
PLANNING COMMITTEE**MINUTES**

Of a meeting held in the Penn Chamber at Three Rivers House, Northway, Rickmansworth, on Thursday 24 February 2022 from 7.30pm to 9.57pm.

Councillors present:

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

Also in attendance: Croxley Green Parish Councillor Andrew Gallagher and Chorleywood Parish Councillor Zainab Hearn

Officers: Matt Roberts, Scott Volker and Sarah Haythorpe

PC 116/21 APOLOGIES FOR ABSENCE

None received.

PC 117/21 MINUTES

The Minutes of the Planning Committee meeting held on 20 January 2022 and the Extraordinary Planning Committee meeting held on 8 February 2022 were confirmed as a correct record and were signed by the Chair.

Pc118/21 NOTICE OF OTHER BUSINESS

None received.

PC 119/21 DECLARATIONS OF INTEREST

None received.

Councillor Steve Drury read out the following statement to the Committee:

“All Members are reminded that they should come to meetings with an open mind and be able to demonstrate that they are open minded. You should only come to your decision after due consideration of all the information provided, whether by planning officers in the introduction, by applicants/agents, by objectors or by fellow Councillor’s. The Committee Report in itself is not the sole piece of information to be considered. Prepared speeches to be read out are not a good idea. They might suggest that you have already firmly made up your mind about an application before hearing any additional information provided on the night and they will not take account of information provided on the night. You must always avoid giving the impression of having firmly made

up your mind in advance no matter that you might be pre-disposed to any particular view.”

PC 120/21 21/1622/VAR: Deed of Variation: Application to modify Section 52 agreement to alter existing use to include a limited number of charitable functions/club organised events up to 23:00 and the sale of alcohol (limited times)

The Chair clarified that the application was for the Sports Pavilion at the King George V Playing Field in Sarratt.

The Planning Officer reported that there had been one further objection received stating as to why it was necessary for the applicants to offer a facility to sell alcohol when there are excellent licensed premises nearby. If the Deed was agreed the applicant would also need to apply for a premises license for the sale of alcohol. That application would need to be made to the Licensing Department at the Council which would consider details such as the Designated Premises Supervisor and what measures would be put in place to accord with the four licensing objectives.

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

The Planning Officer stated that the officer report set out why they believed it was acceptable. The recommendation set out a number of Heads of Terms which apply some restrictions. Members are entitled to come to a different view which could be to reject to the variation so that it continues in its current form or change some of the Heads of Terms but the Committee would need a valid planning reason for that. The member of the public who spoke against the application was concerned about sporting events held there and the parking issues. One of the Heads of Terms clearly stated that the sporting events shall not coincide with the special events and hopefully the parking issues experienced should not be as bad. The officer report does set out why the parking arrangements would be acceptable especially on the basis that we are only talking about 8 special events a year.

Councillor Alex Hayward sought clarification that there was no license at the premises to sell alcohol presently and this was a double application: 1) to allow Saturdays until 9pm and 2) to be able to hold 8 special events a year being allowed to continue until 11pm.

The Planning Officer advised that the variation would allow the premises to sell alcohol on Saturday's for the sporting events that take place on the land and anyone else who uses the land for those purposes and to allow the bar to be open for the 8 special events. The hours are limited to those in the Heads of Terms. This was not a planning application it was a legal agreement which was imposed many years ago. If there was any doubt Members could look to restrict the activity to limit the impact on the local amenity and particularly the residents in Caroon Drive adjacent to the site. If the Deed of Variation was agreed tonight, from a planning perspective the Deed would allow them to use the bar to sell alcohol but they would still, completely separate to this process, need to submit a licensed premises application to the Council who would then consider whether or not the sale of alcohol and its management would in that building be acceptable. If we come to a situation where the Deed and the licensing

application is agreed the hours of use of the bar could differ, however, the more restrictive hours have to be complied with.

Councillor Alex Hayward said focusing on Saturday's until 9pm if it was adults playing they could buy alcohol but if it was the children playing the parents could also buy alcohol on Saturdays?

The Planning Officer said as part of the Heads of Terms they would be able to purchase alcohol on Saturdays up to 9pm for all sporting events.

Councillor Alex Hayward was disappointed the sale of alcohol would be allowed under the Heads of Terms when children are playing there and did not feel there was a need for this. The Councillor knew the area well and on Saturday's you could hear the children playing and would be very disappointed if there was alcohol sales added. There was concerns about the parking. The facility at King George V is a wonderful facility but the local residents do suffer with vehicles being parked on the kerbs and people should think about the need to park responsibly and not block access for local residents particularly to their homes which can cause public safety issues. Some residents do feel quite intimidated when having to ask people to move their vehicles and the Councillor was not sure how this would be controlled with the number of people accessing the pavilion. Another issue was the noise and as one of the speakers had said there was only 70cm behind the Pavilion to a resident's property. There could be around 60 people in the Pavilion and those people attending the event with their children playing in the fields is a concern. The village hall at the end of King George V Way is a lovely hall for people to use and did not understand why the 8 events could not be held there if they want to have fundraising events. It stated that the Children's Club finished at 6.30pm and these events would potentially start at 6pm so there could have been a complication there but the Club had now confirmed they are going to finish at 5.45pm. The Councillor remained concerned about the parking capacity, the safety of the road users the blocking of the entrance to the local properties and concerns around noise for local residents with the hedge being the only boundary. There was no sound efficient boundaries and it was too close to local properties and they remained concerned about the limit of 60 people and the children. Also around the hours and open to 11pm at night this would create queuing out of the car park to 11.15pm when in reality it would go onto 11.30pm and did not think that was acceptable in a highly residential area. The Councillor was not sure they could support this.

