
PLANNING COMMITTEE

MINUTES

Of a meeting held in the Penn Chamber at Three Rivers House, Northway, Rickmansworth, on Thursday 19 January 2023 from 7.30pm to 8.45pm

Councillors present:

Steve Drury (Chair)	Sarah Nelmes (Sub for Cllr Raj
Matthew Bedford (Vice Chair)	Khiroya)
Sara Bedford	Chris Lloyd
Ruth Clark	David Raw
Phillip Hearn	Stephanie Singer
Andrea Fraser (sub for Cllr Lisa Hudson)	

Also in attendance: Councillor Debbie Morris

Officers: Matthew Roberts, Adam Ralton & Lorna Attwood

COUNCILLOR STEVE DRURY IN THE CHAIR

PC 84/22 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Lisa Hudson and Raj Khiroya with the named substitutes being Councillors Andrea Fraser and Sarah Nelmes. There was also an apology for absence from Councillor Stephen King.

PC 85/22 MINUTES

The minutes from the Planning Committee Meeting- held on 15 December 2022 and the reconvened Planning Committee meeting on 5 January 2023 were agreed and signed by the Chair.

PC 86/22 URGENT BUSINESS

There was no urgent business.

PC 87/22 DECLARATIONS OF INTEREST

The Chair 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 information provided at Committee. 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 particular view.”

The Chair advised that the Liberal Democrats Councillors on the Committee wished to declare a non pecuniary interest in Items 5 and 8. Members of the Committee are not personal friends of the Councillor who was acting as an agent on these applications and do not feel there is any conflict of interest.

With regards to Item 7 there were a number of members who did not attend the reconvened meeting on 5 January. Therefore Councillors Ruth Clark and Stephanie Singer were asked not to take part in the discussion or vote on this item. Furthermore, The Chair, Councillor Steve Drury and Councillor Andrea Fraser would take part in the discussion having attended the site visit but would not vote on the item as they had not attended the reconvened meeting on 5 January 2023.

PC 88/22

22/1162/FUL - Erection of polytunnels and associated infrastructure at WOODOAKS FARM, DENHAM WAY, MAPLE CROSS, HERTFORDSHIRE, WD3 9XQ

The Planning Officer advised that there were no updates.

In accordance with Rule 35(b) a member of the public spoke in the support of the application.

Councillor David Raw said that although the Conservation Officer had no objections, they had raised a few concerns and wanted to hear the Officers thoughts. The Planning Officer said that there was a listed barn approximately 150 yards from the polytunnels and the effect on the listed building had to be considered. There was a limit as to where the polytunnels could go due as the enterprise was to operate on only part of the wider agricultural unit. The report set out that the polytunnels were at a significant distance from the listed barn and were not considered to be unacceptably harmful to its setting.

Councillor Sarah Nemes was aware of the farm structure and commented that polytunnels were on a flat part as there were steep slopes on this site and this seemed to be the most appropriate place for them. This was a sustainable business which created biodiversity and moved to accept the Officers recommendation seconded by Councillor Chris Lloyd.

Councillor Philip Hearn supported the proposal. With regards to Condition 4, if the polytunnels were not used for 12 months or more they and the toilet block would be removed. The Councillor wondered why the tarmac planings were not included in that. The Planning Officer advised that if the enterprise ceased then

the track would not be used and over time that would morph into the landscape. As the laying of the track would be a large undertaking its removal would be relatively unreasonable.

On being put to the Committee the motion 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 GRANTED in accordance with the Officer recommendation and the conditions and informatives set out in the officer report.

PC 89/22 22/1507/FUL - Partial demolition of no.51 and sub-division of rear gardens of no.51 and no.49 and construction of two storey detached dwelling, garage and access road including new vehicular crossover at THE HAWTHORNS, 51 BATCHWORTH LANE, NORTHWOOD, HA6 3HE

The Planning Officer gave an update to say that Hertfordshire Fire and Rescue had no objection subject to the use of a sprinkler system.

Ward Councillor Debbie Morris spoke against the application and supported the Officers recommendation for refusal but wished to add a third reason for refusal: that this was a form of backland development which differed significantly from the existing forms of backland and infill development in the vicinity. In the Officers report, four developments were identified which were said to inform the current character of the area. These were all developments of multiple homes unlike in this application where a single home was proposed. These developments were in no way similar to this proposal and this application should be refused as a backland development which would introduce a novel form of development to the area and would be harmful to the character.

The Planning Officer said that with reference to the comments made by Councillor Morris it was considered that these developments did somewhat inform the character of the area. This development would be subject to a separate access which would run alongside the existing access to the listed building which had four detached dwellings behind it. Due to the position of this particular dwelling, where you would read it from the street it would be viewed in conjunction with those dwellings and the listed building. It could be argued that there were some similarities with the other developments although the proposed development would only be served by one dwelling unlike the developments mentioned that contained multiple dwellings. The Planning Officer said in terms of character it would be quite hard to justify and defend.

