

Planning Committee MINUTES

**Of a meeting held in the Penn Chamber, Three Rivers House, Rickmansworth, on
Thursday, 19 August 2021 from 7.30 - 8.30 pm**

Present: Councillor Steve Drury (Chair) ,
Councillor Raj Khiroya (Vice-Chair)
Councillor Chris Lloyd
Councillor Sara Bedford
Councillor Debbie Morris
Councillor David Raw
Councillor Stephanie Singer (Reserve in place of Councillor Keith Martin)
Councillor Kate Turner (Reserve in place of Councillor Alison Scarth)

Also in Attendance:

Also in attendance: Councillor Matthew Bedford and Chorleywood Parish Councillor Jon Bishop

Officers in Attendance:

Officers: Claire Westwood, Adam Ralton and Sarah Haythorpe

PC48/21 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Alison Scarth, Keith Martin and Ruth Clark with Councillors Kate Turner and Stephanie Singer as the named substituted Members.

An apology for absence was also received during the meeting from a named substitute Member Councillor Phil Williams.

An apology for absence during the meeting was received from Councillor Alex Hayward.

PC49/21 NOTICE OF OTHER BUSINESS

There were no items of other business.

PC50/21 DECLARATIONS OF INTEREST

Councillor Steve Drury 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.”

PC51/21

21/1472/RSP - RETROSPECTIVE: CONTINUED USE OF GROUND FLOOR FOR TRAINING AND COUNSELLING ACCOMMODATION FOR CHARITABLE AND NOT-FOR-PROFIT ORGANISATIONS AT HILLSIDE COMMUNITY HUB, 4 SCHOOL MEAD, ABBOTS LANGLEY WD4 0LB

The Planning Officer reported some amendments to the Conditions. The first alteration was to Condition 2 to clarify that the restriction on the number of attendees to 12 applies between 5.30pm and 9.30pm Monday to Friday evenings and also on Saturday afternoons - this was to ensure that the Condition reflected the existing situation limiting the number of attendees on these days and times. The second alteration was Condition 3 to remove the reference to Wards Councillors. This wording had been carried over from a previous planning permission but officers did not consider this particular stipulation was precise or necessary. There was also a spelling error in Condition 3 and it should read “this permission shall ‘enure’...” removing the word ensure.

In accordance with Council Procedure Rule 35(b) a member of the public spoke against the application.

Ward Councillor Matthew Bedford referred to the front elevation of the hall on the plans. The single story element of the hub at the side was where meeting rooms 1 and 3 were. If it was only changes to those rooms there would not be an issue. But within the main building was room 2 with the bay window, which was integral to the house and below where the resident lived. If you walked into the hall of the resident you could see on the right hand side the doorway into that room which although boarded up the doorway had remained. There was an internal wall between the house and the meeting room which was below the main bedroom of the resident. There was no sound insulation between the meeting room and the resident above and you can hear the noise from the meeting room upstairs which could be extremely intrusive and disturbing. The Councillor had contacted Watford Community Housing Trust (WCHT) and asked them if they were prepared to put in sound proofing but after some time they had advised they had no plans to do this. The Councillor did not feel they had been helpful in their approach and urged the Committee to consider what restrictions can be included and would be appropriate for that room which was very much internal into the house.

Councillor David Raw asked if officers could confirm how long this building had been in use for and the changes being proposed.

The Planning Officer advised that the building had previously been a Doctors surgery until 1975 when it changed to an office. It became an Estate Management office in 1989 and had always been for non-residential use. The proposed changes related primarily to the number of people allowed in the rooms. The existing use had a number of restrictions which included only being able to use between 8.30am to 17.30 Monday to Friday and not at all on Saturdays and Sundays. It was able to be used Monday to Friday evenings

and Saturday afternoons for meetings and that element was not proposed to be changed so the general hours of use would not change. There was an existing condition which said it should not be used for more than 4 evening meetings a month and not more than one Saturday per month. The prime change was around the number of people for meetings held outside the normal operating hours which could currently not be attended by more than 6 people but this application seeks to increase that to 12 and one evening a month to 18.