Councillor Chris Lloyd thought there were a number of issues with parking being one and potentially the location would be an issue but thought with regard to be able to drink on the premises these people would most probably be walking there. There are other sporting clubs which do have bars, one being in Croxley Green, and they were sure there were others around the District. The Councillor thought 8 events was a reasonable number and if there was an abuse of the separate alcohol license that could be withdrawn. Parking would be the biggest challenge. It was not a big hall and you could not get lots of people in there. It was a difficult balance the Committee needed to consider.

Councillor Debbie Morris reflected on what the speaker in support of the application had said about wanting to have special events held at the premises with the sale of alcohol to make money but if the facilities shut at 10.30pm

normally and if no alcohol is going to be sold after 9pm where is the profit/money coming from between the end of sales at 9pm and staying open until 11pm.

The Planning Officer advised that for special events it would be open until 11pm but they would only be allowed to serve alcohol until 10pm at these events, leaving the premises by 11.15pm.

Councillor Debbie Morris said that they were justifying the application based on making money from the extra hour for alcohol sales 8 times a year.

The Planning Officer stated that at the moment there was no bar or alcohol being sold. The Deed of Variation was seeking to allow for 8 special events a year with alcohol being able to be sold between 6pm and 10pm with events finishing at 11pm and leaving the site by 11.15pm. All other scenarios would allow alcohol to be sold up to 9pm. At the 8 special events it would allow for other people to come onto the site.

Councillor Sara Bedford said what the club were asking for was quite a lot less than what other sports clubs have got across the District which are also located near to residential areas which did not seem to cause any problems. Parking can be an issue but would be an issue when you have lots of people coming to play football. If there were to be any issues you would have the licensing laws to look at if people took too much advantage of that and not being controlled properly through the DPS. On the issue of social nuisance and noise generated the Councillor advised that measures can be put in place to mitigate this and some public houses had these measures in place due to the noise generated from the premises at the boundary and were tightly controlled. Parking would be more of an issue when a lot of children turn up to play football at the same time. Councillor Lloyd is correct if local people attend a quiz night there and which they may wish to have a drink they may well walk. The Councillor was struggling to see how this was any different than any other voluntary sports club across the District which are in desperate need of funds. They did not feel the limited number of events being asked for would be an issue.

Councillor Alex Hayward appreciated the comments made but when reading about NFL games in America they have alcohol free areas for families which thought was really nice. With regard to other sports facilities in the District they appreciated the clubs are trying to raise money, but none are as close as 70cm to their resident's boundary?

The Planning Officer advised that the Deed of Variation was there for a purpose to restrict noisy activities and went back to the 1980s. It stated that no discos or dances can be held to safeguard the residents who live very close to the site. The Heads of Terms set out seek to provide a balance but at the same time look to safeguard those who live nearby. If there are certain parts of those Heads of Terms which Members feel could be altered and an even more reasonable balance be found then the Committee can do so or Members may think it is acceptable as set out.

Councillor Alex Hayward wanted some understanding on the Saturday's until 9pm as most of the noise they had heard was in the mornings and didn't hear the noise going into the evenings. Would it be possible to put a proposal forward where the 8 events don't go beyond 10pm and no later than 9pm for

alcohol sale and out by 10pm? On the other Saturdays not until 9pm and close early depending on when the games are played.

The Planning Officer said that a motion can be made to amend the Deed of Variation but Members need to have reasons put forward to back up the changes and suggested in terms of safeguarding neighbouring amenity. By reducing the hours you would have to acknowledge it would reduce the ability of the club to hold events. In terms of the sale of alcohol on Saturdays things are unlikely to go into the evening due to light and various other factors and the hours could be reduced down to between 5pm and 9pm but that was for Members to consider.

Councillor Sara Bedford moved the recommendation that the Deed of Variation be Granted as set out in the officer's report.

Councillor Alex Hayward moved an amendment to the Deed of Variation based on noise issues on the neighbours but specifically one neighbour being only 70cm away from the Pavilion. That alcohol on the 8 special events be only sold until 9pm with an exit time of 10pm and leaving the venue by 10.15pm. On every Saturday having people drinking up to 9pm was a real problem for the local neighbour only 70cm away. The amendment was seconded by Councillor Debbie Morris

The Chair commented that the 70cm was from the back garden fence not the house.

On being put to the Committee the amendment was declared LOST the voting being 4 For, 5 Against and 2 Abstentions.

Councillor Ruth Clark seconded the motion put forward by Councillor Sara Bedford to grant the Deed of Variation as set out in the officer report.

The Planning Officer advised that if the Deed of Variation was agreed by the Committee it would also need to be agreed by the applicant otherwise the Council would have to refuse it based on the existing Deed still serving a useful purpose. Confirmation was required from the applicant before proceeding with agreeing the Deed of Variation.

The proposer and seconder of the motion were happy with this proposal.

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

RESOLVED:

That the Deed of Variation be AGREED (in accordance with the officer recommendation) and subject to agreement by the applicant. In the event the applicant does not agree the Deed of Variation it be refused.

PC 121/21 21/2124/FUL - Demolition of existing side extensions and part demolition of the dwelling and erection of part two-storey, part single-storey, rear and side extensions, first floor front extension, remodelling of first floor level and roof including increase in ridge height, alterations to frontage including extension to drive and new access at APRIL COTTAGE, BRIDLE LANE, WD3 4JG

The Planning Officer reported that there was no update.

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

Chorleywood Parish Councillor Zainab Hearn welcomed the approach taken by the applicant. Originally the Parish Council had submitted their comments following an objection lodged by the Conservation Officer and felt that there would be harm. They now understand from the officer's report that there had been a subsequent conversation and following review of the updated comments on the file notes the Conservation Officer had now responded positively. The Parish Councillor asked for clarification on what the comments were from the Conservation Officer. They were happy to see that the thatched cottage would be retained here and no longer had any objection.

