

NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

**MEETING HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES. GERNON ROAD,
LETCWOTH GARDEN CITY ON WEDNESDAY, 16TH JANUARY, 2019 AT 7.30 PM**

MINUTES

Present: *Councillors Michael Rice (Chairman), Daniel Allen, Ruth Brown, Val Bryant, Paul Clark, Bill Davidson, Sarah Dingley, Jean Green, Mike Hughson, Tony Hunter, Ian Mantle, Harry Spencer-Smith, Michael Weeks and Val Shanley*

In Attendance: *Richard Tiffin (Principal Planning Officer), Tom Donovan (Strategic Sites Planning Officer), Melissa Tyler (Planning Officer), Nurainatta Katevu (Planning Lawyer) and Amelia McInally (Committee and Member Services Officer)*

Also Present: *At the commencement of the meeting approximately 76 members of the public, including registered speakers.*

1 APOLOGIES FOR ABSENCE

Audio Recording – Start time of Item – Session 2 - 1 minute and 11 seconds

Apologies for absence were received from Councillors:

Michael Muir - Councillor Valentine Shanley – substituting
Sue Ngwala - Councillor Val Bryant – substituting

2 MINUTES - 13 DECEMBER 2018

Audio Recording – Start time of Item – Session 2 - 1 minute and 39 seconds

RESOLVED: That the Minutes of the Meeting of the Committee held on 13th December 2018 would be approved as a true record of the proceedings and be signed by the Chairman at the next meeting as they were unavailable.

3 NOTIFICATION OF OTHER BUSINESS

Audio Recording – Start time of Item – Session 2 - 1 minute 52 seconds

There was no other business notified.

4 CHAIRMAN'S ANNOUNCEMENTS

Audio Recording – Start time of Item – Session 2 - 1 minute 57 seconds

- (1) The Chairman announced that if the fire alarm were to sound, it would not be a test so all Members were advised that they would need to leave as quickly as possible by the nearest exit and if there was anyone with mobility issues, they were to alert a member of staff.
- (2) The Chairman announced that Members of the public and the press may use their devices to film/photograph, or do a sound recording of the meeting, but she asked them to not use flash and to disable any beeps or other sound notifications that emitted from their devices. In addition, the Chairman had arranged for the sound at this particular meeting to be recorded;
- (3) The Chairman reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question;
- (4) The Chairman asked that, for the benefit of any members of the public present at the meeting, Officers announce their name and their designation to the meeting when invited to speak.

5 PUBLIC PARTICIPATION

Audio Recording – Start time of Item – Session 2 - 4 minutes and 30 seconds

The Chairman confirmed that the 5 registered speakers including 1 Member Advocate were present.

6 18/01726/FP LAND WITHIN, RUSH GREEN MOTORS, LONDON ROAD, LANGLEY, HERTFORDSHIRE

Audio Recording – Start time of Item – Session 2 - 5 minutes 10 seconds

Erection and use of a concrete batching plant together with associated infrastructure and access.

The Senior Planning Officer announced that the updates from the last meeting had been incorporated into the report however were no new updates in respect of planning application 18/01726/FP. The letter from the Secretary of State read as follows: "The Council was not able to refer the application to the Secretary of State in the absence of a resolution to grant planning permission". The Secretary of State required a decision from the Committee and therefore a decision would need to be resolved at Committee level. A visual presentation supported by a visual presentation comprising of photos and designs.

The following people made a presentation in objection to the application:

- Councillor Trevor Smith from St Ippolyts Parish Council
- Councillor Simon Harwood (Member Advocate)
- Mr Jim Park

The following Members asked questions of clarification of Mr Smith's presentation:

- Councillor Harry Spencer-Smith

The following people made a presentation in support of the application:

- Mr Graeme King

The following Members asked clarification of Mr King's presentation:

- Councillor Ian Mantle
- Councillor Ruth Brown
- Councillor Harry Spencer-Smith

The following Members asked questions or sought clarification from the Principal Planning Officer regarding the presentation of the report:

- Councillor Harry Spencer-Smith
- Councillor Michael Weeks
- Councillor Paul Clark
- Councillor Tony Hunter

The Chairman announced that the recommendation was to grant. If it were granted it would then go to the Government who had the right to call it in or send it back to the Committee as it had been agreed.

The following Members proposed that the Officer's recommendations be granted with all the conditions:

- Councillor Tony Hunter

The following Members seconded that the Officer's recommendations be granted with all the conditions and subject to the calling by Government:

- Councillor Ian Mantle

It was proposed, seconded and upon the vote:

RESOLVED: *That the Planning Application for erection and use of a concrete batching plant 18/01726/FP is resolved to be GRANTED as detailed in the report, subject to referral to the Secretary of State for Housing.*

7 18/00747/OP LAND OPPOSITE HEATH FARM, BRIARY LANE, ROYSTON, HERTFORDSHIRE

Audio Recording – Start time of Item – Session 3 – 1 minute and 28 seconds

Outline planning application for the erection of up to 107 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Briary Lane. All matters reserved except for means of main site access.

The Planning Officer provided updates to the report in respect of planning application 18/00747/OP supported by a visual presentation consisting of photographs of the site.

