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**PLANNING COMMITTEE****MINUTES**

For a virtual/remote meeting held on Thursday 21 January 2021 at 7.30pm to 9.24pm

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: Councillor Alex Haywood and Chorleywood Parish Councillor Jon Bishop.

Officers: Adam Ralton, Claire Westwood Scott Volker, Kimberley Rowley, Katy Brackenboro, Sarah Haythorpe and Jo Welton

**PC 72/20 APOLOGIES FOR ABSENCE**

None received.

**PC 73/20 MINUTES**

The Minutes of the virtual/remote Planning Committee meeting held on 10 December 2020 and the reconvened meeting held on 17 December 2020 were confirmed as a correct record by the Committee subject to the amendment below to the minutes of 17 December 2020 and would be signed by the Chair of the meeting when able to do so.

Minute PC71/20

Under the resolution – “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 wording having been agreed by Members after the meeting as follows:

*The proposal would represent a replacement dwelling which by reason of its excessive bulk and mass would be materially larger than the building it replaces and would result in a visually prominent form of development to the detriment of the openness of the Green Belt. The development would therefore constitute inappropriate development, which, by definition, is harmful to the Green Belt and further harm is identified to the openness of the Green Belt through the scale of the replacement dwelling. No very special circumstances exist which outweigh the development's inappropriateness and harm to openness. The development is therefore contrary to Policy CP11 of the Core Strategy (adopted October 2011), Policy DM2 of the DMP LDD (adopted July 2013) and the NPPF*

(2019).

**PC 74/20 NOTICE OF OTHER BUSINESS**

Members were advised that Item 9 - 20/2530/FUL - Variation of Conditions 2 (In accordance with plans) and 5 (External Materials) of application 16/2555/FUL: (Construction of detached dwelling) to allow alterations to the design and materials of the approved dwelling and introduction of a basement level at LAND ADJ FRITHCOTE, WATFORD ROAD, NORTHWOOD, HA6 3PP had been withdrawn from the agenda.

**PC 75/20 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 76/20 20/2352/FUL - Erection of single-storey front extension, first-floor side and rear extension, conversion of garage to habitable use, alterations to landscape features including removal and replanting of tree, enlargement of front driveway and rear patio at 38 ARNETT WAY, RICKMANSWORTH, WD3 4DA**

The Planning Officer ran through the drawings with the Committee for the application and provided details on the block plan, elevations, first floor, ground floor and side elevations. Photographs were provided of the rear and front of the property and an aerial view of the application site. In addition some photographs were shown provided by a neighbour. The officer confirmed that a planning application was refused recently as set out in the report on the grounds of overlooking due to the positioning of a first floor window in the rear extension and potential overlooking to the rear garden of No.36. A comparison drawing was provided to the Committee which showed the only change with the application was bringing the wall very slightly deeper out into the garden which means the projecting part of the first extension would obstruct most of the views into the rear garden of No.36 and would be more akin to any other residential situation

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 David Raw asked Officers to clarify why a second storey was being allowed on top of a garage extension which was already in front of the dwelling.

The Planning Officer said that planning applications were assessed on their own merits and because something had not been done before did not mean it cannot be done. Officers had to make a judgement based on the development plan and whether what was proposed was acceptable in terms of its impact on the character and appearance of the streetscene and the impact on the amenities of the

neighbours. The report set out why the second floor extension was not considered to have any harm on the character of the street scene and the amenities of the neighbours.

Councillor Peter Getkahn asked if there could be a condition added on the windows at the side being obscure glazed.

The Planning Officer said the ground floor windows would be 1.6m from ground level and the actual window was 0.4m in height. Officers considered this would be acceptable. Windows did exist currently and taking into account the height within the room it would not be reasonable for the windows to be obscure glazed. There was a condition included that required the first floor window to be obscure glazed. If Members considered that the ground floor windows should be obscure glazed the condition could be amended.

Councillor Sara Bedford said there would not be any need to have obscure glazing for the ground floor windows which was supported by Councillor Debbie Morris.

Councillor Keith Martin moved that planning permission be granted as set out in the Officers report, seconded by Councillor Sara Bedford.

On being put to the Committee the motion was declared CARRIED by the Chair of the meeting the voting being 9 For, 0 Against 1 Abstention.

Councillor Steve Drury had lost connection during the debate on this application and was not able to listen to the whole debate. Under the Planning Committee virtual meeting protocol Councillor Drury was not able to vote on the motion.