The Planning Officer reported that the Conservation Officer comments related to the shared boundary of the neighbouring property. The Conservation Officer in their initial comments had concern with the space between the extended dwelling and the adjacent boundary being approximately 0.7m which they had been concerned about when reading the plans submitted as part of the pre-application. The distance now was around 3.6m narrowing to a distance of 1.3m which the Conservation Officer was happy with. Other aspects were in regard to the entrance/doorway where they had raised initial concerns with that due to the size of it but it had been reduced since the pre application stage and there were other examples of this type of entrance/doorway within Bridle Lane and surrounding roads and other McNamara properties which the Conservation Officer had acknowledged and had withdrawn their concerns on that element.

Councillor Chris Lloyd said having listened to the speakers and read the report they were happy to move the recommendation that Planning Permission be Granted, seconded by Councillor Alex Hayward.

Councillor Debbie Morris raised a point with regard to Condition C3 which talked about external materials being provided and for the avoidance of doubt would it be possible to add the word "all" so that all external material details were submitted to the Council.

The Planning Officer advised it would be reasonable to add this to the Condition.

Both the proposer and seconder were happy with the proposed amendment to Condition C3.

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 recommendation) subject to an amendment to Condition C3 to include the submission of "all" external materials.

PC 122/21 21/2590/FUL – Erection of six units within a single two storey flatted block (three 2-bed & three 1-bed), with associated parking, access, alterations

to land levels and landscaping at LAND AT THE REAR OF CLOVERS COURT, CHORLEYWOOD, HERTFORDSHIRE

The Planning Officer reported that tracking for refuse and recycling vehicles had been added in accordance with the vehicle sizes provided by the Council's Environmental Protection Team. This had resulted in a slight change to the layout of the parking area mainly on the distance between the existing and proposed bays had increased but the level of parking had not altered. As a result of the updated plans it shows a slight change to the parking area and Conditions 2, 8, 9 and 10 needed to be updated to reflect the amended plans. The fire safety advisers had also stated that they would be able to access the development

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 the application.

Chorleywood Parish Councillor Zainab Hearn said it was disappointing they were back here with 6 flats again. The second reason for refusal was upheld by the Planning Inspector which related to the living accommodation of the ground floor flats. The Parish Council did not feel this had been sufficiently addressed and understood the applicant had sought to create a further garden/terrace but you are still going to have a 4m retaining wall which would be quite high and would be very oppressive for those ground floor flats and did not feel those issues had been overcome. The development would not provide any affordable housing as it would be unviable but this was because there would need to be a huge amount of excavation taking place. The Council need to provide housing and it was not this Council's fault that the Government were imposing their housing targets but it should not come at any cost and not impact on the natural environment. The Parish Councillor had sympathy for the neighbours who were going to have to put up with a huge amount of construction and requested that if the balance was in support of this application that construction is arranged very carefully along with further information on structural impact on adjacent neighbours and properties.

Councillor David Raw thought it was overdevelopment and out of character.

The Planning Officer responded that the Committee had resolved to refuse on two grounds last time when it was for 6 flats but the Planning Inspector disagreed with the stance on over development and solely refused the scheme on the impact on the amenity of future residents so grounds to refuse on overdevelopment would be difficult to defend at an appeal.

Councillor Sara Bedford asked about permitted development rights and thought they did not have these rights.

The Planning Officer advised that was correct and was why they had not imposed a condition.

Councillor Sara Bedford thought the hours of working were the standard ones given for residential properties.

The Planning Officer said there was a Construction Management Plan condition and within that condition it does state about timings of construction

activities. Normally we do not put specific hours of construction as a condition as it was an informative enforced by the Environmental Health department as part of the Control of Pollution Act. However in special circumstances it can be included as part of a condition and the reason to include it could be because there is residential properties opposite and why it may be felt necessary to include a condition.

Councillor Alex Hayward understood the concerns around parking congestion but asked for confirmation there would be tandem parking on the site and was that tandem parking just for the one specific household or would it be shared.

The Planning Officer advised that there would be two sets of tandem parking for each flat. The parking at the front and the back would all belong to same flat so you would not come to a situation where the person parked at the front could be blocked in by another flat. There is a condition that the parking be in accordance with submitted plans which shows that it would be allocated accordingly.

Councillor Chris Lloyd said one of the speakers made reference to a number of conditions and would like officers to comment as some are covered within the conditions already but which of the comments mentioned are not covered in the conditions. Also to clarify details on the permitted development rights. Some of the Members who have been on the Committee a long time do know the site. Other concerns were around where construction vehicles would park and assumed that would be looked at as part of the Construction Management Plan. If lots of vehicles were to park in Quickley Lane that would cause chaos at certain times of the day and this needed to be addressed within that document.

The Planning Officer was aware of the planning history of the site. The previous developer had undertaken some unauthorised works and the boundaries were in a condition. This was a new developer looking to develop the site. Condition C3 sets out the requirement to submit details on hard and soft landscaping/tree protection/ lighting/boundary treatments and was added as part of that condition along with details about the boundary walls which included the retaining walls behind the ground floor flats as well as the ones along the boundaries. These details needed to be submitted to the Council and approved by the LPA in consultation with Building Control so that we can get their views and they can tell us if they would be sufficient and obviously the developer would want to ensure that they were sufficient and secure for the properties. Details would need to be submitted prior to any development commencing. The Construction Management Plan includes various different elements one of which is the construction parking and where they would park, the loading and unloading of vehicles, washing facilities and measures to safeguard the existing parking area as we don't want to disrupt the existing residents. This would be an important document and hoped the points set in Condition C4 were sufficient to mitigate the points as much as possible.

Councillor Raj Khiroya sought clarification with regard to the Chorleywood Neighbourhood Plan as they believed previously when the application was considered the Plan was not in place but was in place now and what weight had been given to it.

