
PLANNING COMMITTEE**DRAFT MINUTES**

Of a meeting held in the Penn Chamber at Three Rivers House, Northway, Rickmansworth, on Thursday 18 November 2021 from 7.30pm to 8.37pm.

Councillors present:

Steve Drury (Chair	Ruth Clark
Raj Khiroya (Vice Chair)	Keith Martin
Sara Bedford	Lisa Hudson (named substitute for
Stephen King	Cllr Alex Hayward)
Debbie Morris	Chris Lloyd
David Raw	
Alison Scarth	

Also in attendance: Councillors Phil Williams, Batchworth Community Councillor Craige Coren, Chorleywood Parish Councillor John Bishop, Croxley Green Parish Councillor Andrew Gallagher

Officers: Kimberley Rowley, Adam Ralton, Matthew Roberts and Sherrie Ralton

PC 78/21 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Alex Hayward with Councillor Lisa Hudson as the named substitute Member.

PC 79/21 MINUTES

Councillor Debbie Morris had been informed by Councillor Alex Hayward that the minutes referring to the Maple Cross Warehouse Development did not accurately reflect the discussion and Councillor Hayward was in correspondence with Officers about this. The Chair said he had not been included in the correspondence but as far as he was concerned the minutes were correct.

Councillor Steve Drury proposed a motion that the minutes be signed

On being put to the Committee the motion to sign the minutes was declared CARRIED by the Chair, the voting being 8 For, 3 Against, 0 Absentions.

The Minutes of the Planning Committee meeting held on 21 October 2021 were confirmed as a correct record and were signed by the Chair.

PC 80/21 NOTICE OF OTHER BUSINESS

The Chair noted that there was no urgent business – Item 11a was circulated a day after the agenda was published but was published 5 clear working days before the meeting

PC 81/21 DECLARATIONS OF INTEREST

Councillor Lisa Hudson declared a pecuniary interest in agenda item 10 as a neighbour and would leave the meeting for this item of business.

The Chair advised that that all the Liberal Democrat Councillors had declared a non-pecuniary interest in item 7 and 8 as the Agent was a Liberal Democrat Councillor. Members of the Committee were not personal friends of the Councillor and did not feel that there was any conflict of interest.

Councillor Steve Drury 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 82/21 21/1703/FUL - Demolition of the existing dwelling and detached garage, subdivision of site and construction of two dwellings and associated works at DONKEY GATE, CORAL GABLES, SOLESBRIDGE LANE, CHORLEYWOOD, WD3 5SN

The Planning Officer reported that it was noted that the Highways Authority were not consulted on this application as no changes to the access were required, however, there were highway concerns including emergency access and construction access given the narrow nature of Donkey Gate close to Solesbridge Lane. It was therefore, considered appropriate to seek full highway views on the application prior to issuing a decision. As such the Officer proposed an amendment to the recommendation as follows: That planning permission be delegated to the Director to grant planning permission following receipt of no objection comments from HCC Highways and subject to any conditions they recommend. The consultee comment by the Highway Authority can be circulated to Members once received. If HCC object Officers can either seek further details, amendments or refuse the application. If the requirements are significant, i.e. changes are required to the access track the application can come back to Planning Committee or would need to be withdrawn and resubmitted.

In accordance with Council Procedure Rule 35(b) a member of the public spoke against the application.

In accordance with Council Procedure Rule 35(b) Chorleywood Parish Councillor John Bishop spoke on the application. Councillor John Bishop said this application should be refused. This was the narrowest part of the lane and if kept as it was, if there were oncoming cars people would have to back out.

In accordance with Council Procedure Rule 35(b) Ward Councillor Phil Williams spoke on the application. Councillor Williams drew attention to the point that stated 'no further buildings would be permitted on this land', and asked that this could be looked into. Also Planning Officers enlarge on policies CP1, CP12 and DM1. The traffic issue where the top of Solesbridge Lane was almost single file, the times of vehicle deliveries would need to be looked at with some conditions required.

The Planning Officer advised as follows:

- Regarding the Member of the Public's comments on the previous application, policy had moved on and the Officer's judgement was that there were 2 relevant parts of the application relating to Green Belt policy. The replacement dwelling was classed as an exception because it was not materially larger while the new dwellings was another exception, that being classed as; limited infilling within a village.
- The comment regarding 'no further buildings on site'. If that was a planning condition that did not stop an application being made for development, the condition just enables added control from the Local Planning Authority. The Officer was not in receipt of any evidence that further buildings were restricted by a legal agreement.
- Adverse impact on the area and character, the Officer report highlighted that the character within that vicinity was varied and there were forms of back land development to the South West and further along Solesbridge Lane, at Solesbridge Close meaning the introduction of a new dwelling would be acceptable. Both dwellings would be single storey which would minimise the visual impact.
- AONB Views impacted, the Officer responded that the replacement dwelling would be further away from the boundary with the AONB thus improving views at this point.
- There was a condition on the application that seeks to tie the annex in with the replacement dwelling so permission would be required to convert it into a residential unit.
- Access concerns, the Officer would rather have formal concerns from the Highways Authority if they were looking to refuse the application. They can refuse if the Highways Authority object, and they would then have the evidence base as well as the professional opinion from the HCC Officer to support any appeal.
- There were no objections from the Conservation Officer, concerns with regards to materials were conditioned. The conservation area incorporates the access not the site and no changes were being made to the access unlike the previous refused application.
- There was a Construction Management Plan condition attached and delivery issues / hours could be added to that condition.