Councillor Sara Bedford provided details on the use of the property. After Watford Council had sold the property to WCHT in 2008 this was changed from the Estate office open Monday to Friday 9:00 to 17:00 hours to enable people to pay their rents etc. and was given to the Hillside Residents Association who had set themselves up a few years previously. The Residents Association opened 2 mornings a week, which varied each week. The Councillor had set up the Watford Credit Union which had met there once a week. The use had been during daytime hours and occasional evenings when they run a weekly computing course which accommodated about 6 people. The use had not been one which had been noise generating. Members were not querying the side extension although even there the rooms were small and the size of a small house living room. The Ward Councillor had mentioned the lack of sound proofing in Room 2 and had highlighted the resident above was able to hear the conversations taking place in that room. The Councillor did not want to block the application totally but they did have a problem with the opening hours and the use. On the use of room 2 underneath the resident's bedroom they would like to see the door locked outside of the hours of use. They said we all knew what happens when you find a spare room and there had been some catering things in there, people go in and gossip, laugh and chat which was all normal but not underneath a person's bedroom at 21:30 hours. Also when you have a spare room and a couple of meetings taking place the urge was to move into the spare room. The temptation to use a spare room in a building would always be there.

Councillor Sara Bedford moved that retrospective planning permission be granted but have included in the Condition that after 17:30 hours the door of room 2 be locked and not opened again until 9am in the morning which would make it much more difficult for that temptation to occur. It should not be up to the neighbour to go round to advise that they should not be using the room. If Members were looking at changing the available use of the building it was not reasonable to be used on Saturday afternoons. We would not normally allow construction to take place on Saturday afternoons and they did not think there should be meetings taking place at this time in the building. The Member also wished to see a reduction in the number of meetings, it was not used for meetings every night of the week and was made clear what those meetings were. They did not want the building to be allowed to be open for social activities. They were happy for it to be used for counselling or meetings like this. The increase in the number of people allowed to use the premises to 12 and 18 once a month was not reasonable. The 18 should be removed completely and 12 was also too high. To have 12 people in the rooms would create too much noise and have the expectation that a few more people can squeeze in. They wanted the number reduced to a figure nearer to six. It had never been a social building and should not be allowed to become one now.

The Planning Officer responded by advising that in terms of room 2 being locked that could be added into Condition 2. The last sentence would therefore read "There shall be no meetings/consultations or similar whatsoever between the hours of 17:30 and 21:30 within meeting room 2 (as shown on Plan Number

A1.1) and that meeting room shall be locked during that time.” Reducing the number of attendees from what was being sought tonight, that was to be controlled by Condition 2. The Committee could consider that the number of attendees proposed was excessive and officers could look at changing those numbers down. On the other points on the opening hours and Saturday/Sunday use the difficulty officers would have was at the moment it was permitted to be open in the evenings and on Saturday afternoons so if the Committee wanted to restrict these hours further from what they were now officers would need some form of justification for that restriction.

Councillor Debbie Morris said the Local Councillor had mentioned that they had approached WCHT on the sound insulation but it had dismissed but it did seem that sound proofing would be beneficial and asked if permission was granted could a condition be included that the change of hours was conditional on appropriate sound proofing insulation. The Member agreed with the officer on the difficulties in reducing the existing use of 18 people per month on one evening although they thought it was rather a large number. To exclude Saturday use may deprive members of the community who work during the week or have family commitments and would be reluctant to drop that. The Councillor wondered if it would be possible to time limit the permission to see how it went, if the application was granted. The resident seemed to indicate that the problem was use outside of the permitted hours which was an enforcement question and not an issue for the Committee tonight.

