
Planning Committee MINUTES

**Of a meeting held in the Penn Chamber, Three Rivers House, Rickmansworth, on
Thursday, 12 December 2024 from 7.30 - 9.12 pm**

Present: Councillors Chris Whately-Smith (Chair), Elinor Gazzard (Vice-Chair), Harry Davies, Steve Drury, Chris Lloyd, Andrea Fraser, Philip Hearn, Debbie Morris, Chris Mitchell and Reena Ranger

Also in Attendance:

Councillors Oliver Cooper, Lisa Hudson and Jon Tankard

Officers in Attendance:

Matthew Barnes, Planning Solicitor
Emma Lund, Senior Committee Officer
Kimberley Rowley, Head of Regulatory Services
Scott Volker, Principal Planning Officer
Claire Westwood, Development Management Team Leader

External in Attendance:

Parish Councillor Diana Barber (Batchworth Community Council)

PC83/23 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Abbas Merali and Stephen King.

Councillor Reena Ranger substituted for Councillor Abbas Merali.

PC84/23 MINUTES

The minutes of the meetings held on 7 November 2024 and 21 November 2024 were confirmed as a correct record and signed by the Chair.

PC85/23 DECLARATIONS OF INTEREST

Councillor Steve Drury declared a non-pecuniary interest in agenda item 7 (24/1304/FUL South Bend, Station Road, Kings Langley WD4 8LL) as his son was employed by the applicant. Councillor Drury declared that he would leave the room during this item.

PC86/23 NOTICE OF URGENT BUSINESS

The Chair agreed to take an item of urgent business to provide the Committee with an update on the new National Planning Policy Framework which had been published earlier in the day.

The Development Management Team Leader reported that the detail of the document would be examined over the coming weeks. However, officers had reviewed it in order to ascertain

whether there are any immediate implications for the applications to be considered by the committee at this meeting.

Officers advised that there were no implications in relation to the applications at agenda items 5, 6, 8 and 9 (94-102 High Street, Rickmansworth; 69 Sycamore Road, Croxley Green; and 15 Moneyhill Parade, Rickmansworth). The recommendations for these applications remained as set out in the agenda, although it should be noted that any paragraph references to the NPPF within all of the reports on the agenda reflected the 2023 version.

There was also no change to the officer recommendation in relation to the application at agenda item 7 (South Bend, Station Road, Kings Langley). However, officers would provide a more detailed update on the revised NPPF in relation to this item at the relevant agenda point.

PC87/23 24/0829/FUL - CHANGE OF USE FROM CLASS E(A) TO MIXED USE FOR RESTAURANT AND TAKEAWAY (CLASS E(B) AND SUI GENERIS); ADDITION OF HVAC PLANT, PROVISION OF VEHICULAR ACCESS FROM NORTHWAY ACCOMMODATING MOTORCYCLE AND CYCLE PARKING WITH ASSOCIATED WORKS AT 94 HIGH STREET, RICKMANSWORTH, WD4 1AQ

The application was for change of use from Class E(a) to Mixed Use for restaurant and takeaway (Class E(b) and Sui Generis); addition of HVAC plant, provision of vehicular access from Northway accommodating motorcycle and cycle parking with associated works at 94-102 High Street, Rickmansworth.

The application was before the Committee as it had been called in by three members of the Planning Committee to discuss the change of use and examine the rear access arrangements as proposed.

The Planning Officer provided an update that comments had been received from the Conservation Officer earlier in the day and had been circulated to members. The Conservation Officer maintained no objection to the change of use but had raised some concerns with regard to the potential visibility of the acoustic fencing to the roof and the proposed alterations to the shop front entrance.

An amended list of recommended conditions had also been circulated to members. Condition 2 had been updated to correct a reference to plan numbers, and the wording of some of the conditions relating to courier pick-ups had been tightened. An additional condition had also been included requiring details to be submitted for the acoustic screening.

Councillor Lisa Hudson spoke against the application.

Councillor Diana Barber of Batchworth Community Council spoke against the application.

Committee members asked questions on the details of the application which were responded to by officers. The Committee's discussions included the following:

- McDonald's company policy was to conduct three litter picks per day, up to a 150m radius from the premises. They also provided signage regarding recycling and supplied bins within the premises for this purpose. Customers were also incentivised to recycle and dispose of rubbish through the use of 'Litter Lotto' app. Details of the daily litter pick-ups would be conditioned via a management plan.
- Customers would also have the opportunity to dispose of litter in the bins on the High Street. A committee member commented that these bins already often became full with litter from existing businesses, and it was recommended that the Council be asked to look at the potential impact of litter arising from this proposal on the High Street bins. Given that the food packaging to be used would be recyclable, the proposal to dispose of it on

litter picks into the High Street bins would also result in recyclable waste going into general waste rather than being recycled.

