

THREE RIVERS DISTRICT COUNCIL

At a meeting of the Planning Committee held in the Penn Chamber, Three Rivers House, Rickmansworth, on Thursday, 16 November 2023 from 7.30 - 9.35 pm

Present: Councillors Sara Bedford (Chair), Steve Drury (Vice-Chair), Ruth Clark, Matthew Bedford, Andrea Fraser, Philip Hearn, David Raw, Chris Lloyd, Debbie Morris and Khalid Hussain

Also in Attendance:

Councillors Oliver Cooper, Narinder Sian, Jon Tankard and Chris Whately-Smith

Officers in Attendance:

Matthew Barnes, Solicitor

Matthew Roberts, Development Management Team Leader

Kimberley Rowley, Head of Regulatory Services

Oliver Sowerby, Highways, Hertfordshire County Council

Claire Westwood, Development Management Team Leader

Claire Wilson, Principal Planning Officer

PC14/23 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Stephen King.

PC15/23 MINUTES OF PREVIOUS MEETINGS

RESOLVED that:

- i. the minutes of the meetings of the Planning Committee held on 14th September 2023 be approved as being a correct record and signed by the Chairman.
- ii. approval of the minutes of the Planning Committee meeting held on 19th October 2023 would be deferred to ensure that they complied with the agreed Minute Writing Standards.

PC16/23 DECLARATIONS OF INTEREST

Councillor Philip Hearn declared a pecuniary interest in Item 5: Planning Application 22/1764/FUL World of Water, Hempstead Road, Watford and left the meeting during consideration of the item.

PC17/23 NOTICE OF OTHER BUSINESS

There were no items of other business.

PC18/23 22/1764/FUL: WORLD OF WATER, HEMPSTEAD ROAD, WATFORD, HERTFORDSHIRE, WD4 8QG

The application was for the erection of a retail food store (Class E(a)) with associated access, parking and amenities following the demolition of the existing building. The application had been called in by three members of the Committee due to concern over the impact that the development might have on traffic and highway safety.

The Committee was informed of the following updates. 4 further comments had been received since the publication of the report, 3 comments had been submitted by previous objectors, the fourth was an additional objection. Comments received were covered within the report with the exception of concerns over:

- Increased parking on the slip road
- Questions the accuracy of the average speed review in the amended transport report. (75m to the south of the access junction)

The proposed building would be set 750mm *lower* into the ground than the existing building and therefore the eaves would only be approximately 0.4m higher than the existing building, the report currently says 1.2m higher. In terms of the ridge height, the new building would be 1.2m lower, not 0.4m lower as stated in the report.

A contribution of £16.800 pounds had also been agreed by the applicant to assist in the delivery of the A411 Hempstead Road and Grand Union Canal Corridor Cycleway Improvements, as identified within the adopted SW Herts Growth and Transport Plan and to be consistent with the emerging Local Cycling and Walking Infrastructure Plan for TRDC. The amount was calculated using HCC toolkit £422 per job x 40).

As a result of the additional contribution, the officer recommendation had been amended to:

That subject to the recommendation of no objection / approval from the Lead Local Flood Authority (LLFA) and the completion of a Section 106 Agreement in respect of a monitoring and evaluation fee of £6k covering a 5 year period relating to the travel plan and a contribution of £16.8k highway/cycleway/sustainable transport improvements, that permission be delegated to the Head of Regulatory Services to **GRANT PLANNING PERMISSION** subject to conditions and any additional conditions as requested by the LLFA.

Hertfordshire County Council (HCC) also provided an update.

The Applicant spoke in support of the proposals. Representatives of Abbots Langley Parish Council and District Councillors spoke against the application citing concerns about the weight of traffic that the site would generate in an area that was in close proximity to the M25, heavily used A Roads and a busy roundabout and the implications for the safety of the junction even once improvements were made. It was also felt that insufficient consideration had been given to the ability of pedestrians and cyclists to access the site safely, the impacts that the increased car park foot print would have on the adjacent River Gade and the safety of the proposed toucan crossing across a four lane road in close proximity to a major roundabout.

The Committee was informed that the proposed development had been reviewed by Hertfordshire County Council in its capacity of the Highways Authority with a view to ensuring that a safe and suitable access to the site was secured. As part of the development it was proposed that the access junction would be substantially reconfigured to secure a separate access route to the store and the right turn into the site would also be reconfigured. Improvements would also be made to the crossing points and cycle access and examination of visibility planes had concluded that appropriate visibility splays could be achieved. The proposed junction layout had been modelled and tested by traffic engineers who had concluded that the junction would be safe.

