
PLANNING COMMITTEE**MINUTES**

For a virtual/remote meeting held on Thursday 22 April from 7.30pm to 10.35pm

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 Margaret Hofman, Dominic Sokalski, Phil Williams, Croxley Green Parish Councillor Chris Mitchell and Batchworth Community Councillor Diane Barber

Officers: Adam Ralton, Scott Volker, Kimberley Rowley, Claire Wilson, Lauren Edwards, Freya Clewley, Matt Roberts, Sarah Haythorpe and Sherrie Ralton

PC 113/20 APOLOGIES FOR ABSENCE

None received.

PC 114/20 MINUTES

The Minutes of the virtual/remote Planning Committee meeting held on 18 March were confirmed as a correct record by the Committee and would be signed by the Chair of the meeting.

PC 115/20 NOTICE OF OTHER BUSINESS

There was no notice of any other business. Councillor Chris Lloyd read out the following statement to the Committee:

“The Agenda for this Planning Committee tonight was published on Tuesday 13 April, which assured the agenda was available for five clear working days before the meeting tonight. You will be aware that following the death of His Royal Highness The Duke of Edinburgh the Country went into a period of mourning for eight days which ended at 23.59 on 17 April. [Guidance](#) was published by the Cabinet Office following the death of His Royal Highness the Duke of Edinburgh, which provided details on the period of mourning for public services and which stated that all public services and any services involved in the government response to Covid 19 would continue as usual throughout the mourning period. Members of the public would be able to access this information and services online as necessary. The Committee and Legal Team undertook to establish whether the period of mourning for His Royal Highness The Duke of Edinburgh affected the computation of days for Council meeting purposes. Whether the period of

mourning leaves us with the five clear days required before the meeting tonight or whether as a result of these days could be deemed excluded from the calculation of days under Section 243 of the Local Government Act 1974. In order to ensure that Committee can determine these applications on the agenda tonight and following the notification to this Chief Executive as required under Rule 30(3) of the Council Constitution and as Chair of the Committee at this meeting I have agreed to take the agenda items of business as urgent under this Rule within the terms Section 100b(4) of the Local Government Act 1972. This is to ensure we comply with both the Act and guidance.”

PC 116/20 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.”

Councillor Chris Lloyd advised that the Liberal Democrat Councillors declared a non-pecuniary interest in Item 9. Members of the Committee were not personal friends of the Councillor who was acting as an agent on the application and did not feel there was any conflict of interest.

PC117/20 20/2737/FUL- Erection of a block of six apartments and a terrace of three residential dwellings, with the associated access from Sycamore Road, parking and landscaping at Land Adjacent to 62-84 & 99-121 SYCAMORE ROAD, CROXLEY GREEN, WD3 3TF

The Planning Officer gave the following update:

Following the publication of the reports, 9 further comments had been received on the application. All the comments confirm that the objections previously raised were upheld notwithstanding the amendments that were made to the scheme and the pre-consultation that was carried out. A comment was received that afternoon from the Canal and River Trust, who were a consultee on the application. They did not have any objections to the application but they had requested a number of conditions. Some of the conditions had already been suggested within the Officer report at section 8, however, there were 2 further conditions suggested which the Officer felt should also be incorporated: To remove Permitted Development Rights for Class A and F of schedule 2 part 1 of the general Permitted Development Order for the terraced dwellings to the south of the proposed development and for the submission of further details in relation to surface water drainage. A plan had been received from the Agent for the Application which showed detailed tracking diagrams to demonstrate that an emergency vehicle could enter and turn within the site if required.

Councillor Keith Martin advised of his long association with the site, from 1962 until the end of 2020 and that the amenity space had been allocated for the recreational purposes of the residents of the flats.

Councillor Peter Getkahn made the following points: The original application noted that the area had amenity space for those flats since 1960s, the park was not so easy to get to. The parking allocation had been noted as being lower but it was not clear where additional parking mentioned was located. There were flooding issues every year.

