
PLANNING COMMITTEE**MINUTES**

For a meeting held at Watersmeet Theatre on Thursday 15 July 2021 from 7.30pm to 9.10pm

Councillors present:

Raj Khiroya (Vice Chair in the Chair)	Ruth Clark
Sara Bedford	Chris Lloyd
Alex Hayward	Debbie Morris
Keith Martin	Stephanie Singer (for Cllr Steve Drury)
David Raw	
Margaret Hofman (for Cllr Alison Scarth)	

Also in attendance: Councillors: None.

Officers: Kimberley Rowley, Claire Westwood, Scott Volker, Matt Roberts and Sarah Haythorpe

COUNCILLOR RAJ KHIROYA IN THE CHAIR**PC 25/21 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Steve Drury and Alison Scarth with Councillors Margaret Hofman and Stephanie Singer attending as named substituted Members.

An apology for absence was also received from Councillor Stephen King.

PC 26/21 MINUTES

The Minutes of the Planning Committee meeting held on 24 June 2021 were confirmed as a correct record by the Committee and were signed by the Vice-Chair in the Chair.

PC 27/21 NOTICE OF OTHER BUSINESS

The Vice Chair advised that there was no other items of business.

PC 28/21 DECLARATIONS OF INTEREST

Councillor Raj Khiroya 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 29/21

21/0531/FUL: Variation of Condition 2 (Approved Plans) of planning permission 20/2046/FUL: (Alterations to existing two storey side extension, erection of single storey extensions including glazed link, reinstatement of external elevated walkway and change to the roof form on The Windmill and the demolition of existing outbuildings and construction of new outbuilding and patio areas) to include rear garage roof canopy with open sided area, alterations to roof of staircase link, alterations to rooflights and addition of chimney at The Windmill, 34 Windmill Drive, Croxley Green, WD3 3FD

21/0532/LBC: Variation of Condition 2 (Approved Plans) of Listed Building Consent 20/2047/LBC: (Listed Building Consent: Alterations to existing two storey side extension, erection of single storey extensions including glazed link, reinstatement of external elevated walkway and change to the roof form on The Windmill and the demolition of existing outbuildings and construction of new outbuilding and patio areas) to include rear garage roof canopy with open sided area, alterations to roof of staircase link, alterations to rooflights and addition of chimney at The Windmill, 34 Windmill Drive, Croxley Green, WD3 3FD

The Planning Officer reported that a number of objections had been submitted since the publication of the report. These objections do not refer to any new points of concern that had already been set out within the officer report.

This application follows an already permitted planning application and listed building consent, granted at Planning Committee last year.

For clarity, the changes from the approved permission are:

- New open sided extension to the garage building
- Increase in the height and depth of the garage addition
- Alterations to the glazed link (set further forward and 0.8m lower) between the garage and The Windmill
- New link between The Windmill and extension
- Addition of one further rooflight, now 5 in total, set lower within the roof of the extension
- Addition of a chimney to the extension

During the process amended plans were submitted which reduced the height of the glazed link, reduced the number and size of the rooflights, reduced the height of the Windmill link with the main extension and lowered the height of the main extension to the approved height.

Councillor Chris Lloyd stated that applications on this site had been discussed on a number of occasions and some applications had been withdrawn. The Councillor had some questions on the following points:

- What was approved with the last application;
- What had been changed as a result of comments;
- What were the Committee now being asked to approve which would help residents when reading the minutes.

The Planning Officer referred to the extension, the garage and the canopy over the garage. The garage had now been pushed slightly further forward into the site to be level with the tower. The plan showed the garage with the canopy at the back, the rooflights and the garage now coming level with the tower where previously it had been set slightly further back. The glass garage link to the Windmill had been reduced in height from the previously permitted scheme. When the applicant made repairs to the tower and removed the existing cap on the over-hanging part of the tower a number of small holes were revealed which show the steel supports. The proposal under this application was to retain them and glass over them, their location being just below the cap. Residents had made note of this. Another change was to provide a link at the first floor level. Members were aware from previous discussions there is an unsympathetic 1970s extension. Under the previous permitted scheme the existing link was to remain and the new extension was to have a pitched roof element. Now the new first floor element between the Windmill and extension would be set slightly beneath the main ridge to provide a variation between them. The roof lights at the back of the pitch roof extension, where previously there had been four and slightly higher up they were now lower down with five proposed. This application included the addition of chimney. The applicant had referred to some old photographs of the Windmill and ancillary buildings which had included a chimney. From a Conservation perspective the addition of a chimney would not be detrimental to the setting or the Windmill and would restore the prehistoric feature. When the original plans came in the roof form was much higher but following discussions with the applicant and Conservation advice the application had been amended back to the permitted levels. The cap had been the subject of quite a few complaints by residents. The Case Officer had recently visited the site with the applicant as one of the main concerns previously was the window and any overlooking issues. What was proposed now would not change the cap window as it would be the same height and sighting as what was previously approved. The cap window had not been installed yet but the issues of overlooking had been addressed.

