

**NORTH HERTFORDSHIRE DISTRICT COUNCIL**

**PLANNING CONTROL COMMITTEE**

**MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES,  
GERNON ROAD, LETCHWORTH GARDEN CITY  
ON THURSDAY, 30TH MAY, 2019 AT 7.30 PM**

**MINUTES**

**Present:** *Councillors Terry Tyler (Chairman), Daniel Allen (Vice-Chairman), David Barnard (In place of Ian Moody), Sam Collins (In place of Ruth Brown), Morgan Derbyshire, Tony Hunter, David Levett, Ian Mantle, Michael Muir (In place of Val Shanley), Sue Ngwala, Mike Rice, Adem Ruggiero-Cakir (In place of Mike Hughson) and Michael Weeks*

**In Attendance:** *Simon Ellis (Development and Conservation Manager), Ben Glover (Planning Officer), Kate Poyser (Senior Planning Officer), Tom Rea (Principal Planning Officer), Nurainatta Katevu (Legal Advisor) and Hilary Dineen (Committee, Member and Scrutiny Manager)*

**Also Present:** *At the commencement of the meeting approximately 40 members of the public, including registered speakers.*

**1 APOLOGIES FOR ABSENCE**

Audio recoding – Start of Item – 5 seconds

Apologies for absence were received from Councillors Ruth Brown, Councillor Val Bryant, Councillor Mike Hughson, Councillor Ian Moody, Councillor Sean Prendergast, Councillor Val Shanley.

Having given due notice the following Councillors advised that they would be substituting:

Councillor Sam Collins for Councillor Ruth Brown;  
Councillor Adem Ruggiero-Cakir for Councillor Mike Hughson;  
Councillor David Barnard for Councillor Ian Moody;  
Councillor Michael Muir for Councillor Val Shanley.

**2 MINUTES - 13 DECEMBER 2018**

Audio Recording – Start of Item - 1 minute 19 seconds

**RESOLVED:** That the Minutes of the Meeting of the Committee held on 13 December 2018 be approved as a true record of the proceedings and be signed by the Chairman.

**3 MINUTES - 16 JANUARY 2019**

Audio recording – Start of Item - 1 minute 36 seconds

**RESOLVED:** That the Minutes of the Meeting of the Committee held on 16 January 2019 be approved as a true record of the proceedings and be signed by the Chairman.

**4 MINUTES - 14 FEBRUARY 2019**

*Audio recording – Start of Item - 2 minutes 2 seconds*

In respect of Minute 19, Councillor Barnard asked whether a timescale was in place to remove items in respect of the refusal and whether that timescale should have formed part of the decision.

The enforcement timescale was a separate decision making process, however, as a responsible Authority, we were mindful of the Applicant's right to appeal and would seek to ascertain whether the Applicant was going to appeal before commencing enforcement action.

If there was no appeal within the 6 months allowed, then a time limit would be applied to enforcement action against any unauthorised development.

The Development and Conservation Manager advised that there were no time limits in respect of refusal of planning permission.

**RESOLVED:** That the Minutes of the Meeting of the Committee held on 14 February 2019 be approved as a true record of the proceedings and be signed by the Chairman.

**5 MINUTES - 14 MARCH 2019**

*Audio recording – Start of Item – 4 minutes 44 seconds*

**RESOLVED:** That the Minutes of the Meeting of the Committee held on 14 March 2019 be approved as a true record of the proceedings and be signed by the Chairman.

**6 NOTIFICATION OF OTHER BUSINESS**

*Audio Recording – Start of Item – 4 minutes 54 seconds*

There was no other business notified.

**7 CHAIRMAN'S ANNOUNCEMENTS**

*Audio recording – Start of Item – 4 minutes 59 seconds*

- (1) The Chairman thanked Councillor Mike Rice for his previous Chairmanship of the Committee
- (2) The Chairman thanked those who are no longer Members of this Committee, Councillors ;
- (3) The Chairman welcomed Councillors Val Bryant, Morgan Derbyshire, David Levett, Ian Moody, Sean Prendergast and Val Shanley who are new to the Committee;
- (4) The Chairman advised that, in accordance with Council policy this meeting was being audio recorded. Members of the public and the press may use their devices to film/photograph, or do a sound recording of the meeting, but should not disturb the meeting;
- (5) Please could Members, officers and public speakers announce their names each time they speak and speak directly into the microphones to assist members of the public;

- (6) To clarify matters for the registered speakers:

Members of the public have 5 minutes for each group of speakers i.e. 5 minutes for objectors and 5 minutes for supporters. This 5 minute time limit also applies to Member Advocates.