Councillor Sara Bedford put forward the following reasons for refusal of the application: The development would be detrimental to the visual amenity, setting and character of the area, contrary to the 1960s character of the area, as defined in Character Area 5 of the Croxley Neighbourhood Plan, and was therefore contrary to the Croxley Neighbourhood Plan, a material planning consideration. For the same reasons it would be contrary to the current Three Rivers Local Plan. A technical reason would be required for refusal based on the consequent lack of affordable housing which would result by refusing the application. The reason for refusal 2, as on the previous refusal, of it being adjacent to the Green Belt, had changed since that application came forward and may not stand up. It was hoped that the Case Officer would be able to explain whether that would be a valid material consideration in this situation.

Councillor Debbie Morris raised the following points: The ground that was upheld at the last refusal of the loss of open space for social and recreational use and had been identified by the previous Inspector. Officers had said that as it was 15 years ago its weight was not of the same substance but Councillor Morris said that did not destroy the validity of the reason for refusal. Plot 8 had a significant shortfall in amenity space which went against the assertion that this was to be a site that retained some sense of openness. Separation distances to neighbours to the east, north and west were said to be between 24 and 27 metres. Generally separation distances were 28 metres plus. 20 metres between the flats and the houses was not much. This was potentially an over-development that would cause harm to the existing street scene and the area.

The Planning Officer pointed out that as the site was not in the current designation of Green Belt they would not be able to take those policies into consideration.

The Chair queried the reason for refusal 2, that stated the proposed development was adjacent to Metropolitan Green Belt. The Planning Officer confirmed that was correct the Green Belt lay to the south of the site and began somewhere on the Grand Union Canal.

Councillor David Raw asked whether the policies that Croxley Green Parish Council said would be contravened at paragraph 4.1.1 were still valid.

Councillor Peter Getkahn said although this was not in the Green Belt it would be visible from the Green Belt.

Councillor Keith Martin said these were once cress beds which was why there was flooding.

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.

Ward Councillor Dominic Sokalski said the three main reasons for the application to be rejected were as follows:

- The site plans were misleading with the number of flats being understated. The flats with odd numbers 93 to 121 whilst those with even numbers were 62 to 96, a total of 33 properties and 50 residents.

- Loss of residential amenity space used for communal and recreational purposes. It would be contrary to Policy DM1
- The site contributed to the open and semi rural character of that part of Sycamore Road. The proposed development did not reflect the local context or conserve or enhance the character, amenities or quality of the area or protect existing residential amenities in contravention of Policy CP 12 design and development and DM1.

Ward Councillor Margaret Hofman said there was already a shortage of parking spaces in front of the flats. The proposed access to the development would result in the loss of parking spaces. The site was adjacent to the Green corridor either side of the canal and River Gade which provided a wildlife habitat. The destruction of the trees would have a detrimental impact. Localised flooding had become an issue due to a blocked drainage ditch. This site was not included in those under consideration in the new Local Plan. Previous applications had been rejected.

The Planning Officer said that planning policy was currently silent on sites that were adjacent to the Green Belt so that could not be taken into consideration. Having heard suggestions leaning toward the development by reason of its design and layout having detrimental harm to visual amenity, setting and character of the area, the Planning Officer said that if Members were minded to refuse the application they would have to determine that the benefits of the scheme were significantly and demonstrably outweighed by the harm identified.

Croxley Green Parish Councillor Chris Mitchell said Croxley Green PC objected to the application. The communal garden open space was a necessary condition for the granting of permission in the 1960s. It was designed as part of the open space and had been maintained by residents. Planning applications were refused in 2005 due to loss of open space. The ditch took water from Croxley Danes school. The Parish Councillor requested that the Committee refuse the application.

Councillor Debbie Morris added a reason for refusal related to plot 8, shortfall in the amenity space which was justified by the presence of the extensive opportunity of amenity in the immediate locality. Cassiobury Park, was a mile away, not in the immediate locality and the canal and towpath were not suitable for children to play. Paragraph 7.6.4 showed potential overlooking.

Councillor Sara Bedford said the loss of amenity space would be unlikely to stand up at appeal.

Councillor Sara Bedford moved, seconded by Councillor Alison Scarth, refusal of the application.

