
PLANNING COMMITTEE**MINUTES**

Of a meeting held in the Penn Chamber at Three Rivers House, Northway, Rickmansworth, on Thursday 23 June 2022 from 7.30pm to 9.36pm.

Councillors present:

Steve Drury (Chair)	
Matthew Bedford (Vice Chair)	Lisa Hudson
Sara Bedford	Raj Khiroya
Ruth Clark	Chris Lloyd
Stephen Cox	David Raw
Philip Hearn	Stephanie Singer

Also in attendance: District Councillor Alison Wall, Batchworth Community Councillor Craige Coren and Chorleywood Parish Councillor John Bishop.

Officers: Matt Roberts, Adam Ralton, Lauren Edwards-Clewley and Lorna Attwood

COUNCILLOR STEVE DRURY IN THE CHAIR**PC 13/22 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Stephen King with the substitute being Councillor Stephen Cox.

PC 14/22 MINUTES

The Minutes of the Planning Committee meeting held on 26 May 2022 were confirmed as a correct record and were signed by the Chair.

PC 15/22 NOTICE OF OTHER BUSINESS

None received.

PC 16/22 DECLARATIONS OF INTEREST

The Chair read out the following statements 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. 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 particular view.”

Councillor’s Sara and Matthew Bedford declared an interest in agenda item 10 (22/0526/FUL - Erection of two storey side and rear extension at 95 KINDERSLEY WAY, ABBOTS LANGLEY, HERTFORDSHIRE, WD5 0DG) as they resided in the consultation area. Councillors would leave the room for this application

The Chair declared a non pecuniary interest for the whole of the Liberal Democrat Group on the Committee with regard to items 13 (22/0731/FUL - First floor extension above existing ground floor extension at 6 THE CRESCENT, ABBOTS LANGLEY, WD5 0DS) and item 14 (22/0823/FUL: Conversion of garage to habitable accommodation, removal of front bay window, single storey front extension and removal of chimney at 2 DELLMEADOW, ABBOTS LANGLEY, WD5 0BA). 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.

PC 17/22

22/0033/FUL – Proposed demolition of existing office block and multi-storey car park and redevelopment to provide 6 no. warehouses for a flexible range of employment uses (within Classes E(g)(iii), B2 and / or B8) with ancillary offices together with associated works at HERTFORD PLACE, DENHAM WAY, MAPLE CROSS, WD3 9AB

The Planning Officer reported that a Bat Survey and Ecology Enhancement Report had been submitted after the publication of the officer’s report. The report concluded that the building is a roost for bats and suitable mitigation had been put forward. A licence would also be required separately from Natural England to proceed lawfully. Following receipt of the survey, Herts Ecology had no objection subject to the imposition of a number of planning conditions.

As a result of the survey, further biodiversity enhancements had been provided, including 10 bat boxes, 8 of which would be on the new buildings and 2 within existing trees, with 6 swift boxes on the buildings as well as bird boxes to existing trees and new hedging along the frontage.

As such, Condition 2 (plan numbers) would need to be altered to incorporate the new amended plans and a new condition would be imposed requiring that prior to occupation the biodiversity mitigation and enhancements are installed/undertaken across the site. Condition 13 dealing with hard and soft landscaping would also need to be altered to update the plan number referenced within the condition.

A further amended plan had been submitted which showed the erection of acoustic fencing between the buildings, as required by the Environmental Health Officer. A new condition would be imposed requiring the fencing to be installed prior to first occupation.

Condition 11 dealing with external materials can also be amended to remove reference to the refuse and recycling stores as details had now been submitted.

Lastly, in light of the comments received from Herts Ecology, the recommendation is now to be altered to read:

“That subject to no new material considerations being raised and the recommendation of approval/no objection/concerns from the Lead Local Flood Authority (LLFA) or an alternative appointed consultant providing specialist professional advice, that the application be delegated to the Director of Community and Environmental Services to GRANT PLANNING PERMISSION subject to the amended conditions/additional conditions and any additional conditions as requested by the LLFA (or appointed consultant).”

Councillor Raj Khiroya asked for an update on the consultations, i.e. how many letters went out, and how many responses were supportive and how many opposed to the scheme, to which it was stated that 123 letters went out with 23 objections, including the Maple Cross and West Hyde Residents Association.

As the Ward Councillor, Councillor Raj Khiroya was concerned if planning permission was granted we would not know who would be occupying the warehouses, how the warehouse would be used and was concerned about hours of operation. They wanted to know if permission was granted would this application then come back to Committee to agree the hours of operation.

