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**PLANNING COMMITTEE****MINUTES**

For a virtual/remote meeting held on Thursday 18 March 2021 at 7.30pm to 21.22pm

Councillors present:

Councillors:-

Chris Lloyd (Chair)  
Raj Khiroya (Vice-Chair)  
Sara Bedford  
Steve Drury  
Peter Getkahn  
Keith Martin

Marilyn Butler  
Stephen King  
Debbie Morris  
David Raw  
Alison Scarth

Also in attendance: Councillor Paula Hiscocks and Sarratt Parish Councillor Anthony Soothill

Officers: Adam Ralton, Claire Westwood, Scott Volker, Kimberley Rowley, Tom Norris, Clara Loveland, Sherrie Ralton and Jamie Russell

**PC 103/20 APOLOGIES FOR ABSENCE**

None received.

**PC 104/20 MINUTES**

The Minutes of the virtual/remote Planning Committee meeting held on 25 February 2021 and the Reconvened Planning Committee Meeting held on 4 March 2021 were confirmed as a correct record by the Committee and would be signed by the Chair of the meeting.

**PC 105/20 NOTICE OF OTHER BUSINESS**

The Chair advised that Item 11 (21/0244/FUL - . Erection of garden outbuilding and shed at ROWAN COTTAGE, WHITEGATES CLOSE, CROXLEY GREEN WD3 3JY) had been deferred.

**PC 106/20 DECLARATIONS OF INTEREST**

Councillor Chris Lloyd read out the following statement to the Committee:

“All Members are reminded that they should come to meetings with an open mind and be able to demonstrate that they are open minded. You should only come to your decision after due consideration of all the information provided, whether by planning officers in the introduction, by applicants/agents, by objectors or by fellow Councillor’s. The Committee Report in itself is not the sole piece of information to be considered. Prepared speeches to be read out are not a good idea. They might suggest that you have already firmly made up your mind about an application before hearing any additional information provided on the night and they will not take account of information provided on the night. You must always avoid giving

the impression of having firmly made up your mind in advance no matter that you might be pre-disposed to any view.”

The Chair advised that all the Liberal Democrat Councillors had declared a non-pecuniary interest in item 5 (20/2306/FUL) and item 10 921/0213/FUL) as the Agent was a Liberal Democrat Councillor. Members of the Committee were not personal friends of the Councillor and did not feel that there was any conflict of interest.

Councillor Sara Bedford and Councillor Steve Drury declared a non-pecuniary interest in item 8, application 20/2807/AOD as they were both County Councillors and the application was made on behalf of Hertfordshire County Council who were the land owners but would both stay in the virtual meeting room for the debate and would be able to vote.

**PC107/20 20/2306/FUL: First floor side and single storey rear extension, conversion of garage and single storey side extension to form a garage and extension of residential curtilage (change of use of amenity land to land forming part of residential planning unit) via re-positioning of fencing at 2 ARUNDEL ROAD, ABBOTS LANGLEY, WD5 0TP**

There was no Officer update.

In accordance with the Council’s Planning Committee virtual meeting protocol which sits alongside the Council Procedure Rules a member of the public spoke in support of the application.

The Planning Officer advised that the report had addressed all the points raised by the member of the public.

Councillor David Raw asked whether the amended plans mentioned at paragraph 3.8 of the report had been received?

Councillor Sara Bedford asked if the Officer would highlight the discussion and difference of opinion over the terracing effect and also the effect of the rear extension?

The Planning Officer explained that as outlined in paragraph 7.2.1 the side extension would be set at 0.9 metres from the boundary which did not comply with the 1.2 metres guidance set out within the Local Plan document. This was based on the assessment of the wider street scene where it was noted that other dwellings did have extensions above garages. However the relationship between neighbouring dwellings was different within the street scene and this neighbour had a relationship with the adjacent neighbour that was built up to the boundary line, therefore the terracing effect was exacerbated.

Councillor Peter Getkahn asked whether there was any question of the use of amenity land and whether all the plans were within the space that was in full ownership of the applicant?

The Planning Officer explained that there was a fence line separated to the grass verge. Paragraph 7.2.6 of the report stated that the extension of the residential curtilage was not opposed to by Officers. The fence would be moving out to the corner of the path enclosing the grass verge.

Councillor Steve Drury asked who owned the plot of land? The Officer confirmed that it was owned by the Applicant

Councillor Debbie Morris asked if the informative could include that Officers had no objection to permitting the change of use element in the application?

The Planning Officers said it would not be possible for an informative in that respect.

Councillor David Raw was concerned that there was a lamppost and road sign on the land owned by the Applicant.

