

NORTH HERTFORDSHIRE DISTRICT COUNCIL

DECISION SHEET

Meeting of the Planning Control Committee held as a Virtual Meeting
on Thursday, 18th March, 2021 at 7.30 pm

1 WELCOME AND REMOTE/PARTLY REMOTE MEETINGS PROTOCOL SUMMARY

The Chair welcomed everyone to this virtual Planning Control Committee meeting that was being conducted with Members and Officers at various locations, communicating via audio/video and online.

There was also the opportunity for the public and press to listen to and view proceedings.

The Chair invited the Committee, Member and Scrutiny Officer to explain how proceedings would work and to confirm that Members and Officers were in attendance.

The Committee, Member and Scrutiny Officer undertook a roll call to ensure that all Members, Officers and registered speakers could hear and be heard and gave advice regarding the following:

The meeting was being streamed live onto YouTube and recorded via Zoom.

Extracts from the Remote/Partly Remote Meetings Protocol were included with the agenda and the full version was available on the Council's website which included information regarding:

- Live Streaming;
- Noise Interference;
- Rules of Debate;
- Part 2 Items.

Members were requested to ensure that they were familiar with the Protocol.

The Chair of the Planning Control Committee, Councillor Ruth Brown, started the meeting proper.

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Morgan Derbyshire.

Having given due notice, Councillor Michael Muir advised that he would be substituting for Councillor Morgan Derbyshire.

3 MINUTES - 10 FEBRUARY 2021 - 24 FEBRUARY 2021

RESOLVED:

- (1) That the Minutes of the Meeting of the Committee held on 10 February 2021 and 24 February 2021 be approved as a true record of the proceedings and be signed by the Chair; and
- (2) That, with the authorisation of the Chair, their electronic signature and initials be attached to the Minutes approved in (1) above.

4 NOTIFICATION OF OTHER BUSINESS

There was no other business notified.

5 CHAIR'S ANNOUNCEMENTS

- (1) The Chair welcomed those present at the meeting, especially those who had attended to give a presentation;
- (2) The Chair advised that, in accordance with Council Policy, the meeting would be audio recorded;
- (3) The Chair drew attention to the item on the agenda front pages regarding Declarations of Interest and 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) To clarify matters for the registered speakers the Chair advised that members of the public had 10 minutes for each group of speakers i.e. 10 minutes for objectors and 10 minutes for supporters. This 10 minute time limit also applied to Member Advocates.

6 PUBLIC PARTICIPATION

The Chair confirmed that the registered speakers were present.

7 18/02722/FP LAND SOUTH OF HEATH LANE, CODICOTE, HERTFORDSHIRE, SG4 8YL

Councillor Ian Moody declared that he was acting as Member Advocate on the item and would therefore not take part in the debate and vote.

RESOLVED: That application 18/02722/FP be **REFUSED** planning permission for the following reasons:

- (1) The application site is within an area designated in the North Hertfordshire District Local Plan no.2 with Alterations as Green Belt, within which there is a presumption against inappropriate development, such as that proposed, unless very special circumstances can be demonstrated. In the view of the Local Planning Authority the proposal is not supported by such very special circumstances. Moreover, it would harm the fundamental aim of Green Belt policy which seeks to maintain the openness of the area. As such, the proposal would not accord with the provisions of Policy 2 of the District Local Plan no.2 with Alterations 1996 or with the provisions of Section 13 of the National Planning Policy Framework (NPPF).
- (2) In the opinion of the Local Planning Authority, the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area. The proposed development and the cumulative effect of other proposed land allocations in this locality, would be so significant, that to grant planning permission would undermine the plan making process by predetermining decisions about the scale, location or phasing of new development that are central to the emerging Plan as demonstrated by the extent of unresolved objections to the proposed land allocation, Policy CD5 of the Emerging North Hertfordshire District Local Plan (2011-2031) (Incorporating Modifications) which mean only limited weight can be applied to this policy. The proposal is therefore premature under the provisions of Paragraph 49 (a) and guidance on weight to be applied to emerging policies under paragraph 48 (b) of the National Planning Policy Framework (NPPF).

- (3) At the time of determination the planning application, the subject of this decision notice, has not been accompanied by a valid legal undertaking (in the form of a completed S106 Obligation) securing the provision of the requisite infrastructure and financial contributions towards off site infrastructure or on site affordable housing. 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, Saved Policy 51 of the North Hertfordshire District Local Plan No. 2 - with Alterations or proposed Local Plan Policy HS2 of the Submission Local Plan (2011-2031). Without this mechanism to secure these provisions the development scheme cannot be considered as a sustainable form of development contrary to the requirements of the National Planning Policy Framework (NPPF).

Proactive Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council acted proactively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

8 PLANNING APPEALS

RESOLVED: That the report entitled Planning Appeals be noted.

REASON FOR DECISION: To keep the Planning Committee apprised of planning appeals lodged and planning appeal decisions.