Councillor Ruth Clark asked what the differences were between this application and a previous one that was refused. The Officer said there were subtle differences to the design of the dwellings, the main difference was the changes to the access point, on coming into Donkey Gate the access was quite narrow and the previous application was seeking to enlarge that meaning soft landscaping and vegetation would be removed which led to objections from the Conservation Officer and was a reason for refusal. They have removed those

changes.

There was also concern that the bin store was sited with the ownership of Donkey Gate and would impact on the rural character of that aspect. No bin store is proposed along Donkey Gate.

Councillor Raj Khiroya proposed there should be a site visit in order for Members to understand the issues. The Chair proposed that the application be deferred until comments were received from the Highways Authority and for a site visit to be arranged for any Councillors who wished to visit.

Councillor Chris Lloyd knew the area but in agreement for it to be deferred until they hear back from the Highways Authority and for a site visit to take place.

Councillor Raj Khiroya moved, seconded by Councillor Alison Scarth for a site visit be arranged.

The Planning Officer asked Members to advise of any further concerns and for them to be discussed now rather than at the next meeting.

Councillor Debbie Morris said the report referred to a similarity in footprint between the proposed and existing dwellings, and asked for a comparison between the existing and proposed beyond footprint and a comparison between the previous schemes proposed dwellings dimensions. It was understood that the main difference related to access. The Planning Officer would get the comparisons but highlighted that the volume calculated comparison was usually only done on a replacement dwelling but would provide those comparisons for clarity. The new dwelling was not that significant given its scale so was considered as limited infilling.

Councillor Raj Khiroya asked for confirmation that the location was in the Green Belt and if it was in an Area of National Beauty (AONB). The Planning Officer confirmed the report highlights that it was in the Green Belt, the access was not and the AONB was to the north of the fields and did not cover any part of the application site. The conservation area was not within the site but did cover the access.

Councillor Debbie Morris said the new dwelling did not meet the parking standards and asked if there was scope for an additional parking space? The Planning Officer confirmed that the applicant had advised that there was scope to provide three parking spaces within soft landscaping and updated plans can be provided if this application was deferred

Councillor Chris Lloyd moved, seconded by Councillor Alison Scarth for the application to be deferred until comments received back from Herts County Highways. Councillor Raj Khiroya moved, seconded by Councillor Alison Scarth for a site visit be arranged.

On being put to the Committee the proposals to defer the Applications pending receipt of comments from Hertfordshire County Council Highways Department and to allow Members to visit the site were declared CARRIED by the Chair the voting being 9 For, 0 Against and 2 Abstentions

RESOLVED:

Deferred consideration of the Application pending receipt of comments from Hertfordshire County Highways Department and to allow Members to visit the site.

PC 83/21 21/1822/FUL: Two storey rear extension, loft conversion with replacement roof including rear dormers and rooflights and extension to hardstanding to frontage at 51 ST MARYS AVENUE, NORTHWOOD, HERTS HA6 3AY

The Planning Officer reported there was no update on this application. However, the applicant had provided an additional drawing that was on the planning portal. It gave a helpful indication of the extensions relative to the properties and clarified the extent of changes to the hard surfacing to the front.

In accordance with Council Procedure Rule 35(b) Councillor Craig Coren, Batchworth Community Councillor spoke on the application.

Councillor Craig Coren said that at the time of the application they had objected to certain aspects and were still of the opinion that these points still needed to be accounted for. There were concerns with the height of the rear extension and were also of the opinion that the overall massing of the development was excessive for St. Marys and the adjoining properties. Most important was the issue of flooding. Photographs had been circulated to Members of Planning Committee from Brexit Day 2016 showing flooding in St. Marys Avenue and Eastbury as a whole, when 24 houses were flooded in less than 4 hours. The building of this extension and greater paving on the front and back gardens would make this situation worse. Herts County Council have undertaken a study to deliver a sustainable drainage system which has not yet been published. If the application is passed they ask that the Construction Management Plan be provided by the contractor to include all contractor vehicles be parked away from St Marys Avenue.

