
PLANNING COMMITTEE**MINUTES**

Of a meeting held in the Penn Chamber at Three Rivers House, Northway, Rickmansworth, on Thursday 14 July 2022 from 7.30pm to 8.23pm.

Councillors present:

Steve Drury (Chair)
Ruth Clark
Philip Hearn
Lisa Hudson

Raj Khiroya
Chris Lloyd
Sarah Nelmes (for Cllr M Bedford)
David Raw
Stephanie Singer

Also in attendance: District Councillor Alison Wall and Chorleywood Parish Councillor Jon Bishop.

Officers: Claire Westwood, Matt Roberts and Lorna Attwood

COUNCILLOR STEVE DRURY IN THE CHAIR**PC 27/22 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Matthew Bedford with Councillor Sarah Nelmes as substitute, there were also apologies from Councillors Stephen King and Sara Bedford.

PC 28/22 MINUTES

The Minutes of the Planning Committee meeting held on 23 June 2022 had not yet been completed and therefore were not available to be agreed and signed. The Committee agreed that they could be deferred to the August Committee meeting where the minutes for June and July would be presented for agreement.

PC 29/22 NOTICE OF OTHER BUSINESS

None received.

PC 30/22 DECLARATIONS OF INTEREST

The Chair 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 information provided at Committee. 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."

PC 31/22 22/0193/FUL – Change of use of two outbuildings and immediately adjacent land from ancillary residential use (Class C3 residential) to a florist use (Class E commercial, business and service use) for a temporary period of 12 months at 11 BUCKNALLS LANE, GARSTON, HERTFORDSHIRE, WD25 9NE

The Planning Officer advised that photographs of the delivery lorries shown on site at various times had been circulated to Members by a Ward Councillor who had been unable to attend the meeting. There was also a submission from the Ward Councillor highlighting concerns about another year's usage of the site.

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

The Planning Officer advised that the Officers report was balanced in respect of the commercial usage of the applicants while being mindful of the adjacent neighbour. They were set further back which was why they were slightly more impacted than other neighbours. Regarding Condition 5 this needed to meet the relevant tests and be reasonable, enforceable and related to planning. The wording does not stop the delivery vehicles from stopping outside as the condition says under the control of the applicant. It also does not stop vehicles going down the private drive shown in the photos. The applicant had been picking up a lot of the produce from outside of the site and away from Bucknalls Lane and then bringing the products back to place in the outbuildings. There had been occasions where lorries had been on site, which the Council were not able to control. Even if the applicant asked them not to turn up, they could still turn up.

Councillor David Raw said in regard to Condition 5 and after seeing the pictures of large lorries in Bucknalls Lane, the Councillor would be concerned about these unloading for periods of time in the Lane. These deliveries may block Bucknalls Lane for other cars as it was not a wide road. There had been objection comments regarding concern for noise but they felt that Condition 5 seemed reasonably fair.

Councillor Raj Khiroya said the application was due to a planning investigation for a breach of a previous planning application which was granted. They noted that the investigation took place in March 2021 and the application was due to that enforcement enquiry. This current application was for 12 months temporary planning application only, was this correct.

The Planning Officer said this was correct, the florist use must cease 12 months after planning permission was granted. To maintain a degree of control it may

be possible to enable the applicant to provide some information to us so that Condition 5 could be altered. They could provide a delivery service management plan. It can be problematic as a florist busy periods can change/may fluctuate but it could be a means of coming to a mutual agreement. That said, other vehicles cannot be controlled that turn up on the site.

Councillor Chris Lloyd said that 12 months was a short term, in such a difficult economic situation. There had been an impact, and on the suggestion to modify Condition 5, the Councillor would need to see the wording. Members need to try and enable the business to function but protect the residents. It would be important to convey that it would be for 12 months only while alternative premises were found. Councillor Chris Lloyd was happy to move the recommendation if there was change to the wording of Condition 5.

Councillor Sarah Nelmes wished to clarify the situation as to which vehicles could unload on the driveway.

The Planning Officer advised that only transit vans are permitted to access the site to unload on the driveway. The Council would be unable to control kerbside deliveries. The photo showed a Luton Bedford van on the driveway which would no longer be allowed. In a way to try and control the situation Condition 5 could be amended to provide for the delivery schedule management plan. The Officer further advised that it was still a residence and the applicant would be able to have other deliveries at the address. Due to the nature of the business there were not large vehicles delivering every day but every now and again. The applicant would need to be mindful not to cause any further disturbances over the next 12 months which may cause harm to their business.

