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**PLANNING COMMITTEE****MINUTES**

For a virtual/remote meeting held on Thursday 10 December 2020 at 7.30pm to 10.00pm

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 Joanna Clemens and David Sansom, Chorleywood Parish Councillor Zenab Haji-Ismael, Batwchworth Community Councillors Francois Neckar and Diana Barber, Croxley Green Parish Councillors Chris Mitchell and Andrew Gallagher.

Officers: Adam Ralton, Claire Westwood, Matthew Roberts, Lauren Edwards, Tom Norris, David Heighton, Kimberley Rowley, Sarah Haythorpe and Jo Welton

**PC 56/20 APOLOGIES FOR ABSENCE**

None received.

**PC 57/20 MINUTES**

The Minutes of the virtual/remote Planning Committee meeting held on 12 November 2020 were confirmed as a correct record by the Committee and would be signed by the Chair of the meeting.

**PC 58/20 NOTICE OF OTHER BUSINESS**

There was no other business.

**PC 59/20 DECLARATIONS OF INTEREST**

Councillors Stephen King and Debbie Morris declared a non-pecuniary interest in agenda item 5 as both were trustees of the Moor Park Heritage Foundation but having taken legal advice it was agreed they could both take part in the debate and vote on the item.

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 60/20      20/1037/FUL & 20/1773/LBC - Installation of rising bollards and associated works, including control box and fencing, at two locations on estate road at MOOR PARK GOLF CLUB, BATCHWORTH HEATH, RICKMANSWORTH, HERTFORDSHIRE, WD3 1QN**

The Planning Officer reported two updates as follows:

- Historic England had advised they do not wish to offer any comment but the Council should seek specialist advice from their own Conservation Officer. It was clarified to the Committee that the Conservation Officer had raised no objection.
- There had been three further neighbourhood objections received since the publication of the report. The comments did not raise any further material consideration that were not raised previously or already dealt with in the report. The comments received centred around the inconvenience placed on private rights of access which had already been addressed in the report and were not a planning consideration.

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.

Councillor Debbie Morris raised concerns with the operational schedule with regards to traffic lights, card readers and the bollards and sought clarification on the size and location of the traffic lights and signs. The drivers of larger vehicles may not see the bollards when they were raised.

The Planning Officer said the bollards would have lights on the top of them and the traffic lights would have sensors. The Conservation Officer had assessed the information and raised no objection.

Local Ward Councillor Joanna Clemens remained unconvinced with the security concerns which had been put forward by the applicant. Any measures put in place would not stop criminals from entering the golf course. It would make life a lot more difficult for the residents who lived in the area and raised concern that the residents had not been consulted. There had not been a traffic study undertaken and Hertfordshire's County Council recommendation for a turning point had been set to one side. The proposals put forward would not fit in with the Heritage or setting of the estate.

Councillor David Raw wanted clarification on the traffic lights and if lights would be on the bollards.

The Planner Officer advised that there would be two sets of bollards at each location, and all the bollards would have lighting on them indicating when to stop or go. There would not be four sets of traffic lights. The golf club felt these plans would resolve the issues they were experiencing with regard to theft.

Councillor Stephen King said the report provided no details regarding emergency vehicles access. Could Officers clarify this?

The Planning Officer said the bollards would open to vehicles/anyone that needed to have access through them, however codes would be needed to exit the estate. This form of access would not stop emergency vehicles from entering and exiting.

Councillor Debbie Morris pointed out that the proposed bollards would not be sufficient for large vehicles and delivery drivers as they would not see them. There would be no obstructions to stop people driving over the grass or the shallow curb and therefore it seemed the measures provided would not stop this from happening. Councillor Morris sought clarification that if this application was granted there would be no traffic lights installed.

Councillor Peter Getkahn commented on the emergency vehicles access and wanted clarification on how easy it would be for them to exit the site.