Councillor Debbie Morris proposed that the application be deferred because the Environment Agency's advice was that a flood risk assessment should have accompanied this application and they had noted that there was no flood risk assessment here. Councillor Morris' understanding was that Officers consider that the inclusion of plans that showed floor levels remained the same and the fact that porous hard standing was being utilised was sufficient to forgo the requirement of a flood risk assessment. Government guidance states that certain things should be included as follows: assessment of the flood risk from all sources of flooding from a development, plus an allowance for climate change. The estimated flood range for a development, details of flood resistance and resilience. It also states if the minor extension is in an area of increased flood risk as a result of multiple minor extensions in the area an assessment of the offsite flood risk would need to be included. The Councillor believed this application was deficient in the documentation included and that neither Officers nor Members were in a position to assess it so asked for it to be deferred for the submission of a Flood Risk Assessment.

The Planning Officer confirmed that they used the Environmental Agency's (EA) guidance and their interpretation was that you should use the advice for minor extensions to complete an assessment and the Environment Agency's primary requirement was to ensure the floor levels were either no lower than

existing or at least 300ml above the flood level and they consider that it was stated that the floor levels were no lower than the existing, which meets that requirement. The dwelling itself was not in the flood risk zone. The flood risk zone 3 was to the rear part of the site so the building was not in flood risk zone 3. Part of flood risk zone 2 wrapped around part of the building which was a risk of flooding from the river which was at the back of the site. Bearing that information in mind they judged that the information with respect to the floor levels was acceptable to meet the EA advice to ensure the levels were no lower than the existing.

Councillor Debbie Morris said that in the EA comments at paragraph 4.1.3, paragraph 2 'The proposed development falls within flood zone 2 and 3', so whether it was the existing property or the site they should not be differentiating they should be looking at it as a whole. The photographs show major flooding and there had been major flooding in 1993 and it was thought Officers were unaware of the cause of the flooding. For a Local Planning Authority to suggest that there was adequate information when they were unaware of the cause of the flooding was unacceptable and the Councillor disagreed with the Officers comments.

The Planning Officer said that Herts County Council who were responsible for investigating flooding events had investigated this particular flood event and stated that it was the result of a period of incredible rainfall in 2016, which caused surface water to flow from Batchworth Lane and some of the other roads through St Marys toward the river at the back of this site, so Officers were aware of what caused this flooding. The County Council had numerous recommendations for Thames Water and TFL to improve how the surface water could be dealt with. If Members wish to defer the application for Officers to request a flood risk assessment they would make that request. If the developer submits a flood risk assessment they would ask the EA if they wanted to comment but generally they did not comment on flood risk assessments and would tell them use the standard advice. If the developer did not submit a flood risk assessment and it went to appeal because of failure to determine the application they would need to be able to say what decision they would have made were they in a position to do so. They would have to tell the Planning Inspector they would have refused it as they did not feel there was sufficient information to demonstrate the flood risk would be adequately dealt with.

Councillor Sara Bedford asked whether the LLFA had been consulted on this or was there no requirement to do so? The Planning Officer said there was no requirement to do so. They were only consulted on major planning applications.

Councillor Chris Lloyd asked if Officers were comfortable that, with the additional parking, the reduced area for drainage was adequate. If planning permission was granted tonight could a condition be added requesting that no vehicles park in St Marys Avenue? The Planning Officers replied that in terms of the site's frontage the current hard surface was not one that allowed water to go through it, so whilst there would be more space for cars to park on the front, the new hard surface would be replaced with a porous material and although it was difficult to compare the speed water would run off concrete onto the grass area against the porous material Officers' judgment was that this

would be an improvement to that particular part of the site. A Planning Condition controlling where contractors could park would be very difficult to enforce and justify.

Councillor Debbie Morris replied that not knowing how effective comparatively a porous surface to an existing one, would demonstrate how a Flood Risk Assessment was required. The report did not clarify whether the hardstanding would be porous down to the soil or a porous top surface and a non-porous lower surface. The Officers replied that to be porous meant water would seep all the way through and added that hard surface did not need planning permission.

Councillor Keith Martin moved the Officer recommendation, duly seconded by Councillor Sara Bedford.

On being put to the Committee the motion was declared CARRIED by the Chair the voting being 7 For, 4 Against and 0 Abstentions

RESOLVED:

That PLANNING PERMISSION BE GRANTED, subject to the conditions set out in the report.

PC 84/21 21/2244/FUL Single storey rear extension and alterations to fenestration at 5 THE SHIRES, ABBOTS LANGLEY, WD25 OJL

The Planning Officer reminded the Committee that if the recommendation was agreed the decision would be delegated to the Director of Community and Environmental Services, to consider any representations received as notice expired on 25 November.

Councillor Raj Khuroya moved the recommendation, duly seconded by Councillor Keith Martin.

