
PLANNING COMMITTEE

MINUTES

Of a meeting held in the Penn Chamber at Three Rivers House, Northway, Rickmansworth, on Thursday 17 November 2022 from 7.30pm to 9.47pm.

Councillors present:

Steve Drury (Chair)	Raj Khuroya
Sara Bedford	Chris Lloyd
Matthew Bedford	David Raw
Ruth Clark	Stephanie Singer
Phillip Hearn	
Abbas Merali (for Cllr Lisa Hudson)	

Also in attendance: Councillors Andrea Fraser and Debbie Morris, Chorleywood Parish Councillor Jon Bishop and Batchworth Community Councillor Craige Coren.

Officers: Adam Ralton, Lauren Edwards-Clewley, Tom Norris and Lorna Attwood

COUNCILLOR STEVE DRURY IN THE CHAIR

PC 59/22 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Lisa Hudson and Stephen King with the named substitute for Councillor Hudson being Councillor Abbas Merali.

PC 60/22 MINUTES

The Minutes of the Planning Committee meeting held on 22 September 2022 were confirmed as a correct record and were signed by the Chair subject to the following amendments proposed by Councillor Raj Khuroya:

Minute PC 58/22, Page 3, Paragraph 2, second line. Change the wording "they had been to the site" to "he had been to the site".

"They sought clarification" to be changed to "I sought clarification"

PC 61/22 NOTICE OF OTHER BUSINESS

None received.

PC 62/22 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 63/22 22/0284/FUL - Construction of two timber outbuildings at BURY LAKE
YOUNG MARINERS, FROGMORE LANE, WD3 1NB**

The Planning Officer had no update.

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

The Planning Officer said that the application had been brought to the June Planning committee meeting as the Environment Agency had raised an objection as there was no flood risk assessment provided with the application. Between the publication of the June report and the committee meeting the applicant confirmed they would undertake an FRA therefore officers verbally updated in June to suggest a revised recommendation of deferral rather than refusal. A flood risk assessment had now been carried out and having reviewed this the Environment Agency had no objection. . Therefore, the application was now recommended for approval.

Councillor David Raw asked if the building should be on a higher ground or stilts due to the risk of flooding.

The Planning Officer replied that the flood risk assessment detailed both the siting and internal heights of the proposed buildings and this had been reviewed by the Environment Agency who considered its contents to be acceptable.

Councillor Chris Lloyd asked to see plans and photos which were presented on screen by the Planning Officer. Councillor Chris Lloyd then moved the recommendation which was seconded by Councillor Raj Khiroya.

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

RESOLVED:

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

PC 64/22 22/1226/OUT - Outline application: Erection of two detached dwellings (All matters reserved) at LAND WEST OF BEDMOND ROAD, BEDMOND, HERTFORDSHIRE

The Planning Officer advised there was no update.

Councillor Matthew Bedford was in support of the Officer recommendation but had wanted to add a further reason as the site was not in the village of Bedmond therefore not in the village exception. However, based on the current Local Plan Cllr Bedford accepted that the land was designated within the boundary of the settlement of Bedmond Village. Councillor Matthew Bedford moved the Officers recommendation that planning permission be refused, seconded by Councillor Raj Khiroya.

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

RESOLVED:

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

PC 65/22 22/1246/FUL - Demolition of existing dwelling and erection of two storey detached dwelling with basement, erection of detached garage, and alterations to landscaping - WILLOW COTTAGE, CHALFONT LANE, CHORLEYWOOD, HERTFORDSHIRE, WD3 5PP

The Planning Officer gave an update stating the amended plan received had removed the outdoor BBQ and kitchen area.

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

Chorleywood Parish Councillor Jon Bishop spoke against the application and stated that Chalfont Lane was a sensitive location, which changed in the type of lane and could impact on the characteristics of the village. In the Neighbourhood Plan, policy two was introduced due to the houses being built not in keeping with the area and residents were concerned. This house was in that group. Chalfont Lane did have different types of houses but they were mainly traditional style, this application stood out as not in keeping with the Lane or Chorleywood. This therefore did not comply with policy two in the Neighbourhood Plan. The design was the issue, and because of this, the sighting and the breach of policy two of the Plan, the Parish Council asked that the application be refused.