The Planning Officer referred to Paragraph 7.5.3 of the report which referred to the Chorleywood Neighbourhood Plan and Policy 3 and that the application would comply with the plan by meeting the criteria of maintaining amenity, car parking, no adverse impact on neighbours in terms of noise and light; the development must be more intimate in mass and scale and lower than frontage properties, which it would be, and provide features such as trees.

Councillor Debbie Morris wanted to pursue details on the construction hours. Whilst the Councillor appreciated it would be part of the Construction Management Plan these are not usually brought to the committee but wished to support the speaker's request that weekend activities are not allowed due to the proximity of the residents. They clarified that they would want this amendment included in the condition now.

Councillor David Raw said under Policy CP12 - design and development - it stated you should have regard to the local context and conserve and enhance the character and amenities in accordance with the area. Could officers advise why this was not out of character?

The Planning Officer said for the same reasons why the Planning Inspector did not feel it would be out of character. The previous refusal of the application had referred to the Chorleywood Neighbourhood Plan within the refusal document.

Councillor Sara Bedford said they felt the Planning Inspectors appeal decision had left the Committee with very little option and with very little pleasure moved the recommendation that Planning Permission be Granted (in accordance with the officer recommendation) subject to an amendment to Conditions C2, C8, C9 and C10 (due to amended plans) and the amendment to Condition C4 to limit construction activity to Monday to Friday, seconded by Councillor Keith Martin who had the same sentiments as Councillor Bedford.

On being put to the Committee the motion was declared CARRIED by the Chair the voting being 6 For, 3 Against and 2 Abstentions.

RESOLVED:

That Planning Permission be Granted (in accordance with the officer recommendation) subject to an amendment to Conditions C2, C8, C9 and C10 (due to amended plans) and Condition C4 to limit construction activity to Monday to Friday.

PCC123/21 21/2602/RSP: Part Retrospective: Single storey and two storey side and rear extension, conversion of garage to habitable accommodation, extension to roof and loft conversion including rear dormer and rooflights, extension of rear raised patio and associated alterations including brick finish to front elevation at 51 BROOKDENE AVENUE, OXHEY HALL, WD19, 4LG

The Planning Officer reported a typing mistake within the report at Paragraph 7.29 where the officer had referred to the dwelling as 4 bedroom but it was a 3 bedroom but believed that the assessment of the application had been as a 3 bedroom dwelling.

Local Ward Councillor Andrew Scarth said work had been taking place at this site since 2020 and during that time the builders had been having a relaxed attitude to what plans had been passed by the Council. They understood that the application before the Committee tonight was the second RSP application. The latest plans of the east elevation show two windows which was a reduction from six but from a recent visit there are three windows in the elevation. The Councillor requested that a condition be put in place to make sure one was bricked up. The neighbours at No.47 had made officers aware that the west facing new windows are clear glass and requested that these be changed to obscure glass as per the submitted plans. The six rooflights facing east and west are hinged in the middle and should be top level opening and asked if officers could find time to make a site visit to confirm that the height to the lower edge of these windows frames is 1.7m from the internal loft floor. The Councillor also had concerns around the rear patio but was pleased to note that it was proposed to be lower at the leading edge by 0.65m with two flower beds put in which would change the patio depth from 5.5m to 4m. However there was still a 1.5m central long walkway to the garden steps between the lowered flower beds which would allow the residents to overlook their neighbour's gardens. They asked if a condition could be included that the walkway and steps leading down to the garden are removed and the steps reconstructed centrally between the two flower beds 4.5m from the rear house wall. This would mean that the screening fence either side of this would provide some sort of privacy to the neighbours. Could it also be a requirement that the new patio paving slabs are kept to the same height as the existing ones otherwise the 1.7m screening would not be effective?

The Planning Officer advised that with regard to the photograph circulated to the Committee the windows do look clear glazed however they are not fitted with any glazing at the moment. The top first floor window (located centrally) was an existing window within the dwelling and was installed under permitted development but would be subject to the conditions under permitted development to be obscured, top level opening and 1.7m above the flooring level. With regard to the rooflights if the application was granted then all elements of the application would be checked to make sure the applicant complied with the conditions and officers would go out to inspect this and measure the distance of the rooflights. With regards to central walkway to the seating area officers were of the view that this would be satisfactory and the patio would not be any higher than the existing patio so the screening should be sufficient along with the proposed boundaries.

Councillor Keith Martin said this was second RSP application and concurred with the comments made that the applicant was taking a relaxed view with the development. There was an enforcement notice there at the moment and asked if that should be dealt with before anything else so that they have to comply with it.

The Planning Officer clarified there was not an enforcement notice but there was an enforcement investigation and as a result of that investigation this latest application had come forward. Should this application be agreed all the issues that had arisen from the investigation with regard to the raised patio would be granted planning permission but importantly the raised patio area would be lowered in height, planting put in place and the introduction of screening which would be required by the conditions to be undertaken within a period of 4 months prior to the use of the patio. Therefore the enforcement investigation would be closed if officers were satisfied the condition was complied with.

The Planning Officer clarified that the Town and Country Planning Act does allow for RSP applications and as part of the enforcement investigation it was open for the owners to apply for permission to try and overcome some of the planning breaches in cases where the works had not be undertaken in accordance with the original permission. If the application was refused then officers would be required to take enforcement action to restore works but if the application was agreed the case would remain open to ensure the conditions are complied with within the required time period.

Councillor Debbie Morris said nothing they had heard or read could give rise to any reason for refusal and moved that Retrospective Planning Permission be Granted, seconded by Councillor Alex Hayward. The Councillor who did not see any issue in the investigation leading to the submission of the application.

Councillor Raj Khiroya wished to clarify that this application before the Committee had only come because of the investigation. The Councillor was concerned the Committee were considering the application while the investigation was taking place.