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

Councillor Chris Lloyd thanked the Officer for the information but asked for clarification that the roof height of the ancillary building was back to what had been approved before, sought clarification on the rooflights, the cap was back to what had been previously approved, that there was some work to be undertaken on the Windmill with regard to where the steel supports had been and they would be glassed over. Greater changes were to the garage, the canopy and the open window and wondered if more details could be provided.

The Planning Officer showed the plans of the garage to the Committee but advised there was no open window. The alterations referred to the canopy at the back, the garage now being set slightly further forward in line with the tower

and slightly lower. The glazed link between the tower and the garage had been slightly altered from the permitted development.

Councillor Chris Lloyd referred to a picture/drawing which seemed to show a window or space on the garage. The Planning Officer advised point 3 on the plan showed where the canopy would be, i.e. free of brickwork. Part of the garage would be enclosed and used as a workshop.

Councillor David Raw asked in terms of the objections on overlooking was that related to the cap window or the rooflights. The Planning Officer advised that the report had highlighted the outlook from other windows with the cap remaining unchanged. The rooflights being so low they would not propose any overlooking issues.

Councillor Chris Lloyd advised they had been contacted by residents last Friday to ask where the Conservation Officer report was and believed it was uploaded on the website on Monday. Residents felt that they did not have long enough to appraise the document. The Planning Officer advised that the important aspects for residents was making comments on the plans. They can make comments on the Conservation points but ideally the residents should be looking at the plans and making their own independent comments based on what they see. The Council had met all the required guidance.

Councillor Margaret Hofman referred to the chimney and asked:

- If it would be a working chimney and if so shouldn't that be a matter for concern?
- The conditions are the same as were attached to the previous application but wanted to check they were water tight and that there were proper tree protection and root protection measures in place?
- Have the recent concerns raised by the residents been addressed?
- Are the site assets of the building being preserved?

The Planning Officer said with regard to the chimney, it might well be a working chimney but could not say that would be a concern. If there were any issues with the chimney that would be for Environmental Health and not Planning. What the Committee were considering was whether the application was acceptable on its siting next to the listed building and whether that would cause harm by virtue of that siting. The report indicated it would not. The Conditions were very similar but not identical to the previous application because there had been changes to the scheme. The applicant had discharged some of the conditions as part of the previous scheme. The plans had changed but officers think the conditions are water tight and having worked with the applicant they had discharged a number of the conditions which were required pre commencement of any work. With regard to resident concerns, officers feel the scheme before the Committee was acceptable. It had been a long process but hopefully the balance was now in place for what the applicant wished to achieve and the Council wanted to achieve in terms of ensuring the preservation of the listed building which had been in a poor state of repair for some considerable time. The other element to this application was to improve and enhance the Windmill and its setting which had public benefits for residents in being able to see the Windmill in its glory following the completion of the works. Residents had put forward various concerns and objections which were

detailed in the report but felt the Committee were now in a position to accept the application. With regard to the historic aspects, Members could see from the photographs there had been improvements made to the tower brickwork. The applicant had added value to the scheme following advice received over the last couple of years. The listing itself does not cover the internal aspect just the tower.

Councillor Alex Hayward remarked what an amazing property this is and well done to the applicant in trying to preserve it. The Councillor thanked the planning department for helping guide the applicant and hopefully had addressed the issues raised by the residents.

Councillor Alex Hayward moved, seconded by Councillor Debbie Morris, that both the FUL application and LBC application be both granted as set out in the officer report.

Councillor Chris Lloyd raised further questions with regard to Page 4 of the report where it commented that previously there had been a flat roof but it was now a pitched roof to align with the extension roof. Could officers provide details and reasons for the change. The Planning Officer advised that in respect of the link between the tower and the extension it would now have a pitched roof element.