On being put to the Committee refusal of the application was declared CARRIED by the Chair the voting being 10 For, 1 Against and 0 Abstentions.

RESOLVED:

That PLANNING PERMISSION BE REFUSED (overturn of the recommendation) for the following reasons:

1) The proposed development by reason of its design and layout would be detrimental to the visual amenities, spacing, setting and general open character of the area, harming the 1960's character of the area and locality. The proposal would therefore be contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policies DM1 and Appendix 2 of the Development Management Policies document (adopted July 2013), Policy CA1 of the Croxley Green Neighbourhood Plan (Referendum Version December 2018), and NPPF.

2) 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 118/20 21/0237/FUL - Part single storey, part two storey rear extension, front porch and alterations to the front elevation comprising a new bay window at 36 GONVILLE AVENUE, CROXLEY GREEN, WD3 3BY

There was no Officer update.

Croxley Green Parish Councillor Chris Mitchell said they objected to the front part of the application as it was out of keeping with the character of the area. Their view was that the porch, dormer and bay window on the front did not comply with the Neighbourhood Plan CA3 as it changed the character of the property and affected the adjoining houses.

Officers confirmed they did consider the Neighbourhood Plan. Gonville Avenue was made up of dwellings of different styles, some of which had first floor dormer windows. A number of porches had been constructed of the same size and style as this application so it was considered that it would not result in harm in that respect.

Councillor Alison Scarth moved, seconded by Councillor Sara Bedford, the recommendation set out in the report for approval.

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

RESOLVED:

That PLANNING PERMISSION BE GRANTED subject to the conditions and informatives set out in the Officer report.

PC 119/20 21/0244/FUL - Erection of garden outbuilding and shed at ROWAN COTTAGE, WHITEGATES CLOSE, CROXLEY GREEN, WD3 3JY

An Officer left the meeting.

There was no Officer update.

The Chair confirmed that 9 people had been consulted with no responses.

Councillor David Raw raised concerns about sound if this was to be used for telephone calls and whether sound deadening would be used in the proposed structure. The Case Officer advised that the building fabric would provide sufficient insulation in terms of noise impact and would be quieter than people in the garden. Condition 5 had been added that it would only be used by the occupiers of the house for ancillary purposes.

Councillor Peter Getkahn moved, seconded by Councillor Sara Bedford, the recommendation set out in the report for approval.

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.

PC120/20 21/0249/FUL: Two-storey rear extension, part single-storey part first-floor side extensions, front porch, rear dormer windows and alterations to fenestration at 30 SOUTH APPROACH, MOOR PARK, HA6 2ET

The Planning Officer gave the following update:

Amended plans were received during the course of the current application. The amendments included: A reduction in height of the eil height of the first floor windows, such that they would remain unaltered as indicated on the proposed elevations. Reduction in size of two of the rear dormer windows from three casement windows to two, two casement windows. The removal of two flank roof lights facing towards either neighbour.

Batchworth Community Council had confirmed with officers that they had no comment to make with respect of the current application.

Moor Park 1958 had raised objections to the amended drawings. They acknowledged the slight reduction in the size of the rear dormers, however, they considered that the two outer dormer windows remained overly cramped and out of balance. Moor Park 1958 stated that they still consider that the submitted application entirely engulfs the existing dwelling and was tantamount to the effective material loss of this pre 1958 dwelling in the Moor Park Conservation Area. The objections raised in their second letter were similar to those already raised and officers had no further comment to make. The points were covered in the Offices report. In addition Condition 7 had been referenced in error, the wording next to condition 7 related to condition 6. Condition 7 was to be deleted.

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

Councillor Debbie Morris said residents in Moor Park bought into a conservation area and were subject to conservation area appraisal, regulations and guidelines. Three of the external walls would be lost in extensions although the front would remain. The Councillor could not support the scheme.

Councillor Marilyn Butler asked the distance between the house and the neighbours. The Planning Officer advised that the distance to the boundary with number 28 was approximately 4.2 metres, so opening up space to the boundary. With number 32 the distance to the boundary would be 1.5 metres and complied with the 80% guidance which was all within the in the Moor Park Conservation Area Appraisal. They felt it would be an enhancement to the area. The key features were being retained.

