

## THREE RIVERS DISTRICT COUNCIL

**At a meeting of the Planning Committee held in the Penn Chamber, Three Rivers House, Rickmansworth, WD3 1RL on Thursday, 14 December 2023 from 7.30 - 9.25 pm.**

**Present:** Councillors Sara Bedford (Chair), Matthew Bedford, Reena Ranger, Philip Hearn, David Raw, Chris Lloyd, Debbie Morris, Stephen King and Khalid Hussain.

### **Also in Attendance:**

Councillors Oliver Cooper, Chris Mitchell

### **Officers in Attendance:**

Claire Westwood, Development Management Team Leader  
Adam Ralton, Development Management Team Leader  
Tom Norris, Planning Officer  
Matthew Barnes, Planning Solicitor  
Kimberley Rowley, Head of Regulatory Services  
Anita Hibbs, Committee Manager

### **External Attendance:**

Councillor Jon Bishop – Chorleywood Parish Council

### **PC26/23 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Andrea Fraser, substitute being Councillor Reena Ranger.

Apologies for absence were also received from Councillor Ruth Clark and Councillor Steve Drury.

### **PC27/23 MINUTES OF PREVIOUS MEETING**

The minutes of the Planning Committee held on 19 October were confirmed as a correct record and signed by the Chair of the meeting.

The minutes of the Planning Committee held on 16 November were also confirmed as a correct record and signed by the Chair of the meeting.

### **PC28/23 DECLARATIONS OF INTEREST**

Councillor Debbie Morris declared a non-pecuniary interest in Item 9: Planning Application 23/1694/FUL: SANTOSH HOUSE, 6 PEMBROKE ROAD, MOOR PARK, NORTHWOOD, HERTFORDSHIRE, HA6 2HR and left the meeting during consideration of the item.

### **PC29/23 NOTICE OF OTHER BUSINESS**

There were no items of other business. However, an update on a change to a standard informative was provided by Adam Ralton, Development Management Team Leader. For any applications that are granted planning permission, as a standard procedure, officers put an informative, which is a notice on the decision. It contains helpful information to the applicant. One of those is if there are conditions that need to be discharged, an application will need to be submitted and the relevant fees paid. The planning fee regulations have been changed by

central government; the fees have gone up, and the fees on the informatives will need to be updated. For any applications that are approved tonight, the fees at the beginning of the first informative will be different than what is included in the papers.

**PC30/23      23/1128/FUL: CEDARS VILLAGE, DOG KENNEL LANE, CHORLEYWOOD, HERTFORDSHIRE**

Application 23/1128/FUL – was for demolition of existing garages and construction of 7no. new dwellings (use class C3) in the form of bungalows with roof accommodation; new building to provide a laundry and maintenance store; and conversion of an existing garage to serve as a maintenance store and associated parking.

Tom Norris, Planning Officer provided an update on the application; there is an agreed draft Section 106 ready for execution, and Hertfordshire Highways have confirmed no objection to the application since the publication of the committee report.

The Applicant spoke in support of the application, and a representative from Cedars Village residents' association, a representative from Chorleywood Parish Council, and a District Councillor spoke against the application.

The Planning Officer proceeded to recap the reasons for previous refusal of the application.

Parking was one of the reasons for previous refusal, however, Officers are satisfied by the information provided that parking can be accommodated within the site.

Drainage and flooding were another reason for refusal. The Applicant has since provided additional information to the LLFA, which is currently under review.

The Planning Officer further advised that the Landscape Officer had not raised an objection and welcomes the retention of T61 Horse Chestnut tree. The trees that are recommended for removal are of low quality and are in a more discreet location within the site.

The final reason for previous refusal was the absence of agreement under Section 106, which has since been agreed in principle and ready to be signed.

Members of the Committee raised concerns regarding the potential additional distance residents may need to walk to access parking on site, and how the large Horse Chestnut tree would be preserved.

The Committee was informed by the Planning Officer that parking allocation across the site would be managed privately. Parking provision is sold separately to the residents, which means if they have a car parking space with their residence it should be available to them at all times. Officers would not know specific distances that residents would have to walk between their homes and their cars. The general provision for parking can be accommodated within the current site based on the information provided.

In response to the question raised regarding the preservation of the Horse Chestnut tree, the Planning Officer confirmed that tree protection had been proposed for this tree, and further enhancements to the rooting environment are also proposed.

