

NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES. GERONON ROAD, LETCHWORTH GARDEN CITY
ON THURSDAY, 27TH MAY, 2021 AT 7.30 PM

MINUTES

Present: *Councillors: Ruth Brown (Chair), Councillor Sue Ngwala (Vice-Chair), Val Bryant, Morgan Derbyshire, Tony Hunter, David Levett, Ian Moody, Mike Rice, Terry Tyler, Tom Tyson, Ian Mantle (In place of Mike Hughson) and Michael Muir (In place of John Bishop)*

In Attendance: *Simon Ellis (Development and Conservation Manager), Nurainatta Katevu (Legal Regulatory Team Manager and Deputy Monitoring Officer), Tom Allington (Principal Planning Officer – Strategic Sites), Sam Dicocco (Senior Strategic Sites Officer), Matthew Hepburn (Committee, Member and Scrutiny Officer) and Hilary Dineen (Committee, Member and Scrutiny Manager)*

Also Present: *William Edwards (Committee, Member and Scrutiny Officer) was present remotely. At the commencement of the meeting approximately 9 members of the public.*

1 APOLOGIES FOR ABSENCE

Audio Recording – 1 Minute 59 Seconds

Apologies for absence were received from Councillors Mike Hughson and John Bishop.

Having given due notice, Councillor Ian Mantle advised that he would be substituting for Councillor Mike Hughson and Councillor Michael Muir advised that he would be substituting for Councillor John Bishop.

2 MINUTES - 12 APRIL 2021 - 14 APRIL 2021

Audio Recording – 2 Minutes 14 Seconds

Councillor Ruth Brown proposed, Councillor Val Bryant seconded and it was:

RESOLVED: That the Minutes of the Meeting of the Committee held on 12 April 2021 and 14 April 2021 be approved as a true record of the proceedings and be signed by the Chair.

3 NOTIFICATION OF OTHER BUSINESS

Audio Recording – 2 Minutes 45 Seconds

There was no other business notified.

4 CHAIR'S ANNOUNCEMENTS

Audio Recording – 2 Minutes 51 Seconds

- (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 and live streamed on YouTube;
- (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 5 minutes for each group of speakers i.e. 5 minutes for objectors and 5 minutes for supporters. This 5 minute time limit also applied to Member Advocates.

The Chair advised that for item 6, the speaking time had been increased to 10 minutes per group.

5 PUBLIC PARTICIPATION

Audio Recording – 4 Minutes 23 Seconds

The Committee, Member and Scrutiny Officer confirmed that the registered speakers were present.

6 19/00520/OP LAND BETWEEN CROFT LANE NORTON ROAD AND, CASHIO LANE, LETCHWORTH GARDEN CITY, HERTFORDSHIRE

Audio Recording – 4 Minutes 41 Seconds

Outline planning application for residential development of up to 42 dwellings, all matters reserved but access (as amended by plans and information received 09-06-2020, 23-07-2020 and 10-12-2020)

Councillor Michael Muir advised that he was a Hertfordshire County Councillor. However, he had not had any input at County level on this application nor had the application gone before the County's Development Control Committee. Having sought advice from the Legal Advisor, he would remain in the room and take part in the debate and vote of the item.

Councillor Morgan Derbyshire exercised his Councillor Speaking Right and did not take part in the debate and vote.

The Senior Strategic Sites Officer presented the report in respect of application 19/00520/OP supported by a visual presentation consisting of photographs and plans.

The Officer advised that Plan No: ST-2571-20 was to be removed as it was no longer required.

The following Members asked questions of the Officer in relation to the site area and access.

The Officer responded to questions raised.

The Chair invited Ms Lisa Wallman and Mr Nathan Hanks to address the Committee in objection to the application, including:

- There had been no written response regarding this site from the Council's Conservation Officer;
- There were alternative options for the access;
- The lane was 3.8 metres wide which was too narrow. Vehicles were not able to pass each other, causing them to mount the verge;
- This development would increase vehicle movement between the hours of 8am and 9am, which would have an impact on parents and children walking to school;
- Pedestrians and vehicles would be sharing the same space;
- There would be harm to the heritage buildings, a loss of trees and a negative impact on the environment;
- There were safety concerns for other users such as cyclists;
- The lane was not designed for heavy traffic; and
- Lots of pedestrians used the lane and they required safe access.