The Planning Officer replied that there was flexible use of the classes including Class E Commercial Business. If the business fell into those classes they would not need to apply for any further permission as it would already have been granted. We would not know who would be moving into the units. Hours of operation would be 24/7. An acoustic noise report had been submitted and reviewed by Environmental Health and a condition had been applied which would cover any plant internally and externally, vehicle movements and lorries reversing. Noise levels should not exceed 5dbl above the stipulated background levels. This followed a similar condition which was applied to the warehouse to the south of the site.

Councillor Raj Khiroya was concerned about 24 hour business use and the impact on residents and wondered if we could improve or enhance the conditions.

The Planning Officer advised that the location of the site was significantly away from residential properties by approximately 200 metres. The site was shielded partly by existing office buildings which were adjacent. The site was almost on the outskirts of Maple Cross and it was therefore deemed that the 24 hour use was acceptable due to the distance from residential areas. When the Local Plan looked to allocate the site as employment land, it was considered to be a suitable site due to the distance from Maple Cross residents.

Councillor Sara Bedford commented that according to Paragraph 8.4.13 of the report the nearest property was 200 metres away, was also shielded by other commercial properties and the site was in fact much closer to the roundabout that led to the M25, so it would be difficult to argue on these points.

Councillor Phillip Hearn asked about the provision of car parking. The plans showed 30 spaces, and the report stated there would need to be an assessment as to whether that would be enough. They said in spite of encouragement to use public transport, 30 parking spaces would probably be insufficient. The area became extremely congested in the mornings and wondered if the recent warehouse approval had been taken into account. The Councillor then asked whether a tracking diagram had been submitted to establish how many vehicles could get into the site in a forward gear, as the site looked tight for six large warehouses.

The Planning Officer advised the parking was speculative and it would be difficult to gauge the overall impact and would depend on the different uses. Some units were different sizes and the Planning Officer had tried to get an average, taking the lowest and the highest. In the worst case if all units were in one specific class, say B8, there would be a minor shortfall. Likewise, a larger shortfall if they were all to be Class B1 or B2 use. It was unlikely that they were to be same use of Class especially due to the demand for Class B8 use as it currently was. Each unit would have their own amount of designated parking spaces, unit 1 the largest had the most amount of parking but with only one lorry space. The owners would be aware of this. There had been a judgement made that parking levels would be acceptable. There was a possibility of overspill onto the adjacent roads but they could not park on Denham Road due to the road being 40mph and its busy nature. It would be unlikely that parking would overspill due to too many constraints locally and due to any parking being a considerable distance away which was likely to deter people. There was also a cycle lane and walking route if local people were employed on the site. With regard to the congestion trip rate, the existing lawful use of the site was for an office building with a multi-story car park with over 200 spaces. The transport assessment had made comparisons to the trip rates and compared this to the application and advised it would be significantly lower. The office had not been used for a number of years but that was the current lawful use. Tracking levels and a tracking diagram had been supplied, and large vehicles would be able to move in a forward gear along with refuse and recycling vehicles, and the internal road would be widened. The Highways Authority had raised no objections.

Councillor Chris Lloyd said the current vehicle usage of up to 330 vehicles was referenced in Paragraph 8.5.4 of the report but elsewhere 403 vehicles was quoted, and asked which was correct.

The Planning Officer replied that lawfully, vehicle usage could be up to 733 trips each way.

Councillor Chris Lloyd asked if there had been any change to the highway and the ability to turn right as that would enable vehicles to get back onto the motorway sooner.

The Planning Officer replied there had been no change to the existing access as it was deemed sufficient, and it was expected that most vehicles leaving the site would be joining the motorway anyway rather than going towards nearby residential areas.

Councillor Raj Khiroya referenced the proximity to the Reach Free School and the significant amount of traffic there already during peak times. The development of this site would make the traffic even more horrendous. Also to be considered was the impact on the environment and the whole area.

The Planning Officer noted the points made regarding the traffic at the Reach Free School but said pavement and crossing provision was adequate, and if the original offices were used to full capacity there would be much more traffic than at present.

Councillor David Raw agreed with the points made by Councillor Khiroya, and added that when the building comprised offices they would, presumably, have been occupied between 9am-5pm and not 24/7. Councillor Raw expressed concern over air and noise pollution from the site, and asked whether the Council could stop work going on if it all became too much i.e. 24 hours a day, 7 days a week for the two sets of warehouses.

