asked why the attenuation pond had been placed in the location shown on the plan, and what was the point of this. This land was used daily by the residents and was a valuable piece of land.

Councillor Steve Drury said that the attenuation pond is currently located in the Green Belt, and asked if that size of pond was needed or could it be positioned somewhere else. Residents had emailed with regards to the wildlife around the site. The public footway may also be an issue and asked if Officers could clarify the position. Also there were concerns regarding the access and its width and where the Conservation Area is in regard to Little Green Lane and Dugdales. Was the grass verge going to be removed to allow for the pavement to be installed or would they build over the drains.

The Planning Officer said the points that were being made had been noted and answers would be provided when the full report returned to the Committee. With regard to the connectivity with the footpath, the Highways Officer was aware and would discuss with other Officers at County and provide clarification in time for when the full report comes back to the Committee.

Councillor Debbie Morris said that the Landscape Officer had not taken into account the protected trees on this proposed development and this would need to be considered. The housing criteria does not match and asked if this could be looked into as there needs to be a closer match. The Member questioned if there would be disabled parking spaces and would there be electrical car charging points as well as cycle parking spaces. With regards to the comment regarding protected trees, the Planning Officer clarified that the Landscape Officer did not object to the proposed development.

Councillor Steve Drury said every house and flat should have an external electrical charging point as there would be no petrol cars in the future.

Councillor Debbie Morris advised that in the officer's report it stated for every tree taken down a new one would be planted and wanted this point to be clarified.

Councillor Peter Getkahn said that the flood risk would be an issue. The housing mix looked good but that space standards should be larger than what was set out by the Government.

RESOLVED:

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

The Committee noted the report, and made the general comments with regards to the material planning considerations raised by the application in the minute above.

PC 69/20 20/2036/LBC - Listed Building Consent: Various repair works to property including brick repairs, window moulds, cap, reinstatement of external walkway and garage repairs at THE WINDMILL, 34 WINDMILL DRIVE, CROXLEY GREEN, RICKMANSWORTH, HERTFORDSHIRE, WD3 3FD

The Planning Officer reported the following: On application 20/2036/LBC there were no further updates.

The current works on site were in relation to the Listed Building Consent which was approved in 2019 for various repair works, including brick repairs, replacement front doors and windows. During those works it was found that further works were required which were now the subject of this listed building application.

For clarity the Planning Officer ran through the plans for Members of the Committee showing the details of the repairs works:

On the Brickwork the repairs included:

- Replacement of lime mortar (to appropriate strength) to entire tower including where missing and re-pointing works.
- Installation of re-enforcing steel "Helibar" to enable greater support
- Removal of cement mortar repairs (by hand if possible) and replace with lime mortar for a consistent finish and repairs cracks
- Bricks are of size, colour and texture to match originals – previously agreed.

On the Windows the repairs included:

- Re-instated lead drip molds around tops of windows on the upper floor windows as per those installed on the lower windows.

On the Cap roof damage the repairs included:

- Installed a metal cover piece to fill hole to ensure weather tight.

On the 1st Floor timber balcony the repairs included:

- Repaired and re-instated an Oak balcony and painted white as it was originally.
- Using original metal sockets around tower, which remained.

On the Garage the repairs included:

- Removal of felt roof and rotten timbers to be replaced with matching materials to same height
- Removal of asbestos sheeting and replacement with timber cladding and associated repair works to door and window

During the process further information was provided following the Conservation Officer's comments.

Members were reminded that only the impacts on the Listed Building could be considered under this 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 for the application.

Croxley Green Parish Councillor Chris Mitchell welcomed the restoration work to the Windmill which was an important building in Croxley Green and trusted the Conservation Officer to ensure the works would be undertaken correctly.

Councillor Chris Lloyd moved that listed building consent be granted, seconded by Councillor Keith Martin.

Councillor Steve Drury asked if Members would be advised of the asbestos removal firm so that they could be assured it would be taken down and taken away legally.