Councillor Abbas Merali agreed with the Officers comment in Paragraph 4.1.1 of the report regarding demolition. The Neighbourhood Plan provided an important point of reference. Would the Officer comment on the street scene and design point that was made by the Parish Councillor.

The Planning Officer said that the report outlined there was no overwhelming style of dwelling that dominated the local character. It was considered by virtue

of the design that it would not be harmful to the overall character of the area. The general character would be maintained despite it appearing different.

Councillor Philip Hearn said it was disappointing that a perfectly good home would be knocked down. Referring to the Chorleywood Neighbourhood Plan, Point 2.2 it said that all development should seek to make a positive contribution to the area. Design was subjective but there was not another house in Chalfont Lane that was like this. It was a very different design and the Councillor struggled to see how it would fit within the Chorleywood Neighbourhood Plan.

The Planning Officer said it did appear different in its design, but did maintain requisite spacing and was set back. In terms of its design it was not considered to be objectionable and did maintain the general character of the area.

Councillor Matthew Bedford was struggling to understand the objections to this application, it was a substantial detached property but set well back with lots of vegetation. The design seemed to be perfectly reasonable.

Councillor Stephanie Singer agreed with Councillor Matthew Bedford and said it was not unusual to have houses of this style in Chorleywood and could think of a few examples.

Councillor Abbas Merali was not making an objection but had wanted to hear the Officers perspective.

Councillor David Raw said it looked out of character for the area and believed that policy was to build something in keeping with the area.

Councillor Stephanie Singer moved the Officer recommendation to Grant Planning Permission. This was seconded by Councillor Matthew Bedford.

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

RESOLVED:

That Planning Permission be GRANTED in accordance with the officer recommendation with an amendment to the approved plans condition following receipt of amended plans, to reflect the omission of the outdoor kitchen area.

The amended condition to read:

The development hereby permitted shall be carried out in accordance with the following approved plans: PL05 REV P2, PL04 REV P2, PL03 REV P2, PL02 REV P3, PL01 REV P3, PL-302, PL-301, PL-202, PL-201, PL-08, PL-02, H1421-T, H1421-T, H1421-E, ATS-TCP-23336, 2967-11-01 REV D

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

22/1621/FUL – Partial demolition of existing dwelling and construction of basement, two storey rear extension, two storey side extension, loft conversion including rear dormers and rooflights, construction of chimney and alterations to fenestration, at 36 MAIN AVENUE, MOOR PARK, HA6 2LQ

The Planning Officer provided an update, stating that one further neighbour objection had been received which noted Main Avenue was on a hill and raised concerns in relation to ground water flow and the resultant impact in the locality. The assessment of the impact on flood risk had already been set out at Paragraph 7.7 of the Committee report.

A further comment had also been received from No.38 Main Avenue which was summarised as: Overlooking concerns from the rear dormers, breach of the 45 degree line, resultant loss of light and lack of flood risk assessment.

Officers did not wish to add anything further to the analysis of the report.

Formal comments had also been received from the Conservation Officer stating they had no in principle objection to extending the property. Some concerns had been raised in relation to the loss of fabric and a condition was requested to prevent this. The rear extensions were considered to preserve the character and appearance of the Conservation Area. The side extension was also of concern and the potential negative impact on the chimney. There was a preference for this to be omitted and further scope to reduce the impact by setting the side extension down further from the ridge.

Officers did not consider that this information altered the assessment set out in the report or the overall recommendation.

Amended plans had been received to omit discrepancies from the plans and as such Condition 2 should be updated to reflect this.

Officers were further proposing an amendment to Condition 4 to include the wording 'maintained in situ' and to update the plan number.