Councillor Debbie Morris brought attention to condition 6 which removed Permitted Development Rights in relation to class D erection of a porch and asked for provision that the design of the door would be put forward to Planning Officers for approval prior to its installation.

The Planning Officer said the front door was similar to what was there but referred to Condition 5 which asked for details of the front door and windows to be submitted to Officers prior to building work so this would be looked at with the Conservation Officer. Condition 6 removed Permitted Development Rights for a porch so if the applicant wished to erect one in the future they would have to apply for planning permission.

Councillor Peter Getkahn moved, seconded by Councillor Raj Khiroya, the recommendation set out in the report.

On being put to the Committee the motion was declared CARRIED by the Chair of the meeting the voting being 5 For, 2 Against and 4 Abstentions.

RESOLVED:

That PLANNING PERMISSION BE GRANTED subject to the conditions and informatives set out in the Officer report. Recommended Conditions C6 and C7 to be merged to form one single condition.

P121/20 21/0258/FUL - Demolition of existing garage and gym and construction of single storey outbuilding consisting of store, gym and garage to side and rear of dwelling at 8 SEABROOK ROAD, KINGS LANGLEY, WD4 8NU

The Planning Officer gave the following update:

The design and access statement had been circulated to the Planning Committee in advance of the meeting. The Statement had been omitted from the full submission, but clarified that the existing buildings were not fit for purpose and that a potential Permitted Development fall back right exists as well as the fact that the new outbuildings would be more sustainable.

Councillor Sara Bedford asked whether the submission of the Design and Access Statement made any difference to the analysis or recommendation. The Officer confirmed that this did not alter the view. The fall back position was highlighted in the report and for context the fall back was a material consideration. The plans submitted were less harmful than the permitted development scheme which would mean the fall back was a betterment than what was currently proposed. Notwithstanding this, it was acknowledged that the home owner had the ability to erect class E outbuildings; however, under class E there is an incidental test. This required a reasonable test based on the proposed uses of an outbuilding, meaning just because Class E granted outbuildings, it was not a given right that it would meet the incidental test.. As such, without a lawful development certificate being submitted the weight that could be given to any fall back position that may come forward was given limited weight. Ultimately the scheme currently being assessed was considered by Officers to be more harmful than whatever fall back may exist.

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.

The Planning Officer pointed out that class E gave the right to build outbuildings but not a blanket right to build a sizeable outbuilding. The key test would be whether what was proposed was incidental and that could not be considered without the full facts in front of them. No Certificate of Lawfulness had been granted from the Council which if there was, the weight given to the fall back position would therefore be greater than what was currently given in respect of the application.

Councillor Sara Bedford said the comments made by the Officer under the Very Special Circumstances headline and comments on the fall back position and the need to apply for a certificate was the compelling point on this. The Councillor was moving towards the Officer recommendation as it was felt this was too big in an open Green Belt setting. Another smaller building could be built that would remove the issue of the not fit for purpose falling down nature of the current buildings but the Councillor was not sure that would overcome the fact that this building would

be bigger, taller and more visible from the North looking towards it and also from Toms Lane and the houses in Seabrook and Hilltop Road.

Councillor Sara Bedford moved, seconded by Councillor Keith Martin, the recommendation for refusal in the report.

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

RESOLVED:

That PLANNING PERMISSION BE REFUSED in line with the reasons for refusal set out in the Officer Report.

PC122/20 21/0260/FUL: Conversion of garage to habitable accommodation, single storey front extension, part single, part two storey rear extension and insertion of two sun tunnels to front roofslope at 5 GROVE FARM PARK, NORTHWOOD, HA6 2BQ

The Planning Officer gave the following update:

Amended plans had been since publication of the report which amended the external finish of the extension to remove the clad element and show that it would be completely finished in brick to match the existing dwelling. Condition 3 as currently stated requires the extensions to be erected as per the approved plan, but to ensure that the extension is erected in matching materials Condition 3 would be updated to state this specifically.