Councillor Sara Bedford referred to the conditions particularly Condition C2 with regard to the soft landscaping and the flower beds etc. but there did not seem to be a requirement to retain those in perpetuity like the fencing and screening.

The Planning Officer stated that Condition C2 required the applicant within 4 months to drop the raised patio as a result of the negotiation of officers as part of the scheme. Once the required parts of the patio had been lowered the patio should be permanently retained at its height, width and design which should not be used with the adjacent side patio at any time thereafter.

Councillor Sara Bedford asked if the flower beds should then be retained as part of that condition or do we need a separate condition to retain them like the screening.

The Planning officer advised that the screening was part of Condition C9.

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

RESOLVED:

That Retrospective Planning Permission be GRANTED in accordance with the conditions and informatives set out in the officer report.

PC124/21

21/2675/FUL – Retrospective: Erection of single storey garden outbuilding at 4 WATERFIELD, HERONSGATE, WD3 5BS

The Planning Officer reported that one further letter of objection had been received on behalf of six owners of properties in Waterfield which had been sent directly to the members of the Committee. Officers had seen the letter and did not consider that any matters raised impact on the assessment.

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 the application.

Chorleywood Parish Councillor Zainab Hearn had visited the site to see the outbuilding and felt that the outbuilding was completely out of keeping with the surrounding area. Just because it had been built was not a reason to allow it. When things are built they should be built in accordance with the approved plans and sympathetic to the area and this building was not. The outbuilding was built on a very large base which increased the height substantially and the colour of the building was completely out of keeping with the area. The Parish Councillor agreed with the residents' concerns that it looked like a porta-cabin and towered over the neighbouring residential gardens and did not think it was a good precedent to set. They also raised concern about the bamboo proposal which was not a native species and whilst it might have some benefit to cover the outbuilding it did not have any biodiversity value and was not sure how long you could control it. They did not think this proposal should be allowed anywhere in the District.

The Planning Officer responded that the report sets out the justification for the outbuilding and as proposed was acceptable.

Councillor Debbie Morris said it seemed that the applicant was saying the reason why the building was built as it is was due to building regulations/control specifically in relation to the platform and the finish. The Councillor would be grateful to know officer comments on whether they are aware that the original cladding as required can't be put on? Was it not allowed to be put on or whether the applicant had chosen not to do that because they prefer the grey resin finish? The Councillor assumed that the original wood cladding would have been a wood colour which perhaps would have toned in better with the brick finish of the house.

The Planning Officer advised that a building this size would be required to pass building regulations which was outside the Planning Officer's remit. The building materials was to satisfy building regulations and the design and colour of the building was a personal choice.

Councillor Debbie Morris sought clarification on what the officer had just said that design, colour and finish was the applicants choice. On Paragraph 7.1.4 of the report the officer acknowledged that the outbuilding does not match the host dwelling nor other properties in the cul-de-sac and is different to that which had been approved and was concerned about this.

Councillor Chris Lloyd did not feel it reasonable that it had to match the house but did believe from looking at the picture why a condition could not be included saying what colour we would expect it to be. On other applications we look at materials, colour etc. The Councillor did not like the grey colour proposed.

Councillor Sara Bedford was not keen on either the building or the colour but it was not particularly relevant as a planning consideration. The location was not within a Conservation Area and was not in an area where we have any particular design guidelines. We can't insist on materials to match as it was not part of the existing dwelling. The colour of the building was a personal preference and could not see how the Committee could insist on it looking

differently. The Councillor would prefer it was not screened by bamboo and prefer some sort of native hedging which would provide some sort of screening which would be an improvement but was struggling to find a reason why that building could not be there as it is.

Councillor Debbie Morris was not expressing a personal preference on the grey colour but the officer had acknowledged that the outbuilding does not match and was not in keeping with the other properties in the cul-de-sac so was therefore out of character with the streetscene and was highly visible as it was right on the side of the house and not like a traditional outbuilding in the rear garden. The original requirement was for the wood cladding finish and not the grey resin and just because the applicant had chosen grey we should not have to agree with that and should stick with the original finish we required.

Councillor Raj Khiroya asked with regard to the colour of the outbuilding could the Committee ask for a condition be added on the colour of the building to change to something more in keeping with the area.

The Planning Officer said Members can but officers were struggling to see the reason for it and there would need to be very good reasons and was not sure if the material used could be painted. If Members felt the appearance was unacceptable there needed to be a reason for refusal provided or the application could be deferred for further consultation with the agent to see if the colour can be changed.

Councillor Chris Lloyd said if what was being suggested was we can't insist on the colour then the Councillor proposed that the application be deferred to explore if the outbuilding can be painted. The size of the building had not changed substantially but the colour had certainly changed and there seemed to be sufficient Members around the Committee and the public who would like that point explored.

Councillor Sara Bedford had been looking at the previous development history provided in the report and asked which one of the applications would have had agreed the cladding colour. When did we make that decision and what was the reason for the colour of it.

The Planning Officer understanding was that they had permission for the outbuilding in a darker stained wood which was proposed at the time and conditioned to that effect but with the build there was some material differences and an enforcement investigation opened. As part of that investigation the owners were encouraged to submit an application so that it could be assessed. One of the changes is the material and the colour which is what they are applying for now.

Councillor Sara Bedford said looking at the planning enforcement they wondered where that application lies. The materials were not specified by the Council but were put forward by the applicant. This was correct.

Councillor Raj Khiroya said it seemed to the colour of the outbuilding was the issue and was not the original colour agreed and had been brought to our attention by the neighbours due to the grey colour which it now is.

Councillor Stephen King said if it was clad in cedar the Committee would not be here now discussing it.

Councillor Debbie Morris asked if there was any value in deferring the application and had officers had discussions previously on matters like this.