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

Batchworth Community Councillor Craige Coren spoke against the application stating that a similar application had been refused following negative feedback from the Conservation Officer, planners, Batchworth Community Council and Moor Park 1958. There were concerns regarding the scale and impact the plans would have on the building fabric. The side had a negative impact and should ideally be omitted and a reduction in the ridge height. The drawings indicated the extent of the development and how there was little of the existing building being retained. This was another example of extensive demolition and redevelopment of a 1930's property in the historic Conservation Area. Many original features would be lost. The size and scale of the rear dormers were out of character and should be reduced in scale. It was requested that clear wording should be provided in the decision, in respect of the demolition. It was not believed that the application was ready for approval and this was largely supported by the Conservation Officer's comments. The development would require careful monitoring.

Ward Councillor Debbie Morris spoke against the application. The two rear dormers were very big and were 1.7m high, 1.8 wide and 1.9m deep, these each had two casement windows which opened wide. As per the report, they would afford additional views to the gardens of No.38 and No.34. The Council's Conservation Area appraisal stipulated that rear dormer windows were only allowed where they did not impair the privacy of neighbours but it was acknowledged that they did. The adverse effect on neighbour amenity was the principle reason for asking for refusal of the application. The Conservation Officer had suggested a reduction in size and a pitch roof. With regards to the basement, a flood risk assessment had not been submitted. A flood risk assessment was requested by Officers but had not been provided. The report stated there was no justification for one even though one was sought at the outset and was required under the Conservation Area appraisal. There was an informative asking the applicant to ensure there was no surface water flooding and damage to water courses. Could this information become a condition if permission were to be granted? If minded to approve please add a further two conditions removing permitted development rights for extensions and outbuildings as proposed plot coverage was 17% exceeding the 15% maximum in the Conservation Area appraisal and requiring boundary hoardings to No.38 to reduce the impact of the construction work. The Planning Officer said in respect of the dormer windows and resultant overlooking, the positionality of the dormers were between the pitches of the rear projections. As such any views directly towards the neighbouring property would be obscured by those. It would only allow views straight out to the rear of the application site or the rear most part of the neighbouring gardens.

Councillor Philip Hearn said the neighbour was concerned about the rear dormer's overlooking and this does need to be taken into account and was also concerned about the size of the development as the development would exceed the 15% plot coverage and wondered why this would not apply in this case. Regarding the flood risk assessment for the basement, could the Officer explain why this was not required?

The Planning Officer replied that there was no statutory obligation for requiring a flood risk assessment for this development type. Whilst the Moor Park Conservation Area appraisal did require one, there was no statutory obligation to provide one.

Councillor Raj Khiroya asked, following a refusal of an application last year, what were the differences between what was rejected and what was in front of the Committee today. The Planning Officer replied that the new application incorporated the demolition of the single storey projection. Previously there were two front dormer windows, they had now been omitted. The two storey side extension would be set down further from the ridge this was originally in line with the ridge. There was an incorporation of a chimney into the scheme which was previously going to be lost. Whilst there was a rear two storey extension proposed, it was a different design. Lastly there were some additional hard standing proposed. The Planning Officer presented the plans on screen to demonstrate the changes to the Committee.

Councillor Raj Khuroya asked for confirmation of how much of the existing dwelling would be demolished and had the applicant engaged with the planning department on the newest application (was there a pre app)? The Planning Officer responded that no pre app advice was sought. The Planning Officer then presented the plans on screen to show which parts of the dwelling were to be retained and which would be demolished.

Councillor Sara Bedford spoke regarding the Conservation Area appraisal 15% rule. It was assumed that this was a maximum rather than a target. There was not much point having it in the appraisal if it could not be upheld. With the flood risk assessment, the Councillor could not see why it would be in the appraisal if we were not upholding it. It gave false hope to residents and was concerned as to how much character would be lost, we should be respecting what was in Moor Park Conservation Area appraisal. There was a large amount of demolition on this application.