The bell will sound after 4½ minutes as a warning and again at 5 minutes, to signify that the speaker must cease.

In the case of Item 11 – each group of speakers have 8 minutes.

- (7) Members were reminded that any declarations of interest in respect of any business set out in the agenda, should be declared as either a Disclosable Pecuniary Interest or Declarable Interest and are required to notify the Chairman of the nature of any interest declared at the commencement of the relevant item on the agenda. Members declaring a Disclosable Pecuniary Interest must withdraw from the meeting for the duration of the item. Members declaring a Declarable Interest, wishing to exercise a 'Councillor Speaking Right', must declare this at the same time as the interest, move to the public area before speaking to the item and then must leave the room before the debate and vote.

## 8 PUBLIC PARTICIPATION

The Chairman confirmed that the 10 registered speakers and 2 Member Advocates were present.

## 9 19/00201/FPH 8 GUN MEADOW AVENUE, KNEBWORTH, HERTS, SG3 6BS

*Audio recording – Start of Item – 9 minutes 15 seconds*

The Development and Conservation Manager presented the report in respect of application 19/00201/FPH supported by a visual presentation consisting of photographs and plans.

The Development and Conservation Manager advised that Mr Paul Webster would not be attending the meeting and that the Chairman had asked him to read out a statement from Mr Webster the Applicant's Agent.

The Committee were advised that Mr Furssedonn would not be speaking regarding planning application 19/00201/FPH.

Councillor Lisa Nash, Member Advocate, thanked the Chairman for the opportunity to address the Committee and advised that, in respect of planning application 19/00201/FPH she had not been advised of the changes to the proposal until today and that those changes now satisfied local residents concerns regarding privacy and design.

The following Members took part in the debate and asked questions:

- Councillor Michal Muir;
- Councillor Michael Weeks

The Development and Conservation Manager responded to questions asked.

It was moved by Councillor Mantle, seconded by Councillor Hunter and

**RESOLVED:** That application 19/00201/FPH be **GRANTED** planning permission, subject to the conditions and reasons contained in the report of the Development and Conservation Manager.

10      **19/00151/FPH 8 GUN MEADOW AVENUE, KNEBWORTH, HERTS, SG3 6BS**

*Audio recording – Start of Item – 20 minutes 41 seconds*

The Development and Conservation Manager presented the report in respect of application 19/00151/FPH supported by a visual presentation consisting of photographs and plans.

The Development and Conservation Manager advised that the statement from Mr Paul Webster, Applicant's Agent, read out during consideration of the previous item, also applied to this application.

Mr Furssedonn thanked the Chairman for the opportunity to address the Committee and gave a verbal presentation in objection to application 19/00151/FPH.

The following Members asked questions of Mr Furssedonn:

- Councillor Michael Weeks;
- Councillor Sue Ngwala.

Councillor Lisa Nash, Member Advocate, thanked the Chairman for the opportunity to address the Committee and gave a verbal presentation in objection to application 19/00151/FPH.

The Development and Conservation Manager clarified details of materials and advised that sewerage was a matter for Building Control.

The building would go up to the boundary of the property, but would be contained within the boundary of the property.

If access was required to the footpath for construction they would need to gain the necessary permits from the Highways Authority, Rights of Way.

The Flood Agency advice would apply to larger developments than this, which was borderline permitted development, however Member could require a condition regarding flood alleviation measures.

The following Members took part in the debate and asked questions:

- Councillor David Levett;
- Councillor Mike Rice;
- Councillor Sam Collins;
- Councillor Michael Muir;
- Councillor Michael Weeks;

The Development and Conservation Manager responded to the questions asked.

Members considered that it was appropriate to condition regarding materials and details of rainwater drainage and guttering.

It was moved by Councillor Muir, seconded by Councillor Allen and

**RESOLVED:** That application 19/00151/FPH be **GRANTED** planning permission, subject to the conditions and reasons contained in the report of the Development and Conservation Manager and the additional conditions and reasons below:

- 3 Prior to the commencement of the development hereby permitted, full details of the external materials of the development shall be submitted to and approved in writing by the Local Planning Authority. Such works shall thereafter be carried out in complete accordance with the approved details or particulars.

Reason: In the interest of visual amenity and to ensure the external finish of the development adjoining the footpath is of an appropriate standard.