The Planning Officer said no traffic lights were being installed. If Moor Park Golf Club wanted traffic lights installed they would need to apply for these at a later time. The Golf Club would be able to arrange for the bollards to be down, if there was an emergency and any emergency vehicles needed to leave the estate.

Councillor Raj Khiroya asked if granting Planning Permission would override the rights of access and rights of way.

The Planning Officer advised this would not change the rights of way. Any details on the rights of way would need to be privately agreed.

Batchworth Community Councillor Francois Neckar said there had been no dialogue between the Golf Club and the local residents which had been emphasised at the October meeting. Looking at the amended application there would still be loss of amenity and the plans do not support the reasons for this application. The residents Rights of Way were being impeded with this application and suggested a site visit by Members to get a better understanding of the safety aspect. The Community Council felt the application should be refused.

Councillor Debbie Morris moved that Planning Permission be Refused, seconded by Councillor Peter Getkahn, on the grounds of the following reasons, the final wording to be circulated to Members for agreement:

20/1037/FUL refused on grounds relating to impact on Grade I Listed Moor Park Mansion and Grade II\* Registered Park and Garden.

20/1773/LBC refused on grounds relating to impact on Grade I Listed Moor Park Mansion.

On being put to the Committee the motion to refuse both the FUL and LBC applications was declared CARRIED by the Chair of the meeting the voting being 4 For, 3 against and 4 Abstentions.

RESOLVED:

THAT PLANNING PERMISSION BE REFUSED (overturn of the officer recommendation) on the following grounds (the final wording having been circulated and agreed by Committee Members following the meeting)

*20/1037/FUL - The proposed bollards and associated equipment including control box and fencing, by virtue of their design, siting and operation, would be harmful to the setting and detrimental to the special interest of the Grade I Listed Moor Park Mansion and Grade II\* Registered Park and Garden. The proposed development would cause less than substantial harm under paragraph 196 of the NPPF and is not outweighed by public benefits. The development would therefore*

*be contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM3 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2019).*

*20/1773/LBC - The proposed bollards and associated equipment including control box and fencing, by virtue of their design, siting and operation, would be harmful to the setting and detrimental to the special interest of the Grade I Listed Moor Park Mansion. The proposed development would cause less than substantial harm under paragraph 196 of the NPPF and is not outweighed by public benefits. The development would therefore be contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM3 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2019).*

**PC 61/20      20/1349/FUL Erection of six units within a single two storey flatted block (three 2-bed & three 1-bed), with associated parking, access, alterations to land levels and landscaping - LAND AT THE REAR OF CLOVERS COURT CHORLEYWOOD HERTFORDSHIRE**

The Planning Officer reported that the plans were amended during the application process to reduce the number of flats from seven to six. All the neighbours were re-consulted after the application was amended.

The Crime Prevention Officer had raised no objection to the scheme but suggested that an informative be included if the application was approved, requiring that the development be built to the Secured by Design standards.

The applicant's agent had also confirmed that the refuse and recycling store was to be shared with the existing residents of Clovers Court. If approved, the Officers recommended that a refuse and recycling management plan be attached to any planning decision to confirm it would be shared and include future maintenance responsibilities.

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 Zenab Haji-Ismail said the Parish Council had three key objections; the first being the impact of the development on the character and appearance of the area, the lack of lighting that the properties would receive and the amount of bins that would be provided at the property.

The Planning Officer confirmed that the initial bungalow scheme which was refused but allowed at Appeal was for two bungalows which had included a condition which controlled future permitted development rights. That was a condition brought forward by Officers to avoid issues of overlooking from first floor level accommodation at the rear of the properties towards those on Rendlesham Way. The lightwells proposed by this development were considered acceptable by the Officers. In respect of character and appearance the principle of backland development had been accepted. This application has evolved from the scheme that was refused previously although it was now appeared more contemporary with a flat roofed design and would not now extend across the whole width of the site meaning more amenity space has been provided. The parking coverage has been reduced from the previous scheme that was dismissed and has been replaced with greater soft landscaping to avoid excessive mass of hard surfacing. As confirmed within the update, the existing residents would be able to use the new bin store and these details can be conditioned in the event of an approval.