Batchworth Community Councillor Diane Barber raised the following points of objection: In Batchworth Council's opinion with reference to CP12 the planning results in an over development. It was TRDC policy that three parking spaces be provided for a four bedroom house, this plan would reduce the parking spaces to two. If the plan was approved TRDC would be guilty of non-compliance with their own Policy. The LDD DM13 states that off street parking had to have safe and adequate means of access, the critical matter of parking and the corner position had been raised by neighbours. The boundary was unidentifiable as the grass verge and footpath had been paved over by a former owner to allow extra vehicle parking. An earlier approved plan stated that the grass strip and footpath should be reinstated to comply with the deeds of the estate but this was not done. The report stated now that the loss of the verge and footpath was historic and could not be remedied by TRDC. Due to the increase of hard surfaces on plot frontages there was an increase of flooding and the development should be subject to a drainage survey.

The Planning Officer referred to an application approved in 2019 that was very similar to the application currently proposed, the difference was the garage conversion and although tight, Planning Officers felt there would be room for 3 parking spaces to be provided. If Members took a different view Officers felt a shortfall in this location would be acceptable. They did not feel they could adequately demonstrate harm. With regard the plot boundary, Officers took that with good faith. With regard to the previous owner paving over part of the verge, that was a historic situation and the reference to the Deeds would not be a matter for Planning. In terms of over development, the rear extensions were in compliance with Appendix 2 of the Development Management Policy document. There was sufficient amenity space for a dwelling of this size. Plans had been amended during the course of the application to set back the front extension so it came no further forward than the bay so Officers were of the view that this was acceptable and they did have to have regard to the fall back position which is that they had approved applications for extensions with the exception of the garage

conversion. A drainage survey would not be reasonable to request on this type of application.

Councillor Steve Drury pointed out that to access the 3rd parking space they would have to mount the kerb.

Councillor Debbie Morris requested that Permitted Development Rights should be removed.

The Planning Officers were of the opinion that it was doable to access the 3rd car parking space and they did not feel it was appropriate to ask the applicant to apply for a larger drop kerb. Members could remove class A and class E if that was felt appropriate. The first floor rear extension was half a metre in depth bigger but very similar to an application that had previously been approved.

The Planning Officer said Members may want to remove Classes A, B, D and E.

The Chair confirmed that Members were happy to move the recommendation with the amendment removing Classes A, B, D and E.

Councillor Raj Khiroya moved, seconded by Councillor Debbie Morris, that Planning Permission be Granted together with the amendment .

On being put to the Committee the motion was declared CARRIED by the Chair of the meeting the voting being 10 For 0 Against and 1 Abstention

RESOLVED:

That PLANNING PERMISSION BE GRANTED subject to the conditions and informatives set out in the Officer report with the following additions:

Amendment to Condition C2 to make reference to the amended plans, and amendment to Condition C3 to require materials to match existing.

Additional Condition to remove Permitted Development rights for development under Classes A, B, D and E of the 2015 General Permitted Development Order.

PC123/20 21/0317/RSP- Part retrospective: Demolition of existing ground floor side extension and balcony and replacement with double storey side extension, single storey side and front extension, new porch over front door, landscaping to include a parking space to front of property and associated landscaping works at 4 ARTICHOKE DELL, DOG KENNEL LANE, CHORLEYWOOD, WD3 5EQ

There was no Officer update.

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.

County Councillor Phil Williams was disappointed with the lack of empathy and support that the Council had shown to a disabled veteran. The conservation area would be enhanced with the removal of a 1970s extension and a sympathetic extension with new brick work. All the other buildings had porches so wondered why this application did not allow a porch.

The meeting was paused briefly as Councillor Sara Bedford had lost connection. It was agreed to continue as Councillor Sara Bedford was unable to re-join the meeting.

Councillor Keith Martin had attended several armed forces events and said the Council should be doing more to find a way to support a veteran who had suffered due to his service.