The Planning Officer could not confirm this but did not recall having those discussions because they considered what was in front the Committee was acceptable.

Councillor Raj Khiroya seconded the proposal to defer the application for officers to undertake further consultation with the agent to see if it was possible to change the colour of the building only.

On being put to the Committee the motion was declared CARRIED by the Chair the voting being 6 For, 2 Against and 3 Abstentions.

RESOLVED:

That the application be DEFERRED with regard to the change of colour of the outbuilding.

PC125/21 21/2757/RSP - Part Retrospective: Single storey rear extension and change of use of premises from bank Class E(c)(i) (Financial Services) to restaurant Class E(b) at 38 HIGH STREET, ABBOTS LANGLEY, WD5 0AR

The Planning Officer had no update on the application.

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

Councillor Sara Bedford stated there were no issues with changing the status of use to a restaurant. There had been some issues over the retrospective issues of the extension but now probably no issues about that either. However, what had caused some disquiet amongst residents, particularly those who live close by in the elderly people's maisonettes at the top of Abbots Road, the terraced houses behind there and the flats above the shops in the High Street which almost all are occupied by people who have no connection to the shops was the hoardings. When the development was originally proposed a post was made on a local Facebook Group asking people if they would like a cocktail bar in the village which received a positive response. The hoardings then went up and on them it showed a number of cocktails. Whilst it is likely that the application for the restaurant is what is intended this had caused quite a lot of disquiet amongst people. The Councillor went on to say that there had been some concern on the visualisation which showed tables and chairs outside the premises. With this in mind and having spoken to Officers the Councillor proposed three suggested additional conditions which will help to remove the worry that residents in the area have. If it was going to be predominantly a bar selling alcohol rather than a place to eat hot food it would need to be Sui-generous use rather than Class E as proposed. Suggested Condition one – the use of the bar would be entirely ancillary to the use of the premises under Class E and not for any other purpose. Therefore customers would be able to go into the restaurant to have a drink whilst waiting for a table, whilst having a meal at their table and after eating in the restaurant but customers would not be able to go in and just have a drink. The second suggested Condition was no

tables or chairs or similar structure should be placed outside at the front of the premises at any time. This was to stop people sitting outside drinking etc. The third suggested condition is that signage not exceeding 0.3 metres should be erected warning customers that they should not take food or drink outside. The signage details and siting to be submitted and approved in writing by the Local Planning Authority prior to the first use of the premises. The reason for these conditions was to preserve the residential amenity of residents of the High street and surrounding area and with regards to no tables and chairs at the front of the building to be able maintain the free flow of pedestrians on the pavement. These conditions should be clear and the Councillor did not anticipate they would affect the use of the restaurant in any way. It would be nice to have a different cuisine in the High Street and this would be very much welcome. These suggested additional conditions were put forward to look after the residents.

Councillor Debbie Morris wanted to ask if Officers were aware of any other restaurants in the High Street that had dining in front of the restaurant/cafes.

The Planning Officer responded that there were a number of cafes in the High Street and Simmons café had tables and chairs outside which had required planning permission which was granted a few years ago.

Councillor Debbie Morris felt that as we were moving to a newer way where there was more outdoor dining and would not wish to restrict this restaurant from having a couple of tables outside the front like some of the others in the road.

The Chair asked if the applicant would have to apply for a separate license for that.

The Planning Officer responded that in this instance the ownership extended further than beyond the front building line. With regard to Simmons their ownership stopped at the front building line meaning that they were required to submit a change of use application to use the pavement so technically without this control, the owner if granted planning permission could legitimately use tables and chairs as an ancillary function to its primary use.

Councillor Sara Bedford believed that the use of tables and chairs outside Simmons was restricted to 3pm or 4pm in the afternoon which would not cause any problems whatsoever if that were to be the timings here. We had discussed in an earlier application people being close to the boundary of a garden whilst drinking inside a building and here we would have people sitting underneath the bedroom windows of residential flats until 11pm at night that was an entirely different matter. It might carry to other flats/houses in the area. The other problem was that Simmons spill out all over the rest of the pavement as well, Officers are aware that it was causing problems with the free flow of people walking along the pavement. People moved the tables and chairs around. It's very difficult for the owners to do anything about it.

Councillor David Raw wanted to know after looking at the application, if there was a conflict of interest and questioned that the leaseholder intended to build on Council land and wanted to know what this was about.

The Planning Officer responded that this was a retrospective planning application which came through an enforcement. There had been concerns that the extension was encroaching onto the Henderson Hub. Once the application was submitted it was clear that the extension would not encroach and would stay within the perimeters of the outside flank elevation of the building. Due to the nature of the works initially there were concerns from the Henderson Hub.

Councillor Debbie Morris would not have a problem restricting outdoor dining to maybe 10pm but did not think it would be reasonable for a restaurant to stop serving outside at 3pm in the afternoon. Outdoor dining should be allowed up to a reasonable hour in the evening.

The Chair said consideration should be given to how much land was going to be used outside.

Councillor Alex Hayward said that comparisons had been made to Sarratt but that was a playing field and not a main road as with this application and presumed there would be noise from the traffic/vehicles on the main road anyway. Therefore the Councillor was in support of Councillor Morris with outdoor dining on the restaurants own land.

The Chair advised that there would have to be a time limit on that.

Councillor Sara Bedford suggested as a comparison had been made with Simmons that it could be the same time as Simmons which would be 3pm and that seemed reasonable.

Councillor Raj Khiroya appreciated that Simmons had a time limit to 3pm but this was a restaurant and felt a time limit to 3pm would be unreasonable.

Councillor Debbie Morris suggested 10pm at night if the restaurant was serving dinner in the evening people would stay through some of the evening and you would probably not want to be outside later than 10pm.

The Chair wondered if the owners might decide not to serve outside after a certain time.