Councillor Marilyn Butler had concerns with regards to the traffic and how narrow the area would be for cars and refuse vehicles to access.

Councillor Peter Getkahn asked about access to the bins and if there were any concerns getting in and out of the bin storage area. The Councillor also had concerns regarding the lightwells and the rights of light.

The Planning Officer said a brand new bin store was proposed. At the moment the owners/tenants of the existing terraces within Clovers Court leave their bins in the car park area. If permission was to be granted there would be a condition to require a management plan to be submitted. With regard to the lightwells Officers deem these to be acceptable. They would be south facing and would have natural light into them.

Councillor Raj Khiroya said this site was already over developed and it would affect the area even more with further development and did not support this application.

Councillor David Raw said the planning history in the report at Paragraph 1.2 advised that previous applications had been refused for a number of reasons. This application would be even worse, the surrounding houses would see the flat roof and it would be out of character to the surrounding area.

Councillor Debbie Morris asked what the difference in height was in the previous application that was refused and in the bungalows that had been previously permitted.

The Planning Officer said the bungalows that were allowed at appeal were hipped roofed and were a maximum height of 5.4 metres. The scheme that followed was refused by Members had a height of 4.3 metres. The current application was 7 metres in height and therefore would be higher than the previous applications.

Councillor Peter Getkahn asked if the lightwells would be covered.

The Planning Officer said no they would not be covered and brought up the plan showing the glass balustrade details which would be installed as a safety mechanism around the edges to stop people from falling into them.

Councillor Raj Khiroya moved that planning permission be refused on the grounds of overdevelopment of the site and that the proposed car parking failed to comply with Policy CP12.

The Planning Officer said that Officers believed there would not be overdevelopment of the site and the car parking proposed had been increased and any inclusion of parking as a reason for refusal may not stand up at an appeal due to the very minor shortfall.

Councillor Debbie Morris put forward further reasons for refusal which included overlooking, impact on the amenities of the residents of Clovers Court and impact on future occupants by reason of not having a natural outlook on the ground floor at the rear of the proposed properties.

The Planning Officer said with regards to overlooking, there were no specific design guidance in respect of front to front distances. The previous application was not refused on those grounds. If Members believed there was insufficient light to the bedrooms on the ground floor that would be a valid planning reason.

Councillor David Raw asked the Planning Officer to comment on Policy CP12 as the Councillor felt that the development would not fit in with the area.

The Planning Officer said that previous appeal decisions had commented that the character was varied so Officers believed that whilst a contemporary form of development would be different, given that the area had a mix of different types of architectural designs the proposed development would be acceptable.

Councillor Chris Lloyd said that Members needed to be clear on the reasons for refusal. It was noted that Members had concerns on the proposed lightwells.

Councillor Raj Khiroya moved an amendment to the motion put forward that planning permission be refused on the grounds of overdevelopment, lack of light and the proposed height of the flats.

The Planning Officer confirmed with Members the reasons for refusal put forward were overdevelopment, lack of outlook and natural light to ground floor flats. Members needed to clarify that these reasons for refusal would significantly outweigh the benefits of the development when considering the titled balance, paragraph 11 of the NPPF.

Councillor Peter Getkahn said that there was a problem with the height, massing and the quality of the housing at the lower levels which would outweigh the benefits of the increase number of dwellings. The Councillor welcomed the changes that had been made to the development but the proposed height of the development had already been rejected and to squeeze more properties on this site seemed to outweigh any benefits.

Councillor Raj Khiroya moved a further amendment to the motion that planning permission be refused, seconded by Councillor David Raw, on the grounds of its contrived nature and overdevelopment due to size and scale and unacceptable living conditions of future occupiers by virtue of lack of light and poor outlook to the rear of the ground floor flats.