Councillor Abbas Merali agreed, the main objective from the Conservation Area appraisal was to safeguard the character. Regarding the flood risk did the Officer think there was a risk? The update received was different to what was reflected in the Officers report. Had the impact letter been fully reflected?

The Planning Officer replied that with regard to the flood risk the Conservation Area appraisal did not influence the information that was asked for when validating the information received. Officers had to make a judgement, if the application was not validated once the 8 week period has elapsed then the applicant can lodge an appeal. There was no evidence to state that the lack of the FRA caused an issue. The development was not in a flood risk area, the risk was relatively low. At the validation stage, would go to appeal and the decision making would be taken out of the Planning Authorities hands. The Planning Officer noted the Conservation Officer's comments for a preference for the side extension to be omitted. The applicant had not applied for this so the Committee would need to view what is in front of the Committee this evening. In the Officer's view the two storey side extension could preserve the character of the Conservation Area and believed it to be acceptable.

Councillor Matthew Bedford said it was about preserving and enhancing an area and street scene. The Committee would need to consider that things cannot just be refused due to being in a Conservation Area. The application could not be refused due to a large part of demolition unless it could be shown how it would harm the appearance of the Conservation Area. With regards to the 15%, it is assumed that this related to the application from the street scene but the new building would take up less area than the current dwelling. It would be difficult to argue that it was not in keeping with the Conservation Area. The rear dormer appeared to prevent views to the side and the occupants would only be able to look straight down the garden of the property, therefore there would not be overlooking. The basement was underground so did not harm the Conservation Area and wondered why we would ask for a FRA if we could not enforce it.

Councillor Sara Bedford had issues with the amount of change. There were still concerns from the Conservation Officer and there would be no point if we did not take due regard of the Conservation Officer comments. The Councillor did not agree with the point on the validation of the application and felt if an

FRA was required as part of the Conservation Area appraisal then it should be asked for after validation and prior to determination.

Councillor Philip Hearn said there were two separate requirements in the Moor Park Conservation Area appraisal. One around the width of the building and one around the percentage of coverage of the building on the plot area.

Councillor Chris Lloyd said the road was on a hill, there had been flooding in other parts of Moor Park and felt this should be taken into account and was not sure the reasons referenced in the previous refused application had been overcome.

Councillor Abbas Merali asked for clarification on the FRA. The Planning Officer confirmed that information can be requested during the course of an application if it was felt that it was needed. Officers had asked for the information but the applicant said they would not provide it. A planning judgement was made on the basis of not having the FRA information, and it was felt that there was enough information to make a full assessment and did not prohibit Officers from making a recommendation.

Councillor Abbas Merali asked about Condition 4 and the public speaker asking for reassurance on the demolition. The Planning Officer said there was revised wording for Condition 4 "No development could take place until a method statement had been submitted detailing which walls were to be retained." If considered possible Officers were happy with the details that had been provided. The extent of demolition approved would need to be compared with the construction drawings.

Councillor Abbas Merali said if the application were approved demolition would need to be monitored.

Councillor David Raw asked if the demolition would be inspected after it had been done. The Planning Officer said that Planning Enforcement would allow investigation into any possible breach. The condition was enforceable, however there would be no routine inspection on this site or of any site in the District.

Councillor Abbas Merali said with regard to the FRA it was important as the Officer had asked for it and the Conservation Area appraisal had also asked for it to receive it.

Councillor Steve Drury suggested deferring the decision and ask for the FRA to be completed.

Councillor Sara Bedford asked if the Committee defer could we get clarification on what the Conservation Officer's comments were. Councillor Drury proposed to defer for the FRA to be undertaken and clarification of the Conservation Officers comments.

Councillor Matthew Bedford asked for clarification of what would happen if it was deferred? The Planning Officer advised that Members would need to establish what would happen if the applicant said no to the FRA. There was a risk that the applicant could lodge an appeal based on non-determination. Did Members have any further questions at this stage so that new issues were not raised at a later time?