The Planning Officer said no details had been provided to remove or alter the position of the lamppost or signage, although the grass verge was owned by the Applicant.

Councillor Sara Bedford said the point of having the grass verge in front of the fence was to soften the entrance to the housing estate and a high fence would make a large difference to the street scene. The terracing effect would be very noticeable in a development that had been built at a lower density and would be quite oppressive.

Councillor Steve Drury said if Arundel Road had been adopted by Herts County Council their permission would have to be sought to move the lamppost from that piece of land or it would be inside the fence and HCC would not be able to do any maintenance. The signage would also have to be moved. Had Hertfordshire Highways been advised?

The Planning Officer advised that Officers were not aware of any further information regards moving the signage, although it was understood the lamppost was on the pathway. Further information would need to be provided for this.

Councillor Peter Getkahn asked if there was scope for discussion with Hertfordshire Highways? The Planning Officer advised this would be a separate application process directed to Hertfordshire Highways.

Councillor Alison Scarth was concerned that the garage would be up against the pavement.

Councillor Sara Bedford asked how high the fence was and the height of the fence to enclose that piece of land? The Officer advised that the fence height was proposed at 1.8 metres according to the submitted plans. Councillor Sara Bedford said 1.8 metre fences could not be put up next to a public right of way under permitted development was because it would be considered oppressive. The land ownership was not a planning consideration.

Councillor Debbie Morris advised that Hertfordshire Highways had been consulted and had no objections or further comments and the list of points had not included road signs or lampposts.

The Planning Officer advised that the recommendation was to refuse the application as set out in the report. There had been a lot of discussion and material planning considerations raised in respect of the visual impact of the re-positioning of the 1.8 metre high fence from its current location to a location directly adjacent to the public footway. The lamppost was on the pavement so would not be impacted. There was a street sign so, should permission be granted, it would be necessary for Hertfordshire County Council to be contacted. Planning permission would be required and the reason a 1.8 or 2 metre fence could not be erected near a road was due to poor visibility.

Councillor Sara Bedford moved, seconded by Councillor Stephen King, refusal of the application with one additional reason for refusal relating to the adverse impact of the repositioned fence on the character and appearance of the street scene

The Chair was advised that Councillor Marilyn Butler had lost connection twice during the debate. Councillor Marilyn Butler advised that the camera had not been working but had heard all the of the debate. Under the circumstances it was agreed the Councillor would be able to vote.

On being put to the Committee the motion to REFUSE PLANNING PERMISSION was declared CARRIED by the Chair the voting being unanimous.

RESOLVED:

That the decision be delegated to the Director of Community and Environmental Services to consider any representations received and that PLANNING PERMISSION BE REFUSED for the following reasons (the final wording of thre reasons for refusal having been agreed following the meeting):

R1: The proposed front element of the first floor side extension by virtue of its siting and relationship with the neighbouring dwelling, No.4 Arundel Road would result in terracing impact. The rear element of the first floor side extension would appear contrived by virtue of its poor design, comprising a splayed wall and flat roof form which integrates poorly with the existing dwelling and would be out of character with the wider area. The proposed garage would also appear prominent, contrived and out of character with the street scene. The development would therefore be contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

R2: The proposed boundary fence, by reason of its height, length and proximity to the footway would appear as a prominent, overbearing and urbanising feature which would create a sense of enclosure, erode the open character of the area and fail to respect the character and appearance of this part of the street scene and the wider area. The development would therefore be contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

**PC 108/20 20/2603/FUL - Variation of Condition 11 (Agricultural Occupation) of planning permission 17/2169/FUL to amend wording of the condition to as follows: 'The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants at THE MULBERRY BUSH, FARM DAWES LANE, SARRATT, WD3 6BQ**

There was no Officer update.

In accordance with the Council's Planning Committee virtual meeting protocol which sits alongside the Council Procedure Rules a member of the public spoke against the application.

Parish Councillor Anthony Soothill said in 2017 permission had been granted for an agricultural workers dwelling to manage the chicken farm. Paragraph 7.2.11 of the Officer's report acknowledged that the imposition of an agricultural occupancy condition was deemed necessary as planning permission would in all probability have been refused without one. The report concluded in paragraph 7.4.2 that the imposed variation of Condition 11 would not result in any greater harm to the openness of the Green Belt as the built form currently existed but it was there because of the chickens. Less than three years after permission was granted the

chickens disappeared and if this variation was allowed to take place the planning authority would be sending a signal that the only requirement to build in the Green Belt would be to establish a chicken farm, apply for an agriculture dwelling, build the property, lose the chickens and apply for the tie to be unfettered. The application should be refused.

