

THREE RIVERS DISTRICT COUNCIL

At a meeting of the Planning Committee held in the Penn Chamber, Three Rivers House, Rickmansworth, WD3 1RL, on Thursday, 18 April 2024 from 7.30 pm - 8.09 pm.

Present: Councillors

Sara Bedford, Chair
Steve Drury, Vice-Chair
Matthew Bedford
Ruth Clark
Andrea Fraser
Philip Hearn
Khalid Hussain
Stephen King
Chris Lloyd
Debbie Morris
David Raw

Officers in Attendance:

Lauren Edwards, Senior Planning Officer
Tom Norris, Planning Officer
Kimberley Rowley, Head of Regulatory Services
Claire Westwood, Development Management Team Leader
Anita Hibbs, Committee Manager

PC61/23 APOLOGIES FOR ABSENCE

None received.

PC62/23 MINUTES

The minutes of the Planning Committee held on 14 March 2024 were confirmed as a correct record and signed by the Chair of the meeting.

PC63/23 DECLARATIONS OF INTEREST

There were no declarations of interest.

PC64/23 NOTICE OF OTHER BUSINESS

There were no items of other business.

PC65/23 23/1897/FUL - WARNER BROS. STUDIOS LEAVESDEN, WARNER DRIVE, WATFORD, HERTFORDSHIRE, WD25 7LP

Claire Westwood, Team Leader advised that there was no update on this application, instead the Officer provided a brief overview.

Members will recall that planning application 22/0491/FUL was approved in February 2023 following a Committee resolution to grant planning permission in December 2022. The current application (23/1897/FUL) seeks minor material amendments to the approved scheme by varying the approved plans set out in condition 2 of 22/0491/FUL, these minor amendments

are set out at 3.15.3 of the committee report; by varying the triggers for the delivery of conditions 4, 10 and 32; as well as a minor amendment to condition 19.

Conditions 4 (vehicular access completion), 10 (Highway Improvements – Local Cycle Network) and 32 (Decked Car Park Provision) are highways conditions that are proposed to be varied to expedite the delivery of 4 off the 11 Sound Stages previously approved (22,558sqm). Hertfordshire Highways have been consulted and their comments are included in full in the committee report, however, in summary they raise no objection to the proposed variation.

Condition 19 which is also proposed to be varied relates to Noise. The EHO has reviewed the suggested amended wording and raises no objection as they consider that the condition will ensure that nearby residential properties are not subjected to excessive noise and disturbance.

Application 22/0491/FUL was approved subject to a number of pre-commencement conditions. The applicant has sought to provide some of that information upfront with this current application to “discharge” a number of conditions (see 3.15.28) and this is discussed in full in the report and the relevant conditions are updated where appropriate.

In relation application 22/0491/FUL it was concluded that the significant economic and social benefits, collectively combined to constitute material considerations of sufficient weight to provide ‘very special circumstances’ that clearly outweighed the identified harm to enable planning permission to be granted subject to conditions and a S106 Legal Agreement. These conclusions are considered to remain relevant to the current S73 Application.

The S106 completed for 22/0491/FUL included a clause which secures that all of the planning obligations secured will automatically bind any new planning permission issued pursuant to Section 73. Therefore, as there are no new planning obligations, a Deed of Variation to the S106 Agreement is not required in this case.

The applicant, Mr. Bisoni, spoke in support of the application.

In response to a question raised regarding the wording of the recommendation of this application, the Officer advised that the recommendation is a standard wording, and it was not influenced by Members in any way, and it also reflects the wording of the application 22/0491/FUL, when that came to committee previously. The Officer further advised that the issue of the referral to the Secretary of State for the Department is set out under 7.21 of the report, and proceeded to read out the paragraph to the committee for clarification.

Councillor Steve Drury moved, seconded by Councillor Stephen King that the application be referred to the Secretary of State for the Department for Levelling Up, Housing and Communities in accordance with the Town and Country Planning (Consultation) (England) Direction 2024.

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

RESOLVED:

That the application be referred to the Secretary of State for the Department for Levelling Up, Housing and Communities in accordance with the Town and Country Planning (Consultation) (England) Direction 2024.

Provided the Secretary of State does not call in the application for their own determination, the APPLICATION BE DELEGATED TO THE HEAD OF REGULATORY SERVICES TO VARY CONDITIONS 2, 4, 10, 19 AND 32 AND GRANT PLANNING PERMISSION 23/1897/FUL.