The Planning Officer said that this was an allocated employment site and the Council had decided that it was therefore suitable for various types of businesses, and had been assessed based on the site circumstances and other variables such as building layout and businesses to be located there. With regards to the concerns over travel plans and when units were occupied, staff should be encouraged to use public transport. Larger vehicles would be encouraged to be lower emission vehicles, and conditions would be imposed to protect air quality. Having the proposed conditions in place would safeguard the area now and in future, but it was not possible to refuse the application on those grounds.

Councillor Raj Khiroya was also concerned about the visual impact, to which the Planning Officer replied that the office building is quite sizeable, but the warehouses would be some 5 metres lower. Maintenance of the protected trees at the site as well as new hedging and landscaping would result in a better appearance than at present.

Councillor Sara Bedford asked for confirmation that the Lead Local Flood Authority (LLFA) was a statutory consultee, to which the Planning Officer said it was.

Councillor Sara Bedford was concerned about the comments within Paragraph 8.8.5 of the report relating to the absence of any input from the LLFA.

The Planning Officer said that steps were being taken to obtain professional input from another source as the LLFA had not commented on a lot of applications recently.

Councillor Sara Bedford requested confirmation that the LLFA in this case was Hertfordshire County Council.

The Planning Officer said the LLFA had not provided input on applications for several months and it was hoped that the LPA would do on behalf of HCC.

Councillor Stephen Cox noted Members concerns but was not hearing a clear reason to refuse.

Councillor Chris Lloyd asked whether it was possible for the conditions to stipulate times during which demolition work could take place.

The Planning Officer replied that Condition 4 within the demolition statement clarified the times during which work may take place.

Councillor Chris Lloyd requested that for the sake of clarity the hours during which demolition work may take place be included in the minutes of the meeting. The Planning Officer advised that the hours were:

8am-6pm Monday – Friday

9am – 1pm Saturday

No audible work permitted on Sundays or Bank Holidays .

Subject to the times of permitted demolition work being included in the minutes of the meeting, Councillor Chris Lloyd was happy to move the proposal that Planning Permission be Granted with the amendments proposed.

Councillor David Raw said the according to the report further surveys were required, and asked where were we with that. It was noted too that Affinity Water had objected, and asked if that was for the same reasons as the earlier warehouse application i.e. impact on the water table and quality of water.

The Planning Officer replied that the objections by Affinity Water had been overcome and the office update at the start clarified that the additional bat surveys had now been undertaken.

Councillor Sara Bedford seconded the proposal moved by Councillor Chris Lloyd with amendments.

The Planning Officer advised that the amendments were in the update, and further reports from a specialist professional, in lieu of input from the LLFA, would be circulated to Members on receipt.

On being put to the Committee the motion was declared CARRIED by the Chair the voting 7 For, 1 Against and 3 Abstentions.

RESOLVED:

That PLANNING PERMISSION BE GRANTED subject to no objection from the LLFA/appointed consultant, and amendments to conditions 2 (plans numbers), 11 (external materials) and 13 (hard and soft landscaping), additional conditions relating to biodiversity enhancements and acoustic fencing and any additional conditions as requested by the LLFA (or appointed consultant) (in accordance with the officer recommendation).

All conditions including those required to be amended (C2, C11 & C13) and additional conditions (biodiversity mitigation/enhancement and acoustic fencing) are to be circulated to Members in due course along with any additional conditions required in relation to sustainable drainage.

PC 18/22

22/0199/FUL - Two-storey side and rear extension and loft conversion including insertion of rooflights and alterations to external materials at 59 CHESTNUT AVENUE, RICKMANSWORTH, WD3 4HA

The Planning Officer had no update.

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

Parish Councillor John Bishop apologised on behalf of the neighbours who could not be at the meeting. The Parish Council had significant concerns over the scale of the property extension, overshadowing, loss of light and outlook. The Committee needed to bear in mind that the slope of the road meant No.59 was considerably higher than No.61, and the staggered nature of the properties by which No.61 was slightly forward of No.59, with No.57 setback appreciably. The proposed extension would double the footprint of the property, and the increased ridge height would result in a major negative impact on the light available at the rear of No.61. The reasons for the refusal of previous applications on the site applied to this one, and allowing the application would be contrary to CP12, DM1 and Appendix 2 of the Development Management policies, and requested that the Committee refuse this application.

