

**NORTH HERTFORDSHIRE DISTRICT COUNCIL**

**LICENSING AND APPEALS COMMITTEE**

**Minutes of a meeting held at the Council Offices, Letchworth  
on Thursday 13 April 2006 at 3.00 p.m.**

**PRESENT:** Councillors A. Bardett, Paul Clark, J.M. Cunningham, and Mrs L.R. Kercher.

**IN ATTENDANCE:** Planning Control & Conservation Manager, Principal Planning Officer (Eastern Area), Landscape Architect and Committee & Member Services Officer.

**ALSO PRESENT:** 10 members of the public.

**1. PROCEDURE**

Councillor Mrs L.R. Kercher was elected as Chairman for Agenda Item 2 – Planning Application Reference Number 05/01403/1 – Land Off Picknag Corner, Picknag Road, Barley.

Councillor J.M. Cunningham was elected as Chairman for Agenda Item 3 – Planning Application Reference Number 05/01901/1 – Land South of A505 and North West of Greenfield, Royston.

The Chairman ascertained that all parties present were satisfied to adhere to the suggested procedure as circulated with the agenda for the meeting.

**2. PLANNING APPLICATION REFERENCE NUMBER 05/01403/1 – LAND OFF PICKNAG CORNER, PICKNAG ROAD, BARLEY**

In accordance with the agreed procedure, the Chairman ascertained that the below mentioned people were appearing before the Licensing & Appeals Committee.

Applicant	Mr Brian Cashman (Finlow Holdings Ltd)
Applicant's Representatives	Mr Kevin Hines (TKHP Architects) and Ms Stacey Rawlings (Bidwells)
Objectors	Mr Jeremy Carlisle (Chairman, Barley Parish Council)
Representative of Royston & District Committee	Councillor Howard Marshall
Planning Control Representatives	Simon Ellis (Principal Planning Officer (Eastern Area)) and Mary Caldwell (Planning Control & Conservation Manager)

The Licensing and Appeals Committee received a report of the Head of Planning and Building Control which clarified that in accordance with its Terms of Reference, the Royston & District Committee had referred the above application to the Licensing and Appeals Committee for determination. At its meeting held on 15 March 2005 (Minute 118 refers) the Committee had concluded that there was sufficient justification for an exception to be made to the relevant planning policies, and recommended that permission be granted against an officer's recommendation of refusal.

In accordance with the agreed procedure, the Principal Planning Officer presented his case to the Committee and highlighted the reasons for refusal, then responded to questions from the Committee, Objectors and Applicant's Representatives. The Principal Planning Officer clarified the location of the Village Boundary of Barley and stressed that the Local Plan only allowed for development outside such boundaries in exceptional circumstances where the

applicant could clearly demonstrate that no other sites were available, which he felt was not the case in this instance.

The Applicant's Representatives stated that Ms Rawlings would be speaking on the policy aspects of the application, whilst Mr Hines would be speaking on the design aspects of the application. Ms Rawlings stated that the proposed dual use of the site for commercial offices and a nursery school could not be split and so the Committee should make their decision accordingly. She also informed the Committee that other sites had been assessed when investigating relocation of the nursery but none had been suitable. Mr Hines stated that the Principal Planning Officer's aesthetic judgements on the proposed design were subjective, and that he felt the new building proposed would only improve what was seen on the periphery of the village by people approaching the village and not adversely impact on the amenities of adjoining properties.

The representative from the Royston & District Committee then gave the views of the Committee on why the application should be granted. He informed the Committee that he had called the application in for the Committee to determine whether there were sufficient circumstances to justify an exception to the Local Plan. Councillor Marshall stated that, whilst it was subjective whether people found the proposed design attractive, the existing buildings were in a dreadful condition and the replacement would provide a better view on approaching the village. He also said that although the proposed building was large, it would be difficult to imagine one that was more sympathetic to rural design.

The Chairman invited the objectors to put their case against the application and Mr Carlisle made a brief statement reiterating their objection to the granting of the application, as previously circulated to the Committee. He also stressed that, as most of the children who attended the nursery were not from the village of Barley, it was not essential for the nursery to be located within the village and therefore suggested that the applicants should explore alternative locations elsewhere.

The Chairman then gave the Officer, the Applicant and the Area Committee representative the opportunity to make a final statement in support of their views.

Members of the Licensing and Appeals Committee then voted by clear show of hands and determined the application.