RESOLVED:

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

**PC 77/20      20/2372/FUL - Erection of gates and fencing at SITE OF AVIEMORE, 65 LOWER ROAD, CHORLEYWOOD, WD3 5LA**

The Planning Officer reported there were no further updates.

Councillor Chris Lloyd asked if the gates would have pedestrian access and if there were would be open 24 hour access.

The Planning Officer said there would be pedestrian access but the gates would be locked at night with a key pad code entry system in place. The gates would have timed openings during the day for post and other deliveries.

Councillor Chris Lloyd asked where the bin collection would be.

The Planning Officer pointed out the bin collection point was located outside the gate with the residents required to place their bins here on bin collection days. The bin store area was located within the site. The officer indicated to Members on the map where both areas were.

Councillor Debbie Morris asked for the width of the access gate for vehicles and the overall width of the gates including the pedestrian access.

The Planning Officer said the vehicular access would be 4.8m, the fencing on the right hand side would be 2.1m and the pedestrian access would be 1.5m. The total width of the gate would be 8.4m.

Councillor Debbie Morris asked how much wider the access had been increased to from the original access.

The Planning Officer said the front entrance adjacent to the public highway had been widened by 1.5m either side. The access road into the site was the same as the original access.

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.

Parish Councillor Jon Bishop said the Parish Council had no formal objection to the concept of the gates but the proposed design of the gates was a problem. Policy CP12 of the Three Rivers Core Strategy states that development should be in context, and in line with the Chorleywood Neighbourhood Development Plan which was recently approved. This part of Lower Road is quite sensitive and these large gates would not fit in with the area and would be out of scale.

The Planning Officer said there was no requirement for the applicant to provide a reason for why they wanted the gates. Regarding the bin store this had been previously approved on appeal and was outside of the control of this application. If the members of the public had any concerns/issues with waste collection they could be passed onto the waste collection team. There had been discussions with the applicant to try and amend the design of the gates, but the applicants preference was for metal railings, and felt a 5 bar gate would be too low.

Councillor Steve Drury lost connection and re-joined the meeting. Councillor Drury was able to speak but was not able to vote on this item as was not able to hear the whole debate.

Councillor Marilyn Butler said this part of Lower Road was a central part of the Chorleywood Village. The street scene should be considered and these large very intrusive metal gates would be very un-sympathetic.

Councillor Peter Getkahn asked if there were any restrictions on gated communities in the Councils Development Plan.

The Planning Officer said they did not believe there was.

Councillor Sara Bedford said the application must be determined on planning policy. Officers had said there were no restrictions on gates within the Development Plan. A resident would be allowed to put a fence up around their land to a certain height and distance from the highway/public footpath. This application meets all the rules and could not see how it could be refused because Members did not like the gates. The Council policy has no restrictions on gates included and could see no reason why this development should not be allowed. The Councillor asked if the bin store could be negotiated with the developer to have an enclosure and be given a designated space.

Councillor Sara Bedford moved that planning permission be granted.

Councillor Debbie Morris disagreed with Councillor Bedford and said the introduction of metal railings and gates would be unprecedented in this street scene as there were no other examples. Just because there was going to be a unique backland development it did not mean there should be a unique set of gates to the front. They would cause harm to the street scene. There had been a recent appeal upheld in another part of the District regarding gates, in spite of there being other gates in the road. The Inspector had said the gates would be out of character

in the street scene. Councillor Debbie Morris therefore proposed that the application be refused on the grounds that it was out of character in the street scene.

Councillor David Raw agreed with Councillor Morris. The gates were out of context and out of character in the area and if were to be introduced should be wooden gates which would blend in better.

Councillor Debbie Morris moved that Planning Permission be Refused, seconded by Councillor David Raw, on the grounds of being out of character in the street scene.

Councillor Sara Bedford said the Appeal decision Councillor Morris referred to was at 33 Bishops Avenue and was a different type of application to this. The gates at that property went straight out on to the road and were clearly visible, whereas the gates for this application were set back 8 metres from the road and would not be visible.

Councillor Debbie Morris confirmed that Bishops Avenue was a different location but was not in a Conservation Area and the property was not a Listed Building. Although there was one other house in the road with gates the Inspector still refused the application. Officers had said that the gates would be in line with the front of the other properties so they would be visible from the road.

On being put to the Committee the motion that PLANNING PERMISSION BE REFUSED was declared TIED by the Chair of the meeting the voting being 4 For, 4 Against and 2 Abstentions.