On being put to the Committee the motion to refuse the application was declared CARRIED by the Chair of the meeting the voting being 8 For, 0 Against and 3 Abstentions.

RESOLVED:

THAT PLANNING PERMISSION BE REFUSED (overturn of the officer recommendation) on the following grounds (the final wording having been circulated and agreed by Committee Members following the meeting)

R1: The proposed development by virtue of its contrived nature, scale and height would result in the overdevelopment of the site to the detriment of the area's spacious, verdant, suburban character. The development would therefore be contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and Policy 2 of the Chorleywood Neighbourhood Plan (Referendum Version, August 2020).

R2: The proposed lightwells to the ground floor flats would result in the absence of a natural outlook and significantly restrict daylight into the bedrooms. These factors combined would have an unacceptable impact on the living conditions enjoyed by future residents, contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

**20/1835/FUL - Conversion and two storey rear extension to upper parts, with balconies and conversion of outbuilding to form three self-contained residential units at 137 HIGH STREET, RICKMANSWORTH, WD3 1AR**

The Planning Officer reported that the site was located in the centre of Rickmansworth High Street. The relevant notices had been served. A new secure fence was now proposed to prevent rear access. The proposed development would not harm the character to the area.

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.

The Planning Officer advised that access was a civil matter but given that it would be fundamental to the development a pre-commencement condition had been recommended prior to any works being undertaken which requires evidence that access rights exist for the applicant. Regarding refuse and recycling, there was a condition asking for a management plan to be provided. Also included was a condition to provide a construction management plan to give information prior to the works taking place. All consultees could be provided with this information.

Councillor David Raw pointed out that the Conservation Officer was objecting to the development.

Ward Councillor David Sansom asked the Committee to turn down this application. It was over development with regard to the bulk and massing. It would have very poor access via the High Street and provide very cramped living space and overlooking of neighbouring properties. Very little outside amenity space appeared to be being provided. The Conservation Officers said it would damage the historic fabric of the town and cause harm to the Conservation Area and strongly objected to the application. There was no parking to be provided and the development would put pressure on loading and unloading facilities provided for the shops in the High Street. It looked unlikely that the bin store would hold six bins. If the courtyard was not owned by the property would the six bins be put onto the High Street daily for the refuse vehicles to collect?

Councillor Peter Getkahn asked whether it would be helpful to defer the application as there were access issues and other points that required clarification. The Councillor was interested in the background to Paragraphs 7.93 and 7.94 on parking in the report and also details on the space standards.

The Planning Officer said with regard no parking being available at this development, this would be subject to a legal agreement restricting residents obtaining parking permits in the local area which would not be uncommon in a town centre location. Oriel windows would be used which would prevent overlooking and the balconies would be recessed. Regarding over development, the proposed scheme had been revised and reduced. The room sizes met the standards criteria under the national requirements. There had been provision made for amenity space for each unit. The site was within walking distance of the Aquadrome and it was not uncommon in a town centre location to have smaller amenity space. There may be some further noise but it was not expected to be harmful to other residents. Access was a civil matter and there was a pre-commencement condition, Condition C3, that had to be resolved before the development could commence. Concerns had been raised that the courtyard area did not have the right of access for future residents. Access from the public highway to the flats was critical and the courtyard was important. The applicant would be required to comply with the pre-commencement condition if the application was approved and

they would not be able to commence any work until it had been demonstrated legally to the Planning Officers that they did have a lawful right of access to the High Street through the courtyard to the flats. This would be important for the construction phase as well. The applicant had served notice on the owner and the developer would need to discharge that before any works commenced.

Councillor Debbie Morris asked to see the block plan that showed the amenity space to be provided. It was described in the report as being 15 square metres and the Councillor wanted to know the exact measurements. The Councillor asked for the width of the lower section of the amenity space and if all the amenity space had been included in the 15 square metre calculations.