Councillor Marilyn Butler pointed out that the land between the end of the farm drive and the road was owned by Sarratt Parish Council who had allowed the farmers to cross the Parish Council land for access due to it being agricultural. The other entrance was from Moor Lane where the access had been widened. The Councillor reminded the Committee of the conditions that had been included when permission had been granted previously.

Councillor Marilyn Butler moved, seconded by Councillor Debbie Morris, refusal of the application.

Councillor Sara Bedford thanked both the speakers for their comments and said many of these applications had been turned down but eventually the Committee had decided to support the business. The building had never been an agricultural workers dwelling but asked for some good reasons to be provided as to why the application should be refused.

Councillor David Raw had concerns that Officers had recommended the application should go through when there had been a Condition 11 against it since 2017.

Councillor Debbie Morris agreed with the two members of the public and hoped there were grounds for refusal. Officers had quoted an appeal decision but every application was unique and doubted there would be the another application with the same circumstances. Councillor Morris suggested that Officers could help with providing wording for a reason for refusal. The wording in the report was very vague.

The Planning Officers would be able to formulate a reason for refusal that the suggested amendment by the applicant would not seek exclusive occupation of the dwelling to the Mulberry Bush and would be in breach of the development plan in relation to Green Belt policies. The reason for refusal would be circulated to Members of the Planning Committee.

The Chair did not consider variation of the condition to be appropriate.

Councillor Sara Bedford asked for a clear reason for refusal before the Committee were asked to vote. If the applicant knew when he started to build the house that the chickens were not to remain on the farm he should have stopped building the house. If the house would not be used properly then the land could be returned to agricultural use.

The Planning Officer advised that Members could refuse the application and retain the condition as previously put forward under the 2017 application siting that maintaining the existing condition secures the use of the agricultural workers dwelling to the site specific to the Mulberry Bush.

On being put to the Committee the motion for refusal was declared CARRIED by the Chair the voting being unanimous.

RESOLVED:

That Planning Permission be Refused (an overturn of the Officer recommendation) for the following reason (the final wording having been agreed with Members following the meeting):

R1: The proposed variation to the wording of Condition 11 (Agricultural Occupancy) of 17/2169/FUL would result in the dwelling not being secured for the exclusive occupation of agricultural workers to serve the agricultural needs of the Mulberry Bush Farm, despite the original permission being contingent on the need for on-site presence of workers to serve the Farm. This would impact on the future viability of the site as an agricultural holding and lead to future pressure for an additional agricultural dwelling on the site. The variation of the condition would therefore be unacceptable as it would lead to a dwelling which would be inappropriate development in the Green Belt contrary to Policy CP11 of the Core Strategy (adopted October 2011) and Policy DM2 and Appendix 3 of the Development Management Policies LDD (adopted July 2013).

**PC 109/20 20/2698/FUL – Construction of outbuilding at 32 BEDFORD ROAD, MOOR PARK, HA6 2AZ**

There was no Officer update.

Councillor Debbie Morris moved, seconded by Councillor Chris Lloyd, the recommendation set out in the report for Planning Permission to be Granted.

A member of the public declined an opportunity to speak in favour of the application as it was felt unnecessary.

On being put to the Committee the motion was declared CARRIED by the Chair of the meeting the voting being unanimous.

RESOLVED:

That PLANNING PERMISSION BE GRANTED, subject to the conditions and informatives set out in the officer report.

**PC110/20 20/2807/AOD - Approval of Details: Details pursuant to Condition 1 of Planning Permission 20/1677/FUL comprising layout, scale, appearance and landscaping of the Care Home phase including associated infrastructure such as access routes and drainage and demolition of existing vacant buildings, at Former LITTLE FURZE JUNIOR MIXED INFANTS SCHOOL, GOSFORTH LANE, SOUTH OXHEY**

The Planning Officer gave the following update:

The recommendation at the top of the report was: That Approval be given for the Reserved Matters comprising layout, scale, appearance and landscaping. However, at 8.1, reference to landscaping is missing. So to clarify, the recommendation was that Approval be given for the Reserved Matters comprising layout, scale, appearance and landscaping.

Councillor David Raw asked whether consideration had been given as to whether the building would be in the best place?

The Planning Officer advised that an indicative layout drawing was submitted with the outline application which showed how the 75 bed care home could be accommodated within the site.

Councillor Alison Scarth the position of the building allowed the 15 metre buffer between the building and woodland. It complemented the surrounding landscape and the sustainability credentials were very good. Was there any information on the dimensions of the rooms within the care home?