The Chair stated the application was in front of the Committee to grant part retrospective planning permission. There had been three changes proposed by Councillor Sara Bedford, one would have to be a motion. The other two conditions that were proposed were the Class use as a restaurant not to be used just a bar, and secondly no dining outside the front of the restaurant (this would have to be considered separately). A warning sign which would be attached to the second condition if agreed stating no outside dining or drinking.

There was a discussion about the possibility of a sign advising customers would not be served outside after a certain time but Councillor Sara Bedford did not feel this would work if the amended proposal was agreed as they would not be meaningful.

Councillor David Raw suggested stipulating last orders at 9.30pm then customers to leave by 10pm.

A motion was proposed by Councillor Debbie Morris, seconded by Councillor Alex Hayward, for tables and chairs to be removed and taken inside from the front of the building by 10pm every day.

The Planning Officer stated that the condition really needed to be that no tables and chairs should be in place at a certain time for enforcement. Someone could walk along the High Street and have a drink in their hand and we would not know where they had come from and would be very difficult for the owner to stop anyone from sitting outside the restaurant. The officer was just advising the difficulties of enforcing the condition. It should include that tables and chairs must be removed by 10pm.

The proposer and seconder of the amendment accepted this.

Councillor Sara Bedford said if there are going to be tables and chairs outside they must be brought in by 10pm at the latest. At night the High Street was not the busiest of places as you don't go through it unless you are going to it and was a 20mph zone.

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

There was a further discussion about Councillor Sara Bedford's other amendments with regard to the premises being used as a restaurant/bar and not just as a bar and the signage.

Councillor Sara Bedford thought that all three suggested conditions that they had put forward were still on the table but the Chair advised that an amendment to the condition on the tables and chairs had been put forward to the Committee and the amendment had been passed therefore there were only two additional conditions for consideration by the Committee on the use of the restaurant and bar and the signage. The Councillor felt that the suggested condition on signage they had put forward had been superseded with the amended motion being passed on the tables and chairs.

On being put to the Committee the additional condition on the use of the premises being a restaurant/bar and not just as bar was declared CARRIED by the Chair the voting being unanimous.

On being put to the Committee the granting of part retrospective planning permission with the additional conditions to ensure the bar is ancillary to the restaurant and that any tables and chairs placed on the adjacent highway are removed by 10pm everyday was declared CARRIED the voting being 10 For, 0 Against and 1 Abstention.

RESOLVED:

That Part Retrospective Planning Permission be GRANTED subject to the conditions and informatives set out in the officer report and with the following additional conditions the final wording of the conditions agreed after the meeting.

Additional Conditions to be added:

Bar use:

The bar area as indicated on plan number A6/062021 shall only be used ancillary to the primary use of the premises as a restaurant (Class E(b))

hereby permitted and shall not result in the premises operating as a drinking establishment.

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 DM9 of the Development Management Policies LDD (adopted July 2013).

Tables and chairs:

Any tables and chairs or similar structures placed on the adjacent highway falling within the land ownership of the premises shall be removed by 22:00 hours every day.

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 DM9 of the Development Management Policies LDD (adopted July 2013).

PC126/21 21/2772/FUL - Variation of Conditions 1 (Approved Plans), 2 (Landscaping (Permanent Access), 3 (Landscape Management Plan), 4 (Habitat Management Plan), 7 (SuDS Maintenance (On Site Works), 8 (SuDS Maintenance (Off Site Works), 9 (Boundary Treatments), 10 (Car Park Management Plan), 11 (Access), 12 (Travel Plan) and 14 (Delivery and Servicing Plan) of planning permission 21/1890/FUL to provide a permanent access from Uxbridge Road at The Reach Free School, Long Lane, Mill End, Hertfordshire, WD3 8AB

The Planning Officer stated that Paragraph 7.7.2 refers to a requirement for an additional condition requiring a Construction Management Plan, this is incorrect and an additional condition is not included. As set in Paragraph 7.3 an update to the landscape management plan had been submitted with the current application. No further details are required. The Committee noted that a local Ward Councillor had sent details today to the Committee outlining their concerns with the application.

Councillor Sara Bedford stated that this site had been going on for a long time and was not sure all Members of the Committee know it well. There had been a number of issues such as landscape and the traffic around the site and the proposed landscape management which was big concern to the residents of the area and proposed there should be a site visit.

Councillor Raj Khiroya seconded this motion and believed a site visit would be beneficial.

The Member of the public was advised that they could speak tonight or defer speaking at the next meeting after the site visit. The member of the public would not be able to speak twice.

Councillor Sara Bedford reiterated the reasons they put forward for the site visit. There had been several iterations of the landscape management there which was of great concern to residents and due to the traffic which was a nightmare particularly at 8.20am to 8.40am in the morning. The Councillor felt that Members needed to see that due to the size and location of the site.

On being put to the Committee the motion that the application be Deferred for a site visit on the grounds of the traffic and proposed landscape management was declared CARRIED by the Chair the voting being 9 For, 0 Against and 2 Abstentions.

It was proposed that a Saturday site visit would be organised for Members to view the landscaping and Members would visit separately visit the site during the week in their own time to see the traffic issues.

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

Councillor Debbie Morris said as the application was being deferred they wondered if Officers would be doing an update for the next time it came forward to the Committee they could follow up on the point Councillor Seabourne raised in their email where they referenced the Health and Safety Executive advising this point being accepted by the Government that schools should have separate entrances for vehicles and pupils and apparently was in the original plans but not in the current scheme.

The Planning Officer agreed to look at this and had seen the email from the Councillor.

Councillor David Raw suggested Members be given a map to show exactly what the changes were going to be or for Officers to attend the site visit with Members to show the changes and what Members should be looking at.

The Chair advised that there are plans already online and had been shown to the Committee tonight.