The following people made a presentation in objection to the application:

- Mick Clarke on behalf of 'Royston say no to Gladman' - Objector
- Clive Hall - Objector

The following Members asked questions of clarification of Mr Hall's presentation:

- Councillor Michael Weeks

The Committee debated the application. The following Members contributed to the debate:

- Councillor Tony Hunter
- Councillor Ian Mantle
- Councillor Sarah Dingley

It was proposed, seconded and upon the vote:

RESOLVED: *That, application 18/00747/OP be REFUSED planning permission for the following reasons:*

REASON: By reason of its prominent position and the topography of the site, the proposed development would be likely to result in significant localised adverse impacts on both the character of the area and visual receptors. While these impacts could be mitigated to a limited extent, the combination of residential built form on high ground and the associated urbanising infrastructure, including the proposed new road access over the Common and development breaking the skyline, would act to occasion a marked and adverse change in the character of the immediate and intermediate locality and wider valued landscape. This adverse impact would represent conflict with the aims of the NPPF and Policies CGB1, SP5, SP12c NE1 and NE6 of the emerging local plan and Policies 6 and 21 of the Saved local plan. This conflict would amount to significant and demonstrable harm that is not outweighed by any other material considerations.

1. Natural England has advised that there is no acknowledgement of the impact on the SSSI within in the Ecological Appraisal and therefore consider this document to be incomplete. It is extremely important that direct impacts upon the SSSI are accurately quantified and assessed. In the absence of a separate SSSI Impact Assessment in this case, the potential for significant adverse effects has not been adequately evaluated such that would demonstrate compliance with the provisions of NEx and NE6 of the emerging local plan and the NPPF.
2. DfT's Inclusive Mobility, HCC's Passenger Transport in New Developments, The Chartered Institution of Highways Transportation (CIHT) guidance 'Buses in Urban Developments' published in January 2018 and the 'Roads in Hertfordshire Design Guide' (3rd Edition January 2011) state that development layouts should be designed such that all occupied areas are no more than 400m walking distance from a bus stop. There are no bus stops within 400m of the proposed development and to be considered sustainable any new or re-routed service to the proposed housing must have a good chance of being commercially viable after developer pump-priming contributions have been exhausted. The Highway Authority has examined the options for servicing the development route by route in order to establish the viability of the public transport options in the longer term. It has concluded that it is unlikely that a satisfactory route would be available in the longer term. Accordingly, it is considered that the proposed development would be unlikely to benefit from a satisfactory bus service beyond the short term with residents being denied access to high quality public transport contrary to the aims of the NPPF, Policy T1 (assessment of transport matters) of the Local Plan and HCC's Local Transport Plan 4.

3. The submitted planning application has not been accompanied by a valid legal undertaking (in the form of a Section 106 obligation) securing the provision of 40% affordable housing and other necessary obligations as set out in the Council's Planning Obligations Supplementary Planning Document (SPD) (adopted November 2006) and the Planning obligation guidance - toolkit for Hertfordshire: Hertfordshire County Council's requirements January 2008. The secure delivery of these obligations is required to mitigate the impact of the development on the identified services in accordance with the adopted Planning Obligations SPD, Policy 51 of the North Hertfordshire District Local Plan No. 2 - with Alterations (Saved Policies 2007) or Proposed Local Plan Policy HS2 of the Council's Proposed Submission Local Plan (2011-2031). Without this mechanism to secure these provisions the development scheme cannot be considered as sustainable form of development contrary of the requirements of the National Planning Policy Framework (NPPF).

8 17/04355/FP MANOR FARM, CHURCH LANE, BYGRAVE, BALDOCK, HERTFORDSHIRE, SG7 5EE

Audio Recording – Start time of Item – Session 4 – 22 seconds

Installation of slurry lagoon.

The Planning Officer provided updates to the report in respect of planning application 17/04355/FP, supported by a visual presentation consisting of photographs, plans.

The following Members asked questions or sought clarification from the Planning Officer regarding the presentation of the report:

- Councillor Michael Weeks
- Councillor Harry Spencer-Smith

The Committee debated the application and upon being moved by Councillor Hunter, seconded by Councillor Clark and put to the vote, it was:

RESOLVED: That Planning application 17/04355 be **AGREED**, subject to the conditions and reasons set out in the report of the Development and Conservation Manager.

9 PLANNING APPEALS

Audio Recording – Start time of Item – Session 4 - 9 minutes and 45 seconds

The Principal Planning Officer presented the report entitled Planning Appeals and drew attention to the following:

Station Inn, Station Approach, Knebworth, Hertfordshire, SG3 6AT:

The appeal was allowed and planning permission was granted for the erection of a three storey building to provide 9 x 2 bed flats, conversion and extension of store to one bed house and new vehicular access from Station Approach at The Station Inn, Station Approach, Knebworth, Hertfordshire SG3 6AT in accordance with the terms of the application, Ref 17/01622/1, dated 22 June 2017, subject to the conditions set out in the schedule to this decision.

The Cabinet, High Street, Reed, SG8 8AH:

The appeal was dismissed however more appeals had been lodged which were in the process of being defended.

The following Members asked questions of Clarification of the Planning Officer:

- Councillor Michael Weeks

The Planning Officer also announced that several other appeals had been lodged which were in the process of being defended.

The meeting closed at 10.30pm