

HERTSMERE BOROUGH COUNCIL

PLANNING COMMITTEE

**Minutes of the meeting held in Council Chamber - Civic Offices and
remotely - Online**

11 November 2021

Present:

Voting Members:

Councillors Silver (Chair), Rosehill (Vice-Chair), Briski, R Challice, Graham, Gray, Lyon, Quilty, Richards, Spencer and Turner

Also Present:

Councillors

Officers:

P Geraghty	Executive Director
R Whear	Head of Planning & Economic Development
S Chughtai	Legal Services Manager
S Laban	Development Team Manager
S Richards	Principal Planning Officer
P McIntosh	Principal Planning Officer
W Clarke	Senior Planning Officer
M Sanders	Senior Planning Officer
M Pengelly	Planning Officer
S Jain	Climate Change and Sustainability Officer
M Lowe	Principal Democratic Services Officer
L Hammond	Democratic Services Officer

260. **MEMBERSHIP**

The Chair welcomed everyone to the meeting and noted that Officers and non-committee Members were participating online and the Press and Public were able to view the meeting live on the Council website.

Councillor Challice substituted for Councillor Newmark.
Councillor Richards substituted for Councillor Evans.

261. **COMMUNICATIONS AND APOLOGIES FOR ABSENCE**

Officers had circulated and published the minutes of the last meeting held on 10 October 2021 together with papers detailing amendments

and additional information in connection with the applications on the agenda, copies of which had been made available to Members of the Committee, the press and the public.

Apologies for absence have been received from Councillors Evans and Newmark.

262. **DECLARATIONS OF INTEREST**

Councillor Richards declared a non-pecuniary interest in Item 5D, 21/0050/FULEI - Land North of Butterfly Lane, Land surrounding Hilfield Farm and Land West of Hilfield Lane, near Aldenham, Hertfordshire. The reason for this was that he had expressed his objection to the application in January 2021. He would leave the room during the discussion and vote on this application.

263. **MINUTES**

RESOLVED that the minutes of the meeting held on 14 October 2021 be approved and signed as a correct record.

264. **PLANNING APPLICATIONS FOR DETERMINATION AT THE MEETING**

Consideration was given to the planning applications listed at Item 5 of the agenda and the amendments and additions sheet as tabled by Officers.

264.1 **21/1338/FUL Prestige House, 16 Melbourne Road, Bushey, Hertfordshire, WD23 3LN**

Noted the receipt of additional information as set out in the published addendum.

The application had been deferred from the Planning Committee, held on the 22nd September 2021. The application had been deferred on all matters as Members remained concerned that there had been a recommendation on the appraisal of the viability assessment which appeared to have not been completed and that the profit level had been set too high.

The Committee received a detailed on-line presentation from representatives from Aspinall Verdi, at the conclusion of which, Officers addressed the following concerns of Members.

In response to remaining concerns raised by Members, the Head of Planning and Economic Development explained that the requirement to assess against a profit level of 17.5% was considered to be a reasonable position. The GDVI was a professional opinion put forward by Officers on the basis that this would be a true position taking into

account actual values and actual costs. To reduce the figure to less than 17.5% may not be defensible.

Other concerns included the lack of affordable housing and amenity space. The proposed scheme would result in residents having to park on the already busy main road. Officers advised that, the proposed application would not be in a CPZ area and parking would be controlled under a double yellow line scheme, which would be enforced.

RESOLVED that Planning permission be GRANTED, subject to the conditions set out in the Officer's report and completion of a satisfactory Section 106 agreement or Unilateral Undertaking.

6.40pm Councillor Spencer arrived in time to participate in the debate and vote.

264.2 **21/0727/FUL Land Adjacent To 1 - 7 Brick Kiln Close, Watford, Hertfordshire**

Noted the receipt of additional information as set out in the published addendum.

Mr B Lee spoke against the application.

Mr D Bond spoke in favour of the application as agent on behalf of the applicant.

Councillor P Rutledge spoke against the application as Community Advocate.