Councillor Stephanie Singer agreed to defer but wanted to ask the applicant why they would not want a FRA.

Councillor Sara Bedford asked for the application to come back to the next meeting if possible.

Councillor Abbas Merali agreed with getting clarification from the Conservation Officer. The 17% issue could also be considered.

Councillor Raj Khiroya was concerned about the chimney.

Councillor Steve Drury clarified the reasons for deferral would be to obtain clarification from the Conservation Officer on their comments; request an FRA and to bring the application back to next meeting. If the applicant agreed to the FRA but it could not be done in time for the next meeting Members would wait until it could be done.

Councillor Sara Bedford wanted the question to the Conservation Officer to be very clear and ask if there were anything that they objected to in the application. The proposal to defer was then seconded by Councillor Sara Bedford.

Councillor David Raw raised the question of the 17% and if this was something that further clarification was needed. The Planning Officer advised that there was no further information that could be obtained. It would be 17% of the plot coverage and Officers had decided that was acceptable.

Councillor Abbas Merali asked for clarification on the application returning to Committee. Could Members only refuse on the points raised for deferral?

The Planning Officer advised Members would need to make a decision based on the whole application.

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

RESOLVED:

That the application be DEFERRED to allow Officers to: 1) Request a Flood Risk Assessment. 2) Seek clarification from the Conservation Officer in respect of their position.

PC 67/22

22/1623/FUL - Replacement of 4no.lights to existing canopy at SHOP 4 WALPOLE BUILDING, CHURCH STREET, RICKMANSWORTH, WD3 1BU

The Planning Officer advised there was no update.

Councillor Chris Lloyd said the report was clear and was happy to propose the Officer's recommendation to grant planning permission. This was seconded by Councillor Raj Khiroya.

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

RESOLVED:

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

PC 68/22 22/1817/FUL - Demolition of existing buildings and construction of a detached dwelling with associated access, parking and landscaping at GREENWAYS, SEABROOK ROAD, KINGS LANGLEY, HERTFORDSHIRE

The Planning Officer provided an update. Since the publication of the Officer's report the Highways Officer had provided comments. Seabrook Road was not part of the adopted Highways network however comments had been provided in an advisory capacity. The Highways Officer raised no objections.

The Planning Officer also updated that there was an error at 7.3.8 of the Officers report. This should say 0.8 miles/ 1.3km.

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

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

The Planning Officer advised that Abbots Langley Parish Council had not provided formal comments on this application but had been consulted. They had supported the previous application.

Councillor David Raw asked about the list of items for previous refusal and were officers satisfied they had been overcome? The Planning Officer replied that the previous application was considered to be limited infilling within a village. Members resolved that it was limited infilling but it did not fall within the village for the purposes of that exception, therefore the test came as to whether it resulted in actual harm to openness that was concluded by Members that it did result in harm to openness. The Officer's professional judgement on the village argument still remains as previous and the only material difference between the consideration of the Committee at the time where it was resolved that it was not in a village and now was there has been an appeal decision that had been received at 100 Toms Lane.

Councillor Sara Bedford said there was virtually no change to this application and the previous one three months ago. That application had been rejected by the Committee previously. The Affordable Housing contribution had now been found by the applicant. The site was not in a village, nowhere near Bedmond and two miles from Kings Langley. There was no public transport link which linked to the nearest main settlement, Abbots Langley, which was the main settlement but no bus service to get there and back. Toms Lane was a broken ribbon development with a few other homes scattered around. It was garden land, and developing here would set a precedent. It was in the Green Belt and set on a hillside. Therefore Open sites were visible. This and Sarratt were village locations that should not have this type of development. The Officer had referred to the appeal at 100 Toms Lane, but it was surprising that the Puffin Field in Belsize was not compared. This related to a Self-build site with an environmentally friendly house. This depended on whether the settlement was in a village, the Inspector concluded Belsize was not a village. The Committee

were able to make the same decision that was made previously. Councillor Bedford further compared the appeal judgement with this case and was disappointed that it had not be used in the Officer's report. The same decision should be made as before otherwise the Committee would be saying they were wrong last time.