In accordance with Rule 35(b) Councillor Alison Wall spoke on behalf of a member of the public and read out a pre-written objection to the application.

The Planning Officer advised that the neighbour at No.61 was on a higher land level, the neighbour at No.57 was at a lower land level. The Officer then presented the plans on screen for Members to view.

Councillor Matthew Bedford said there was ambiguity in terms of the distance by which the 45° splay line was breached, and quoted Paragraph 7.2.4 of the report which advised 1.7 metres but 3 or 4 metres was quoted by speakers, and asked for clarification.

The Planning Officer replied that both measurements were correct as they were taken from different points, and the larger figure represented the actual intrusion.

Councillor Phillip Hearn did not understand why there were two figures quoted.

The Planning Officer replied that the lower measurement was included by the agent and would not necessarily be where Planning Officers would draw it from.

The Chair asked whether anyone wished to propose that the recommendation to grant permission be moved, along with a seconder, subject to the inclusion of the six conditions at the end of the report. Failing that, someone to propose an alternative proposal.

Councillor Phillip Hearn proposed that the application be refused permission on the grounds of the breach of the 45° splay line, and was supported by Councillor Sara Bedford for reasons of the 45° splay line breach.

Councillor Matthew Bedford said he would like to hear the comments of Planning Officers, as the 45° rule existed for a reason and this clearly breached it and provided grounds for refusal.

The Planning Officer said the 45 degree splay line was for guidance, and the decision whether to allow the application should be based on the extent to

which the extended property would result in an overbearing impact or loss of light to neighbouring amenity.

Councillor Sara Bedford asked for confirmation that the interpretation of the 45 degree splay line was a matter of judgement and not fact, to which the Planning Officer agreed.

Councillor Sara Bedford restated that the application should be refused on the basis of the breach of the 45 degree splay line.

Councillor Matthew Bedford said that No.59 was set back and to the south of No.61 and this exacerbated the problem, and while the position of the property was unfortunate, the resulting impact on No.61 would cause harm.

Councillor Sara Bedford asked that the matter of the 45 degree splay line be added to the reason for refusal.

Councillor Chris Lloyd asked that the exact wording for the grounds for refusal be made available.

On being put to the Committee the motion to overturn the Officer's decision and that Planning Permission be Refused was declared CARRIED by the Chair the voting being 8 For, 0 Against and 2 Abstentions.

RESOLVED:

That Planning Permission be REFUSED (overturn of the officer recommendation) on the grounds of adverse impact on neighbours, the final wording to be circulated to Members prior to decision being issued).

The final wording of the reason for refusal being:

R1 The proposed two storey rear extension, by virtue of its intrusion of a 45 degree splay line with No.61 Chestnut Avenue (taken in accordance with the guidance of Appendix 2 of the Development Management Policies LDD), would represent an oppressive and overbearing form of development. The proposed development would be to the detriment of the visual amenity of the occupants at No.61 Chestnut Avenue and is therefore contrary to Policy 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 (2021).

PC 19/22 22/0217/RSP – Part Retrospective: Erection of detached open-sided garden structure with pizza oven including associated vent and erection of trellis fence at SOUNDGARDEN, BERRY LANE, CHORLEYWOOD, HERTFORDSHIRE, WD3 5ET

The Planning Officer advised following the publication of the Officer report, one further set of comments was received which highlighted the following:

- Removal of Argentinian grill addresses our most serious concerns
- Request screening is required on the open-sided facing elevation so we are not overlooked

- Do not want a 3 metre high fence between our properties on our fence* and would prefer to plant screening which we will after the removal of the Argentinian grill.
- Due to burn time of the pizza oven we request that a flue filter or scrubber is fitted to reduce emissions
- Stainless-steel flue is unsightly

Further comments were received by the same objector stating that there are errors within the report in respect of when the outbuilding was first built and put to use. It was stated that the outbuilding was in use from December 2020, not Spring 2021. Also, it was stated that the outbuilding is 12 metres from the neighbouring property rather than 17.5 metres and therefore the pizza flue is just under 12 metres from the neighbouring property rather than 20 metres. Officers had been unable to confirm the measurements on site; however based on past plans submitted at the neighbouring property the stated distances are likely to be more accurate; however, as the outbuilding is already in situ, it is evident where it is positioned in relation to the neighbouring dwelling.

It was recommended that an informative be added regarding the use of smokeless fuels.