It was noted that there has been no response from the LLFA.

Further concerns were raised by the Committee on parking; even if residents can buy a parking space with their property, there is no evidence to suggest that there will be sufficient parking available to them.

In response to this, Claire Westwood, Development Management Team Leader advised that, although the recommendation is subject to the consideration of any comments from the LLFA,

Member can still determine the application, notwithstanding the fact that the LLFA have not submitted their final comments at this time.

In addition, it was suggested that Members could consider deferral of the application to allow Officers to seek a parking allocation plan and wait for the final comments from the LLFA.

In response to a question regarding 3 of the parking spaces that are not allocated within the garage area. Officers clarified that the application site is not within the Green Belt.

A recommendation to defer the application until a site visit has been carried out in order for Members of the Committee to see the layout of the area was proposed by Councillor Sara Bedford, seconded by Councillor Stephen King, put to the vote and passed. The voting in respect of the motion was: For 4, Against 0, Abstaining 5.

#### RESOLVED:

That consideration of planning application 23/1128/FUL be deferred to enable Members to undertake a Site Visit, and for Officers to seek further clarification in respect of car parking space allocation.

#### NOTE 1

The following actions were agreed with the Committee:

A: The application to be deferred and the decision be made at the next meeting.

B: Officers to bring information forward to the next meeting.

It was clarified by the Development Management Team Leader that the consideration of parking availability is for the 7 new dwellings within Cedars Village and not for the whole of the village.

Councillor Debbie Morris proposed an amendment on the hours of use of the laundry, outlined in Condition 11 (C11); the hours of use to be amended from 08.00 – 18.00 on Saturdays to 09.00 – 13.00 on Saturdays in line with construction working hours, and a construction management plan to be provided if the application is approved.

#### **PC31/23      23/1560/FUL: BATCHWORTH DEPOT, HAREFIELD ROAD, RICKMANSWORTH, WD3 1LU.**

Application 23/1560/FUL – proposes the construction of an additional building within the site, to be used for vehicle repair.

Adam Ralton, Development Management Team Leader advised that there was no update to the application.

A request for an informative has been made to recommend regular testing of the quality of water near the site to ensure that there is no contamination of the water in the future.

The Committee was informed that the issue of remediating the existing known contamination is being dealt with the application for the redevelopment of the site, therefore any existing contamination is covered. The drainage system that was proposed as part of the previous application is designed to prevent any future contamination; whereby the water gets treated through fuel interceptors to stop any possible contamination.

It was further clarified that the Canal and River Trust had made a comment regarding the requested condition on their concerns of the existing contamination; but their concerns relate to the existing contamination that was identified and is being remediated as part of the

previous application. Officer had been in contact with the Canal and River Trust and provided background information that the Trust may not have been aware of, and this is the reason why there is no condition requiring contamination investigations to happen unless anything is discovered at the time this particular development is implemented.

The Officer recommendation to grant the planning permission, subject to the conditions set out in the report, was proposed by Councillor Matthew Bedford, seconded by Councillor Stephen King, put to the vote and carried unanimously.

RESOLVED:

That PLANNING PERMISSION BE GRANTED subject to the conditions and Informatives set out in the committee report.

**PC32/23      23/1662/FUL: MANOR HOUSE COTTAGE, RICKMANSWORTH ROAD, CHORLEYWOOD, RICKMANSWORTH, HERTFORDSHIRE, WD3 5SQ**

Application 23/1662/FUL - Construction of single storey side and rear extensions.

Tom Norris, Planning Officer advised that there was no update to this application.

In response to a question from a Member of the Committee, the Planning Officer advised that the difference between this application and the previous application is that this application does not propose any roof extension, and therefore Officers consider that the Green Belt reason for the previous refusal has been satisfactorily overcome.

A Member of the Committee requested an amendment to Condition 3 (C3); that samples should be provided for the materials to be used in the work to ensure that they match those of the existing building. The Planning Officer confirmed that C3 can be amended to reflect this.

The Officer recommendation to grant planning permission, subject to the conditions set out in the report, with the proposed amendment to C3 was moved by Councillor Stephen King, seconded by Councillor Matthew Bedford, put to the vote and carried unanimously.