Councillor Philip Hearn agreed with Councillor Bedford. Looking at the map it was hard to see this was in a village location.

Councillor Matthew Bedford also agreed and said there were clear differences between the 100 Toms Lane decision and this application. There was a clear boundary, this was almost a mile outside of Bedmond. It would be remiss if the Committee were to accept this as a village. Infill within a village exception did not apply in this case.

Councillor Abbas Merali asked why Officers believed this infill exception to a village was valid and how the two appeal cases mentioned could inform the decision.

The Planning Officer did not have measurements for the Puffing field decision to hand. The village argument was a matter of planning judgement. The National Planning Policy Planning Framework did not provide a definition of a village, therefore Officers relied on appeal decisions, local knowledge and proximity and ease of accessibility to decide make a judgement as to whether a site was in a village. For the reasons set out in the report, the Planning Officer made a judgement that it was within a village (the village of Bedmond in this case). There were key difference and similarities between 100 Toms Lane and Greenways appeal cases. The main findings of the 100 Toms Lane case were that the inspector found a 1.2 mile walk 25 mins walk to a local shop to be acceptable and Greenways was within this distance to Bedmond Village Stores. Officers noted the Puffin field appeal but felt that Toms Lane was more relevant to this case. Officers advised that the Puffin Field appeal had not been purposefully omitted from the assessment of the current application, but that Officer's judgement was that the appeal at 100 Toms Lane was of greater relevance due to its proximity to the application site. Councillor Chris Lloyd was aware of both sites, this site was significantly further away from the village of Bedmond. The situation had not changed from previous. There was now a Section 106 contribution but other grounds had not changed.

Councillor Sara Bedford said the Puffin field was raised early on and was surprised it was left out and did not believe 100 Toms Lane to be a similar site. The Councillor referred to the appeal judgement and read out parts for the Committee. This site was distinct and isolated from any other development in just the same way as the Puffin field. The Inspector further said that this was a self-build site and an environmentally friendly house which was to be given little weight and would by no means overcome the fact that it was not in a village. Councillor Sara Bedford proposed to refuse planning permission for this application.

The Planning Officer said Members were of the view that the site was not in a village. If it was not in a village it would be inappropriate development in the Green Belt. Earlier a Member said that they did not consider there to be any special circumstances which outweigh the harm that it would bring to the Green

Belt. Officers would not need to apply the tilted balance exercise as there were clear reasons for refusal being the policy in the NPPF which protects an area of importance and that provides a clear reason for refusal. Therefore the reasons for refusal would be inappropriate development in the Green Belt and the Section 106 contribution not being secured.

Councillor Matthew Bedford seconded the alternative motion to refuse Planning Permission.

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

RESOLVED:

That Planning Permission be REFUSED (overturn of the officer recommendation) on the grounds that: 1) The proposal would be inappropriate development in the Green Belt (R2 from the previous application) 2) Failure to secure Affordable Housing contribution (R1 of the previous application)

The final wording of the reasons for refusal being:

1. The proposed new dwelling by virtue of its siting falling outside of a village, the intensification of use and the encroachment of urbanising features into an open site, including the introduction of alien built form to an otherwise open frontage on this side of the road, would constitute inappropriate development which, by definition, would be harmful to the Green Belt and also result in harm to openness. The proposed development fails to meet any of the exceptions outlined within the NPPF at paragraph 149 and no very special circumstances have been put forward which would outweigh the harm by virtue of inappropriateness and harm to openness. The proposed development would therefore be contrary to Policy CP11 of the Core Strategy (adopted October 2011), Policy DM2 of the Development Management Policies LDD document (adopted July 2013) and the NPPF (2021).
2. In the absence of an agreement under the provisions of Section 106 of Town and Country Planning Act 1990, the development would not contribute to the provision of affordable housing. The proposed development therefore fails to meet the requirements of Policy CP4 of the Core Strategy (adopted October 2011) and the Affordable Housing Supplementary Planning Document (approved June 2011).