Whilst the development would include the provision of 98 parking spaces, a level that exceeded minimum parking standards, the Committee noted that the Highways Authority's modelling indicated an additional 140 movements into and out of the site at peak times. Concern was expressed about the impact of any overflow parking on the surrounding verges and it was questioned whether fencing might be conditioned to prevent unauthorised parking on the surrounding verges and grassed areas.

The proximity of the site to the River Gade was acknowledged and it was noted that conditions were proposed to improve the site's biodiversity and protect trees. The applicant would also be required to submit a drainage strategy for approval by the Lead Local Flood Authority before work could proceed.

Notwithstanding the assurances of the Highways Authority, the Committee expressed significant concerns over the safety of the proposed junction particularly in view of the fact that the site was located in close proximity to the M25 on the A41, a four lane road which was subject to heavy traffic flow in both directions and the impact that this would have on drivers attempting to turn right both into and out of the proposed development. It was considered that more work needed to be done to assess traffic movements into and out of the site in order to ameliorate concerns about highways safety before a decision could be made. It was agreed that an independent review would need to consider the right hand turning out of the site, potential alternative access to the site and involve a site visit. It was agreed that the terms of reference of any independent review would be agreed by the Committee.

The Committee considered that the Applicant should be given the opportunity to consider altering the proposed access route into the site before an independent review of the traffic flow was commissioned. It was agreed that the Applicant would be given two weeks to consider the suggestion before the review was commissioned.

It was agreed that a site visit with Officers and Councillors would be scheduled prior to the review being commissioned to ensure that the remit of the review was clear.

A recommendation to defer the decision to enable the applicant to review access arrangements and for an independent review of the traffic flow around the proposed development to be completed was proposed by Councillor Matthew Bedford, seconded by Councillor Chris Lloyd, put to the vote and carried unanimously

RESOLVED that consideration of planning application 22/1764/FUL be deferred to enable an independent review of highways safety to be completed.

NOTE 1

Councillor Philip Hearn declared a pecuniary interest in the application and withdrew from the meeting whilst the item was considered.

NOTE 2

Following the meeting the following actions were agreed with the Committee:

- A. Officers to speak with the agent/applicant to request whether they wish to review and make changes to the access arrangements (providing them with 2 weeks to consider).
 - i. If they agree to make changes, Officers to review the extent of changes and whether they can be caught within same application or require a re-submission.
 - ii. If the changes can be accepted, Officers to re-consult all relevant parties and bring the application back to a future Planning Committee.
 - iii. If they do not wish to make changes to the access arrangements then the following (B, C and D) occurs;
- B. Officers to instruct an independent highway review of the access arrangements, having specific regard to the right turn from Lidl, review of speed and volume of on-coming traffic from the roundabout, cycle safety and acceptability of crossing points.
- C. Officers to discuss with HCC Officers about considering the following points in more detail:
 - Possibility of erecting fencing or similar means of enclosures to stop unauthorised parking on the grass verges either side of the entrance
 - Further discussion on cycle safety, especially crossing the access
 - Further consideration/review into the right turn from Lidl and the speed and volume of on-coming traffic from the roundabout.
- D. Following further consideration into the above points (C), Officers to arrange site visit with members of the Planning Committee, Parish and ward Councillors as well as Highways Officer, Planning Officer, Planning Agent and transport consultant). Timings and numbers (to ensure the visit is manageable) to be agreed at a later date.
- E. Delivery times to be discussed with the Applicant and their Agent.

The application was for the Change of Use of the existing building from a care home (Class C) to a nursery (Class E) including partial demolition of the existing single storey rear extension and construction of a two storey front extension; provision of spiral stairs, ramp access, green roof, rooflights and vents; repairs to the boundary wall with associated parking and landscaping works as well as widening of the existing access track, internal alterations and alterations to fenestrations. The application had been called in by three members of the Planning Committee due to concern about the site access across the Green.

The Officer provided an update and advised that the number of letters received in support of the application should be updated from 106 to 121. In addition a further condition should be added requiring full details of the car park to be submitted. The condition was suggested as follows:

Prior to the construction of the car parking areas, full details of the surfacing material, the marking of bays and the boundaries to the car parking areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To protect the rural character of the Green Belt, the setting of the Grade II Listed Building and to ensure appropriate drainage provision in accordance with Policies CP11 and CP12 of the Core Strategy and Policies DM2, DM3 and DM8 of the Development Management Policies LDD.

The Applicant spoke in support of the application. A representative of Croxley Green Parish Council expressed the view that whilst the Parish Council was supportive of the proposed change of use, which would bring a vacant historic building back into use thus enhancing the village, there was concern about the impact that the development would have on the access route across the Green and whether there was sufficient parking provision on site.