- A Construction Management Plan would be needed in order to require details of how the construction works to the rear and the lift shaft would take place, and to minimize the impact of the construction works on the High Street.
- The applicant had indicated that they would install CCTV cameras within their site boundary, and this could be conditioned. The High Street was also relatively well covered by CCTV cameras to pick up any anti-social behaviour. There were currently regular police patrols along the High Street.
- The packaging to be used for the serving of food and drinks would be recyclable, and all oil was also recycled for biodiesel. Waste would be separated and compacted on site before removal. The company used a private waste collection service, so that there were no implications for the Council in terms of waste collection from the premises.
- Courier pick ups would be from ground / basement level, which would require couriers to descend a set of steps to reach the collection point. Couriers were incentivised to make pick ups and leave the premises quickly, and a circa 5-minute turnaround time was expected. Officers were asked to look into whether soft-closure doors could be conditioned, to minimize any impact to the amenity of neighbouring residences.
- In relation to the courier service, concern was expressed about where couriers would wait if orders were not ready given the lack of space; noise levels of delivery cars, motorbikes or mopeds; and delivery car, motorbike or moped parking. Officers responded that the management plan, to be secured by condition, would require details of the management of courier pick ups. It was noted that the High Street was already used by other food delivery drivers servicing nearby restaurants, and that a level of ambient traffic noise already existed given the High Street location. Officers highlighted that the premises could already be converted into a restaurant with ancillary takeaway provision under Use Class E with no requirement for planning permission, which would provide no ability for the Council to impose controls or restrictions.
- Officers considered that operational hours for courier pick ups of 8am to 9pm, and 7am to 11pm for walk-in customers, represented appropriate mitigation of the concerns raised. This was a reduction to the hours which had originally been sought by the applicant.
- Following the Conservation Officer's comments, officers were asked to consider adding a condition to retain the swing doors to the front entrance, rather than installing new sliding doors.
- The Environmental Health Officer's report had referred to a lack of information to reach a recommendation. A Committee Member therefore recommended that the application should be deferred to seek from the applicant the information which would allow the Environmental Health Officer to make a comprehensive assessment. It was also recommended that Batchworth Community Council should be asked to provide a list of the issues they had raised so that these could be addressed, and that additional information should be included in relation to the Council's role in providing bins on the High Street and recycling any recyclable materials.

Councillor Morris proposed, and Councillor Lloyd seconded, deferral of the application to allow for the above information to be provided.

On being put to the vote this was agreed, the voting being unanimous.

RESOLVED: that the application be deferred.

PC88/23 24/0832/ADV – ADVERTISEMENT CONSENT: INSTALLATION OF 1 NO. ACRYLIC WHITE EXTERNALLY ILLUMINATED "MCDONALD'S" LETTERSET, 1 NO. YELLOW VINYL "GOLDEN ARCH" APPLIED EXTERNALLY TO GLAZING, 1 NO. EXTERNALLY ILLUMINATED PROJECTION SIGN, 6 NO. PARKING SIGNS AND 1NO. RAILING SIGN AT 94 – 102 HIGH STREET, RICKMANSWORTH, HERTFORDSHIRE, WD3 1AQ

The application was for advertisement consent for installation of 1 no. acrylic white externally illuminated 'McDonald's' letterset, 1no. yellow vinyl 'Golden Arch' applied externally to glazing, 1 no. externally illuminated projection sign, 6 no. parking signs and 1 no. railing sign at 94-102 High Street, Rickmansworth.

Councillor Diana Barber of Batchworth Community Council spoke against the application.

Committee members asked questions on the details of the application which were responded to by officers. The Committee's discussions included the following:

- The proposal was of a similar type to signage which was already used by other businesses on the High Street, both in terms of projection and illumination. The lighting bar would face toward the building, so that officers did not consider that there would be any impact from light spill on amenity to neighbouring properties, the nearest of which was 15m away.
- The design and letterset was tailored for Conservation Areas; an amendment had been sought by officers to reduce the proposed 500mm letterset to 300mm, which would be more consistent with lettersets used by other businesses on the High Street.
- Hours of illumination could be conditioned.
- The Conservation Officer had recommended that no other signage should be permitted on the glazing, and a Committee Member recommended that this should be conditioned. Another Committee Member noted that this would be inconsistent with other businesses which did have other advertisements in their windows.
- Given that the committee had resolved to defer the related full planning application to obtain further information, a Committee Member recommended that the advertisement consent application should also be deferred so that the two applications could be considered together at a future meeting.

Councillor Lloyd proposed, and Councillor Drury seconded, deferral of the application. On being put to the vote the proposal was agreed, the voting being 8 in favour and 2 against.