**RESOLVED:** That in the case of planning application number 05/01403/1, planning permission be **REFUSED** as per the report of the Head of Planning and Building Control.

**3. PLANNING APPLICATION REFERENCE NUMBER 05/01901/1 – LAND SOUTH OF A505 AND NORTH WEST OF GREENFIELD, ROYSTON**

In accordance with the agreed procedure, the Chairman ascertained that the below mentioned people were appearing before the Licensing & Appeals Committee.

Applicant	Mr Philip Beer & Mr R. Evans (John Dickinson Stationery), Mr Peter Jarman (Wrenbridge Investments (Cambridge) Ltd)
Applicant's Representatives	Mr Graham Lockhart (SMC) and Ms Stacey Rawlings (Bidwells)
Objectors	None
Representative of Royston & District Committee	Councillor W.M. Davidson
Planning Control Representatives	Simon Ellis (Principal Planning Officer (Eastern Area)), Paul Stevens (Landscape Architect) and Mary Caldwell (Planning Control & Conservation Manager)

The Licensing and Appeals Committee received a report of the Head of Planning and Building Control which clarified that in accordance with its Terms of Reference, the Royston & District Committee had referred the above application to the Licensing and Appeals Committee for determination. At its meeting held on 15 March 2005 (Minute 118 refers) the Committee had concluded that there was sufficient justification for an exception to be made to the relevant planning policies, and recommended that permission be granted against an officer's recommendation of refusal.

In accordance with the agreed procedure, the Principal Planning Officer presented his case to the Committee and highlighted the reasons for refusal, then responded to questions from the Committee and the Applicant's Representatives. The Principal Planning Officer drew the Committee's attention to the timetable for the production of the Local Development Framework, as set out in paragraphs 2.5 to 2.8 of his report, and stressed that the allocation of land for employment or other use was not for the Committee to decide but would occur during that process.

In response to questions from the Committee, the Planning Control & Conservation Manager stated that the Tesco site was within the Royston development limits as it was recognised as allocated for shopping provision during the allocation process for the District Local Plan. She noted that there was only one area of land within the development limits for Royston which was allocated for employment purposes that was available for development, but stressed that the Council could not say with any certainty what other land was to be allocated for employment use under the review and development of the Local Development Framework process.

The Applicant's Representatives stated that they believed it was justifiable to set aside policy objections as John Dickinson Stationery was a local business, there was a lack of viable alternative sites, no other land was available within the site, and the policies and Local Plan were out of date. They outlined the company's current situation for the Committee stated that, whilst they were aware that the Local Development Framework process was underway, they needed a site now. In response to questions from the Committee the Applicant's Representatives confirmed that alternative sites had been explored but that this site had been identified as the best because of the location, the amount of land available and the proximity of major transport links such as railways, airports and motorways.

The representative from the Royston & District Committee then gave the views of the Committee on why the application should be granted. He stated that the Committee felt that John Dickinson Stationery would bring more employment to Royston, which was something the Council was trying to encourage, and that if the company was forced to leave the area because of lack of suitable land, jobs would be lost. Councillor Davidson further stated that the Committee felt that it was inevitable that the land would be allocated to industrial use during the Local Development Framework process.

The Landscape Architect informed the Committee that there was a high level of uncertainty whether the proposed landscaping and woodland would thrive and reach a full level of maturity due to the soil composition at the proposed site. He also stated that even if the Local Development Framework did allocate this land for employment or industrial development there would be future opportunities for enhancement and improvement works in the area, including measures such as cycle routes and footpaths. Granting this planning application at this point in time would preclude this opportunity to provide an enhanced landscape for future generations.

In light of the content of the Landscape Architect's statement, the Chairman informed all parties that he would depart from the prescribed procedure and allow the Applicant's Representatives and the Area Committee's representative to ask the Landscape Architect questions. During his responses to questions from the Applicant's Representatives the Landscape Architect stressed that it would be possible to have some landscaping growth, but that it would need very careful management.

The Chairman then gave the Officers, the Applicant's Representatives and the Area Committee's representative the opportunity to make a final statement in support of their views.

Members of the Licensing and Appeals Committee then voted by clear show of hands and determined the application.

**RESOLVED:** That in the case of planning application number 05/01901/1, planning permission be **REFUSED** as per the report of the Head of Planning and Building Control.

The meeting closed at 5.42 p.m.

.....  
Chairman