The Committee was informed that an additional condition had been added to the proposed application requiring full details of car parking provision, including details of surface materials, boundary treatments and marking of bays to be submitted before development commenced.

Concerns about the impact that the increase in traffic would have on the access road across the Green both during construction work and once the nursery was operational were noted. It was confirmed that a Construction Management Plan would have to be submitted by the applicant before work commenced and Condition 3 would require the access route to be widened before work commenced. An assessment of the safety of the junction of the access road and the main road by Hertfordshire County Council had concluded that visibility lines were acceptable and that no additional work to the junction was considered necessary.

It was questioned whether the development had sufficient parking provision to accommodate the number of parents that would be expected to use the proposed nursery and concern was expressed about the impact that this might have on the surrounding common land. The potential for parking on Little Green Lane was noted and it was agreed that this was something that could be conditioned as part of a Comprehensive Car Parking Management Plan. It was agreed that a condition would be added requiring the submission of a Car Parking Management Plan before development commenced.

The proximity of Killingdown Farm and the informal track running past the development site was noted. It was confirmed that no works were proposed outside the site at this location and any pedestrian access would be gated.

The Committee noted that residents had raised some concerns regarding the impact on the sewerage network and whilst they noted this was not a planning concern, they requested that an informative be included.

The Committee noted the Conservation Officer's objections to the proposals.

It was clarified that as a Listed Building the property would not benefit from school exemption provisions and thus there were no Permitted Development Rights attached to the building.

It was agreed that the following additions would be incorporated into any planning permission:

- i. That a Car Parking Management Plan be submitted.
- ii. Condition 5 the Construction Management Plan to include the tracking of vehicles and large lorries across the Green during construction.
- iii. An additional condition requiring the use of car park surfacing materials to be in keeping with the historic setting, appropriate to the Green Belt and softened in appearance.
- iv. An informative concerning the appropriate treatment of sewage outflow to be added.

The Officer recommendation that, subject to receipt of approval or no objections from the Lead Local Floor Authority and the completion of a S106 Agreement (securing a monitoring fee), that the application be delegated to the Head of Regulatory Services to grant planning permission subject to the conditions set out in the Officer's report as amended by the Committee and any conditions requested by the Lead Local Flood Authority was proposed by Councillor Chris Lloyd, seconded by Councillor Steve Drury, put to the vote and carried

The voting in favour of the recommendations was: For 9, Against 0, Abstain 1.

RESOLVED that approval, or otherwise, of Planning Application 23/0483/FUL be delegated to the Head of Regulatory Services.

PC20/23 23/0484/LBC: CROXLEY HOUSE, CROXLEY GREEN, RICKMANSWORTH, HERFORDSHIRE, WD3 3JB.

The application was for Listed Building Consent for the change of use of the existing building from a care home (Class C) to a nursery (Class E) including partial demolition of the existing single storey rear extension and construction of a two storey front extension; provision of spiral stairs, ramp access, green roof, rooflights and vents; repairs to the boundary wall with associated parking and landscaping works as well as widening of the existing access track, internal alterations and alterations to fenestrations.

The Officer recommendation to grant Listed Building Consent, subject to the conditions set out in the report, was proposed by Councillor Chris Lloyd, seconded by Councillor Steve Drury, put to the vote and carried unanimously.

RESOLVED that Planning Application 23/0484/LBC be granted subject to the conditions in the report.

PC21/23 23/1182/RSP: 17 WINCHESTER WAY, CROXLEY GREEN, RICKMANSWORTH, HERTFORDSHIRE, WD3 3QE

The application was for retrospective approval of a loft conversion including hip to gable roof extension with rear dormer window and front roof lights. The application had been called in by Croxley Green Parish Council who had cited concerns about the overbearing and adverse visual effect that the extension had on the character area.

The Applicant spoke in support of the application and a representative from the Parish Council spoke against the application.

The Committee was informed that planning permission would not ordinarily be required for a loft conversion and extension of this type with work taking place under Permitted Development Rights. However, the finish of the extension and the materiality of the rear dormer windows, did not match the materials used in the original roof and thus a breach of development order had occurred and retrospective planning permission was required.

It was confirmed that if planning permission was not granted then the only enforceable action that could be taken in the circumstances was to require the retiling of the dormer window and replacement of the cladding.

The Officer recommendation to grant retrospective planning permission, subject to the conditions set out in the report, was proposed by Councillor Chris Lloyd, seconded by Councillor Debbie Morris, put to the vote and carried.

The voting in respect of the recommendations was For 9, Against 0, Abstain 1.

RESOLVED that planning application 23/1182/RSP be granted, subject to the conditions set out in the report.