Councillor Matthew Bedford believed the area was full of backland development and was surprised that the recommendation was to refuse planning permission. The Councillor asked Officers to clarify the point regarding the listed building and show on the plans where it would sit in relation to the proposed building. The Planning Officer presented the plans on screen and said that the development would be highly evident from the listed building, both

from the access track with Upland Court, from neighbouring vantage points and from the gardens of the listed building and by virtue of its scale concluded that it would be harmful.

Councillor Sarah Nelmes asked for clarification about the route to the four houses behind Upton Court and if it was the same route to the proposed dwelling. The Planning Officer replied that there would be a new access drive adjacent to Upton Court which would be enclosed by a fence and would be parallel to the access drive to Upton Court.

Councillor David Raw asked about the gable roof and if the planning application did not include this, would Officers be more sympathetic. The Planning Officer responded that the Committee must assess the application that was in front of them.

Councillor Philip Hearn said that it was important to preserve the openness of the listed building. It would be difficult to assess how the development would affect the listed building. It was suggested that a site visit could be considered to assist with the decision.

The Planning Officer presented the plans on screen to show Members where the listed building was situated.

Councillor Sara Bedford asked if the trees shown on the site plan were being removed. The Planning Officer pointed out to Members on the plans which trees would be removed.

Councillor Philip Hearn proposed that a site visit take place. This was seconded by Councillor Sara Bedford.

The Planning Officer said there was a second reason for refusal. This should be considered in case the recommendation is altered following the site visit. The second reason for refusal referred to the southern elevation where there was a small gable obscurely glazed first floor window. Whilst obscure it was close to the boundary and slightly raised, therefore overlooking was second reason.

Councillor Sara Bedford said the site visit would allow Members to look at the two reasons for refusal.

Councillor Andrea Fraser asked if the Committee would also need to consider the third reason Councillor Debbie Morris had suggested regarding backland development. The Planning Officer said the site visit should clarify this aspect. The backland developments were gated so Members may have trouble accessing them but they could walk along Batchworth Lane which would give them a sense of the areas character.

Councillor Matthew Bedford said it should not make a difference if it was one house or several.

The alternative proposal for a site visit was then put to a vote.

On being put to the Committee the motion was declared CARRIED by the Chair the voting being 9 For, 0 Against and 1 Abstention.

RESOLVED:

That the application be DEFERRED for a site visit to ascertain the impact of the proposed dwelling on the listed building and adjacent neighbouring property. Officer to make arrangements with applicant for Saturday 11 February at 8am.

PC 90/22 22/1658/RSP - Part Retrospective: Part demolition of existing single storey side extension and construction of two storey side and rear extension with balcony, two storey rear extension, single storey rear extension with balcony, loft conversion including dormers to front and rear and rooflights, alterations to fenestration and extension and alterations to terrace including landscaping works and alterations to land levels at KEEPERS LEA, OLD SHIRE LANE, CHORLEYWOOD, WD3 5PW

The Chair announced that four Councillors would not be voting on this item due to not having been at the previous Committee and not taking part in the discussion. Therefore, Councillors Ruth Clark, Stephanie Singer, Andrea Fraser and Steve Drury would not vote.

There was no update on this application.

Councillor Sarah Nelmes said following the site visit the only view from the balcony was into a non-habitable room and therefore had no objection and moved the Officers recommendation for Planning Permission to be Granted.

Councillor Sara Bedford said that not all Members had gained access to the balcony as the site could not be accessed at the agreed time and therefore it was quite difficult to make a decision.

Councillor Philip Hearn said that four Councillors had been able to access the balcony. The views of Bullsland Gardens were quite a distance away and it would be difficult to argue that there was overlooking. The neighbouring property was closer but there were no windows that would be overlooked.

Councillor Steve Drury noticed that the balcony was not big enough for one chair let alone a table and chairs. Not much could be seen due to the trees.

Councillor Matthew Bedford asked if permission should be given with a condition to put a solid screen on the side.

Councillor Andrea Fraser said that this balcony did not overlook the neighbour and could not see a screen making a difference.

Councillor Sarah Nelmes motion that Planning Permission be Granted was seconded by Councillor Matthew Bedford.

On being put to the Committee the motion was declared CARRIED by the Chair the voting being 2 For, 0 Against and 4 Abstentions.

RESOLVED:

That Planning Permission be GRANTED in accordance with the Officer recommendation and the conditions and informatives set out in the officer report.

PC 91/22 **22/1974/FUL - Demolition of existing single storey side extension construction of loft conversion including roof extensions and rear and side dormers and front and side rooflights; erection of new vehicular access and gate with associated landscaping works including extension of driveway; internal alterations and alterations to fenestration at MERRY DOWN, COMMONWOOD, SARRATT, WD4 9BA**

The Planning Officer advised there was no update.