The Planning Officer said the removal of the asbestos must be done by a certified waste carrier and this would be down to the applicant to arrange and fell outside

of the planning remit.

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

RESOLVED:

That Listed Building Consent be Granted subject to the conditions set out in the Officers report.

PC 70/20 20/2046/FUL & 20/2047/LBC - Alterations to existing two storey side extension, erection of single storey extensions including glazed link, reinstatement of external elevated walkway and change to the roof form on The Windmill and the demolition of existing outbuildings and construction of new outbuilding and patio areas at THE WINDMILL, 34 WINDMILL DRIVE, CROXLEY GREEN, RICKMANSWORTH, HERTFORDSHIRE, WD3 3FD

The Planning Officer reported that one further comment had been received since the report was published. The only concern was with regard to the window in the cap of the Windmill and loss of privacy. A comment had also been received from Herts and Middlesex Wildlife Trust which stated that the submitted ecological survey identified two bat routes which were both found in the current 1960/1970's extension and that the development should not commence until the LPA had been provided with a license from Natural England. An additional Condition would be added if the application was granted approval.

This application had been submitted following significant discussions with the applicant following a number of previous unacceptable applications. The applicant had continued to work closely with Officers and the plans had been amended to remove the single storey extension to the rear of the garage, due to tree concerns, reducing the width of the main extension to address some Conservation concerns and the removal of the outbuildings. The plans were now considered sympathetic and had the support of the Conservation Officer.

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

Croxley Green Parish Councillor Chris Mitchell said the Parish Council had not been able to discuss the latest plans but the only concern they had was with the window at the top and asked if Officers could confirm that there would be no overlooking. If the application were to be approved can a working hour's condition be added to protect the residents around the site.

The Planning Officer said that in regard to working hours this fell outside the Planning remit and came under the Control of Pollution Act but details could be added as an Informative and if any complaints were received it would be dealt with by Environmental Health.

Councillor Debbie Morris asked for the dimensions of the window and how high the base was from the ground and if the window could be obscured glazing.

The Planning Officer said the height of the window in the cap would be 13 metres from the ground and the window itself was 1m wide and 1.2m in height. The applicant had advised that the window occupies a reading room not a bedroom. It was the view of Officers that the outlook from the window would be acceptable and any overlooking would be over the wooded verge and highway and any views to the neighbours would be oblique.

Councillor Peter Getkahn welcomed the changes and they would be an improvement. The Councillor asked for more details on which way the window in the cap faced and would the glass be opaque.

The Planner Officer showed an aerial view of the Windmill and pointed out which way the window would face. Regarding the glazing being opaque the applicant would be open to the glazing changing.

Councillor Marilyn Butler said this was a vast improvement on the previous schemes and the dwelling would need to be comfortable for a family which this seems to now be.

Councillor David Raw asked if any of the mechanics were left of the original Windmill.

The Planning Officer said there were no mechanical elements left and that it had been left in a state of disrepair for a number of years.

Councillor Debbie Morris said seeing the pictures and given the Officers explanation she was happy to accept the window as it was, and moved the recommendations for both the FUL application and LBC application and that both applications be granted permission, with an additional condition regarding the requirement of a License from National England, seconded by Councillor Keith Martin. This was an exciting project and honoured the historic setting of the building.

On being put to the Committee the motions for both the FUL and LBC applications was declared CARRIED by the Chair of the meeting the voting being unanimous.

RESOLVED:

That Planning Permission be GRANTED for both the FUL application and LBC applications subject to the conditions set out in the Officers report but with an additional condition added regarding the FUL for the requirement of the License from National England

Additional condition to be added to 20/2046/FUL:

Prior to any works to the existing two storey extension to the south east of the windmill, a Protected Species Mitigation license must be sought from Natural England (as set out within the Preliminary Bat Roost Assessment & Emergence Survey prepared by Chase) and submitted to the Local Planning Authority.