PC 69/22

22/1887/FUL - Construction of part-single storey, part-two storey side and rear extensions, single storey front extension; front porch and rear patio extension; partial garage conversion and loft conversion including rear rooflights; alterations to roof including increase in ridge height and rear gable extensions; erection of rear juliet balconies, bay window, solar panels and flue; internal alterations and alterations to fenestration at 57 BLACKETTS WOOD DRIVE, CHORLEYWOOD, HERTFORDSHIRE, WD3 5PY

The Planning Officer confirmed that the reason for the call-in by Members of the Planning Committee was "To discuss the conformity of the rear extension with the 45 degree rule in light of the restrictions on page 60 of the Local Plan

in relation to the 'leap-frogging' of neighbouring extensions". The Planning Officer also confirmed that following receipt of amended plans, Chorleywood Parish Council maintain their objection to the scheme.

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

Chorleywood Parish Councillor John Bishop spoke against the development. There were concerns about the bulk, mass, size and scale. The 45 degree splay line, based on a leapfrogging developments either side. Appendix 2 of the development management plan state that leapfrogging by successive extensions would not be permitted. At Paragraph 7.27 of the Planning Officers report there was a slight error where it stated the two storey was similar in depth to that of the neighbour, this was not correct. It was 25% larger but it did align with the ground floor extension but not the two storey extension. This would have a sizeable crown roof which are generally discouraged in the policy. Overall it was about the size and bulk, it appears too big for house itself, and it was also the factor of leapfrogging, the Committee were asked to consider refusal.

The Planning Officer said Appendix 2 discussed leapfrogging, the wording was as follows: "greater depths may be possible but indefinite leapfrogging by successive developments will not be permitted."

Councillor Philip Hearn said properties on the Drive were originally wide but not very deep and had become deeper over time. Proposals were using 45 degree angle to justify the very large extension to the rear. How much would we allow this to continue down these gardens? The Councillor was concerned about the bulk and use of leapfrogging.

Councillor David Raw asked if the Officer could clarify leapfrogging. How many times had this been done? The Planning Officer replied that you cannot put a figure. It was a planning judgement if gardens got too small that would show that there was too much development on a site. There were some protected trees on the property, it got too close to those trees Officers would have to say no more. No harm had been identified, Officers felt it was in accordance with the development management policy.

Councillor Matthew Bedford asked if the Committee could be shown the two storey extensions. The Planning Officer presented the plans on screen and these were discussed by Members.

Councillor Chris Lloyd asked for site plans to be shown, and said that buildings were not all the same size. Lots of them had been extended and saw no reason to deviate from the Officers recommendation and moved the recommendation that planning permission be granted.

Councillor Philip Hearn asked to see the plans on screen and further discussed the differences.

Councillor Raj Khuroya as the Ward Councillor for the area had no contact with the applicant. On the Juliette balcony could the Officers show where this was on the plans and if the immediate neighbours had objected? The Planning

Officer confirmed there had been one comment but no objections. Councillor Raj Khiroya seconded the motion.

Councillor Abbas Merali asked about the Juliette balcony and sought clarification that it was a normal window different to a balcony. The Planning Officer confirmed it was not a balcony as there was no platform. The doors open similar to a window and there was a railing to stop people falling out. Condition 7 of the recommendation stipulated that the flat roof was only to be accessed for repair and maintenance.

Councillor Steve Drury asked about the adjoining garages and what finish was proposed for the neighbour's wall. Was there a party wall agreement? The Planning Officer replied that it was a civil issue and not a planning consideration.

On being put to the Committee the motion was declared CARRIED with the voting being 8 For, 1 Against and 1 Abstention.

RESOLVED:

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

CHAIR