Councillor Raj Khiroya said these were exceptional circumstances. There were 3 categories of harm, substantial, less than substantial and no harm. Was this being used against someone who had given their life for the country. The applicant's needs had to be taken into account. The application was for parking and a porch.

The Planning Officer said these were difficult applications to assess. Case Officers worked closely with the Applicant and had enabled them to get a planning permission. In respect of this application there was a judgement whereby they had come to a decision in respect of the front side extension that was unacceptable and that was supported by the Conservation Officer. The personal circumstances were fully acknowledged but the decision was dictated by Policy and where they had identified less than substantial harm the NPPF made it clear that public benefits would need to outweigh the harm. If Members felt there was no harm they could grant permission if they felt it was acceptable to the Conservation Area. Alternatively if they felt the extension was required to assist the individual, these may amount to very special circumstances that were of such significant weight then Members could override it, but Officers were of a different opinion in that respect.

Councillor Sara Bedford re-joined the meeting.

The Chair suggested a site visit may be possible.

Councillor Debbie Morris had been moved by the comments by the Applicant but a decision could not be made on sentiment and Planning Officers were not to be criticised for making a recommendation on Planning Policy.

Councillor Raj Khiroya said he supported the Officers but it was Members who had to make a decision.

Councillor Debbie Morris proposed, seconded by Councillor David Raw, for a site visit to take place.

Councillor Peter Getkahn pointed out that the Committee had not been aware that a site visit was possible, and asked for the member of the public to have an opportunity to speak again when the item returned to Committee. The Chair would take this on board if appointed Chair for the next Planning Committee.

Councillor Steve Drury proposed an amendment to defer the application for a site visit and for it to return to the May Committee Meeting.

Councillor Sara Bedford was unable to vote on this item having missed part of the debate.

On being put to the Committee the motion to defer the application for a site visit was declared CARRIED by the Chair of the meeting the voting being 8 For, 1 against 1 abstention

RESOLVED:

That the application be DEFERRED for a site visit

Councillor David Raw lost connection to the meeting 21.57.

Area) of planning permission 15/1210/FUL to alter operating hours and external use of frontage and rear garden area at SWILLET HOUSE, 52 HERONSGATE ROAD, CHORLEYWOOD, WD3 5BB

The Planning Officer gave the following update: Since publication of the Report Officers had been made aware that following the latest relaxation of the Government restrictions on 12 April, the restaurant re-opened and the outside areas were in use over the weekend. Furthermore a gazebo / marquee had been erected in the rear garden area to provide cover for diners. Whilst the gazebo did not form part of the planning application it was unlikely to require planning permission as it did not comprise development. Nevertheless, the gazebo / marquee was clearly integral to the use of the rear outdoor area and therefore if Members were minded to vary the relevant conditions to allow outdoor seating the conditions should be amended to ensure the gazebo / marquee would be removed at the end of the temporary permission. Within paragraphs 7.2.8 and 7.4.1 there were a couple of typos in relation to the hours of use of the external areas where it stated Wednesdays and Saturdays but should state Wednesday to Saturday.

Councillor David Raw re-joined the meeting and would be able to speak but not to vote.

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

Councillor Marilyn Butler advised that there were houses either side of the site and the 90 degree turn of the road meant that the cottages would also hear the noise from the outside seating. They had no parking so a lot of the parking went down Bullsland Lane which was inhospitable and a massive issue in the area. The addition of 24 covers in the openair at the back would cause extra noise, particularly staying open until 5pm on a Sunday. The extra covers would mean a lot of extra people and parking.

Councillor Debbie Morris said the application was late in the day as indoor dining was due to resume on 17 May. To allow the restaurant to have outdoor dining for 6 months would double the capacity, put extra pressure on parking, and the noise and disturbance generated by outdoor dining on neighbours had been described as being like a party five day a week. The balance was in favour with refusal.

Councillor Sara Bedford asked if the application was due to Covid regulations, previous losses due to Covid or an attempt to have outside dining contrary to refusal in 2015?

The Planning Officer advised that details submitted by the applicant were limited but following discussions found to be due to the hospitality sector being able to only operate outdoors and although it may be late in the day they had said this was in order to survive as a business. If Councillors did not agree with the 6 month time frame they could consider an alternative. This application to use the external areas was down to Covid.