The Planning Officer advised that the existing situation on site is temporary with temporary access. The original planning application involved a roundabout which was no longer proposed it was for a new permanent access. Currently there was one access in use but as part of this proposal and as Members could see from the plans there would be two. Work had pretty much already been done in respect of the access on Long Lane and was currently blocked. That access would be used for vehicles to access the site and would go towards Rickmansworth because there was no left turn from the main access onto Uxbridge Road.

RESOLVED:

That the application be DEFERRED for a Members site visit to allow Members to view the landscaping and the traffic issues.

PC127/21 21/2778/FUL – Construction of detached outbuilding containing bar at RIVERSIDE, OLD MILL ROAD, HUNTON BRIDGE, WD4 8QT

There was no Planning Officer update and no speakers for this application.

Councillor Raj Khuroya proposed refusal in line with the Officer recommendations as set out in the report, seconded by Councillor Ruth Clark.

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

RESOLVED:

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

PC128/21 21/2860/RSP: Part-retrospective: Ground and lower ground floor side and rear extension, loft conversion including insertion of rear dormer window, front rooflights, alterations to fenestration, rendering of property and extensions to softcast render, alterations to existing rear terrace, new external rear stairs to garden level and new raised planters at 23 Copthorne Road, Croxley Green, Rickmansworth, Hertfordshire, WD3 4AB

The Planning Officer reported that there had been email correspondence with the Case Officer from a local Ward Councillor about whether planning conditions can be added removing permitted development (PD) rights, requiring that no raised platform is built and that the “sliding doors” shall be fixed shut.

It is Officers opinion that any further extension at the rear of the property including a raised platform adjacent to the neighbour would require planning permission in their own right meaning the imposition of removing PD rights would be worthless. Even if PD rights were removed, the applicant could still apply for planning permission for further extensions/raised platform.

Consideration was given to adding a condition requiring the rear windows to be fixed shut however Officers could not come up with a valid planning reason as to why this condition should be imposed. The approved plans state clearly that the doors are to be fixed shut. The requirement to keep them fixed shut would fall under Building Control requirements.

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 in against the application.

Croxley Green Parish Councillor Andrew Gallagher said for the avoidance of doubt they were a neighbour but did not live within the consultation zone and read the statement on behalf of Croxley Green Parish Council. The Parish Council considered the original application in 2020 and the comments submitted to them in accordance with Policies, the Neighbourhood Plan and adopted Local Plan and had no objection. The current application arises because the development was not in accordance with the plans approved with the first application. The Parish considered this further application in January and had received comments from a neighbour objecting to the application but had considered the application against adopted policies. The Parish Council objects to this application due to concerns over privacy and overlooking of the neighbours garden. They disagree with the officer assessment at 7.3.3 in relation to Policy CP12 of the Core Strategy. They support the objections raised by No25 and had called the application in. It was difficult to appreciate the impact of the extensions to the rear of these properties from the plans, drawings and photographs as they do not adequately show the impact of the full height windows and the impact on privacy and amenity of the neighbouring property. They consider the full height windows should be removed and

replaced with windows originally approved in the previous application. They recommended that the Committee make a site visit.

The Planning Officer advised that with regard to the objector points there was reference to overlooking and the fact that the windows should be reinstated and followed the Parish Council argument. The officer report accepts that the windows were changed but ultimately the difference from what was approved and what had been installed with regard to privacy and overlooking was not harmful and there was a photograph to demonstrate that most views were retained within their garden. In terms of conditions the officer had referred in their update as to why officers did not feel it was necessary. Any other rear extension would potentially require planning permission because they would have exceeded the criteria within the General Permitted Development Order. This seemed to be contrary to the advice the objector had and would leave that for Members to consider. The Planning Officer said from their viewpoint they would require planning permission for any further rear extension. On raised patios they could erect up to 0.3 metres however any raised patio that would come out from the extension would be far greater than 0.3 metres and would require planning permission. The extension was slightly lower than what was approved previously and a depth of 3.7 metres which accords with our design criteria which allows for 4 metres for a detached property. During the process the plans had been clarified with the agent and the case officer to ensure that the plans before the Committee tonight clarify the doors/sliding windows are to be fitted.

Councillor David Raw referred to a photograph from inside which was blocked with doors being in the way and wanted to know how far those windows go to the right as comments had been made on the view from the inside looking out.

Councillor Debbie Morris said if all these things in this application weren't part of an application and if someone just wanted to change windows to doors would that require planning permission if it was a standalone item.

The Planning Officer advised in some cases changes to fenestration especially at the rear and at ground floor level could be treated as non material and would not be before the Committee tonight. There was a condition on the previous application which restricted additional windows but that was in relation to the flank elevation which faced the adjacent neighbour. There is an argument that the rear fenestration which is shown may not require planning permission but ultimately the Committee are here to consider various other changes as well.

Councillor Debbie Morris moved, seconded by Councillor Ruth Clark that Part Retrospective Planning Permission be granted.

Councillor Chris Lloyd asked for the application to come to the Committee as it was a sensitive site which could be seen from the Chess valley and moved an amendment that the Committee make a site visit as requested by the Parish if there is sufficient support from the Committee. You could walk down the road and see the front but none of the objections relate to the front of the building and you could not see the issues at the rear of the property just walking down the road.

The Planning Officer stated that initially the objections had related to the front of the building and the windows but they are to be changed with glazing bars

inserted which was subject to a planning condition to ensure they changed. The majority of the concerns now seem to be with regard to the privacy and overlooking from the rear extension as well as future development going out and raised platforms.

On being put to the Committee the motion to defer the application for a site visit was declared CARRIED by the Chair the voting being 7 For, 1 Against and 3 Abstentions.

RESOLVED:

That the application be DEFERRED for a site visit due to concerns on overlooking and privacy.

Chair