Lastly, London Underground had confirmed they had no comment to make.

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

Councillor Chris Lloyd asked for a response from the Planning Officer regarding the three points raised on additional conditions.

The Planning Officer said the trellis was not important to screen the building and there was no requirement to erect one if permission was granted, so the condition could be removed.

With reference to the screening, there was no overlooking from the building and it would therefore not be necessary to include as a condition.

Regarding the flue filter, it was acknowledged that when the Argentinian grill and wood burner was originally utilised the wrong fuel was used, which resulted in it being very smoky. This issue has been addressed and was now considered to be acceptable. Although the property was not in a smoke controlled zone, further instances of excessive smoke emission would be something for Environmental Health to look into.

Parish Councillor Jon Bishop said the Parish Council recognised that the applicant had made amendments to the application, but still had concerns about the floor of the pizza oven and fumes. The fact that neighbouring houses were set back from Bury Lane would result in an adverse impact in that the fumes would be worse, and the silver flues would be ostentatious against the trees, and for these reasons they would like the application to be refused unless extra conditions were added that would make it acceptable; i.e. the use of smokeless fuels as recommended by Environmental Health, although there appeared to be no way that this could be included as a condition of the planning application, and the use of a filter. Also that the trellis be shortened by a metre or a condition added that it be painted in a way to make it less obvious. If these

conditions could be inserted, it was felt it could be sufficient to remove the concerns of the Parish Council and neighbours.

The Planning Officer presented a photograph of the plans which were believed to address the issues raised.

Councillor Phillip Hearn said that this passed the three tests for scale and design, and asked why so much weight was placed on policy DM2 when the NPPF was much more up-to-date and referred to exceptions for inappropriate development but which did not include this type of ancillary building.

The Planning Officer responded that the NPPF doesn't provide for new buildings and is specifically for outbuildings like this one. The Planning Inspectorate had determined that more weight can be given to policy DM2, which is what Planning Officers do. There was no change in Green Belt policy, and for that reason the Council can support ancillary buildings in the Green Belt at residential properties. An outbuilding could be erected under permitted development but would limit the height to 2.5m and within 2 metres of the boundary wall. If this application fails, there is a back-up plan.

Councillor Sara Bedford said there was no issue with the outbuilding being in the Green Belt but there were aspects of the application which could be described as 'unneighbourly' and wondered if there were some things that could make it more acceptable. For example, if the flue was painted a suitable colour it could make quite a difference. They added that ovens and log burners were nowadays sold to meet criteria regarding smoke emissions, and the use of smokeless fuel and the painting of the flue may be the solution.

The Planning Officer expressed doubts about how the use of a particular type of fuel could be enforced. If the smoke emissions became a problem it would be a matter for Environmental Health. They were not sure the smoke emissions would be a problem in future as things had evolved in this respect, they would see whether the flue could be painted and would refer the question to the applicant.

Councillor Steve Drury asked if the close boarded fence belonged to neighbour and not the applicant.

The Planning Officer was not sure but was happy that the condition regarding the trellis could be removed, although this would be a decision for Members.

Councillor Steve Drury expressed doubt that the Council could insist the trellis could be put on top of someone else's fence.

Councillor Chris Lloyd said it was time to move the application and wished to clarify the conditions so far discussed, the first being no trellis to be built on the fence as the fence doesn't belong to applicant. Councillor Lloyd invited further suggestions of conditions.

Councillor Sara Bedford said it wasn't known what the applicant would say on the matter, and had further concerns about the wood burning pizza oven and enforcement of any conditions. It had been established that the flue could be painted, but said the Committee did not have sufficient technical knowledge available and moved an amendment that the matter should be deferred until

Environmental Health had been consulted, and more information was to hand. Councillor Chris Lloyd was happy to support the amendment.

Councillor Steve Drury agreed with the alternative recommendation to defer pending further consultation with the applicant and the receipt of more technical information.

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

RESOLVED:

That the application be DEFERRED to a future Planning Committee meeting.

PC 20/22 22/0284/FUL - Construction of two timber outbuildings at BURY LAKE YOUNG MARINERS, FROGMORE LANE, WD3 1NB

The Planning Officer gave an update. The applicant had confirmed in writing, following the publication of the report that they were prepared to undertake a flood risk assessment, and it was therefore proposed to defer to allow the applicant to do this. The application may not be ready to return to the Planning Committee in July, and the member of the public who was to speak in favour of the application agreed to speak at the July meeting.