Councillor Chris Lloyd said if the tower was the main feature to be protected does changing the roof have more of an impact on the tower and why was that change proposed from what was previously approved. The Planning Officer advised that a change was not approved last time. What was there now was an unsympathetic extension which did not add any value and argued that what was proposed would enhance the tower.

Councillor Chris Lloyd said the extension was not of great merit. The other concern residents had raised was that the garage was getting closer to the Windmill and if we are looking at the openness of the Windmill we would not want it getting any closer or higher. The Planning officer confirmed it would not be.

Councillor Chris Lloyd referred to the rooflights which were now 5 instead of 4 and asked if the size of them would be the same or would they be larger or smaller. The Planning Officer advised they were the same size as approved just one additional rooflight which came as part of this application. They were proposed to be larger but had been amended to be the same size as previously approved.

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

RESOLVED:

That PLANNING PERMISSION and LISTED BUILDING CONSENT BE GRANTED for the reasons set out in the officer report.

PC30/21

21/1010/RSP – Part Retrospective: Single storey rear extension and alterations to roof form of existing rear extension at 2C TROWLEY RISE, ABBOTS LANGLEY, WD5 0LW

The Planning Officer reported that this application had been submitted following changes to the roof form of the rear extension which was part existing and part approved via a prior approval application which requires applicants to build in accordance with what was agreed. The extension now has a lower overall height from 3m to 2.8m and a flat roof.

Previous conditions under separate planning permission secure garage parking with a total of 3 spaces.

Councillor Sara Bedford said as one of the Members who had called in the application, which was in quite a prominent location, they felt that having seen the changes particularly with regard to the height of the dormer window and having checked with people who had raised concerns they were now happy with proposal. The Councillor moved the recommendation that Part Retrospective Planning Permission be Granted subject to conditions.

Councillor Debbie Morris asked if the permitted development rights for extending further could be removed. The Councillor referred to Condition 5 which removed permitted development rights with regard to Class E - buildings etc. incidental to the enjoyment of a dwelling house but felt it should be extended further. The Planning Officer advised it could be extended further to include further extensions. Their understanding historically was a previous application had removed permitted development rights solely in relation Class B - extensions to the roof. This had been part of an application earlier this year which was approved therefore removing that condition and thus the applicant was open to further extend the roof without planning permission. In respect of the ground floor there was still the potential to extend to the side but if they wanted to extend at the back they would have to submit a prior approval application due to the depth but would be assessed solely on whether or not the neighbour next door objects. It would be for the Committee to decide if they wished to tighten the condition on permitted development.

The Planning Officer clarified that the Council had recently had a planning application which removed Class B so they had already accepted that knowing that the extension was already there. The Committee could include Class A to restrict further ground floor extensions but would have concerns on Class B being added. Given the lack of amenity space highlighted and given that officers have controlled outbuildings in the future it would be reasonable to Condition Class A.

Councillor Debbie Morris asked if the proposer of the application would accept an amendment to Condition C5 that it be extended to include removal of permitted development rights in relation to Class A.

Councillor Sara Bedford was happy to include that amendment to Condition C5 in the recommendation

Councillor Debbie Morris seconded the motion with the amendment to Condition C5 to include removal of permitted development rights in relation to Class A.

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

RESOLVED:

That PART RETROSPECTIVE PLANNING PERMISSION BE GRANTED and has effect from the date on which the development is carried out and is subject to the conditions set out in the report with an amendment to Condition C5 to include removal of permitted development rights in relation to Class A. The amended Condition to read:

Condition C5

Immediately following the grant of this planning permission, 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 development within the following Classes of Schedule 2 of the Order shall take place.

Part 1

Class A - enlargement, improvement or other alteration of a dwellinghouse
Class E - buildings etc incidental to the enjoyment of a dwellinghouse

Reason: To ensure adequate planning control over further development having regard to the shortfall in amenity space and to maintain the character of the area 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).

PC31/21

21/1064/FUL - Demolition of existing dwelling and erection of five detached dwellings with associated access and landscaping at 78 GALLOWS HILL LANE, ABBOTS LANGLEY, WD5 OBY

The Planning Officer had no update.