- 4 Prior to the commencement of the development hereby permitted, full details of the rainwater drainage and guttering arrangements associated with this development shall be submitted to and approved in writing by the Local Planning Authority. Such works shall thereafter be carried out in complete accordance with the approved details or particulars prior to the first occupation of the development and thereafter retained and maintained in perpetuity to the satisfaction of the Local Planning Authority.

Reason: To ensure that rainwater runoff from this development does not spill over to the adjoining footpath in the interests of pedestrian safety and amenity.

**11 19/01622/FP LAND TO THE EAST OF BEDFORD ROAD AND WEST OF OLD RAMERICK MANOR, BEDFORD ROAD, ICKLEFORD, HERTFORDSHIRE**

*Audio recording – Start of Item – 48 minutes*

The Principal Planning Officer advised of updates to the report and presented the report in respect of application 18/01622/FP supported by a visual presentation consisting of photographs and plans.

Parish Councillor Miles Maxwell, Chairman of Ickleford Parish Council, thanked the Chairman for the opportunity to address the Committee and gave a verbal presentation in objection to application 19/01622/FP.

The following Members asked questions of Parish Councillor Maxwell:

- Councillor Sam Collins;
- Councillor Sue Ngwala.

Councillor David Barnard, advised that he would be speaking as a Member Advocate and moved to the public area to make his presentation

Councillor Barnard thanked the Chairman for the opportunity to address the Committee and gave a verbal presentation in objection to application 19/01622/FP.

The following Members asked questions of Councillor Barnard:

- Councillor Sam Collins;
- Councillor Michael Weeks

Councillor Barnard then left the room for the remainder of the item.

Mr Andy Moore, Barratt David Wilson Homes (applicant) and Mr Geoff Armstrong, Armstrong Rigg Planning (Planning Agent), thanked the Chairman for the opportunity to address the Committee in favour of application 19/01622/FP.

The following Members asked questions of Mr Moore and Mr Armstrong:

- Councillor David Levett
- Councillor Sam Collins
- Councillor Sue Ngwala

The Principal Planning Officer clarified details regarding some of the questions asked.

The following Members took part in the debate

- Councillor David Levett

The Principal Planning Officer advised that the density in the Local Plan was an estimate and not a set figure, the S106 contributions had been agreed by the applicant and that this site was not in the green belt.

It was proposed by Councillor David Levett that application 19/01622/FP be deferred pending publication of the Inspectors report regarding the Local Plan and to allow further discussion regarding S106 contributions to education.

The Development and Conservation Manager advised that it was best practice to detail all reasons for deferment. The proposal to defer on the grounds of waiting for the Inspectors report was valid and Officers could be requested to look into the S106 contributions for Education. He cautioned against referring to admissions to schools as this was not a S106 matter.

Central Bedfordshire and Hertfordshire County Councils were in agreement that the approach regarding S106 contributions was the most appropriate solution.

When the application comes back to Committee, officers could invite Hertfordshire Education and Highways Officers to attend the meeting.

The following members entered into the debate regarding the proposal to defer:

- Councillor Sam Collins;
- Councillor Michael Muir;
- Councillor Ian Mantle.

It was proposed by Councillor David Levett, seconded by Councillor Mike Rice and

**RESOLVED:**

- (1) That application 19/01622/FP be **DEFERRED** on the grounds that consideration of the application should await the publication of the Emerging Local Plan 2011 – 2031 Inspectors report;
- (2) That Officers be requested to invite County Council Education and Highways Officers to attend the meeting at which this application is reconsidered.

Councillor Barnard returned to the room and to the Committee.

The Chairman advised that there would be a 5 minute comfort break.

**12 19/00317/FP 11 ROYAL OAK LANE, PIRTON, HITCHIN, HERTS, SG5 3QT**

*Audio Recording – Start of Item – 2 hours 4 minutes 17 seconds*

At the start of the Item the Chairman agreed that the applicant could distribute some plans to Members of the Committee.

The Senior Planning Officer advised of updates to the report and presented the report in respect of application 19/00317/FP supported by a visual presentation consisting of photographs and plans.

Councillor David Barnard, advised that he would be speaking as a Member Advocate and moved to the public area to make his presentation.

Councillor Barnard thanked the Chairman for the opportunity to address the Committee and gave a verbal presentation in support of application 19/00317/FP.

The following Members asked questions of Councillor Barnard:

- Councillor Mike Rice:
- Councillor Ian Mantle.

Councillor Barnard then left the room for the remainder of the item.

Mr Tom Gammell, applicant and Ms Charlotte Fausset, architect thanked the Chairman for the opportunity to address the Committee in favour of application 19/00317/FP.