Councillor Sara Bedford agreed it was very much an enforcement issue but this application had only been submitted because they had found the historic planning conditions for the building and found they were not currently complying with them which was why the application had been submitted. With regard to the officer’s comments on how Members could limit what they have already, they had requested a change of use. If they wanted to continue to do what they had already in the building, which was for an occasional meeting, that was fine but they were not able to keep the best of the planning conditions and get rid of the ones which were not convenient. They have to expect that the Committee may want to change the conditions. If they want a change of use they will need to look at a change of hours as the change of use will be more disturbing than the use for which they have permission which was as an Estate office which was what it was until a few years ago. The reference to Ward Councillors was in there as local Councillors used to have their monthly advice meetings there but didn’t think this was now happening.

Councillor Stephen King wanted to see the times changed with 21.30 hours to 8.30 hours. It seemed to them that having meetings to 21.30 hours at night could see the meeting rooms in use until 22:00 hours. If you stop the use from 21.30 hours until the morning that would look to resolve the situation.

The Planning Officer advised that the wording of Condition 1 was that “the use shall only be carried on during the hours of 8:30 and....” Which was an error and wished to propose to the Committee, if they wished to vote on this, that Condition 1 be worded as follows: “shall be carried on between the hours of 8:30 and 21:30 hours” that would preclude it from being used outside of those times.

Councillor David Raw referred to what the speaker had said which was that the inconvenience was in the morning after a night shift. Was the resident working different hours now and the hours of use were not suitable or were the Committee looking at changing something because it needs changing or are we changing something for the resident and their work patterns.

Councillor Sara Bedford clarified that after the resident had completed a night shift Saturday night and had come home at 5am was woken up Sunday morning by a meeting taking place which was not permitted on a Sunday. It was not about having the hours around the work shifts it was about not having meetings on Sundays which was not reasonable for anyone. No-one would expect the premises to have to close during normal office hours.

Councillor Sara Bedford as the proposer of the motion moved a further amendment that the Saturday hours be brought forward slightly to either side of midday and allow use of the building between 11:00 hours and 15:00 hours rather than going on until 17:30 hours and leaving at 18:00 hours.

The Chair advised that if the Committee were looking to keep meeting room 2 locked then they were not necessarily sure that the other two meeting rooms would be large enough to hold 18 people. The size of the rooms in this building were the same size as a 3 bedroom house and thought having 18 people in them would be too many. The Chair could understand 12 and would be happy with that with meeting room 2 closed but 18 was too many for the other two rooms.

Councillor Debbie Morris asked for comments from officers on the requirement via a Condition to have sound insulation installed and whether the extension of the hours could be time limited so that Members can see how it goes. The Councillor was supportive of the proposal by Councillor Sara Bedford that the hours on Saturday be 11:00 to 15:00 hours which seemed reasonable but would it work for the organisation.

The Planning Officer advised that they struggled to see that the proposed use was so different to the existing that they could justify why sound insulation was needed when it was more the number of people than the hours which were significantly changing. Ultimately if the Committee consider that the use was different to previous, that may be enough that officers could ask for the sound insulation to be retro fitted to the building. Members could add a Condition requesting that within 3 months of the permission being granted the applicant be asked to submit details to the Local Planning Authority (LPA) on what sound insulation measures they would install in consultation with Environmental Health colleagues. If they were of a nature that would provide some insulation to the property then these can be approved and the LPA would require them to be installed within 3 months of the measures being approved by us. As long as there was an explanation in the minutes, should there be an appeal, on the purpose of having the measures to be put in place. With regard to the temporary planning permission the officer struggled to see how the proposed use of the site was so different that we could only allow on a temporary basis. If Members wanted to restrict the use hopefully the three conditions suggested with the proposed amendments on the reduction of hours and number of people should be enough and a more defensible way of reducing the impact than a temporary planning permission.

Councillor Stephanie Singer wondered when WCHT were asked about the sound insulation was the disinterest due to cost or did they have no interest.

Councillor Raj Khiroya said as this was a retrospective application the organisation were already using the hub during the hours stated.