Councillor Chris Lloyd proposed to defer the application, seconded by Councillor Stephanie Singer.

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

RESOLVED:

That the application be DEFERRED until the completion of the flood risk assessment.

PC 21/22 22/0378/FUL – Demolition of existing dwelling and erection of a two storey detached dwelling with loft accommodation including rear dormer windows and front and flank rooflights at 79 WESTBURY ROAD, NORTHWOOD, HA6 3DA

The Planning Officer said that there had been a further objection from a neighbour.

The Planning Officer advised that Batchworth Community Council having reviewed the revised drawings had advised that they did not now wish to call in the application. They had suggested a Condition requiring 30 - 40% of the frontage to be retained as soft landscaping. The Planning Officer advised that such a condition was considered to not be reasonable.

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

The Planning Officer advised that Condition 7 would require the windows at the first floor level to be obscured and fixed shut below 1.7 metre above the floor level. On the velux windows to the front, they were not able to comment on other cases but currently rooflights are acceptable under permitted

development rights, and officers felt the appearance of the house was acceptable.

Councillor Chris Lloyd said that based on the available information the application as stated was reasonable and moved the recommendation that Planning Permission be Granted, seconded by Councillor Stephen Cox.

Councillor Phillip Hearn made a point about cutting carbon emissions, we should bear this in mind when it comes to demolition.

Councillor David Raw asked how high the roof lantern was and whether it formed part of planning law.

The Planning Officer responded that it's a feature like a window and the lantern would be 70cm above the roof and would be set back from the frontage.

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

RESOLVED:

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

Councillor Sara and Matthew Bedford left the meeting during the consideration of the next application.

PC 22/22

22/0526/FUL - Erection of two storey side and rear extension at 95 KINDERSLEY WAY, ABBOTS LANGLEY, HERTFORDSHIRE, WD5 0DG

The Planning Officer said that there had been two comments received regarding primarily loss of light and the size of the extensions.

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

The Planning Officer said although other extensions had been added to nearby properties, the officer's recommendation to refuse the application was based on the impact on the higher neighbour. There was no objection to the impact on the street scene, but the rear elevated bulk arising from the gabled roof was the main issue.

Councillor David Raw questioned the space on the side of the property and said it looked the same as the neighbouring one so what is the problem?

The Planning Officer replied that the distance to the neighbour's boundary from the neighbouring extension was 1.2m but the issue was the elevated bulk from the roof. Upon seeing a photograph of the two properties, Councillor David Raw said it was difficult to see the reason for the objection.

The Planning Officer said there were a number of factors, including elevated bulk, orientation and the relationship between the neighbours. There were a number of variables involved, although Members may believe the application to be acceptable.

Councillor Philip Hearn said the 45 degree splay line would be breached, but that would be the case with any extension due to the layout of the houses in the street.

Councillor Stephanie Singer agreed with Councillor Raw, and could not see a reason for objection and would like to move that the application be approved.

The Chair asked that a couple of valid planning reasons be provided to support the allowing of the application because it was necessary to put in words why the officer's recommendation was being overturned.

Councillor Stephanie Singer said the applicant made valid points regarding existing extensions that the Council previously approved and were little different from what was being asked for.

The Planning Officer said the main objection was the elevated bulk and the impact on the neighbour, but if Members were to approve the application it would be necessary to think about the conditions that would need to be applied.

Councillor David Raw said that there had been no objection from the neighbour, to which the Planning Officer replied that officers may still refuse permission without objections from the neighbour. However, the update provided at the start indicated that two comments were received as part of the process.

Councillor Ruth Clark said the applicant's property was on a lower elevation than the neighbouring one, and this could be a significant factor in overturning the recommendation.

Councillor Stephen Cox was unconvinced by the arguments for refusing the application and had seen no evidence of anything being 'unduly prominent', and if it was, to whom?

The Planning Officer said that if Members were minded to overturn the officer's recommendation, it would be subject to the conditions that the extension would be completed within three years in accordance with the submitted plans, no additional flank windows to be incorporated and those flank windows that are included in the plan to be securely glazed. Informatives to include hours during which construction may take place.

Councillor David Raw said changing the gable roof to a hip may soften the look.

Councillor Stephen Cox seconded the proposal to grant the application, and thanked the Planning Officer for their explanation of why the application was recommended for refusal and the reasons why the decision may be reversed.