The Planning Officer advised the amenity space to be provided had not all been included. The area to the side and the area to the rear of the outbuilding had not been included in the calculations.

Councillor Debbie Morris said that was not a sufficient amount of amenity space for the three properties which should be provided with 93 square metres but were only getting 25 square metres, 2 balconies at 5 square metres each and a small area of 15 square metres to the rear. They were all two bedroomed flats with potentially up to four people being able to live in them. There had been an application in Lower Road, Chorleywood that went to appeal and was dismissed, with one of the reasons due to the absence of amenity space. This scheme provided only a tiny amount of amenity space, less than a quarter of what was required. Councillor Morris quoted from the Inspector's report on the Chorleywood application which demonstrated the importance of amenity space although being located in the town centre: 'Appendix 2 of the DMP does not set different standards for outdoor amenity space according to the site's location'. The report went on to say in relation to the amenity space several hundred metres away, 'It could not reasonably be considered as being on the doorstep and it is located such that it would lack the closeness and convenience of a suitable outdoor amenity space within the buildings' immediate setting. The national design guide reinforces the importance of external spaces in supporting the health and wellbeing of their users'. For this application there would not be any real meaningful amenity space on the doorstep for the proposed properties. There would be a woefully inadequate amount amenity space, with the rest being some minutes' walk away in the Aquadrome therefore the scheme failed on amenity space. It also failed on the Conservation Area issue. The Conservation Officer had objected to the application and maintained those objections even after the revisions made. The revisions did not go far enough to address the heritage concerns because of the disproportionate scale of the extension and the loss of the catslide roof. This was a two storey Victorian property and the scheme would result in a substantial increase in massing undermining and detracting from the property that makes a positive contribution to the Conservation Area. The Officer report concedes that the property would have a three storey appearance and that the rear of the property was significant to the area's setting and that it was a non-designated heritage asset. The balconies would detract from the Conservation Area and introduced the prospect of overlooking and would impact on the neighbours' amenity.

Councillor Stephen King asked if the pre-commencement condition regarding access was to fail would the application fail as well. The Planning Officer said if the condition was not discharged then no valid planning permission would exist as the condition goes to the heart of the permission. Consequently, if development commenced without the condition being discharged then Enforcement action could be taken.

The Planning Officer advised that there were other examples of buildings with balconies to the rear of the High Street within the vicinity of this proposed



development. There were also recessed balconies in the area. The Conservation Officer's comments were noted but on balance it was felt that to the rear of the High Street there were other modern developments so this development would not be out of character in the Conservation Area. There would be some limited harm to the building but not to make it out of character. The proposed amount of amenity space was not uncommon in a town centre location. The site was 250 metres away from the nearest amenity space and 500 metres from the Aquadrome and the development would have access to other facilities locally.

The Chair sought clarification on the access issue within Condition C3. The Planning Officer advised that it was in the top part of the condition which advised that it must be demonstrated that there needed to be a right of access to the site for all purposes connected with the development permitted lawfully, permanently and without restriction.

Councillor Debbie Morris said this site was in a Conservation Area and the requirement was that the scheme must preserve or enhance the character and appearance of the Conservation Area. There were two issues the Conservation Area and the other the non designated heritage asset which was the building itself and applied to both the rear as well as the front of the building. It was currently a two storey Victorian cottage with a proposal to make it a three storey dwelling in appearance and to considerably extend the rear of the building. The application also sought to convert an historic stable block which was ancillary to the host building but would not be ancillary when converted and therefore would be detrimental to this heritage asset. Each application had to be looked at on its own merit and the impact it would have. The Councillor agreed with the Conservation Officer that it would have a detrimental impact on the non designated heritage asset. The Councillor did not understand how the parking would work with the requirement to provide six parking spaces but none would be provided. The Councillor queried how a section 106 entered into by the current owners could bind future owners/occupiers of the proposed development and thus be effective against them. The Councillor did not see how an applicant could stop future occupiers of the properties from not applying for parking permits.