The Planning Officer did not have the room dimensions but the design and access statement submitted with the application showed that the applicant had ensured overall there was good quality accommodation for occupiers, which was indicated by the generous outdoor space. The Pandemic had also contributed to the design to ensure the accommodation could be divided into self-contained areas. Officers considered the proposal to provide high quality accommodation in accordance with the policies.

Councillor Stephen King said the rooms had been designed for wheelchair access and moved, seconded by Councillor Keith Martin, the recommendation in the report.

On being put to the Committee the motion was declared CARRIED by the Chair of the meeting the voting being unanimous.

RESOLVED:

That APPROVAL be given for the Reserved Matters comprising layout, scale, appearance subject to the conditions as set out in the report.

**P111/20 21/0203/FUL – Demolition of existing dwelling and erection of a two storey detached dwelling with front and rear projections and accommodation in the roof space at 17 HILL RISE, RICKMANSWORTH, WD3 7NY**

There was no Officer update.

In accordance with the Council's Planning Committee virtual meeting protocol which sits alongside the Council Procedure Rules a member of the public spoke against the application and a member of the public spoke for the application.

Councillor Paula Hiscocks said the building was against Policy CP12 of the core Strategy. It would not conserve or enhance the character of the area or make a positive contribution to the street scene. The crown roof which was discouraged in the TRDC design criteria appendix 2. It would create bulk and massing compared to other houses in the street. The estate was built as a distinct metropolitan design estate which had a heritage asset and a set style of the unique period and had been on the work programme to be a conservation area. It would become a 3 storey house with huge windows overlooking the rear gardens and amenity spaces of Shepherds Way. Although 60 metre distance the building would cause light pollution and loss of privacy so against policies CP12 and DM1 appendix 2. Although a new build it would not be carbon neutral as the policy DM4 states.

The Planning Officer advised that the issues raised had been covered in the report. The dwelling would meet the policy requirements for the carbon issue that had been raised by Councillor Hiscocks.

Councillor Sara Bedford asked whether it was still the case that Chorleywood Parish Council had no objections to the Application?

The Planning Officer confirmed that this was the case. The plans had been reduced during the course of the Application.

Councillor Sara Bedford asked for confirmation that Chorleywood Parish Council

had written and agreed the Neighbourhood Plan and would be going to referendum in May. The Planning Officer confirmed this. Councillor Bedford said it was quite likely this was within their aspirations for the Neighbourhood Plan.

Councillor Sara Bedford said the back to back distance was 65 metres which was above the usual 28 metres and wanted to check there was the possibility of applying a condition requiring the roof lights the rear to be obscure glazed. The Planning Officer said the flank roof lights would have a condition to be obscured as would the flank windows. The Councillor asked what accommodation was to be placed into the roof space. The Officer said it would be a master bedroom and the windows would be rear facing. It was not considered that there would be harmful overlooking. The Councillor could not see that the building would lower the quality of the street scene by having a new modern build. It was not all uniform and was not a conservation area.

Councillor David Raw had concerns that it would be out of character with the street scene. Clarification was required on the 45 degree angle that was approved in paragraph 7.3.2. The Planning Officer confirmed that it did not intrude the 45 degree line.

Councillor Debbie Morris asked what impact the gradient would have to the neighbours at the rear if it was steep? The section of crown roof discouraged by design criteria at appendix 2 was not considered by officers to give a harmful level of bulk and massing, but that was a subjective opinion. The impact of the street scene, Cedars Estate was awaiting consideration for conservation area status and it would be unfortunate if buildings of historic value were lost due to a delay in the process. Residents had said along this street there were no properties of such a modern and contemporary nature so the Councillor believed there would be grounds for refusal on that basis.

Councillor Peter Getkahn moved, seconded by Councillor Sara Bedford, the recommendation in the report that Planning Permission be Granted.

On being put to the Committee the motion was declared CARRIED by the Chair of the meeting the voting being 6 For, 4 Against, 1 Abstentions.

RESOLVED:

That PLANNING PERMISSION BE GRANTED, subject to the conditions and informatives set out in the officer report.

**PC112/20 21/0213/FUL - Increase in ridge height and alterations to fenestration detail at 51 TIBBS HILL, ABBOTS LANGLEY WD5 0EE**

There was no Officer update.

Councillor Sara Bedford moved, seconded by Councillor Steve Drury, that Planning Permission be Granted..

On being put to the Committee the motion was declared CARRIED by the Chair of the meeting the voting being unanimous.

RESOLVED:

That PLANING PERMISSION BE GRANTED subject to the conditions and informatives set out in the officer report.

The Chair advised that as item 11 had been deferred the meeting was now closed.

**CHAIR**