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1. Question from Mr. Marr to the Leader of the Council, Councillor Stephen Giles-Medhurst

I recently completed a form that I thought was for Three Rivers Council as it said it was from ThreeRivers.team regarding Shannon House in Kings Langley.

It referred to two Three Rivers Councillors in it, Cllrs Edwards and Cooper, implying they were planning experts and I thought it was a genuine survey about Shannon House why it had been converted into flats and wanted my views. Only after speaking to my neighbours did I realise instead this was a party political survey. It claimed that the Council can still take enforcement action to have the flats closed down and that Three Rivers should have refused permission for the flats. It also said that both Cllrs Edwards and Cooper were lawyers and that planning lawyers have confirmed that Cllrs Edwards and Cooper are right and the building can be closed down for residential use. Can the Leader of the Council please confirm the legal and Council position on this and if what is claimed is true or not?

Written response:

The application for a change of use of Shannon House from offices to residential use under permitted development rules (see below that allow for conversion to flats that did not require planning permission under regulations then in place). This was refused by Three Rivers Council in 2020 on parking grounds, there being no legal position to refuse on space standards. This decision – see below was overturned by the Planning Inspectorate (PINS).

The change of use of offices into residential dwellings has, subject to certain limited exceptions (e.g. if the building is listed) and what is known as the “prior approval” process, the benefit of the automatic grant of planning permission by virtue of the General Permitted Development Order 2015.

Application reference 20/0369/PDR was given prior approval by the Planning Inspectorate (PINS) for a change of use from Office (Class B1) to 74 Residential Units (Class C3) in December 2020. At the time of the PINS decision the Planning Inspector was only able to assess the proposed development on the basis of; - (a) transport and highways impacts of the development; (b) contamination risks on the site; (c) flooding risks on the site; and (d) impacts of noise from commercial premises on the intended occupiers of the development.

He had no powers to consider matters such as the occupiers living standards and indeed commented in his decision letter; “I recognise the concerns of interested parties in respect of the quality of accommodation, inadequate living space, excessive density, lack of affordable housing and loss of employment space, but these matters do not fall to be considered under existing legislation relating to prior approval applications for the change of use of office buildings.”

Changes were made to the General Permitted Development Order (GPDO) in April 2021, requiring in the future that such office to residential conversions comply with the national minimum space standards. However, that change to the GPDO could not be applied retrospectively and so did not affect the lawfulness of 20/0369/PDR.

The Council later granted permission for a six months' time extension for the completion of the development that was granted planning permission by virtue of the GPDO, rather than the three years originally applied for.

The Council's legal experts confirm that the development is lawful, and no enforcement action can be taken in respect of it.

As regards the claims made by two Councillors, their statements are NOT supported by the Council officers, and they do not support the contention made and claims that the planning permission could have been refused and that Shannon House can be closed down. I understand that neither councillor is a planning lawyer nor an expert in that field, and that only one of them is a practising solicitor in any event.

As stated by the Council several times in public, this is a valid planning permission that cannot be legally reversed and its very unfortunate that you and other residents were duped into thinking that the Council could reverse it and had not correctly acted when it has.

2. Question from Paramjeet Singh to the Leader of the Council, Councillor Stephen Giles-Medhurst

As a recently retired director, I was appalled by what I observed at the full council meeting on 8th October. I struggle to understand why councillors deemed it necessary to debate the draft minutes of the previous meeting, particularly when pressing issues affecting residents were on the agenda that would have been a far better use of time.

My question is as follows: Given that all council meetings are recorded, why did the Leader of the Conservative Party feel it necessary to spend significant time debating a set of draft minutes at the Council meeting on 8th October? How was this in the interest of council taxpayers? For those interested in the exact details, the recording provides a verbatim account, making such an extended debate over the minutes seem redundant. Why did the Chair and other members not bring this to a close?

Frankly, the entire exchange felt more like theatre than governance, raising concerns about a lack of focus on issues that genuinely matter to residents. It's essential for all councillors to remember that they serve at the behest of the people who elected them. This type of behavior is precisely what contributed to the recent general election results. I respectfully request that all councillors and parties conduct themselves in a manner that reflects their responsibility to the public.

Written response:

My easy answer is I have no idea why the Leader of the Conservative Group wanted to waste so much time debating the minutes of the last meeting. I would agree this resulted in business, especially questions to myself that he wanted to answer, not being reached.

All meetings are now recorded and that is retained. In any event the minutes, as agreed cross-party some years ago, are NOT a verbatim record of what occurred.

Whilst I accept there may have been some failing in the minutes as these were published a week in advance of the Council meeting, I would have expected any issues with these to be brought to officers' attention BEFORE THE MEETING rather than wait until the night. To avoid any future issues, the Chief Executive and I have asked that draft minutes be issued to the Group Leaders within 10 days of the Council meeting. This should avoid any issues being raised at the Council meeting itself.

As to the behavior of elected members, that is for the Chair to try to control and also the Group Leaders to instill the right behavior in accordance with the Local Government Code of Conduct. It is regrettable to say the least that of recent the behavior of some members in this regard in not abiding by that has occurred.

3. Question from Margaret Stanley to the Leader of the Council, Councillor Stephen Giles-Medhurst

Dear Council Leader and Members,

As Chairwoman of the Carpenders Park Residents' Association, I am writing on behalf of local residents who are concerned about the lack of clear signage to Carpenders Park Cemetery. Visitors to the area who wish to pay respects to their loved ones often struggle to find the cemetery due to the absence of directional signs. It has become apparent that there may be some uncertainty over which authority is responsible for installing these signs.

Our County Councillor has advised that Hertfordshire County Council considers the responsibility for this signage to rest with Three Rivers District Council.