RESOLVED: that the application be deferred to allow for consideration alongside the related full planning application.

PC89/23 24/1304/FUL - DEMOLITION OF ALL BUILDINGS ON THE SITE INCLUDING RESIDENTIAL DWELLING AND CONSTRUCTION OF A LIGHT INDUSTRIAL (USE CLASS E(G)(III)) BUILDING WITH BIOMASS BOILER, ASSOCIATED CAR PARKING, LANDSCAPING AND ALTERATIONS TO LAND LEVELS AT SOUTH BEND, STATION ROAD, KINGS LANGLEY, HERTS WD4 8LL

Councillor Drury left the room for this item.

The application was for demolition of all buildings on site including residential dwelling and construction of a light industrial (Use Class E(g)(iii)) building with biomass boiler, associated car parking, landscaping and alterations to land levels at South Bend, Station Road, Kings Langley.

The application was before the committee as it had been called in by three members of the Planning Committee regardless of officer recommendation due to loss of the residential unit and land and the introduction of a business use in the Metropolitan Green Belt.

The Planning Officer provided an update on the Green Belt assessment in relation to the application following the publication of the revised NPPF earlier in the day and also provided other updates as set out below:

'The Officers' report to committee sets out that proposed development is inappropriate in the Green Belt by definition and that there is some limited harm through failure to comply with criteria (c) which relates to safeguarding the countryside from encroachment. However, the report identifies that there are Very Special Circumstances which collectively combine to constitute material considerations of sufficient weight to amount to 'very special circumstances' that clearly outweigh the identified harm to Green Belt and the identified harm caused by loss of a residential dwelling to enable planning permission to be granted subject to conditions.

As noted at the start of the meeting, a revised NPPF was published today. The revised NPPF includes changes in relation to development within Green Belt including the introduction of a new classification of land, 'Grey Belt'.

The NPPF defines Grey Belt as:

For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. '

Purposes (a), (b) and (d) are:

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- d) to preserve the setting and special character of historic towns.*

As set out at paragraph 8.2.5 of the committee report, in this case some of the site would constitute previously developed land due to it containing a residential dwelling, and the pre-existing car servicing and repairs business. In addition, having regard to the location and characteristics of the application site it is considered that the site does not strongly contribute to purposes a, b or d. As such officers are of the view that the site should be classified as Grey Belt.

We must then turn to paragraph 155 of the revised NPPF which advises that;

The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where:

- a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
- b) There is a demonstrable unmet need for the type of development proposed;*
- c) The development would be in a sustainable location, and*
- d) Where applicable the development proposed meets the 'Golden Rules' requirements.*

In relation to (a) it is not considered that the development would fundamentally undermine the purposes of the Green Belt. In relation to (b) the committee report identifies that there is a need. In relation to (c) the development would be in a sustainable location and (d) is not applicable as it relates to housing development.

Therefore, in conclusion, the site is considered to be Grey Belt land and the development proposed would accord with paragraph 155 of the revised NPPF and would therefore not be

inappropriate development. As such there is no requirement to consider Very Special Circumstances.

The recommendation for approval remains; however, as the development is not considered to be inappropriate there is no requirement to refer the application to the Secretary of State.'

In relation to other updates, in addition to omitting reference to referral to the Secretary of State, the Planning Officer advised that the officer recommendation should be updated to remove reference to Environmental Health and should now read as follows:

Defer to the Head of Regulatory Services and subject to the recommendation of no objection from the Lead Local Flood Authority (LLFA), the inclusion of any conditions recommended by the LLFA, and following completion of a S106 Agreement (securing a monitoring fee in relation to Biodiversity Net Gain) that Planning Permission is granted.

Condition 2 (plan numbers) should be updated to correct errors within the plan numbers.

The Environmental Health Officer had recommended that details relating to the dust management extraction system should be submitted, and therefore an additional condition relating to this was suggested.

The applicant had raised queries in relation to the wording of some of the suggested conditions and their triggers. Officers were reviewing these and, where appropriate, the wording of conditions would be updated. The Planning Officer suggested that a full schedule of conditions be circulated to the Committee prior to the issuing of any decision, and this would include any conditions suggested by the LLFA.

The Planning Officer advised that the applicant had requested amendment to the wording of Condition 39 to allow HGVS to access the site from 9am Monday-Friday, rather than 9.30am. The Environmental Health Officer had confirmed that due to background noise levels in the vicinity, HGVs accessing the site from 9am would be acceptable and therefore did not object to this amendment to Condition 39.

The applicant had also queried the imposition of Condition 38 which required windows and doors to be kept closed during working hours. The applicant had suggested that, rather than restricting the opening of windows and doors, a condition could be added requiring the applicant to operate within the noise limits for the nearest receptors as set out in the noise report. This had been discussed with Environmental Health who had advised that this would be an appropriate solution and Condition 38 would therefore be amended.