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

Councillor Sara Bedford advised that once the neighbour letters were sent out a lot of people had been distressed, particularly those neighbouring households and residents at the back in Broomfield Rise, about the depth of the new properties proposed. The existing property is a beautiful house but this had not stopped houses being lost in the past in Gallows Hill Lane. However, that does not mean this individual unique house should be lost. The concerns were the depth of the houses going back into the open space, being prominent within the land there, prominent to the neighbours either side, particularly No.80 and in Broomfield Rise. The access road proposed would be noisy and disserving to residents in Gallows Hill Lane and Little Orchard Close. Officers had done a very good job in summing up the number of reasons why this application was not acceptable.

Councillor Sara Bedford moved, seconded by Councillor Keith Martin, the recommendation that that Planning Permission be Refused for the reasons set out in the officer report.

Councillor David Raw advised it was an excellent report provided by officers.

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

RESOLVED:

That Planning Permission be REFUSED for the reasons set out in the officer report.

PC32/21

21/1113/FUL - Variation of Condition 2 (Plan Numbers) of application 18/0681/FUL (Roof alterations including part increase in ridge height; part two storey, part single storey rear extension; insertion of rear dormer and creation of lower ground floor level, and insertion of raised terrace and balcony to rear) to alter fenestration detail to align and changes to elevations and replacement of existing chimneys at 31 ASTONS ROAD, MOOR PARK, HA6 2LB

The Planning Officer reported that as Members would see from the photograph the roof of the dwelling had been removed in its entirety but the plans show that the roof would be rebuilt as previously approved. Officers suggest that the Condition relating to materials (Condition C2) be amended to include reference to submission of roof tiles samples.

Councillor Debbie Morris asked with regard to the description of the works – changes to elevations – this was plural and asked if it was just the front elevation that would be the subject of works or if there were other amendments in relation to the rear of the site.

The Planning Officer advised that there would be changes to the elevations to the flank side too.

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

Councillor Debbie Morris said 11 of the 13 windows in the front elevation were being changed and asked if that was something the officer agreed with because the Heritage statement seemed to suggest that the works would be extensive.

The Planning Officer appreciated that 11 of the 13 windows were to be replaced. The Conservation Officer was consulted and had a preference for the windows to be retained as existing however on balance given the fact that they had requested amendments to include transoms it was considered they would be sufficient and acceptable.

Councillor Debbie Morris understood what the Conservation Officer had said but wanted to provide details on the history of the site. In 2018 an application came to Committee for extensive extensions and changes which was approved. The saving part for the Conservation Area was that the front elevation would more or less remain intact. In 2020 there were further applications to substantially amend the front elevation including the removal of the chimneys which was refused. Today the report refers to the external appearance and the removal of the original chimneys which would result in the loss of the characterful features. The chimneys and the windows add to the external appearance and make up the character of the front elevation. We now face a situation where the chimneys are to be replaced but not with existing materials. The Councillor imagined the chimneys were close to 100 years old

so it would be hard to find materials to match with the same said of the tiles. The windows, as advised by the speaker and officer, are going to be substantially and overwhelmingly changed. This is a pre 1958 building and the Council was committed to the Moor Park Conservation Area appraisal where the protection of pre 1958 buildings are to be given the highest degree of protection. In the Councillor's opinion this application was going too far and supported the objections raised.

Councillor David Raw raised concern about the amount of earth that was to be removed from the back of the house due to the basement. Being in a Conservation Area were officers happy that the work being undertaken would not destroy the whole house. The Councillor realised this came under building regulations but was concerned the building could fall down.

The Planning Officer advised that the principle of the initial works had already been approved and the structure and integrity of the building during the construction would fall within building regulations and not planning. There was a condition for a construction management plan (Condition C5) which was discharged under a previous application. It would be taken in good faith that the applicant would be implementing the application in accordance with the construction management plan.

Councillor Alex Hayward asked for details on the windows. What were they now and what would they be replaced with. The Planning Officer advised that they were timber windows before but were being replaced with leaded casement windows.

Councillor Debbie Morris said they were not just replacing the windows in their existing form they were moving some, changing the size and moving the front door. The Planning Officer confirmed the applicant would be realigning the windows but as previously discussed the Conservation Officer had made no objection.

Councillor Debbie Morris said when you use the word realign it makes it look like they are out of line and need correcting. They are a character feature of the house and everything is not symmetrical which was the nature of the house. Saying realign was misleading.