Councillor Philip Hearn asked what was the rationale for refusal. Although they were aware that it was within the Green Belt, the Councillor felt that it was off track of the main route and not increasing the footprint of the house and wondered how this was harming the openness of Green Belt. The Planning Officer said there were two reasons. The design and character were one reason; the dormer windows were not proportionate additions to the roof slope that they sat within. The second reason related to the Green Belt and that the proposal was disproportionate over and above the original house. The Officer presented the plans on screen to explain to members how this would result in harm to the Green Belt.

Councillor David Raw agreed with Officers regarding the dormer windows being oversized and wondered if they had applied for permission with gable dormers would that be more in line with the design aspect. The Planning Officer advised they could not comment on what would be acceptable and only on the current proposal.

Councillor Sara Bedford also agreed that the dormers were enormous. There were parts of Green Belt where they would not be out of place, but they would be in Commonwood.

Councillor Philip Hearn wondered if the concern was relating specifically to dormers or the additional floorspace of the house.

Councillor Sara Bedford said if we did not uphold the second reason on the disproportionate size of the additions then every small house in the Green Belt could be doubled or tripled. Councillor Bedford felt that the guidance must be upheld. Councillor Steve Drury agreed.

Councillor Chris Lloyd moved the recommendation to refuse Planning Permission seconded by Councillor Sara Bedford.

On being put to the Committee the motion was declared CARRIED by the Chair with the voting being 7 For, 0 Against and 3 Abstentions.

RESOLVED:

That Planning Permission be REFUSED (in accordance with the reasons set out in the officer recommendation)

PC 92/22 **22/2255/FUL - Installation of 7no. heat pumps with alterations to boundary treatments including timber fence at THREE RIVERS HOUSE, NORTHWAY, RICKMANSWORTH, WD3 1RL**

The Planning Officer said that there had been one further comment received from a member of the public regarding the air source pump and that they were not cost effective unless the building was insulated to the highest standard. The

comment also suggested that the Council's Green policy was being rushed into operation before the technology was proven. Batchworth Community Council had no objection to the proposal. A noise impact assessment had been received and this had been reviewed by the Environmental Health Team. The assessment set out that the equipment did require additional mitigation to meet the required noise reduction levels. The assessment recommended that the proposed timber fence to enclose units either be enhanced with additional timber cladding or replaced by absorptive timber barrier which would look the same. The applicant had confirmed they would provide the absorptive timber barrier. This would absorb some of the noise. Night time noise at one meter from the equipment would be 3 decibels below background noise, therefore the equipment would have no impact. The wording of Condition 3 would be changed to reflect this. This would be maintained while the heat source pumps were in place.

Councillor David Raw asked what the level of background noise was and would it be a constant noise. The Councillor also wondered if the two noises could be added together to make a louder noise. The Planning Officer replied that the typical background noise was 60 decibels in the day and 42 decibels at night. The acoustic fencing would result in there being a noise of 39 decibels, therefore it would not be discernible. It would be continuous but below background noise level.

Councillor Philip Hearn said the public's comments were around the benefits of heat pumps, the judgement should not be made regarding the benefits. Councillor Raw's concerns were understood and from the resident's perspective it could impact the quality of life if the wrong decision was made.

Councillor Sara Bedford stated that two noises could not be added together to make a bigger noise.

Councillor Matthew Bedford asked if Officers could clarify how far away the nearest houses were and why this was proposed for the upper deck of the car park and not the lower one where the sound would be more contained. The Planning Officer said the nearest neighbour was 26 metres from the eastern boundary from the site. They could not comment on why it was being placed on the upper deck of the car park.

Councillor Andrea Fraser asked if monitoring of sound levels could be included going forward to ensure it was keeping to the sound levels mentioned. The Planning Officer said that a condition could not be attached to monitor sound. The equipment should be maintained by the owner to retain the benefits.

Councillor Sara Bedford moved the recommendation as set out in the Officer report that Planning Permission be Granted. This was seconded by Councillor Ruth Clark.

On being put to the Committee the motion was declared CARRIED by the Chair with the voting being 7 For, 1 Against and 2 Abstentions.

RESOLVED:

That Planning Permission be GRANTED (in accordance with the officer recommendation and the conditions and informatives set out in the officer

report) with an amendment to Condition 3 to include acoustic fencing with the condition to read:

Condition C3

Notwithstanding the details on the submitted drawings, prior to the first use of the air source heat pumps hereby approved a 1.8 metre high fencing compound constructed of Jakoustic Absorptive fencing shall be constructed in the location as shown on Drawing No. TR1077-GED-TR-XX-DR-M-0002 Rev P05 and shall be permanently maintained as such thereafter whilst the air source heat pumps are in place.

Reason: In the interests of neighbouring amenity and the character and appearance of the locality in accordance with Policy CP12 of the Local Plan Core Strategy (2011) and Policies DM3 and DM9 of the Development Management Policies LDD (2013).

CHAIR