Brent Council said this: "I wanted to clarify that while Brent Council owns and manages part of Carpenders Park Cemetery, the cemetery itself is located within the Three Rivers District. As such, any requests for signposts or similar installations will need to be directed to the Three Rivers District Council, as they are the authority responsible for granting permission on their land outside of the cemetery".

In the meantime, residents would greatly appreciate having clear signs installed at key locations, including Carpenders Park station, Delta Gain, and The Mead, to assist visitors. It's simply unacceptable that those visiting loved ones should struggle to find their way due to an ongoing bureaucratic back-and-forth between Hertfordshire County, Three Rivers District, Brent and Harrow Councils. Surely councillors should know what their responsibilities are?

Could you please clarify which authority is responsible for signage in these locations? and please help us in moving this issue forward.

Written response:

Thank you for your question.

The main responsibility for placing signage on the public highway lies with Hertfordshire County Council and not Three Rivers Council so I am unsure why Brent Council thinks otherwise and am surprised the local County Councillor has not advised correctly as she has been the Deputy Executive Member for Highways.

However, I understand new signage would facilitate access to this important local facility and encourage pedestrian access whilst supporting use of public transport by visitors. I have therefore asked Three Rivers DC Officers to review the request and consider whether new signage that facilitates active travel access to the cemetery can be considered.

A senior member from the administration has also raised this request directly and has taken the initiative and contacted TfL (Transport for London) in order to see if they will be prepared to place a sign in Carpenders Park station.

4. Question from Jack Eliades to the Leader of the Council, Councillor Stephen Giles-Medhurst

Our communities are losing all confidence in the planning system. For over six years, we've watched as our Local Plan has stalled—first due to the Conservative government's vague policies on Green Belt protections and now due to Labour's government pushing rigid, high housing targets. In the meantime, large speculative applications are flooding our district from developers and land promoters, bypassing the Local Plan and ignoring what our communities consider sustainable growth. Many of these developments, which our Local Authority has deemed inappropriate, are likely to win on appeal regardless. Have our communities and Local Authority lost all power to control what gets built in our district?

Written response:

Yes and no: whilst the local plan being out of date may reduce the weight given to some policies, there remains a statutory requirement to determine applications in accordance with the development plan. At this time the Council continues to be the decision maker on these applications (unless the application is appealed against non-determination, or it is called in by the Secretary of State).

If an application is refused the applicant has the opportunity to appeal the decision. The Planning Inspector (PINS) will then make the final decision.

It is not unusual for appeals to be lodged on refused applications and this is the same process whether there is an adopted or emerging Local Plan.

However, I echo the concerns of both the Can't Replace Green Space Group and the Three Rivers Joint Residents' Association over the constant changing of the goal posts or in this case even moving the football pitch!

No doubt you will have seen the BBC News report on the backlash from Councils over Angela Rayners' housing targets with Councils if all colours and indeed none saying clearly that the plans and targets set are "unrealistic" and "impossible to achieve".

We had hoped and indeed expected to submit our plans for a much lower housing that the previous government proposed for Three Rivers in November. However, the early General Election and the publication of the new draft NPPF (National Planning Policy Framework) with a proposed mandatory figure and an increased one for Three Rivers meant that all the officer and legal advice was that submitting a plan so far below the government figures would have not only have meant it being rejected by the Government but most likely Three Rivers having the 13,303 homes target imposed on us, with 18 months to come up with a plan for that figure, and the Council having no say as to where they would go or an ability to propose a lower number. Indeed, in light of recent government inspections submitting such a plan with a number well under 4,852 could have resulted in us losing all our planning

powers. The number of 4,852 as reported to the Local Plan Sub Committee was being reduced due to restrictions and requirements we have placed on sites requiring more green spaces and infrastructure and indeed likely to be under 4,000.

The new NPPF which the government has once again confirmed will be published before the end of the year does, however, have a get out of jail clause. Namely that we can reduce the allocation of Green Belt for housing (we can only meet approx. 1,000 homes on Brownfield sites) if a further Green Belt review **“provides clear evidence that alternations to meet these needs in full that would fundamentally undermine the function of the Green Belt across the area of the plan as whole”**. Effectively this means the merging in the case of Three Rivers of communities. We have already undertaken massive work on the sites, promoted by developers, and rated them from low to high harm and exclude anything from moderate to very high harm from our last consulted on Regulation 18. Few Councils have done this, and I am not aware any have done the “fundamental review”.

If we do not undertake this, and indeed further other updated work to reflect the government’s NPPF then we face the worst of all worlds and losing our planning powers.

I know the Can’t Replace Green Space and Carpenders Park Residents’ Association reluctantly understand this and why we are delaying a submission of a plan until this further work is done and Carpenders Park Councillor Rue Grewal spoke at the Local Plan Committee and said she appreciated that we are trying to protect as much Green Belt as possible and thanked us for doing so. Likewise, Three Rivers Joint Residents’ Association of which Can’t Replace Green Space is part, reluctantly accept we must do this, and this is the best approach to protect our area.

I have already asked and got agreement that we can bring the Local Plan to conclusion with an Inspectors decision probably only a few months later than originally planned but that is subject to the decision of Council, and I hope this process will not be objected to.

Whilst I know that some Councils have rushed to submit a plan under the old NPPF with lower numbers it is clear they will then have to start a new plan process if there plans are agreed to meet the higher number as soon as it is adopted, our approach if agreed will avoid such need.

Finally turning to Planning Appeals, as we have done with the Data Centre appeal in Abbots Langley, if the Planning Committee refuses an application, we will always support the Council’s position. This will include, as in the Data Centre appeal, employing expert witnesses and argue, I hope successfully, that our decision was justified.