Councillor Sara Bedford stated the dictionary defined the word realign as change to different form or position. The windows were being changed to a different position which the Councillor thought was fine. A Conservation Area was not to stop any form of development and leave things as they were but to make sure that anything that was done was in keeping with the Conservation Area Appraisal and we are careful about carrying what it says. The Council have a Conservation Officer who had looked at the application and raised no objections. Moor Park was full of houses which were originally built to look different to each other. Whilst the Conservation Area Appraisal provides details on style, size and spaces, which are important parts of a Conservation Area, it does not say that houses should all look the same. The Councillor was having problems in seeing what the issue was with this application and supported the Conservation Officer appraisal.

Councillor David Raw referred to the replacement windows being leaded casement windows and asked if they would be timber or UPVC and would this

be acceptable in a Conservation Area? The Planning Officer confirmed they would be UPVC leaded replacement windows and you can apply to replace your windows. It would be for officers to make an assessment on whether the windows would be acceptable.

Councillor Stephanie Singer asked if the materials chosen would be sympathetic to the era of when the house was built. Following what Councillor Raw had asked it seemed that Officers felt that UPVC windows would be sympathetic with the heritage of the original building. How much do officers know about the materials which had been selected? The Planning Officer referred to the Conservation Officer comments which had advised that the materials chosen would be acceptable. Condition C2 would require the submission of details in respect of the tile hanging and chimneys with the proposed amendment to the roof tiles. These details had been looked at by the Conservation Officer to ensure they were acceptable and appropriate for the Conservation Area.

Councillor Debbie Morris was also concerned about the UPVC windows and was wondering how Condition C2 related to Condition C4 and where the windows fit in. The Planning Officer advised that Condition C2 could be amended to include reference to the windows.

Councillor David Raw said that UPVC windows would not look anything like the old casement wooden windows and hoped that the Conservation Officer had looked in detail at the shape and design to match the existing windows.

The Vice Chair observed that Batchworth Community Council had called in the application and objected but had not attended the meeting tonight. The Vice-Chair sought clarification from the Officer with regard to Paragraph 4.1.3 and the Conservation Officer reporting no objections. The Planning Officer confirmed this was correct.

Councillor Debbie Morris said it would not be the first time the Committee had gone against the Conservation Officer recommendation and proposed an amendment to motion that the application be refused on the grounds of harm to the Conservation Area and to the pre 1958 building which would result in the loss of the original features.

Councillor Chris Lloyd had listened to the different arguments but was happy to second the proposal by Councillor Sara Bedford that planning permission be granted as set out in the officer report with an amendment to Condition C2 (materials) to include the requirement for samples and details of the proposed roof tiles and chimneys to be submitted. The Councillor had not heard sufficient grounds for refusal.

Councillor Debbie Morris said if permission was granted, as their motion had not been seconded, the officer suggestion with regard to Condition C2 to cover the windows be included. The Planning Officer advised that Condition C2 could be amended to include reference to the roof tiles, chimney detailing and the windows to be submitted to us and agreed in writing.

Councillor Sara Bedford as the proposer of the motion was happy to agree that amendment to Condition C2.

Councillor David Raw wished to second the amended motion that planning permission be refused.

Councillor Alex Hayward said in the Conservation Officer report referred to the architectural and aesthetic value of the windows and stated they preferred the windows to not be changed. The Councillor felt that the windows were very substantial to the aesthetic value of the property.

On being put to the Committee the amended motion to refuse planning permission was declared LOST by the Vice-Chair the voting being 4 For, 5 Against and 1 Abstention.

On being put to the Committee the motion to Grant Planning Permission subject to conditions with an amendment to Condition C2 (materials) amended to include requirement for sample and details of the proposed roof tiles, chimneys and windows to be submitted was declared CARRIED by the Vice-Chair the voting being 6 For, 3 Against and 1 Abstention.

RESOLVED:

That Planning Permission be GRANTED subject to the conditions set out in the report with C2 (materials) amended to include requirement for sample and details of the proposed roof tiles, chimneys and windows to be submitted.

