

**NORTH HERTFORDSHIRE DISTRICT COUNCIL**  
**PLANNING CONTROL COMMITTEE**  
**MEETING HELD AS A VIRTUAL MEETING**  
**ON WEDNESDAY, 24TH MARCH, 2021 AT 7.30 PM**

**MINUTES**

**Present:** *Councillors: Ruth Brown (Chair), Daniel Allen (Vice-Chair), Val Bryant, Morgan Derbyshire, Mike Hughson, Tony Hunter, David Levett, Sue Ngwala, Mike Rice, Tom Tyson and Sam Collins (In place of Sean Prendergast)*

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

**Also Present:** *At the commencement of the meeting approximately 3 members of the public, including registered speakers. Louis Franklin was present as IT Support.*

**117 WELCOME AND REMOTE/PARTLY REMOTE MEETINGS PROTOCOL SUMMARY**

*Audio Recording – 10 Seconds*

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.

**118 APOLOGIES FOR ABSENCE**

*Audio Recording – 2 Minutes 52 Seconds*

Apologies for absence were received from Councillors Ian Moody and Sean Prendergast.

Having given due notice, Councillor Sam Collins advised that he would be substituting for Councillor Sean Prendergast.

**119 NOTIFICATION OF OTHER BUSINESS**

*Audio Recording – 3 Minutes 6 Seconds*

There was no other business notified.

**120 CHAIR'S ANNOUNCEMENTS**

*Audio Recording – 3 Minutes 12 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;
- (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.

**121 PUBLIC PARTICIPATION**

*Audio Recording – 5 Minutes 20 Seconds*

The Chair confirmed that the registered speakers and Member Advocate were in attendance.

**122 20/01714/FP FOUNDATION HOUSE, ICKNIELD WAY, LETCHWORTH GARDEN CITY, HERTFORDSHIRE, SG6 1GD**

*Audio Recording – 5 Minutes 36 Seconds*

Erection of 57 dwellings comprising of 18 x 1-bed apartments and 39 x 2-bed apartments including provision of car parking with all associated ancillary and landscaping works following demolition of existing office building (Amended by plan received 17.09.20.

Councillor Sue Ngwala declared that this application was within her ward. However, she had not predetermined it and would therefore take part in the debate and vote.

Before presenting the report, the Principal Planning Officer advised that the (J) before the s106 contributions in the table at paragraph 4.3.42 needed to be corrected to pound-signs (£).

The Principal Planning Officer presented the report in respect of application 20/01714/FP supported by a visual presentation in consisting of photographs and plans.

The following Members asked questions of the Principal Planning Officer:

- Councillor Sue Ngwala.

In response to the Member's question, the Principal Planning Officer advised that there was site provision of 23 affordable dwellings based on 65% rented tenure (10 x 1 bed flats, 5 x 2 bed flats) and 35% shared ownership (8 x 1 bed flats).

Mr John Welch, First Garden Cities Homes, thanked the Chair for the opportunity to address the Committee in support of the application, including:

- The aim of the organisation was to provide homes to those in need;
- The application was for 57 well-designed apartments;
- 16 apartments were for sale and the other 41 were shared ownership; and
- The 41 apartments would go to local people with a connection to Letchworth.

The following Members asked questions of Mr Welch:

- Councillor David Levett; and
- Councillor Sue Ngwala.

In response to questions, Mr Welch advised that:

- Having 61 EV charging points was important as the organisation recognised the world was changing and there was a need for more sustainable schemes/a carbon neutral agenda;
- Traffic management had been undertaken by the County Council; and
- Traffic was less of an issue now as more people worked from home.

Once questions had concluded, the Committee moved to debate.

The following Members took part in the debate:

- Councillor Sam Collins;
- Councillor David Levett;
- Councillor Ruth Brown;
- Councillor Tony Hunter;
- Councillor Sue Ngwala;
- Councillor Daniel Allen; and
- Councillor Morgan Derbyshire.

Points raised by Members included:

- The number of EV charging points;
- Car parking spaces under requirement;
- Bus service provision; and
- S106 contribution to youth services in Letchworth.

In response to matters raised in the debate, the Principal Planning Officer advised that:

- The County Council did not recommend s106 contributions towards the bus service;
- The contribution towards Hitchin Young People's Centre was requested by the County Council. However, he would investigate as to whether this money could be transferred to youth provision in Letchworth.

The Development and Conservation Manager added that in order to generate funding for bus provision, the development had to be bigger.

Once the debate had concluded, Councillor Daniel Allen proposed and Councillor Sue Ngwala seconded to grant planning permission.

Upon being put to the vote, it was:

**RESOLVED:** That application 20/01714/FP be **GRANTED** planning permission subject to the conditions and reasons contained in the report of the Development and Conservation Manager, and that the S106 in respect of County Council Youth contributions be amended to contribute towards Youth Services in Letchworth.