The Chair invited Councillors Daniel Allen and Simon Bloxham, Member Advocates, who were sharing the allotted 10-minute speaking time, to address the Committee in objection to the application.

Councillor Daniel Allen addressed the Committee first, including:

- Access to the development was unsafe;
- Croft Lane was too narrow;
- The lane width had caused problems for the emergency services in the past, preventing them from driving down it;
- Vehicles have been mounting the verge;
- There would be an increase in larger vehicles using the lane such as delivery vans; and
- There was no traffic management plan in place.

The Chair invited Councillor Simon Bloxham to address the Committee, including:

- Hertfordshire County Council were not initially aware of the highway's issues. However, as soon as the Leader and Cabinet were made aware, they agreed to remove the sale of the land from the Cabinet agenda for the site to be fully reviewed; and
- The site was unsuitable.

The following Member asked a question of Councillor Daniel Allen:

- Councillor Sue Ngwala.

In response, Councillor Allen advised that:

- The development would have an impact on biodiversity;
- The grass was mowed regularly by the County Council which also impacted upon biodiversity in the area; and
- Trees would need to be removed during the construction of this development.

The Chair invited Ms Claire Newbury and Mr Simon Young, who were sharing the 10-minute allotted speaking time, to address the Committee in support of the application, including:

- The site was located in the emerging local plan;
- The impact on the heritage assessment concluded that there was a neutral contribution to the conservation area;

- There would be no harm to heritage buildings or the conservation area;
- The site would deliver 40% affordable housing;
- There would be open space available to residents for leisure and recreation use which would be a net-gain in terms of biodiversity;
- Results of a traffic survey carried out showed that there was 1 vehicle every 2 minutes during peak times and speeds were below 30mph;
- There had been no objection to the site from Hertfordshire County Council or North Herts District Council on grounds of safety;
- The access was reviewed and amended; no objections had been raised in relation to the new amendment; and
- The current solution took on board advice from the County and District Council.

The following Members asked questions of Ms Newbury and Mr Young:

- Councillor Sue Ngwala; and
- Councillor David Levett.

In response to questions, Ms Newbury advised that:

- The detailed design could be considered in the reserve matters stage in order to assess whether 42 dwellings was appropriate; and
- There would be only 11 dwellings per hectares which was low in terms of the Council's guidance.

In response to points raised, the Officer provided the following advice:

- Scale was a reserve matter;
- The housing mix was indicative;
- The heritage impact was looked at;
- The County Council were available at the last Committee dealing with the application. However, they were no Officers available this evening; and
- 142 bedrooms was the upper limit.

Once the Officer had concluded, the Chair opened the floor to debate.

The following Members took part in the debate:

- Councillor David Levett;
- Councillor Sue Ngwala;
- Councillor Ian Mantle;
- Councillor Mike Rice;
- Councillor Tony Hunter; and
- Councillor Michael Muir.

It was brought to the attention of the Chair that Councillor Morgan Derbyshire had registered to speak as a Member Advocate on this application (19/00520/OP) at the Planning Control Committee on 12 April 2021. For this reason, he would not be allowed to take part in the debate or vote.

The Chair called upon the Legal Advisor to assist in how the issue should be dealt with now that Councillor Derbyshire had already sat in on part of the debate.

The Legal Advisor recommended that Councillor Derbyshire exercise his Councillor's Speaking Right in accordance with 1.3 of Appendix 2 to Section 8 of the Constitution. The Legal Advisor asked Councillor Derbyshire to speak and then move to the public gallery for the duration of the item.

Councillor Derbyshire did not vote on the item and after exercising his speaking right, he moved to the public gallery.