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

RESOLVED:

That the decision be delegated to the Director of Community and Environmental Services in accordance with the Officer recommendation following the expiry of the consultation period and no further comments being received.

PC 85/21 21/2253/FUL – First floor front extension and front porch at 71A TROWLEY RISE, ABBOTS LANGLEY, WD5 0LN

The Planning Officer had no update.

Councillor Sara Bedford pointed out the report stated that the Agent was a Ward Councillor, when in fact the Agent was a Councillor. This was noted.

Councillor Chris Lloyd moved the recommendation, duly seconded by Councillor Sara Bedford.

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

RESOLVED:

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

PC 86/21 21/2319/FUL: Single storey side extension and removal of rear conservatory at 1 OLD BARN MEWS, CROXLEY GREEN, HERTS, WD3 3AH

The Planning Officer reported that Condition 5 was to be updated to include that the conservation grade roof lights shall be flush with the proposed roof slope to add clarity. The condition to be amended to read 'The roof lights hereby permitted shall consist of conservation grade roof lights which are flush with the proposed roof slope in which they will be inserted'. It was also proposed that the following to be added to informative 4: 'Access via The Green during construction will require prior written permission from the Council's Property Department.

In accordance with Council Procedure Rule 35(b) Croxley Green Parish Councillor Andrew Gallagher spoke on the application.

The Parish Council had concerns about the shape of roof in the proposed extension in relation to the rest of the building. The Parish Council thought it looked wrong, would spoil the view and could easily be amended. The main roof of the proposed extension was not the same pitch as the existing building and was contrary to policies and guidelines in the Neighbourhood Plan. The house was clearly visible from The Green and contributed to its character. It would not be possible to use the same plain tiles on the new roof so it would not be possible to match materials to the existing house.

The Planning Officer confirmed the roof would not be the same pitch. They were looking at quite a subservient small extension to the side. If the roof followed the pitch of the original house the extension would be far more visible and harmful. The Officers' opinion was that it was acceptable and there was no objection from the Conservation Officer. Officers could condition that they see samples of the roof tiles and that they use a similar tile. That condition would go via the Conservation Officer who would have the ability to comment.

The Planning Officer clarified that the original building had permitted development rights removed meaning if they were to develop it in the future with other extensions they would always have to come to Planning.

The Planning Officer confirmed that there would be an amendment to C4 to require a sample of external materials to be submitted to the LPA for its approval before any works take place above ground level and amend informative 5 as per the update.

Councillor Sara Bedford moved the recommendation, duly seconded by Councillor Keith Martin.

On being put to the Committee, the recommendation was declared CARRIED by the Chair, the voting being 10 For, 1 Against and 0 Absentions.

RESOLVED:

That PLANNING PERMISSION BE GRANTED subject to the following amendments to the conditions:

- Amendment to C4 to require a sample of external materials to be submitted to the LPA for its approval before any works take place above ground level.
- Amendment to C5 to make reference to the need for conservation grade rooflights, fitting flush with the roofslope.
- Amend informative 4 reminding the developer that any construction access via The Green would require TRDC Property Department's prior agreement.

PC 87/21 21/2347/RSP – Retrospective: Installation of sliding doors and railings to ground floor front elevation at SHOP 4 WALPOLE BUILDING, CHURCH STREET, RICKMANSWORTH, HERTFORDSHIRE, WD3 1BU

Councillor Lisa Hudson left the meeting for this item.

The Planning Officer had no update but advised of an additional photograph on the website.

Councillor Raj Khiroya moved the recommendation, duly seconded by Councillor Sara Bedford.

On being put to the Committee, the recommendation was declared CARRIED by the Chair, the voting being 8 For, 0 Against and 2 Abstentions.

RESOLVED:

That RETROSPECTIVE PLANNING PERMISSION BE GRANTED UNCONDITIONALLY and has effect from the date on which the development is carried out, subject to conditions in the Officer report.

Councillor Lisa Hudson re-joined the meeting.

PC88/21 21/2343/RSP - Retrospective: Erection of two temporary buildings for a period of twenty-four months (2 years) at TENNIS COURTS, MAPLE CROSS RECREATION GROUND, DENHAM WAY, MAPLE CROSS, HERTFORDSHIRE

The Planning Officer reported that there was an alteration to Condition 1 requiring the land to be restored back to its previous condition rather than a restoration scheme submitted

Councillor Sara Bedford moved the recommendation, duly seconded by Councillor Raj Khiroya.

On being put to the Committee the recommendation was declared CARRIED by the Chair, the voting being unanimous.

RESOLVED:

That RETROSPECTIVE PLANNING PERMISSION BE GRANTED subject to an alteration to C1 requiring the land to be restored back to its previous condition and the conditions set out in the report.

Chair