The following Members asked questions of Mr Gammell and Ms Fausset:

- Councillor Sue Ngwala;
- Councillor Ian Mantle.

The Senior Planning Officer clarified details regarding some of the questions asked and advised that she had not seen the proposed amended plans and that these would need to be considered before making a recommendation.

The following Members asked questions and took part in the debate

- Councillor Ian Mantle;
- Councillor David Levett;
- Councillor Michael Weeks;
- Councillor Michael Muir;
- Councillor Daniel Allen;
- Councillor Sam Collins;
- Councillor Mike Rice.

The Development and Conservation Manager advised that the Committee should consider the application as presented in the report. Officers had not seen the proposed amendments, which would need to be considered by officers and consulted on.

The Senior Planning Officer advised that the proposed amendments may overcome part of the reasons for refusal, but they have not had time to consider whether this would happen.

It was proposed by Councillor Collins and seconded by Councillor Morgan Derbyshire that the application be deferred to allow the amended plans to be assessed by officers.

**RESOLVED:** That application 19/00317/FP be **DEFERRED** to enable consultation and further consideration by officers of the amended layout plan tabled at the meeting.

Councillor Barnard returned to the room and the Committee.

**13 18/03347/FP 189 HIGH STREET, CODICOTE, HITCHIN, HERTS, SG4 8UD**

*Audio Recording – Start of Item – 2 hours 43 minutes 21 seconds*

The Planning Officer advised of updates to the report and presented the report in respect of application 18/03347/FP supported by a visual presentation consisting of photographs and plans.

Parish Cllr Helena Gregory, Chairman of Codicote Parish Council and Mr Tom Brindley thanked the Chairman for the opportunity to address the Committee and gave a verbal presentation in objection to application 18/03347/FP.

Ms Aimee Cannon, applicant's agent, thanked the Chairman for the opportunity to address the Committee in support of application 18/03347/FP.

The following Members asked questions of Ms Cannon:

- Councillor Sue Ngwala;
- Councillor Sam Collins

The Planning Officer clarified that the green belt boundary would remain in place.

The following Members asked questions and took part in the debate:

- Councillor Michael Muir;
- Councillor David Levett;

It was proposed by Councillor David Levett that application 18/03347/FP be refused planning permission as it was an inappropriate development in the Green Belt.

**RESOLVED:** That application 18/0334/FP be **REFUSED** planning permission on the grounds that the proposal would comprise inappropriate development in the Green Belt and in the opinion of the Local Planning Authority there are no very special circumstances that would outweigh the harm caused to the Green Belt by reason of inappropriateness and harm to openness. The development would therefore conflict with Section 13 of the National Planning Policy Framework, Policy 2 of the North Hertfordshire Local Plan 1996 with Alterations, Policy SP5 of the Emerging Local Plan.

Councillor Daniel Allen left the meeting.

**14 19/00762/FPH HOWLETT'S FARM, GAS LANE, BARKWAY, ROYSTON, HERTS, SG8 8ET**

*Audio Recording – Start of Item – .3 hours 9 minutes 51 seconds*

Councillor Gerald Morris, who had been sitting in the public gallery, left the room, as this application related to his property.

The Development and Conservation Manager presented the report in respect of application 19/00762/FPH supported by a visual presentation consisting of photographs and plans.

It was proposed by Councillor Hunter, seconded by Councillor Mantle and



Thursday, 30th May, 2019

**RESOLVED:** That application 19/00762/FPH be **GRANTED** planning permission subject to the conditions and reasons contained in the report of the Development and Conservation Manager.

**15      18/02910/TCA    LAND OPPOSITE 35 GERNON ROAD, LETCHWORTH GARDEN CITY, HERTS**

*Audio Recording – Start of Item – 3 hours 13 minutes 49 seconds*

Councillor David Levett declared a disclosable interest in that one of the objectors to this Tree Preservation Order was his landlord. He advised that he would leave the room and take no part in the debate and vote.

The Development and Conservation Manager presented the report in respect of application 18/02910/TCA supported by a visual presentation consisting of photographs and plans.

It was proposed by Councillor Barnard, seconded by Councillor Mantle and

**RESOLVED:** That the temporary Tree Preservation Order 18/02910/TCA be **CONFIRMED** without modifications.

**16      APPEALS DECISION**

*Audio Recording – Start of Item – 3 hours 16 minutes 20 seconds*

The Development and Conservation Manager presented the report entitled Appeals Decision.

**RESOLVED:** That the report entitled Appeals Decision be noted

The meeting closed at 10.48 pm

Chairman