Councillor Stephanie Singer wondered if it was possible to stipulate conditions to allow delivery vans to come in a window of time. If the applicant was aware of a delivery coming for example between 10 and 11 in the morning, the neighbours would be aware and this may limit the disruption.

The Planning Officer stated that the amended Condition 5 stipulated times and they could draft some wording to circulate. The hours could be stipulated but it would be down to the applicant to submit details and for the Planning Officer to assess if those hours suggested were acceptable. Condition 8 stated 8am-6pm Monday – Saturday and 9am to 1pm Sunday or bank holidays. We would look to align it with that.

Councillor Stephanie Singer responded that we wouldn't want deliveries 12 hours of the day and it would need to be much more limited than this.

Councillor Phillip Hearn said that this was not a perfect location for the business but we wouldn't want to put too many restrictions on the business so that it becomes unfeasible to operate. This could cause disruption to business and is vital to take this into account. If there were significant restrictions on the hours of delivery, lorries could start waiting in other roads, and this could cause significant disruption to the business. We want successful businesses in the area and it was vital this was taken into account.

Councillor Lisa Hudson asked for clarification on the photograph which showed the affected neighbour and wondered if the applicant wanted to apply for an extension to the 12 months and asked when they would need to apply.

The Planning Officer advised that it was hoped that a unit would be found within the 12 month period, if they were unable to do this they would have to submit an application before the expiry of the 12 months.

Councillor Ruth Clark noted that one of the conditions was that no members of the public to attend the premises and wondered how this was monitored.

The Planning Officer responded that this was largely down to members of the public reporting such breaches. The business currently offers click and collect and if that were to continue it would suggest customers are attending the site. If permission was granted this would impose a further restriction on the click and collect service.

Councillor David Raw was concerned about a photo seen which showed children walking into the road to go around the van.

The Planning Officer responded that they had seen the photo and if Members had concerns about deliveries during rush hour or school drop off/collections that could form part of the consideration in the management plan.

Councillor Stephanie Singer seconded this with the amendment to Condition 5, to be worded and sent round to Members to agree.

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 officer recommendation and the conditions and informatives set out in the report and subject to amendment to C5 to require submission of delivery management plan for approval (details of condition to be circulated to Members for agreement).

Condition 5 as agreed:

Within 21 DAYS from the date of the decision a delivery management plan shall be submitted to the Local Planning Authority for their approval in relation to the deliveries to the site in association with the florist use hereby permitted. The delivery management plan shall include details of the maximum number of deliveries per week, the timings of when deliveries will take place (having regard to local school pick up times and Condition 2), and delivery arrangements (whether adjacent to the site on Bucknalls Lane or within the application site, while having regard to contents of Conditions 2 and 4). The approved delivery management plan shall be adhered to at all times immediately following its agreement in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of neighbouring residential properties and the visual amenities of the area and in the interests of highway safety in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

PC 32/22 22/0217/RSP – Retrospective: Retention of detached open-sided garden structure for use as an outdoor domestic kitchen, including retention of flue vents at SOUNDGARDEN, BERRY LANE, CHORLEYWOOD, HERTS, WD3 5ET

The Planning Officer clarified that the photograph shared on the screen during the last Committee meeting showed the outbuilding had been taken by the case Officer, not the neighbours as stated. A series of photos taken from the case Officers latest visit to both properties had been provided. Following last month's deferral of the application. The applicant had considered suggestions and agreed the following:

- Painting the pizza flue dark green
- The trellis would no longer be erected
- Hoping to erect boards to the western façade of the outbuilding

In light of the changes the conditions had been updated and amended, no reference had been made to the additional boards as Officers did not believe they were required.

Councillor David Raw asked for clarification on what had changed since the last meeting. The Planning Officer clarified as provided earlier.

Councillor Phillip Hearn asked about the bamboo plants mentioned in the report on the applicant's side and asked for confirmation that they would not form part of the conditions for the application.

The Planning Officer responded that this would not be put as a condition and did not believe that it was required.

Councillor Sarah Nelmes said the neighbour would be unlikely to want bamboo as it was quite invasive and would likely be detrimental to both properties. Councillor Nelmes was happy to move the Officers recommendation.

Councillor Chris Lloyd clarified the changes discussed by the Planning Officer during the update and wished to second the recommendation.

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

RESOLVED:

That Planning Permission be GRANTED in accordance with the Officer's recommendation and the conditions and informatives set out in the report.