With the vote being TIED, Under Rule 23(1) the Chair of meeting used their Casting vote making the voting 4 For, 5 Against and 2 Abstentions. The Chair declared that the vote for Refusal had been LOST.

Councillor Sara Bedford moved that planning permission be granted, seconded by Councillor Keith Martin as per the Officers recommendation in the report.

On being put to the Committee the motion to GRANT PLANNING PERMISSION was declared TIED by the Chair of the meeting the voting being 4 For, 4 Against and 2 Abstentions.

With the vote being TIED, Under Rule 23(1) the Chair of the meeting used their Casting vote making the voting 5 For, 4 Against and 2 Abstentions. The Chair declared the vote to GRANT PLANNING PERMISSION CARRIED.

Councillor Drury was unable to vote on any of the motions, as provided in the virtual meeting protocol, as the Councillor had lost connection during the debate on the application.

RESOLVED:

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

**PC 78/20**

**20/2393/FUL - Part single storey, part two storey rear extension, first floor side extension above existing garage, conversion of loft space to provide habitable space, roof alterations to include the raising of the ridge and insertion of a dormer window to the front elevation and dormer windows to the rear at WILDWOOD, LOUDWATER HEIGHTS, LOUDWATER, WD3 4AX**

The Planning Officer reported further information had been submitted by the applicant in respect of Bats. The information had been reviewed by Herts Ecology. Herts Ecology had confirmed the information to be satisfactory to remove their objection, subject to a condition being added. On that basis, the second reason for refusal was no longer relevant and was to be withdrawn as it could be dealt with by condition. The first reason for refusal still remained.

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 Alex Hayward said the Parish Council had raised no objections to the application. It was a very large plot sited on the bend in the road and was not easily seen. The Councillor could not see how the proposed development would severely detract from the character and appearance of the Conservation Area and that of Mulberry House next door. The District was fortunate to have Conservation Areas and it is right that the Committee examine them closely but must be fair. The applicant had actively retained the arts and crafts style of the house. Although there are other houses with balconies in the Loudwater estate, this had been quoted as a negative of this application. The applicants had agreed to remove the electric gates. There were already crown roofs on the property next door, the ridge widths were acceptable and did not appear excessive or unduly prominent within the streetscene. The dormer windows are compliant. Although within the Conservation Area it did not mean the house needed to stay the same and asked the Committee consider approval of this application.

The Planning Officer acknowledged that the house was on a large plot but the design of the extension needed to respect and reflect the character and setting of the house. Officers would not be recommending approval for a large extension because it was on a large plot. The extension needed to relate to the host dwelling and any decision should be based on the Planning merits of the application. Officers consider that the amount of development was too much for the context of the street scene.

Councillor Sara Bedford acknowledged that this was a large house on a large plot, and that the proposed changes to the roof line and the front dormer do detract from the appearance of the building and make it very bulky.

Councillor Marilyn Butler said that the dormer windows had already been approved by Planning and considering the nature of the area it would not be over development.

The Planning Officer said in terms of the dormer windows the planning application had not been determined, therefore they did not have planning permission. Over development was not mentioned in the officer's report. Photographs of neighbouring properties were circulated to Members to review that were received from the applicant.

Councillor Sara Bedford moved that planning permission be refused, seconded by Councillor Steve Drury as set out in the Officer report.

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

RESOLVED:

That PLANNING PERMISSION BE REFUSED for the following reason:

- R1. The proposed development by reason of its excessive width, depth, height, design and increased bulk and massing would subsume the character of the existing dwelling, resulting in a development which is unsympathetic to the host dwelling, eroding its original character, and that of the streetscene and wider Conservation Area. The proposal would lead to less than substantial harm to a designated heritage asset however no public benefits have been demonstrated. The development therefore fails to preserve or enhance the character and appearance of the Conservation Area and is therefore contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013), the Loudwater Estate Conservation Area Appraisal (2013) and the NPPF (2019).

**PC79/20      20/2454/FUL - Construction of single storey outbuilding at 24 SHERFIELD AVENUE, RICKMANSWORTH, WD3 1NL**

The Planning Officer reported there were no further updates.

Councillor Steve Drury asked if the WC would be connected to mains drainage.

The Planning Officer said that was not a Planning consideration and would be a Building Regulations matter.

Councillor Chris Lloyd moved that planning permission be granted, seconded by Councillor Peter Getkahn.