The Planning Officer advised that they did not know for certain and did not have the details before them to say that was correct.

Councillor Raj Khiroya wondered if the applicant was aware of the tenant upstairs and that consideration should be given to that. What the Committee had in front of them was around one needing the space and one needs of the resident.

Councillor Chris Lloyd had listened to the debate and the speakers and wished to second the proposals from Councillor Sara Bedford but asked the Officer to clarify all the points before the Committee voted.

Councillor Debbie Morris referred to the officer comments on the justification for a condition relating to sound insulation. They thought there was a very big change of use at the premises. It was now proposed to be used Monday to Friday each week and double the number of people from 6 to 12. This was an increase in intensity and wished to add a condition regarding the sound insulation.

Councillor Sara Bedford was happy to add the condition on sound insulation.

The Planning Officer reiterated the existing 3 conditions first. Condition 1 currently stated that the use shall be between 8.30 to 21:30 Monday to Fridays and between 12:30 to 17:30 on Saturdays. The officer was not aware of any debate on changing the Monday to Friday times but there had been debate on amending the Saturday hours to 11:00 to 15:00 and no use on Sundays and Bank Holidays. On Condition 2 the maximum number of attendees to be 12 although Members were saying that was too many, but they have permission for 6 at present, but no one had suggested an alternative number to 12.

Councillor Sara Bedford made a suggestion that the Committee go with 8 as the use was meant to be for counselling and similar type services.

Councillor David Raw said with regard to the sound insulation it would be a considerable cost.

The Planning Officer advised that on Condition 2 the maximum number of attendees could be 8 between 17:30 and 21:30 Monday to Friday but daytime attendees there is no maximum. The Saturday attendees would the same restriction of 8 between the hours of 11:00 to 15:00. There can be a maximum number of attendees on one evening per calendar month of 18 people.

Councillor Steve Drury moved that the 18 people be reduced to 12 and not to use Room 2 and have this room locked. The remaining rooms would not be able to hold 18 people.

Councillor Sara Bedford supported this amendment.

The Planning Officer said the Condition with regard to the number of attendees on one evening per calendar month can be amended to 12 between 17:30 and 21:30 hours. No meetings or consultations or similar whatsoever between 17:30 and 21:30 in meeting room 2 and that meeting room 2 should be shut and locked during that time. Councillor Sara Bedford proposed that the wording be amended to state "no use".

The Planning Officer said with regard to Condition 3 it would be as stated at the beginning of the debate with regard to use by Councillors.

Councillor Sara Bedford asked on Condition 3 would WCHT be able to rent the rooms out for someone else to use that was not Three Rivers District Council or Watford and Three Rivers Trust (W3RT). Members did not want someone to be able to rent a room for a music lesson. It must be clear that the building is

not to be rented out to any other body or the applicant will say they need to make some money and hire it out.

The Planning Officer said this could be added to the end of Condition 3 to make it clear and that it would read "This permission shall enure for the benefit of Watford and Three Rivers Trust, Three Rivers District Council and Watford Community Housing only and for no other person, company, firm or organisation or for hire."

Councillor Chris Lloyd asked that the wording of the conditions be circulated to the Committee for agreement after the meeting.

The Planning Officer advised they would circulate them after the meeting. A new condition 4 would be added requiring sound insulation details to be submitted to the LPA for approval and to be implemented with details submitted within 3 months and 3 months to install for the wall and ceiling which they thought was reasonable.

Councillor Sara Bedford said they had been able to get a quote which was around £1,000 and the ceiling would be a standard response. 3 months was a very long time to ask someone to come up with standard soundproofing and thought it should be 2 months and 2 months as they had their own workforce.

The Planning Officer agreed the length of time could be shortened to 2 months and 2 months.

On being put to the Committee the motion with the amendments was declared CARRIED by the Chair the voting being unanimous.

RESOLVED:

That Retrospective Planning Permission be GRANTED as per officer recommendation with amendments to Conditions 1, 2 and 3, and one additional condition requiring details of sound insulation measures to be submitted to the LPA for approval.