PC66/23 23/1916/FUL – OPEN SPACE ADJOINING COLLEGE ROAD AND ENTRANCE TO LEAVESDEN COUNTRY PARK, ABBOTS LANGLEY, HERTFORDSHIRE

Tom Norris, Planning Officer confirmed that he had no update to give to the Committee on this application. However, he informed the committee that there were concerns from the Ward Councillors with regards to security and the proposed kerb style and height adjacent to the proposed car parks. The Officer advised that kerb height is not something that is generally specified under planning applications, but officers noted the concerns from Councillors and suggested that an informative be applied to any permission regarding details of kerbs to be circulated prior to their installation.

Members of the committee raised questions on the barrier height restriction over the lanes, and asked officers for clarification on whether the entrance and exit are going to be single or double lanes.

Officers explained that the track is not formally a double track, but it is wide enough for two cars to drive along, and the barrier extends for the whole width of the track.

Councillor Ruth Clark moved, seconded by Councillor Chris Lloyd that planning permission be granted.

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

RESOLVED:

That Planning Permission be granted.

PC67/23 24/0102/FUL - 55 PENROSE AVENUE, CARPENDERS PARK, HERTFORDSHIRE, WD19 5AB

Lauren Edwards, Planning Officer advised that there was no update to the application, but provided clarification that officers were aware of an ongoing planning enforcement investigation that relates to the two semi-detached properties which are currently being constructed to the south of the site. The Officer informed the committee that she understood that there were some deviations from the approved plans but in her view these would not have a material impact on the application.

The Committee then heard a representation by a Parish Councillor from Carpenders Park objecting to the application.

The Officer then proceeded to provide clarification on the amenity space and parking of the proposed development. The Officer highlighted the information under section 7.7 of the report which sets out the requirements for the amenity space standards of the dwelling to the south of the property and the proposed new dwelling. The 50 square metres that is described under section 7.7.3 is a parcel of the garden and does not include the parking space. The dwellings to the south were approved with one space each. The other dwelling will also have its parking space, fronting Penrose Avenue as previously approved. The space serving the dwelling to the north will have its space at the end of its garden to the left-hand side, and the proposed dwelling will have two parking spaces, or one parking space and a garage to the left-hand side of the dwelling. Similarly, the parcel of land to the south of the dwelling, a grassed area, that has been taken into consideration and included in the amenity space calculation for the dwelling.

The Officer also responded to a question regarding the Parish Councillor's concerns of the swept path for the turning that was going over the road on the opposite side of the pavement, confirming that the visibility displays put forward do not show the path going over the

pavement on the other side, and they have been reviewed by the highways officer who is content with the information provided.

Members raised concerns regarding the grounds for the previous refusal for planning permission on cramped and contrived form of development, stating that certain elements of the reasons for the previous refusal still exists. In addition, concerns were also raised about the garage dimensions that do not meet the standards, and the overdevelopment issue on the back to back separation distances; why 9 meters is acceptable in this case.

The Officer provided clarification to these concerns; explaining that she did consider whether the applicant could potentially use one of the spaces as storage rather than as a garage, and was of the view that one space to serve the proposed dwelling would not result in demonstrable harm. Furthermore, with regards to the back to back distance; the Officer clarified that in this case it is not a back to back distance, it is a flank to rear distance, and in her view she did not think that 9 meters would have resulted in a situation where they would be so close, given the orientation, that it would cause an unacceptable harm.

Members of the committee asked if a condition could be added to the application to prevent the garage to be converted into a habitable space.

Claire Westwood, Team Leader confirmed that officers did consider this option, however they found the application to be acceptable with one space, therefore, officers felt that it was not necessary to condition the use of the garage for parking.

Councillor Matthew Bedford moved, seconded by Councillor Ruth Clark that planning permission be granted subject to the completion of a Section 106 agreement and conditions.

On being put to the Committee the motion was declared CARRIED by the Chair the voting being by 6 For, 5 Against and 0 Abstention.

RESOLVED:

That planning permission be granted subject to the completion of a Section 106 agreement and conditions.

PC68/23 OTHER BUSINESS - IF APPROVED UNDER ITEM 3 ABOVE

None.

PC69/23 EXCLUSION OF PRESS AND PUBLIC

The Chair moved, duly seconded, the following motion:
“that under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined under paragraph (X) of Part I of Schedule 12A to the Act. It has been decided by the Council that in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

CHAIR