The Planning Officer advised that the unilateral undertaking would be attached to the land not to the applicant. It was appreciated the owners could change in the future however, if planning permission was granted and the unilateral undertaking was in place, then within the legal agreement would contain a number of stipulations, one of which would include that when the properties were marketed the buyers be made aware that residents could not apply for parking permits. This would also be part of the Deeds/tenancy agreement so would come up in any local authority searches. If the residents wanted a parking permit it would be refused and if they did park in a resident's space it would be down to the local parking enforcement officers to enforce.

The Planning Officer said that following the Committee discussion there were two reasons put forward around consideration of refusal of the application. One of which was the harm to the non designated heritage asset as well as harm to the Conservation Area which followed the comments from the Conservation Officer. Members would have to consider whether there was any public benefits of the scheme that would outweigh the harm to the Conservation Area and the lack of insufficient amenity space.

Councillor Debbie Morris moved refusal of the application on the grounds stated by the Officer, possibly adding the addition of the balconies as being an uncharacteristic feature and potential for overlooking.

The Planning Officer advised that there were other examples of buildings with balconies to the rear of the High Street, including Nos.149 and 151 and the Forge to the rear of the site and Ebury Court so they were not uncommon.

Councillor Debbie Morris moved, seconded by Councillor Marilyn Butler, further reasons for refusal of the application on the grounds stated which were this scheme would have insufficient amenity space and harm to the non designated asset as well as harm to the Conservation Area.

Batchworth Community Councillor Diana Barber said the drawings submitted by the developer on the stable block showed measurements that would be incompatible with human habitation to a standard that would be acceptable. There was no evidence of insulation which would impact on the dimensions of the roof space. The alterations to the historic stable block were inappropriate and would result in a significant loss to the heritage of the Town Centre Conservation Area. They sought refusal of the application.

The Planning Officer advised that a discussion would have to take place as to whether the harm, as identified, outweighed the benefits of the scheme. The Officer advised that the position the Council was in terms of the lack of the five year housing land supply was an important factor to consider.

Councillor Peter Getkahn asked whether there was any basis to include the Community Council comments on the space standards.

The Planning Officer said there were nationally subscribed space standards, however the Council's local planning policies did not refer to any space standards so they could not have significant regard to them and could only be used as guidance. Officer's opinion was that the spaces to be provided within the flats were acceptable. In terms of insulation, that would be subject to building control so not something Planning Officers would get involved in.

Councillor Peter Getkahn was sure there were some space standards but the Planning Officer said there were no adopted standards in the Planning Policies.

The Planning Officer reiterated the reasons put forward for refusal being the harm to the non designated heritage asset and harm to the Conservation Area and an additional reason, the lack of quality amenity space. In terms of the harm Members would need to consider whether there were any public benefits as part of the scheme that would outweigh harm to the Conservation Area and the non designated heritage asset. Members would need to discuss whether or not, there were benefits that would outweigh the harm. If there were no benefits of substantial weight, .i.e. Members did not believe that the number of units was such that the only weight you could give would be fairly minimal to a housing land supply and the economic benefits for example would be relatively minimal as well, that would need to be balanced against the reasons for refusal. If Members did consider refusing the application, another reason could be included on the fact that parking permits could not be secured, so that could be a third reason for refusal.

Councillor Debbie Morris said the site was not a designated housing site for three units. It did not make a material contribution to the housing targets and would bring potential harm to the non designated heritage asset and the Conservation Area, the public benefits did not outweigh the harm that would be caused.

The Planning Officer clarified with Members reasons for refusal which were on grounds relating to impact on character and appearance of Conservation Area and non designated heritage asset; due to the impact on future occupiers due to lack of amenity space and poor quality of the limited space provided; due to the

lack of a Section 106 Agreement/Undertaking containing planning obligations restricting the owners/occupants of the dwellings from obtaining parking permits and securing an affordable housing contribution.