PC 33/22 22/0595/FUL - Two storey front and side extension incorporating a basement, two storey rear extension and roof extension to form habitable accommodation including increase in ridge height and provision of dormers at THATCHES, LOUDWATER LANE, LOUDWATER, HERTFORDSHIRE, WD3 4HY

The Planning Officer had no updates but wished to provide a summary for the Committee. There was a lengthy history of planning applications. In 2018 one was refused and dismissed at appeal. Further applications had been submitted and withdrawn because the applications hadn't overcome reasons for previous refusal. The newest application was materially different and Officer's considered that it had overcome previous issues and therefore Officers recommended approval. The Planning Officer then presented the images on screen and talked through these for the Committee and how the previously applications differed to the most recent one.

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

Officers had taken into consideration the Conservation Area. The application had evolved and was materially different.

The Planning Officer disagreed with the speaker in terms of the nature of the changes. When the elevations were compared it could be seen that the changes were more than minor changes. With regards to the impact on the neighbour, the bulk of the extension had been significantly reduced, there was also a condition that the two flank windows would be obscure glazed. Subject to that condition Officers did not consider that there would be harm to the neighbour.

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

Parish Councillor Jon Bishop advised that the Parish Council had significant concerns about the impact on the Conservation Area and the immediate neighbour. The 2018 appeal was dismissed and the current proposal although somewhat smaller it was clear that the Conservation Officer and the neighbour still had concerns about the negative impacts that still existed. The Conservation Officer and Parish Council had both objected to the application with the Conservation officer stating the proposal would cause less than substantial harm. According to the NPPF Paragraph 196, where a development proposal would lead to such harm, it should only be allowed if in the public benefit. There was no public benefit to the proposals, this home had filled its purpose as a family home for a number of years. Under rules laid out in the NPPF it should be refused. Due to the bulk, massing and proximity to the boundary, the proposal would lead to a significant adverse, visual impact on the neighbouring dwelling. They asked for the application to be refused due to it contravening several local policies.

The Planning Officer said that Members can make their own conclusions, however Officers disagree that the current application is similar to previous ones. Quite substantial changes had been made. There was an objection from the Conservation Officer, though they had said there had been a number of improvements. Conditions had been specified which were beyond the normal material conditions which had been discussed with the Conservation Officer. Conditions 7 and 8 specified further detail required to be submitted. Officers considered there was not less than substantial harm and did consider the Conservation Area was enhanced.

Councillor David Raw had concerns about the Conservation Officer objecting to the proposal.

The Planning Officer stated that the Conservation Officer was a consultee. They had been consulted and Officers had taken their comments into account. There had been previous applications where the Conservation Officer had objected and Members had disagreed with the Conservation Officer and given reasons why. It was not unusual to have a difference of professional opinion. The report stated why the Officer consider the plans to be accepted and there were additional conditions. If Members had a different view they would need to give the reasons for this.

Councillor Phillip Hearn noticed that significant efforts had been made to use existing building materials and said there was a difference as there was an increase in size. The style of building was not totally out of keeping.

Councillor Sarah Nelmes proposed for Planning Permission to be Granted and this was seconded by Councillor Ruth Clark.

On being put to the Committee the motion was declared CARRIED by the Chair the voting being 4 For, 1 Against and 4 Abstentions.

RESOLVED: That Planning Permission be GRANTED in accordance with the Officer's recommendation and the conditions and informatives set out in the report.

PC 34/22

22/0962/FUL - Installation of an electronic scoreboard and protective roller shutter on the external wall of the Pavilion facing the cricket pitch at CHORLEYWOOD CRICKET CLUB

The Planning Officer advised that in view of additional information the Parish Council wished to remove their objection and call in request. They did not raise an objection.

Councillor Sarah Nelmes wished to propose to accept the Officers recommendation and Grant Planning Permission.

Councillor Chris Lloyd said the structure was better than the deteriorated structure that had been there for many years and wished to second the proposal.

The Planning Officer said there was a concern about shutters. The applicant had confirmed that the colour of the shutters would match the external appearance in terms of the agreed cladding, it would not be discernible. The scaled elevations were what would be approved if Members were to go with the Officers recommendation.

Councillor Raj Khuroya was happy to hear there were no objections and was happy to support the application.

Councillor David Raw was concerned that a village cricket ground digital board would be big and out of place. The shutters were too modern and should be wooden. The digital board was out of keeping with the village cricket ground.

The Planning Officer said it was subjective, some people like the more traditional board, this was quite a large building that had been previously granted and accepted. The board would occupy a small area of the front elevation, this was set flush against front elevations, and the Officer did not believe it would be excessive, prominent or out of keeping on the context of the building.

On being put to the Committee the motion was declared CARRIED by the Chair the voting being unanimous.7 For, 0 Against and 2 Abstentions.

RESOLVED:

That Planning Permission be GRANTED in accordance with the Officer's recommendation and the conditions and informatives set out in the report.

Chair