The wording of the Conditions to be agreed as follows:

C1 The use of the premises hereby permitted shall only be carried on between the hours of 08.30 and 21.30 Mondays to Fridays and between 11.00 and 15.00 on Saturdays and at no time on Sundays or Bank or Public Holidays.

Reason: To safeguard the residential amenities of the occupiers of neighbouring properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C2 The use of the premises hereby permitted in accordance with Condition 1, shall have a maximum number of 8 attendees between the hours of 17.30 and 21.30 Monday to Fridays and between the hours of 11.00 and 15.00 on Saturdays. The only exception to this attendance is a maximum of 12 attendees on 1 evening (between 17.30 and 21.30) per calendar month. There shall be no use of meeting room 2 (as shown on Plan Number A1.1) between the hours of 17.30 and 21.30 and that meeting room shall be locked shut during that time.

Reason: To safeguard the residential amenities of the occupiers of neighbouring properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

- C3 This permission shall enure for the benefit of Watford and Three Rivers Trust, Three Rivers District Council and Watford Community Housing only and for no other person, company, firm or organisation or for hire.

Reason: To seek control on how the premises is used in order to safeguard the residential amenities of the occupiers of neighbouring properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

- C4 Within two months of the date of this permission, full details and specifications of sound insulation measures to be installed to the wall and ceiling of meeting room two (as shown on Plan No. A1.1) to reduce sound transfer between meeting room two and the adjacent residential premises shall be submitted to the Local Planning Authority for approval. The sound insulation measures shall thereafter be installed in accordance with the details approved by this condition, within two months of the date those details are approved and permanently maintained thereafter.

Reason: To ensure the premises in its proposed use provides for adequate noise insulation to mitigate against the impact of the increased maximum number of users of the premises on the amenities of the occupants of the adjoining dwelling, in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

PC52/21

21/1508/FUL – FIRST FLOOR EXTENSION TO CREATE TWO STOREY DWELLING INCLUDING INCREASE IN RIDGE HEIGHT, SINGLE STOREY REAR EXTENSION, FRONT PORCH, INSULATED RENDER CLADDING, ALTERATIONS TO FENESTRATION AND ASSOCIATED LANDSCAPE WORKS INCLUDING EXCAVATION, EXTENSION TO DRIVE AND INSTALLATION OF RETAINING WALLS TO FRONT AND REAR AT 112 WHITELANDS AVENUE, CHORLEYWOOD, WD3 5RG

The Planning Officer referred to the planning history section of the report and stated that application 21/1346/FUL - Landscaping work to front garden including reduction in land levels and retaining wall to accommodate new parking space and new stepped and ramped access – had been approved at the meeting on 12 August 2021. This application was essentially the amalgamation of two previously permitted applications which included the construction of a first floor level via a prior approval application and a ground floor rear extension and front porch via a certificate of lawfulness which was set out in the planning history. The only real changes were in terms of the external materials, the windows, and also alterations to the frontage although they had now submitted a separate application. With regards to the Chorleywood Neighbourhood Plan this was detailed in the officer report and was a material consideration. It was worth pointing out that planning history was also a material consideration and reiterated the point that a prior approval application for a first floor extension had already been permitted and could be implemented on site.

Chorleywood Parish Councillor Jon Bishop said the Parish objected principally on the basis of Policies 4.1 and 4.2 of the Chorleywood Neighbourhood Plan and also that the development would be contrary to Policy CP1 of the core strategy. The development would oppose the character of the surrounding