RESOLVED:

That PLANNING PERMISSION BE GRANTED subject to the following amended condition:

- C3      Before any building operations above ground level hereby permitted are commenced, samples and details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved. Reason: In the interests of the visual amenity of the area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

**PC33/23      23/1665/FUL: WILLOWS, 62 CLEMENTS ROAD, CHORLEYWOOD, RICKMANSWORTH, HERTFORDSHIRE, WD3 5JT**

Application 23/1665/FUL – Demolition of existing dwelling and construction of two storey detached dwelling with accommodation in the roof space, served by front/rear rooflights; provision of rear terrace balcony and associated works.

Tom Norris, Planning Officer reported that there is one update to the application; a minor amendment to the wording of Condition 4 (C4) which would require the ecological enhancement measures to be in accordance with the preliminary Bat Roost Assessment as well as the details set out in Dusk Emergence Bat Survey.

A representative from the Parish Council spoke against the application outlining the climate impact that will result from demolishing the existing dwelling, the loss of the bungalow being replaced by a multi-floor property not suitable for downsizing of older residents of the area or for disabled residents. The representative also pointed out that this proposal to demolish a serviceable existing property, which already has permission for an additional single storey under Permitted Development Rights, is directly opposed to the requirement of the NPPF in Paragraph 152.

The Planning Officer acknowledged the concerns around the sustainability aspect of demolishing the house and advised that the Council has no policy bases to refuse the application on grounds of climate impact that would result from the demolition of the house.

The Officer confirmed that the proposed dwelling would remain accessible with ground floor living accommodation that would be suitable for the elderly and less able people, and clarified that Officers consider the Permitted Development scheme a viable fallback that the applicant would implement, should planning permission be refused for the current application.

Concerns around the proposed dwelling being out of keeping with the character of the area were noted.

It was also noted that the permitted development was already very close to that of the proposed development; therefore, refusal of the application would be difficult to defend.

The Officer recommendation to grant planning permission, with a minor amendment to the wording of Condition 4 (C4), and subject to the conditions set out in the report, was moved by Councillor Matthew Bedford, seconded by Councillor Khalid Hussain.

Councillor Debbie Morris moved a counter proposal for refusal on the grounds of the adverse impact on the character of the area and the street scene. Councillor Philip Hearn seconded the motion and pointed out that the proposal is in breach of Policy 4.1 of the Chorleywood Neighbourhood Development Plan (NDP) relating to the replacement of the bungalow with a two-storey dwelling not suitable for downsizing of older residents of the area or for disabled residents.

The Chair pointed out that it's unlikely that this reason will be sufficient for refusal.

Claire Westwood, Development Management Team Leader advised that if the reason is the impact on the character of the area and street scene it needs to be identified what it is that is causing the harm.

It was clarified by the Planning Officer that there is upstairs accommodation in the permitted development property but not in the existing property, and downstairs accommodation in the proposed property with an accessible bathroom, suitable for older and less able residents.

Councillor Debbie Morris moved a second proposal for refusal on grounds of the adverse impact; more specifically, the ridge height, scale and mass, and the introduction of a significantly tall fenestration to the rear of the proposed dwelling it would cause on the character of the area and the street scene. Councillor Philip Hearn seconded the motion, it was put to the vote and carried.

It was agreed that the final wording of the refusal notice would be circulated to the Committee for approval.

Adam Ralton, Development Management Team Leader confirmed that these reasons are more specific to the current scheme and therefore sufficient for a refusal.

The voting in respect of the motion was; For 5, Against 3 and Abstaining 1.

RESOLVED

That Planning Application 23/1665/FUL be refused, contrary to the Officers' recommendation, for the following reason:

The proposed replacement dwelling, by virtue of its height, scale, and mass in conjunction with the tall fenestration, which adds a greater vertical emphasis to the dwelling, would result in harm to the character and appearance of the street scene and area. As such the proposal is contrary to Policy CP12 of the Core Strategy (adopted 2011), Policy DM1 and Appendix 2 of the Development Management Policies document (adopted July 2013) and Policy 2 of the Chorleywood Neighbourhood Development Plan (2020).

**PC34/23      23/1694/FUL: SANTOSH HOUSE, 6 PEMBROKE ROAD, MOOR PARK, NORTHWOOD, HERTFORDSHIRE, HA6 2HR**

Application 23/1694/FUL – Demolition of existing conservatory and construction of single storey side and rear extensions, first floor side extension, loft extension including alterations to the roof, rear dormer window and rear rooflights, new entrance door, internal alterations and alterations to fenestration detail.

Councillor Debbie Morris declared a non-pecuniary interest in the application and withdrew from the meeting whilst the item was considered.