Points and comments raised in the debate included:

- The total number of bedrooms was 145. This should be 119 bedrooms;
- There was still harm on the heritage and conservation area despite the 'less than substantial harm';
- The housing mix would have an impact on traffic movements;
- The access was poor;
- It was not acceptable to drive through a conservation area;
- Harm arose from the access; and
- Residents would not have access to public transport.

Councillor Tony Hunter proposed to defer the application until Hertfordshire Highways could attend to respond to questions raised regarding the safe use of the surrounding residential streets. The proposal to defer was seconded by Councillor Terry Tyler.

Councillor Michael Muir proposed to refuse planning permission on grounds of highways safety. Councillor Sue Ngwala seconded the proposal to refuse.

The Development and Conservation Manager provided some advice on the grounds that the application could be deferred or refused.

The Chair asked the proposal to defer be put to the vote.

Having been proposed by Councillor Tony Hunter, seconded by Terry Tyler, the deferment was voted upon and:

RESOLVED: That application 19/00520/OP be **DEFERRED** so that Hertfordshire Highways could attend a future committee meeting to answer questions in respect to the impact on the safe use of surrounding residential streets.

NB: There was a break at 20.52. The meeting resumed at 21.01.

7 21/00290/FP KNEB WORTH ESTATE, KNEB WORTH PARK, OLD KNEB WORTH, KNEB WORTH, HERTFORDSHIRE, SG3 6PY

Audio Recording – 1 Hour 32 Minutes 37 Seconds

Temporary use of land for film making with associated temporary set and supporting facilities vehicles, access, parking and storage for 23 weeks alongside the temporary removal of part of an existing bund.

The Senior Strategic Sites Officer presented the report in respect of application 21/00290/FP supported by a visual presentation consisting of photographs and plans.

The following Members asked questions of the Officer:

- Councillor Ian Moody; and
- Councillor Mike Rice.

The Officer responded to questions raised.

Councillor Morgan Derbyshire proposed that planning permission be granted which was seconded by Councillor David Levett.

It was voted upon and:

RESOLVED: That application 21/00290/FP be **GRANTED** planning permission subject to the conditions and reasons contained in the report of the Development and Conservation Manager.

8 20/03072/S73 THE GABLES, HIGH STREET, BARLEY, ROYSTON, HERTFORDSHIRE, SG8 8HY

Audio Recording – 1 Hour 42 Minutes 30 Seconds

Relating to Application 18/03349/S73 granted on 15/03/2019 - Variation of Condition 2 (Approved Plans) to facilitate relocation of parking at plots 5 and 6, change of external material at plot 5 and variations to the dwelling type, scale and appearance of plots 3 and 8.

The Principal Planning Officer – Strategic Site resented the report in respect of application 20/03072/S73 supported by a visual presentation consisting of photographs and plan.

The Principal Planning Officer – Strategic Site provided an update as follows:

- Two non-material amendments had been received. The first amendment was regarding the change of the bulk and scale of plot 3. The second amendment was in relation to plot 8, the proposals of which were being heard at the meeting.

The following Member asked questions of the Officer:

- Councillor David Levett.

In response, the Officer provided an overview of the site history.

Mr Samuel Bampton and Mr Robert Prosser, thanked the Chair for the opportunity to address the Committee in support of the application, including:

Mr Bampton addressed the Committee first:

- There was no additional heritage harm from the proposals;
- Self-build homes added greater benefit than general market housing;
- An appeal had been submitted for non-determination;
- No written comments had been received from the Council's Conservation Officer;
- There would a new car park for the doctor's surgery;
- The scheme was being delivered in two phases;
- A sub-station was being relocated;
- Plots 3-8 had been re-designed to meet requirements of purchasers;
- The height of plot 3 was lower;
- Plot 8 had been re-designed to make it more suitable for the conservation area;
- There were no objections from the public or parish council; and
- The planning balance weighed in favour of the proposal.

Mr Prosser addressed the Committee:

- A self-build house allowed them to design a home that suited their requirements such as homeworking and caring for parents.