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 and informatives set out in the Officer report.

**PC80/20      20/2530/FUL - Variation of Conditions 2 (In accordance with plans) and 5 (External Materials) of application 16/2555/FUL: (Construction of detached dwelling) To allow alterations to the design and materials of the approved dwelling and introduction of a basement level at LAND ADJ FRITHCOTE, WATFORD ROAD, NORTHWOOD, HA6 3PP**

Withdrawn from the Planning agenda.

**PC81/20      20/2546/FUL - Two storey front and rear extensions, single storey rear extension, conversion of existing garage into habitable accommodation and replacement roof including increase in ridge height and extension to hard standing to frontage, provision of external insulation and render - 4 BEECHWOOD AVENUE, CHORLEYWOOD, WD3 5RL**

The Planning Officer reported a further objection had been received from No.6 Beechwood Avenue following the publication of the report. The neighbour confirms that they maintain their objection following the amendment to hip the two storey rear projection. The neighbour maintains that the proposed development would result in loss of light to their windows. They also raised concerns the dwelling could be used as a HMO (House of Multiple Occupation) in the future and that the proposed extensions would be of an excessive scale compared to the original dwelling.

In relation to the neighbour's concerns relating to the potential use as a HMO, Officer's cannot assess this as a material consideration as part of this application

as this was not the proposal which had been submitted. Permitted Development does allow for some HMOs however Officers do not feel it reasonable to restrict this by condition owing to the nature of the application which had been submitted. The impact on neighbouring amenity had been fully assessed in the report.

Officers had notified the Parish Council of the amended plans (omission of gable). The Parish Council had confirmed that they maintain their objections as set out in the officer's report.

Councillor Debbie Morris lost connection during the presentation therefore was able to speak on the application but not able to vote.

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.

Chorleywood Parish Councillor Jon Bishop said looking at the photographs the street was deeply sloped and whilst the extension had come down in size from 4m to 2m, it would still be overbearing on No.2 and crossed the 45 degree splay line. The loss of soft landscaping at the front of the property would be in breach of Policy 2.4 of the new Neighbourhood Development Plan. There would not be enough room to park three cars.

The Planning Officer said on the impact on the amenity, loss of light, outlook and overbearing to No.2 these points had been addressed in the Officers report. In regard to the family room Members would have seen from the photos the extension to No.6 had a number of high level windows in the western side flank. There is no right to a view in planning terms. These flank windows are not the sole windows to the room and officers did not consider that the proposal would result in demonstrable harm to the amenity of occupiers of No. 6 through being overbearing or loss of light. With regards to No. 2, Officers felt that there would not be a detrimental impact and consider that the amended scheme had overcome the concerns with regard to the impact on No.2. The proposal would not be overbearing. The creation of hardstanding for parking could be undertaken under permitted development with the provision of surface water run off within the site. A small area of landscaping was being retained and the proposal was considered acceptable.

Councillor Stephen King asked if the application was passed could permitted development rights be removed.

The Planning Officer said if Members thought it would be appropriate then Members would need to be clear on which aspect of permitted development they were seeking to restrict.

Councillor Stephen King wished permitted development rights be removed.

Councillor Sara Bedford said if this application was passed would there still be capacity to have an extension to the dwelling other than the roof and what other changes in permitted development would be likely. Would it be reasonable to remove permitted development based on the other houses neighbouring would still have that right.

The Planning Officer said if permitted development was to be removed, it would need to be clear on which aspects of permitted development the Committee were seeking to restrict. Class A related to an extensions to the property whereas Class B related to extensions to the roof, and Class E related to outbuildings which would not be appropriate to include.

Councillor Stephen King moved that planning permission be granted, seconded by Councillor Peter Getkahn, with the amendment that permitted development rights to be removed Class A and B.

Councillor Sara Bedford said that if permitted development rights were withdrawn, was it correct that we could only withdraw permitted development rights that were already in existence.

The Planning Officer said that was correct.

Councillor Stephen King clarified that permitted development to Class A and B be removed.

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

Councillor Debbie Morris lost connection during the presentation by the Officer and debate therefore was able to speak on the application but not able to vote.

RESOLVED:

That Planning Permission be granted subject to the conditions set out in the Officers report and informatives plus an additional condition restricting Permitted Development Rights under Classes A and B of Part 1, Schedule 2 of the General Permitted Development Order.

**CHAIR**