Claire Westwood, Development Management Team Leader advised that there was no update to the application since publication of the agenda.

The Applicant spoke in support of the proposal, describing the difficulties with damp issues and two major leaks linked to the flat roofs.

In response to a question the Development Management Team Leader confirmed that the previously proposed green roof has been amended during the course of the application; there is no further proposal to use the flat roof as a balcony or terrace, and there are no doors exiting out onto the roof. Furthermore, there is a suggested condition; Condition 8 (C8) which states that the roof is only to be used for essential maintenance or repair, or escape, in case of emergency. In addition; the Officer confirmed that the chimneys are to be retained externally, with Condition 3 (C3) which states that no demolition or works to the roof shall commence on site whatsoever until a Construction & Demolition Method Statement has been submitted to and approved in writing by the Local Planning Authority.

A Member of the Committee has asked if it would be reasonable to have the Permitted Development Rights removed for outbuildings and extensions. The Officer explained that the existing property exceeds the plot coverage with a slight increase from 15% to 23%, however, Officers overall think that the proposed changes will be beneficial.

The Officer confirmed that the removal of the Permitted Development Rights would not be unreasonable if the Committee agreed, however it would be specific in relation to Class E, which is the outbuildings class only. It would not prevent the home owner to erect an outbuilding or shed in future; it would mean they would need to submit a planning application which would be considered on its merits at that time. The Officer reconfirmed that the removal of the Permitted Development Rights should be limited to Class E.

The Officer recommendation to grant the planning application, with the additional condition of removing the Permitted Development Rights under Class E of Part 1 (outbuildings), and subject to the conditions set out in the report, was proposed by Councillor Philip Hearn, seconded by Councillor Reena Ranger, put to the vote and carried unanimously.

RESOLVED:

That PLANNING PERMISSION BE GRANTED subject to the following amended condition:

C9 Immediately following the implementation of this permission, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification) no development within the following Classes of Schedule 2 of the Order shall take place.

Part 1

Class E - provision of any building or enclosure

Part 2

Class A - erection, construction, maintenance or alteration of a gate, fence, wall or other means of enclosure

No development of any of the above classes shall be constructed or placed on any part of the land subject of this permission.

Reason: To ensure adequate planning control over further development having regard to the limitations of the site and neighbouring properties and in the interests of the visual amenities of the site and the area in general, in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

**PC35/23 23/1707/FUL: BEECH HOUSE, CHESS WAY, CHORLEYWOOD, RICKMANSWORTH, HERTFORDSHIRE, WD3 5TA.**

Application 23/1707/FUL – Change of use from single dwellinghouse to children’s care home.

Adam Ralton, Development Management Team Leader advised that there was no update on the application.

The Applicant spoke in support of the proposal, a representative of the residents, a representative of Chorleywood Parish Council, and a District Councillor spoke against the proposal.

Adam Ralton, Development Management Team Leader responded to the concerns and confirmed that the majority of the concerns raised; such as the disturbance and noise have been addressed in the report.

The Officer recommendation to refuse the planning application, subject to the reasons set out in the report, was proposed by Councillor Chris Lloyd, seconded by Councillor Stephen King, put to the vote and carried unanimously.

In response to a question raised by a Member of the Committee, the Officer clarified that the recommendation is based on the proposal that is currently being considered, it is not for a broad C2 use, it is for the specific C2 use that is proposed. If Officers were to grant planning permission for this use in the event of an appeal, the Officers would look to request planning conditions restrict the use.

RESOLVED:

That PLANNING PERMISSION BE REFUSED for the reasons set out in the committee report.

**PC36/23 23/1767/FUL: PENN COTTAGE, WHITEGATES CLOSE, CROXLEY GREEN, RICKMANSWORTH, HERTFORDSHIRE, WD3 3JY**

Application 23/1767/FUL - Replacement of doors and windows.

Officers advised that there was no update on this application.

The Officer recommendation to grant the planning application, 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 unanimously.

RESOLVED:

That subject to no new material considerations being raised PLANNING PERMISSION BE GRANTED, subject to the conditions and Informatives set out in the committee report.