PC22/23 23/1221/RSP: BATCHWORTH HEATH FARM HOUSE, BATCHWORTH HEATH, RICKMANSWORTH, HERTFORDSHIRE, WD3 1QB

The application was for part retrospective planning application for change of use of land as an amendment to the residential curtilage, associated landscaping changes including formal garden areas, hard standing for vehicular access and parking and installation of entrance gates and pillars. The application had been called in by three members of the Planning Committee due to concerns relating to the urbanising impact on the Green Belt and the wider rural character of the area.

The Committee was informed that Condition 6 (Removal of certain permitted development rights) had been updated to take effect immediately following the granting of planning permission.

The Applicant's agent spoke in support of the application and a representative from the Parish council spoke against the application.

It was noted that at 2.1metres high the brick pillars on the gates were only 0.1metres higher than what would otherwise be granted under Permitted Development rights.

The Officer recommendation to grant the planning application, subject to the conditions set out in the report, was proposed by Councillor Debbie Morris, seconded by Councillor Chris Lloyd, put to the vote and carried.

The voting in respect of the recommendation was: For 9, Against 1, Abstain 0.

RESOLVED that Planning Application 23/1221//RSP be approved subject to the conditions set out in the report with amendments to Condition 6 to now read as follows:

From the date of this planning permission, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development in Class E of Part 1 of Schedule 2 and Class A of Part 2 of Schedule 2 to that Order shall be carried out on the site without the prior written consent of the Local Planning Authority.

PC23/23 23/1569/FUL: GARAGES ADJACENT TO 13 TO 23, POLLARDS, MAPLE CROSS, HERTFORDSHIRE

The application was for the demolition of the existing garages and erection of a 3 storey (plus roof accommodation) block comprising of eight 2 bed apartments with associated bin and bike storage, parking and landscaping works. The application had been referred to the Committee because the applicant was a joint venture company with Three Rivers District Council and the application was on Three Rivers District Council owned land.

It was confirmed that consultation letters had been sent to all neighbouring properties setting out details of the proposed development and site notices were displayed in accordance with standard planning regulations. It was clarified that if the development was to proceed then the site would be removed from the Local Plan's Preferred Options but the number of dwellings built would be included in the District's overall housing allocation number.

The Officer recommendation to grant the planning application, subject to the conditions in the report was proposed by Councillor Matthew Bedford, seconded by Councillor Philip Hearne, put to the vote and carried.

The voting in respect of the recommendation was as follows: For 9, Against 0, Abstain 1.

RESOLVED that Planning Application 23/1569/FUL be granted subject to the conditions set out in the report.

PC24/23 23/1570/FUL: GARAGES REAR OF 22 TO 32, POLLARDS, MAPLE CROSS, HERTFORDSHIRE

The application was for the erection of two 4bed houses with associated bin and bike storage, parking and landscaping works following demolition of the existing garages. The application had been referred to the Committee because the applicant was a joint venture company with Three Rivers District Council and the application was on Three Rivers District Council owned land.

The Officer recommendation to grant the application, subject to the conditions in the report, was proposed by Councillor Debbie Morris, seconded by Councillor Ruth Clark, put to the vote and carried.

The voting in respect of the recommendation was: For 9, Against 0, Abstain 1.

RESOLVED that planning application 23/1570/FUL be approved subject to the conditions in the report.

PC25/23 23/1619/FUL: GARAGES BETWEEN 83 AND 89 THE QUEENS DRIVE

The application was for the construction of a two storey block comprising of six 2bed 4 person flats with associated bin and bike storage, access, parking and landscaping works following the demolition of the existing garages. The application had been referred to the Committee because the applicant was a joint venture company with Three Rivers District Council and the application was on Three Rivers District Council owned land.

The Committee was informed that National Highways had confirmed that they had no objections to the proposed development and required no additional conditions to be imposed on the development.

Concern about the impact that the bin storage area might have on neighbouring properties was noted. It was clarified that the plans had been reviewed by Environmental Protection to ensure that the bin store was situated appropriately for ease of waste collection and that conditions had been incorporated into the planning application to ensure that the storage area was enclosed and maintained.

It was felt that the design of the building would be sufficient to ameliorate concerns about potential overlooking of neighbouring properties.

The Officer recommendation to approve the application, subject to the conditions in the report, was proposed by Councillor Ruth Clark, seconded by Councillor Matthew Bedford, put to the vote and carried.

The vote in respect of the recommendation was as follows: For 8, Against 0, Abstain 2.

RESOLVED that Planning Application 23/1619/FUL be approved subject to the conditions in the report.

CHAIRMAN