The following Members asked questions of the speakers:

- Councillor Mike Rice; and
- Councillor David Levett.

In response to questions raised, Mr Bampton responded as follows:

- The original proposal came in as normal residential/conventional scheme;
- Self-build was defined as housing designed for the intended end user;
- Delivery of their self-build had evolved; and
- The house on plot 3 was an entirely new and unique design that would suit the user's requirements.

The Officer responded to points raised, including:

- The original proposal was for 6 market houses and 2 affordable units.

The following Members took part in the debate:

- Councillor David Levett; and
- Councillor Tony Hunter.

Councillor David Levett proposed to refuse planning permission. The proposal to refuse was seconded by Councillor Tony Hunter.

It was voted upon and:

RESOLVED: That had the Committee determined planning application 18/01622/FP it would have resolved to **REFUSE** planning permission for the following reason and therefore wishes to contest the appeal ref. APP/X1925/W/21/3271157:

The principle of residential development on this site would harm the character and appearance of the Barley Conservation Area as it would result in the loss of the existing open land which represents a transitional area from the village fringe to the rural countryside and which commands an important role in providing the rural setting of the Barley Conservation Area. The proposal would therefore harm the special character of the Barley Conservation Area and to a lesser extent, the setting of 'White Posts' a grade II listed building. The in-principle harm would be further exacerbated by the excessive scale, bulk and massing of both Plot 3 and Plot 8 hereby proposed, which would be at odds with the semi-rural, edge-of-village context and which would fail to provide a cohesive appearance and form of development. Although the degree of harm is considered to be less than substantial, the public benefits of the proposal do not outweigh the harm that has been identified and which has been afforded significant weight. As a consequence the proposed development is contrary to Policies 6 and 57 of the North Hertfordshire District Local Plan No. 2 - with Alterations, Policies SP5, SP9, SP13, D1, CGB1 and HE1 of the Emerging North Hertfordshire Local Plan 2011-2031 as Modified and Sections 12 and 16 and paragraph 130 of the National Planning Policy Framework 2018.

9 **20/03070/FP LAND DEVELOPMENT SITE OFF, STATION ROAD, ASHWELL, HERTFORDSHIRE**

Audio Recording – 2 hours 8 Minutes 30 Seconds

Residential development of 28 no. dwellings and landscaping including pond, wildflower meadow and woodland and associated infrastructure.

The Development and Conservation Manager presented the report in respect of application 20/03070/FP supported by a visual presentation consisting of photographs and plans.

Mr Graham Lee, Chair of Ashwell Parish Council, thanked the Chair for the opportunity to address the Committee in objection, including:

- The Parish Council had considered the application in February 2021;
- The Parish Council concluded that the application should be refused;
- The development would have a negative impact on the character of the countryside;
- The development was beyond the settlement boundary;
- The development would be visible from various places in the village;
- The local school was already close to capacity and this development would exacerbate the problem; and
- The need for this development had not been demonstrated.

The following Members took part in the debate:

- Councillor Morgan Derbyshire;
- Councillor Tom Tyson;
- Councillor Tony Hunter;
- Councillor David Levett; and
- Councillor Ian Mantle

Points raised were as follows:

- The social housing had not been integrated;
- The layout and location of the development was wrong; and
- The development did not enhance the natural beauty of the area.

Councillor Morgan Derbyshire proposed to refuse planning permission. The proposal was seconded by Councillor Tom Tyson.

It was voted upon and:

RESOLVED: That application 20/03070/FP be **REFUSED** planning permission as per the reasons contained in the report of the Development and Conservation Manager.

10 **PLANNING APPEALS**

Audio Recording – 2 Hours 24 Minutes 18 Seconds

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

The Officer advised that a public inquiry was taking place from 3 – 10 August 2021 in relation to the Land South of Heath Lane, Codicote. However, the Council were lobbying for the date to be moved so that it takes place after the Inspector's report on the Local Plan.

Thursday, 27th May, 2021

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.

The meeting closed at 9.56 pm

Chair