**PC37/23      23/1798/FUL: LAND NORTH OF LITTLE GREEN LANE, KILLINGDOWN FARM, LITTLE GREEN LANE, CROXLEY GREEN, HERFORTHSHIRE**

Application 23/1798/FUL - Variation of Condition 11 (Off-Site Highway Improvement) of planning permission 20/1881/FUL to allow phased delivery of the off-site highways works at Land North Of Little Green Lane, Killingdown Farm, Little Green Lane, Croxley Green, Hertfordshire.

Claire Westwood, Development Management Team Leader reported that there was an update on the application; email communication was received today from Croxley Green Parish Council to apologise for not being able to attend the meeting tonight, due to clashing meetings, and advised that Croxley Green Parish Council would like to re-affirm the comments submitted to TRDC, and would have made representation if possible.

The Officer explained the background of the application; when the application 20/1881/FUL was initially considered, Hertfordshire County Council Highways Authority requested a number of conditions, included Condition 11 (C11). Whilst the application was refused, it wasn't refused on highways grounds, at the appeal, as standard practice for the local authority to submit suggested conditions to the inspector. Those conditions submitted included recommended conditions from consultees; such as C11, that was attached by the inspector on the decision when the appeal was allowed. The current application seeks to vary C11 to allow a maximum of 25 dwellings to be occupied, prior to the completion of the highways works. The Highways Authority have reviewed the application and considered that it is acceptable.

A District Councillor spoke against the application on behalf of the residents, outlining their concerns regarding any of the dwellings being occupied before the full S278 works are completed. The Councillor requested if the Committee could consider 5% of the dwellings to be occupied; which would be 8 dwellings, instead of 25 dwellings.

The Officer explained that when the application was initially submitted; the Applicant asked for 50 dwellings to be allowed to be occupied, and the Highways Authority raised no objection to that. The Applicant subsequently requested the number of dwellings to be occupied to be reduced to 25, which was also approved by the Highways Authority.

Members raised concerns around the safety of people walking on site with lorries driving past, and the possibility of more near misses and accidents.

The Officer responded by pointing out that there is a separate construction access to the south of the site, therefore, lorries will not be using the access to the north of the site which will be potentially serving the dwellings to be occupied.

The Officer recommendation that Condition 11 (Off Site Highway Improvement) be varied with an amendment to allow only 8 dwellings to be occupied instead of 25 dwellings, and to grant planning permission, subject to the conditions set out in the report, was moved by Councillor Sara Bedford, seconded by Councillor Chris Lloyd, put to the vote and carried.



The voting in respect of the recommendation was: For 7, Against 0, Abstain 2.

RESOLVED:

That Condition 11 (Off Site Highway Improvement) be VARIED, with the following amendment; to allow only 8 dwellings to be occupied instead of 25 dwellings and that PLANNING PERMISSION IS GRANTED.

- C11 Off Site Highway Improvements Notwithstanding the details indicated on the submitted drawings, prior to the occupation of the 9th dwelling, a detailed scheme for the necessary permanent offsite highway improvement works as indicated on Drawing No. 1908-012 PL06 G shall be submitted to and approved in writing by the Local Planning Authority. These works shall include: (i) A 2 metre wide footway (or the maximum achievable width) on the east side of the carriageway along Little Green Lane from the junction with The Green running north to the main site access junction; (ii) Any widening of the carriageway along Little Green Lane to increase the width of the carriageway to at least 4.8 metres; (iii) Details of any necessary street lighting along Little Green Lane; (iv) Details of works to create the main vehicular access into the site ('northern access') / alterations to the existing route along Little Green Lane, which would also include the dedication of additional land as highway (pursuant to a Section 38 highways agreement); (v) New bellmouth entrance to the 'southern access' to the proposed cul-de-sac including tactile paving and pedestrian dropped kerbs on either side; (vi) Any alterations required to the existing entrances into Killingdown Farm including tactile paving and pedestrian dropped kerbs; (vii) Any necessary highway works required at the junction of Little Green Lane and The Green including a new kerbed edge of carriageway line on the west side and tactile paving on both sides; the kerb line may require widening as there is evidence that vehicles oversail the highway verge at this location; (viii) Details of a pedestrian crossing point with pedestrian dropped kerbs and tactile paving from the proposed footway on the east side of Little Green Lane to the common land. The offsite highway improvement works above shall be completed in accordance with the approved details prior to the occupation of the 9th dwelling hereby permitted.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy CP10 of the Core Strategy (adopted October 2011).

**PC38/23 OTHER BUSINESS - IF APPROVED UNDER ITEM 3 ABOVE**

None.

**CHAIRMAN**