Officers, in response to concerns raised by Members regarding the steep elevation of the site, the safety of residents due to potential flooding and disabled access, explained that it was their view, in consultation with the Council's Environmental Health Team and the Local Resilience Team at Hertfordshire County Council, that the proposed emergency flood evacuation plan was acceptable. There was no planning policy regarding access arrangements.

RESOLVED that planning permission be **GRANTED** subject to the conditions set out in the Officer's report.

264.3 **21/1493/FUL 27 Leeming Road, Borehamwood, Hertfordshire, WD6 4EB**

Noted that no additional information had been received or circulated in relation to the item, which had been brought forward for determination by Committee because Hertsmeire Borough Council owned the premises.

RESOLVED that planning permission be **GRANTED** subject to the conditions set out in the Officer's report.

At 7.27pm the Chair adjourned the meeting.

Councillor Richards left the meeting having declared a non-pecuniary other interest in Item 5D.

7.42pm The Chair reconvened the meeting. Sarika Jain, Climate and Sustainability Officer joined the meeting.

264.4 **21/0050/FULEI Land North of Butterfly Lane, Land Surrounding Hilfield Farm and Land West of Hilfield Lane, near Aldenham, Hertfordshire**

Noted the receipt of additional information as set out in the published addendum.

Mr M Jefferies spoke against the application.

Mr S Wheeler, as the applicant, spoke in favour of the application.

Councillor C Clapper spoke against the proposal as Community Advocate.

Members raised concerns regarding:

- Very special circumstances had not been demonstrated to justify the development of the site.
- The proposal would be inappropriate development of the green belt, which would destroy 130 ha of 'prime' green belt.
- There was no requirement for the solar farm to be located within the green belt. Nor would there be any direct or immediate benefit to residents of the Borough, with few employment opportunities.
- At the end of the 35 year lease, it was considered to be very unlikely that the land would return to open agricultural land.
- The proposal would be more appropriate if it were located on brownfield sites.
- The proposal was not the type of development that was chargeable under the Community Infrastructure Levy Regulations.
- The number and coverage of the proposed solar panels, the size of the battery storage units were extensive and would obstruct the openness of the green belt.
- Local residents, from across the Borough, would lose the benefits of being able to walk the network of the public footpaths on open farm land.

- It was important to the Borough to retain and protect the openness of the green belt, not just for residents of the Borough but for visitors from London and surrounding areas.
- Objections had been raised by Historic England regarding the impact on nearby heritage assets, some of which were highly graded.

The Committee recognised the national need for the production of renewable energy but agreed that the proposal was overdevelopment in the green belt and was inappropriate on this site.

Officers stated that there was no reason to believe that the output from the development would exceed the export limit of 49.9MW of electricity, and that the Council had commissioned expert consultants who had confirmed this. If a development were installed that was different to that which had been proposed in the application it would be an unlawful development and not in accordance with the terms for which the application had been granted.

The Head of Planning, in addressing concerns from Members regarding the amount of electricity that would be generated on the site confirmed that the solar farm would generate up to 49.9MW of renewable electricity. This was just below the maximum capacity for which an application for planning permission may be considered by a Local Planning Authority under the Town and Country Planning Act; installations with a capacity of more than 50MW were considered to be nationally significant infrastructure projects, and such applications must be submitted to central government and determined by the Secretary of State for Energy.

Having heard the concerns of the Committee Councillor J Graham proposed that the application be refused for the following reasons:

The proposal would be an inappropriate development that would be harmful to the openness of the Green Belt in which it would be located. The scheme would have a detrimental impact on the nearby heritage assets and would not bring any benefits to the Borough. This was seconded by Councillor F Turner.

On being put to the vote there were nine votes for and one abstention.

RESOLVED that planning permission be **REFUSED** for the following reasons:

The proposal would be an inappropriate development that would be harmful to the openness of the Green Belt in which it would be located. The scheme would have a detrimental impact on the nearby heritage assets and would not bring any benefits to the Borough.

Noted the current planning appeals and appeal decisions as set out at Item 6 of the agenda.

266. **ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT**

There was none.

267. **DATE OF NEXT MEETING**

The next meeting was scheduled for Thursday, 9 December 2021 at 6pm.

CLOSURE: 9.21 pm

CHAIR