On being put to the Committee the motion to overturn the Officer's decision and Grant Planning Permission was declared CARRIED by the Chair the vote being 7 For, 0 Against and 2 Abstentions.

RESOLVED:

That the Officer's decision be overturned and that Planning Permission be GRANTED subject to following Conditions and Informatives:

Conditions

C1: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

C2: The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Existing First Floor Plan, Existing Front South East Elevation, Existing Ground Floor Plan, Existing North East Elevation, Existing Rear North West Elevation, Existing Roof Plan, Existing Second Floor Plan, Existing Section A, Existing Section B, Existing Section C, Existing Site Ground Floor Plan, Existing Site Section A, Existing South West Elevation, Proposed First Floor Plan, Proposed Ground Floor Plan, Proposed North East Elevation, Proposed Rear North West Elevation, Proposed Roof Plan, Proposed Second Floor Plan, Proposed Section A, Proposed Section B, Proposed Section C, Proposed Site Ground Floor Plan, Proposed Site Section A, Proposed Front South East Elevation, Proposed South West Elevation, Proposed Site Block Plan

Reason: For the avoidance of doubt, in the proper interests of planning and in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM6, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

C3: Unless specified on the approved plans, the new building shall be finished to match in size, colour, texture and profile those of the existing building.

Reason: To ensure that the external appearance of the building is satisfactory in accordance 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).

C4: Before the first occupation of the two storey side/rear extensions hereby permitted, the first floor window in the flank elevation shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window shall be permanently retained in that condition thereafter.

Reason: To safeguard the amenities of the occupiers of neighbouring residential properties in accordance 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).

C5: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification), no windows/dormer windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the first floor and above flank elevations or flank roof slopes of the extensions hereby approved.

Reason: To safeguard the residential amenities of neighbouring properties in accordance 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).

Informatives:

1. With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £116 per request (or £34 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions IF relief has been granted.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

2. The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
3. The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town

and Country Planning (Development Management Procedure) (England) Order 2015. The development maintains/improves the economic, social and environmental conditions of the District.

4. Please note that this application could not be implemented together with application for prior approval under reference: 22/0526/FUL - Single storey rear extension (depth: 6.0m, Eaves height: 2.8m, Maximum height 3.3m). As the implementation of both would not be in accordance with the submitted plans.

Councillors Matthew Bedford and Sara Bedford returned to the meeting.

PC 23/22

22/0617/FUL - District Council Application: Extension to existing play area including the installation of outdoor gym equipment at EASTBURY RECREATION GROUND & PLAY AREA, BATCHWORTH LANE, EASTBURY, NORTHWOOD, HA6 3AU

The Planning Officer had no update.

Councillor Chris Lloyd was happy to move the recommendation to Grant Planning Permission, seconded by Councillor Raj Khiroya.

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

RESOLVED:

That Planning Permission be GRANTED in accordance with the Officer's report and the Conditions and Informatives set out in the report.

PC24/22

22/0630/FUL - Erection of detached outbuilding at ASH COTTAGE, WHITEGATES CLOSE, CROXLEY GREEN, HERTFORDSHIRE, WD3 3JY

The Planning Officer reported that following the publication of the report Croxley Green Parish Council confirmed that they had no comments to make on the application.

Councillor Chris Lloyd moved the recommendation to Grant Planning Permission, seconded by Councillor Raj Khiroya.

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

RESOLVED:

That Planning Permission be GRANTED in accordance with the Officers report and the Conditions and Informatives set out in the report.

PC25/22

22/0731/FUL - First floor extension above existing ground floor extension at 6 THE CRESCENT, ABBOTS LANGLEY, WD5 0DS

The Planning Officer had no update.

Councillor Ruth Clarke moved the proposal to grant planning permission. This was seconded by Councillor Steve Drury.

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

RESOLVED:

That Planning Permission be GRANTED in accordance with the Officers report and the Conditions and Informatives set out in the report.

PC26/22 22/0823/FUL: Conversion of garage to habitable accommodation, removal of front bay window, single storey front extension and removal of chimney at 2 DELLMEADOW, ABBOTS LANGLEY, WD5 0BA

The Planning Officer had no updates.

Councillor Raj Khiroya moved the recommendation to Grant Planning Permission, seconded by Councillor David Raw.

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

RESOLVED:

That Planning Permission be GRANTED in accordance with the Officers report and the Conditions and Informatives set out in the report.

CHAIR