Peter Forest, agent, spoke in favour of the application.

Councillor Jon Tankard of Abbots Langley Parish Council, also spoke on the application.

In relation to parking, it was noted that the applicant had proposed to seek a lease of 20 off-site spaces at Kings Langley Railway Station Car Park in order to increase the parking provision. In response to a question, the Planning Officer advised that this arrangement was not required in order to make the planning application acceptable in planning terms; therefore, it was not to be included within the S106 agreement. However, this did not preclude the applicant from continuing to pursue this arrangement separately.

Committee Members also discussed the inclusion of Saturday hours within Condition 37 (hours of use) and Condition 39 (hours of delivery). In response to questions the Planning Officer clarified that the permission being sought related to use class. Whilst this applicant was not proposing to operate or accept deliveries on Saturdays, a future occupier of the site may. Officers were of the view that the inclusion of some operational hours on Saturdays was acceptable for the proposed use class.

Councillor Whately-Smith moved, and Councillor Lloyd seconded, that the decision be delegated to the Head of Regulatory Services to consider the inclusion of any recommendations from the LLFA and, subject to the recommendation of no objection from the LLFA and the completion of a S106 agreement securing a monitoring fee in relation to Biodiversity Net Gain, grant planning permission subject to conditions. The final set of conditions to be circulated to Committee Members ahead of the decision being issued.

On being put to the vote this was carried unanimously.

RESOLVED: to defer to the Head of Regulatory Services and subject to the recommendation of no objection from the Lead Local Flood Authority (LLFA), the inclusion of any conditions recommended by the LLFA, and following completion of a S106 Agreement securing a monitoring fee in relation to Biodiversity Net Gain that Planning Permission is granted subject to conditions, with the final set of conditions to be circulated to Committee Members ahead of the decision being issued.

PC90/23 24/1341/FUL – CONSTRUCTION OF SINGLE-STOREY FRONT EXTENSION AND FIRST FLOOR REAR EXTENSION, CONVERSION OF GARAGE INTO HABITABLE ACCOMMODATION AND INTERNAL ALTERATIONS, ALTERATIONS TO FENESTRATION AND EXTENSION OF DRIVEWAY AT 69 SYCAMORE ROAD, CROXLEY GREEN, RICKMANSWORTH, WD3 3TY

Councillor Drury re-entered the room.

The application was for construction of a single-storey front extension and first floor rear extension, conversion of garage into habitable accommodation and internal alterations, alterations to fenestration and extension of driveway at 69 Sycamore Road, Croxley Green.

The application had been deferred at the Planning Committee meeting on 7 November to allow for a site visit.

Members discussed whether the proposal was in line with the character of the area, and the impact on neighbouring amenity, and differing views were expressed.

Councillor Whately-Smith moved, and Councillor Morris seconded, refusal of the application contrary to the officer recommendation on the grounds that the single-storey front extension, by virtue of its width, depth, and flat roof design would be overly prominent and incongruous, and overbearing to the neighbouring property at No. 71. The wording of the reasons for refusal would be circulated to Committee Members for agreement following the meeting.

On being put to the vote this was agreed, the voting being 7 For, 2 Against and 1 Abstention.

RESOLVED: that the application be refused, with the reasons for refusal to be circulated to Committee Members for agreement before the decision is issued.

[Note: the wording subsequently agreed is shown below:

The proposed single storey front extension by virtue of its full width, depth and flat roof design would be an overly prominent and incongruous addition to the detriment of the character and appearance of the host dwelling, terrace group and street scene and would represent an overbearing and unneighbourly development as experienced by the neighbour (No. 71). The development would be contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and Policy CA2 of the Croxley Green Neighbourhood Plan (2018).]

PC91/23 24/1514/RSP – RETROSPECTIVE: CHANGE OF USE FROM RESTAURANT TO MIXED USE CLASS (E)(A) (RESTAURANT) AND SUI GENERIS (DRINKING

ESTABLISHMENT), INSTALLATION OF NEW SHOP FRONT AND THE CREATION OF FRONT TERRACE AT 15 MONEY HILL PARADE, RICKMANSWORTH, WD3 7BE

The application was for retrospective change of use from restaurant to mixed Use Class E(a) (restaurant) and Sui Generis (drinking establishment), installation of new shop front and creation of front terrace at 15 Money Hill Parade, Rickmansworth.

The Planning Officer responded to questions on the detail of the application.

Councillor Morris moved, and Councillor Whately-Smith seconded, that retrospective planning permission be granted subject to conditions.

On being put to the vote this was agreed unanimously.

RESLOVED: that retrospective planning permission be granted, subject to conditions.

CHAIR