Reason: To maintain wildlife habitat and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

PC71/20

20/2130/FUL - Demolition of the existing dwelling and erection of a replacement dwelling with associated hard and soft landscaping, and erection of new entrance gate and boundary wall at THE FOUR WINDS, LONDON ROAD, RICKMANSWORTH, WD3 1JT

The Planning Officer reported an addition neighbour comment had been received which outlined that the existing building was of significant architectural value and should not be demolished. The surrounding area would be greatly impacted by the loss of this building. The proposed design was too large for the site and not particularly elegant and would be a detrimental to the area.

The Planning Officer advised that it was not considered that this comment raised any new material considerations which had not already been addressed in the report.

The Officer noted that construction had continued in relation to the front boundary wall. The applicant had been reminded that this structure does not have planning permission and as such it had been respectfully requested that they stop works.

Officers noted that a letter had been circulated to Members which had been reviewed. However Officers do not consider that any points raised change the current recommendation.

Councillor Chris Lloyd asked if the works had been stopped as requested by Officers.

The Planning Officer said that works had not continued.

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.

The Planning Officer said that amended plans were submitted but were too late to be included with this application for the Committee to consider. The plans submitted would not have changed the Officer recommendation.

Councillor Debbie Morris wondered if it would be better to defer this application so proper consideration can be undertaken on the amended plans. Could Officers clarify the increase in floor space, what does materially larger mean and would it be possible to take guidance from the surrounding properties on what was materially larger as at least two of the surrounding properties were considerably larger than what was originally on them.

The Planning Officer said at Paragraph 7.2.7 the footprint should be a 74% increase. The overall increase in floorspace was 85%. There was no specific definition of materially larger within planning policy. Numerical figures are only one indicator of when a replacement dwelling is materially larger. There was also an assessment of whether a development could be materially larger based on an increased overall bulk and mass. In this case whichever figure one takes they all show an increase in the figures which show the proposed new dwelling being materially larger. The other indicator was whether the new dwelling would clearly be seen as visually larger. When looking at the elevations and roof form, in particular the flanks, it was clear that the proposed dwelling would be significantly larger especially at first floor level.

Councillor Sara Bedford asked if the reason for refusal could include the excessive bulk to make it clearer.

The Planning Officer said yes, this wording could be included, by virtue of the excessive bulk and mass of the building and the increase in overall scale, the replacement dwelling would represent a material change. The wording could be agreed by Members after the meeting.

Councillor Peter Getkahn moved that planning permission be refused, seconded by Councillor Sara Bedford, on the grounds set out in the officer report and to include excessive bulk and massing, the final wording to be agreed by Members.

Councillor Debbie Morris was of the view that every application had to be dealt with on its own merits and as we do not have a criteria to assess what materially

larger means, could Officers not take into consideration the surrounding properties. One of the properties had been increased by 210% in 2017, and considering what was happening around this property this decision did not seem the right thing to do.

The Planning Officer said the test of materially larger had to be taken on a site by site basis, as stated in the guidance given in the National Planning Policy Framework. In determining this application Members needed to consider whether the proposed building would be materially larger than the one it was replacing. Members needed to consider a number of factors including the visual impact, the increase in the bulk and massing of the building and the additional flanks. In considering the application Members needed to consider the merits of application and whether the demolition was a factor as to whether this proposal is materially larger. If you were to compare the size, scale, foot print and overall massing of an adjacent building that would not be given weight in the determination of this building and whether it is comparatively bigger or smaller. The test is whether this building is materially larger than the one it replaces.

Councillor Raj Khiroya noted the Planning Officers comments and said this replacement dwelling could be considered under special circumstances as in detailed in Paragraph 7.10.2 of the Officers report, as a replacement single family dwelling and disagreed with the Officer on this point.

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

RESOLVED:

THAT PLANNING PERMISSION BE REFUSED (as per officer recommendation) with an amendment to wording of reason for refusal to include reference to excessive bulk and mass to be added. (The exact wording to be circulated to Members for approval).

CHAIR