Condition C2 to read:

Before any further building operations above ground level hereby permitted are commenced, samples and details of the proposed tile hanging, roof tiles and materials to be used in the construction of the replacement chimneys shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

Reason: To ensure that the external appearance of the dwelling is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1 and DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

PC33/21

21/1368/FUL - Subdivision of site and construction of detached bungalow at 27 GABLE CLOSE, ABBOTS LANGLEY, HERTS, WD5 0LD

The Planning Officer reported that following the publication of the report 1 further supporting comment and 2 additional objections had been received

The further objections do not raise any additional points which had not been summarised at Paragraph 4.2.4 of the officer report.

The supporting comment included reference to the benefits of the development providing a bungalow for a retired person and suggests that the development would not impact on privacy of existing residents at No.27.

The benefit of one dwelling was not considered to outweigh the identified harm, however, it was accepted that there would be no harm to neighbouring amenity and the application was not recommended for refusal on that ground.

Councillor Sara Bedford advised the dwelling had been the subject of a number of applications over the past couple of years and appeal decision. The

Councillor felt the reasons for refusal as set out in the report were sound reasons. The report was well written and took into account each point. It was hard following the previous appeal decision to stand up a refusal on neighbour amenity and parking. They felt that the reasons for refusal summed up all the points in terms of amenity because of the siting, layout and design which would be cramped, contrived and incongruous and very prominent to the neighbours.

Councillor Sara Bedford moved the recommendation as set out in the officer report that planning permission be refused.

In accordance with Council Procedure Rule 35(b) a member of the public spoke against the application having been allowed to speak by the Committee as they had not registered before the meeting.

Councillor Sara Bedford wished to make clear that had they known a member of the public wished to speak they would not have spoken and moved the recommendation.

The Committee Clerk advised that they were not aware of any member of the public wishing to speak as the member of public had just turned up to the meeting and had not pre-registered to speak.

Councillor Chris Lloyd said having heard the speakers and read the report they were happy to second the motion that planning permission be refused as set out in the officer report.

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 Head of Regulatory Services to consider any representations received following the expiry of the consultation period and PLANNING PERMISSION BE REFUSED for the reasons set out in the report.

PC34/21

21/1395/RSP – Part retrospective: Extension to existing raised patio and additional landscaping works to rear garden at 173 ABBOTS ROAD, ABBOTS LANGLEY, WD5 0BN

The Planning Officer reported that the applicant had today emailed all Members which highlighted the following:

- Works were done for the safety and privacy of the family
- Original plans would not achieve the purpose we had in mind so made positive amendments
- There was a 4 foot drop around our patio
- We have planted a root protection around the hedges so roots grow downwards

The applicant had also provided some pre-existing photographs which Officers would take Members through of the current situation.

The Planning Officer advised the development had substantially been completed. A previous application had come to the Committee in April and was deferred for a site visit but had been withdrawn before the May Committee meeting and before a site visit could be undertaken. This application slightly

altered the patio at the top which now came down to another level and there was a further lower level adjacent to the boundary creating a terracing. Some new hedging had been planted between the pergola which was not on the plans. Officers had assessed the pergola and decided it came under Class E permitted development, measured from the original ground level.

Councillor Sara Bedford said because of the gradient of the site it was quite difficult to assess the application just on the photographs without going along to see it and view from the neighbour's garden. The Councillor moved deferral of the application in order that the Committee can make a site visit.

Councillor David Raw asked if there were any drawings of the gradient that Councillor Bedford was talking about so the Committee could see the gradient and the different levels between the applicants land and the neighbours land.

The Planning Officer advised that the plans would not necessarily show the changes in the land levels and the difference between the two. The plans do show the difference in the levels in respect of the ground level of the house which was where the bi-fold doors are at the top and dropping down quite steeply to the level closer to the neighbour's fence. The dotted line on the plans showed where the ground level of the patio was and the other lined area showed the actual level which was higher than the natural land level. There was a difference in respect of height which was why the hedging had been planted to mitigate against any overlooking being provided from the more elevated height. As Members had seen from the photograph previously, there was obviously quite a drop in levels. The patio had been built at a high level closer to the neighbour but because of the circumstances, as set out in the officer report, it was felt it was acceptable. The land levels do change with one of the neighbours on a much lower land level but the other on a higher land level so a site visit may assist Members.

Councillor Chris Lloyd seconded the motion to defer for a site visit.

On being put to the Committee the motion was declared CARRIED the voting being 7 For, 0 Against 3 Abstentions.

Only one Member of the public was present and they agreed to defer to speak to the August meeting.

RESOLVED:

That the application be DEFERRED for a site visit.

Chair