Councillor Debbie Morris moved the reasons for refusal, seconded by Councillor Marilyn Butler as set out by the Officer.

On being put to the Committee the motion to refuse the application was declared CARRIED by the Chair of the meeting the voting being 8 For, 1 Against and 2 Abstentions.

RESOLVED:

THAT PLANNING PERMISSION BE REFUSED (overturn of the officer recommendation) on the following grounds (the final wording have been agreed by Members after the meeting).

R1: The proposed development (including converted outbuilding) by virtue of its scale, massing and balcony detailing would undermine and detract from the building as a non-designated heritage asset which makes a positive contribution to the area and would also harm the character and appearance of the Rickmansworth Town Centre Conservation Area. The development would cause less than substantial harm as per paragraph 197 of the NPPF however no public benefit(s) have been identified which would outweigh the harm. The development therefore fails to comply with Policy CP12 of the Core Strategy (adopted October 2011), Policy DM3 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2019).

R2: The development by virtue of its significant shortfall of amenity space and in the absence of public open space in the immediate vicinity fails to provide a high standard of amenity for future users which would result in unacceptable living conditions for future occupiers of the development. The proposal would fail to accord with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

R3: In the absence of an agreement under the provisions of Section 106 of Town and Country Planning Act 1990, the development would not secure a legal mechanism to restrict future residents from applying for car parking permits within local parking zones. The proposed development therefore fails to meet the requirements of Policy CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

R4: In the absence of an agreement under the provisions of Section 106 of Town and Country Planning Act 1990, the development would not contribute to the provision of affordable housing. The proposed development therefore fails to meet the requirements of Policy CP4 of the Core Strategy (adopted October 2011) and the Affordable Housing Supplementary Planning Document (approved June 2011).

**PC 63/20 20/1870/FUL - Installation of a circular cycle path around the perimeter of the recreation ground at SWILLET PLAY AREA, HERONSGATE ROAD, CHORLEYWOOD.**

The Planning Officer reported that amended plans had been received to amend the awkward junction at the corner of the track adjacent to the play area. The X outlined at Paragraph 3.1.2 should read 308 metres. Following receipt of the Landscape Officer's comments the Parish Council had confirmed their objection had been addressed.

Councillor Marilyn Butler asked the Planning Officer to explain what the construction of the cycle path would be and how deep it would go. The Councillor was concerned regarding the mixed use of the play area and parking.

Councillor Peter Getkahn said Members should encourage and supports this type of application as it supports the wellbeing and fitness for the community.

Councillor Peter Getkahn moved that planning permission be granted seconded by Councillor Stephen King.

Councillor Raj Khiroya and Councillor Alison Scarth supported the application.

Councillor Debbie Morris had concerns regarding the mixed use of the site as there was already a football pitch on the site and now potentially a cycle track going around the edge of the pitch. The Councillor had concerns around the dog walkers and parking issues.

Councillor Chris Lloyd said it would be unlikely that parents would drive to the site and that local residents had requested this development.

The Planning Officer said with regards to the construction of the cycle path there would be excavations for the perimeter of the track and 50mm of soil would be taken away in order to lay the suds and the speed humps would be laid on top using rubber bonding material which would be permeable and they would sit 100mm above the level that had been excavated and would sit 50mm above the original ground.

On being put to the Committee the motion to Grant Planning Permission was declared CARRIED by the Chair of the meeting the voting being 9 For, 0 Against and 2 Abstentions.

RESOLVED:

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

#### **P64/20 ADJOURNMENT OF THE MEETING**

Due to the late hour of the meeting the Chair put to the Committee, duly seconded, a motion that the meeting be reconvened on Thursday 17 December 2020 at 7pm to consider the remaining items on the agenda.

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

RESOLVED:

That the meeting be reconvened for Thursday 17 December 2020 at 7pm

**CHAIR**