Councillor Sara Bedford wanted to know how many covers were available inside the building only. The Planning Officer advised there were 56, so 30 additional covers outside. The Councillor said this was an increase of more than 50%. The Councillor asked if Members were in mind to give permission for a couple of months and to shorten the hours in the evening and not at all on a Sunday. 11pm on a work night would be too late. The Councillor could not support the application as it was. The Planning Officer advised that the application originally requested to use the external areas Wednesday through to Saturday until 10pm. Officers

considered this to be too late so shortened this until 9pm. Doors to the restaurant would be closed by 10pm

Councillor Peter Getkahn asked whether the 56 covers inside had been calculated with the social distancing rules in place. The Officer advised that the 56 covers would not be used for the next month so it would be just the 30 covers, 6 at the front and 24 to the rear.

Councillor Marilyn Butler moved, seconded by Councillor Debbie Morris, that Planning Permission be Refused.

Councillor Marilyn Butler said refusal would be due to overcapacity of the site and car parking problems.

Councillor Peter Getkahn queried why the plan was to have no use of the indoor restaurant until June despite being allowed to use it from May. The Planning Officer said that from 17 May when indoor dining was due to resume social distancing measure would need to be taken so all 56 covers were unlikely to be feasible.

Councillor Sara Bedford said almost all the reasons for refusal on the 2017 application still held and struggled to see how this would fit in with the residential nature of the area. They could not agree an application without the detail to justify it.

The Planning Officer read out the previous refusal, which was that the proposed extension to opening hours and the use of external areas would result in additional, prolonged noise, disturbance, traffic and nuisance and would result in unacceptable detrimental impact to the residential amenity of the adjoining and surrounding occupiers. The development therefore would be contrary to Policies CP1, CP10 and CP12 of the Core Strategy and CP9 of the Development Management Policies.

Councillor Raj Khiroya proposed to reduce the consent to 3 months and reduce the hours to close at 9pm.

Councillor David Raw felt 3 months would be too long.

Councillor Debbie Morris said there would be a return to indoor dining during 2 of the months.

The Chair said there had been no seconder for Councillor Raj Khiroya's proposal so it would not stand.

On being put to the Committee the motion for refusal of the Application was declared CARRIED by the Chair of the meeting the voting being 7 For, 0 Against and 3 Abstentions

RESOLVED:

That planning permission be REFUSED for the following reason:

The proposed extension to opening hours and use of the external area would result in additional and prolonged noise, disturbance, traffic and nuisance and would result in unacceptable detrimental impact to the residential amenity of the adjoining and surrounding occupiers. The development would therefore be contrary to Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

The Chair was advised that it was 10.30pm but made a decision to finish the final 2 items.

PC 125/20 21/0417/RSP – Part retrospective: Extension to existing patio and additional landscaping works to rear garden at 173 ABBOTS ROAD, ABBOTS LANGLEY, WD5 0BN

Councillor Sara Bedford moved, seconded by Councillor Chris Lloyd for a site visit to take place when possible.

The speakers would be automatically registered to speak at the May Planning Committee Meeting and the item would be higher the list up on the Agenda.

On being put to the Committee the motion to defer the application for a site visit was declared CARRIED by the Chair of the meeting the voting being 10 for, 0 Against and 1 Absention.

RESOLVED:

That the application be DEFERRED for a site visit.

PC 126/20 21/0477/FUL - Single storey rear extension at 6 WHITFIELD WAY, MILL END, RICKMANSWORTH, WD3 8QS

There was no Officer update.

Councillor Sara Bedford moved, seconded by Councillor Raj Khiroya, that Planning Permission be Granted.

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

RESOLVED:

That PLANING PERMISSION BE GRANTED subject to the conditions and informatives set out in the officer report.

The Chair thanked the Officers for and Members of the Committee for finishing the items.

Councillor Sara Bedford thanked the Chair for chairing the meeting throughout the year and the Officers for their work during the year.

CHAIR