area. The proposed design would have a ridge height higher than the two storey house next to it which was up the hill and would be imposing on the bungalow next to it. Policy 4.1 stated that in specified areas, including this area in Whitelands Avenue, the conversion of a bungalow into a multi-level dwelling would not be allowed. The property would not have a bedroom or bathroom downstairs and would result in the diminishment of the supply of housing for the reasons fully explained in the Local Plan. Policy 4.1 also applied. It was accepted that permitted development was possible but the development goes beyond permitted development and must be considered against the Districts Development plan to which the Chorleywood Neighbourhood plan was part of. There had been some misapprehensions about the Neighbourhood plan and that it was subordinate to the Local Plan and but that was not true under the current legislation and the Neighbourhood Plan became part of the Development Plan at the same level as the Local Plan. As part of the Neighbourhood Plan a community survey was undertaken and in the section which allowed residents to say what sort of housing the top 3 wishes were smaller affordable homes, bungalows and homes for the elderly. There was a very limited stock of bungalows in the parish and there had been a significant number lost over the last 5 years.

The Planning Officer said in terms of impact on neighbours and as set out in the report there was no intrusion of the 45 degree line which was the LPA's general assessment in terms of assessing impact. In terms of the single storey element the depth was 3 metres and the LPA often allow up to 4 metres. In relation to this property officers felt that the relationship to the neighbours was acceptable. There would be a higher ridge than the neighbours and it would be distinctive in the street scene but at the same time there would be spacing between the properties and there was already a varied street scene. Officers did not think the increase in height would result in demonstrable harm to warrant refusal of planning permission. There was a varied street scene in terms of materials and there was cladding on the neighbouring property and officers felt that the materials proposed were acceptable. In terms of the differences to the PVC window it did require planning permission due to the size of it. One of the drawings plan showed the outline of what can be constructed under permitted development in terms of the size with the difference being in terms of the materials. The prior approval required the use of matching materials to those existing whereas they were now proposing an alternative with regards to the rendering and other materials, however, the scale of the extensions was the same. With regards to the Local Plan officers agree with the Parish Council comments and the Neighbourhood Plan was a material planning consideration and was taken into account for all relevant applications but it should not be taken in isolation but viewed along with other statutory development plans and considered as a whole. For the reasons set out in the report officers consider that this application was acceptable hence the recommendation.

Councillor Sara Bedford asked what is allowed under permitted development and what is not, clarification on materials and whether they could implement the permissions all at the same time.

The Planning Officer referred to the drawings and the drawing of the existing bungalow. The green outline showed the outline of the prior approval for the increased ridge height. The bungalow was quite square at present and it was about lifting up a storey and showed what can be constructed under permitted development. Separate to that there was the front porch which was not shown and the 3 metre deep rear extension. Under permitted development there was a requirement that it be constructed in materials that match the existing but they were proposing alternative materials. It was the green outline plus a porch and the 3 metre rear extension which form part of the permitted development. The planning history section of the report showed at Point 1.2 the certificate of

lawfulness which was granted for the single storey rear extension and front porch and at Point 1.4 it stated the prior approval application which was permitted for the enlargement of the dwelling house by the construction one additional storey. There were two separate types of permitted development but they could all be implemented within permitted development if permission was refused. They could essentially still do it all but would have to use materials to match the existing. The permitted development and separate building operations is slightly different in that they are stand-alone aspects and not that the porch and single storey element are aligned on the first floor element so they are separate building operations.

The Chair said according to Point 1.2 it stated application 21/1345/CLPD - Certificate of Lawfulness Proposed Development: Construction of single storey rear extension, front porch and insertion of door to side elevation - 19.07.2021 had been permitted and could be undertaken at the same time. The Planning Officer confirmed this was correct and the other Points reference at Point 1.4.

Councillor Debbie Morris understanding was that everything in this application was already permitted except for the change of materials and the Parish Council did not speak against the change of materials the Councillor moved the recommendation that Planning Permission be Granted subject to the conditions and informatives set out in the officer report, seconded by Councillor Chris Lloyd.

On being put to the Committee the motion was declared CARRIED by the Chair the voting being 7 For, 2 Against and 0 Abstentions.

RESOLVED:

That Planning Permission be GRANTED subject to the conditions and informatives set out in the officer report.

CHAIR