**123 18/02913/OP FORMER NORTON SCHOOL PLAYING FIELDS TO THE NORTH OF, PRINCIPAL COURT, LETCHWORTH GARDEN CITY, HERTFORDSHIRE**

*Audio Recording – 35 Minutes 55 Seconds*

Outline planning application (all matters reserved) for the erection of up to 45 dwellings (as amended by plan received 25 February 2020).

Councillor Sue Ngwala declared that this application was within her ward. However, she had not predetermined it and would therefore take part in the debate and vote.

Councillor Morgan Derbyshire declared that he was speaking as Member Advocate on this item and therefore he would not take part in the debate and vote.

The Senior Strategic Sites Officer presented the report in respect of application 18/02913/OP supported by a visual presentation in consisting of photographs and plans.

The Officer provided an amendment to Condition 15 and additional informatives, as follows:

Condition 15 as amended:

Prior to occupation of any of the dwellings hereby approved, a scheme identifying a significant number, as well as distribution, of EV charging points shall be submitted and agreed in writing by the Local Planning Authority. The EV charging points agreed by way of this condition shall be implemented prior to the occupation of any dwelling hereby approved.

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality.'

Additional informatives:

2. It is expected that the scheme to be submitted in line with condition 15 of this permission will provide a significant number of EV charging points. The Council will consider any details submitted on its merits, however, are of the mind that at least one EV charging point should be provided for each dwelling.

10. The applicant, and future developers, are recommended to review the committee footage which raised some concerns in respect to the ability of the site to accommodate the maximum number of units permissible pursuant to this outline application for UP TO 45 dwellings. Furthermore, concerns were raised as to the date of the Transport Assessment evidence supporting the outline application, and any subsequent reserved matters applications for access should be supplemented by up-to-date transport evidence.

Once the Officer's presentation had concluded, the following Members asked questions of the Senior Strategic Sites Officer:

- Councillor Daniel Allen;
- Councillor Sue Ngwala;
- Councillor Sam Collins;
- Councillor David Levett;
- Councillor Tom Tyson; and
- Councillor Val Bryant.

The Senior Strategic Sites Officer provided further information regarding the pedestrian access in relation to Cashio Lane.

In response to other questions raised, the Officer advised that:

- Evidence would need to be provided to ascertain if there was a requirement for additional EV charging points;
- It was important to look at the quality of the EV charging points;
- A traffic management condition was in place at Condition 20; and
- The Environment Agency and Environmental Health had requested conditions to mitigate land contamination issues.

Mr David Masters thanked the Chair for the opportunity to address the Committee in objection to application 18/02913/OP, including:

- There was a drainage ditch that ran along the back of Eastern way and rear gardens down Eastern Way had been flooded;
- The ditch was not maintained by a Local Authority;
- Residents were not allowed to clear the ditch;
- The allocation of parking spaces per dwelling was not enough.

The following Members asked questions:

- Councillor Sam Collins.

In response to the Member's question regarding ditch clearance, Mr Masters advised that it was Hertfordshire County Council who had instructed residents not to clear the ditch.

Councillor Morgan Derbyshire, Member Advocate, thanked the Chair for the opportunity to address the Committee in objection to the application, including:

- Norton Road was the primary road into Letchworth;
- Sites LG1, LG4 and LG10 in the Council's emerging local plan all used Norton Road as their only access into Letchworth;
- The total number of homes on these sites was over 1,000;
- Traffic congestion would become worse as a result of the increased number of dwellings;

- There should be a s106 contribution towards road safety measures in order to mitigate increased traffic as a result of the development;
- A crossing on Norton Road towards the Grange Estate was needed in order to allow people to cross the road safely;
- S106 contributions should be made to schools in the Grange Estate rather than Garden City Academy School which was on the other side of town to this development.

*NB: As Councillor Morgan Derbyshire was a Member Advocate on this item but usually a Committee Member, he had declared that he would leave the meeting at the end of his presentation. Councillor Derbyshire therefore left the meeting at 20:45, taking no part in the debate and vote.*

Mr Seth Williams, Agent, thanked the Chair for the opportunity to address the Committee in support of the application, including:

- The application related to the redevelopment of the former Norton School playing fields in accordance with the allocation that had been made in the emerging local plan;
- Since the school had closed, the playing fields had become redundant;
- The application was made in outline with all matters reserved;
- There was an indicative layout and access arrangement;
- Vehicular access was proposed to be taken off the end of Principal Court;
- The proposal offered suitable means of access which would not impact the safety of the highway network;
- There was proposed pedestrian access through to Cashio Lane to the east; and
- The site would offer 45 dwellings.

The following Members asked questions:

- Councillor Sue Ngwala;
- Councillor David Levett; and
- Councillor Tony Hunter.

Mr Williams responded to questions accordingly.

The Senior Strategic Sites Officer responded to issues raised.

The following Members took part in the debate:

- Councillor Sam Collins;
- Councillor Daniel Allen;
- Councillor David Levett;
- Councillor Sue Ngwala;
- Councillor Tony Hunter; and
- Councillor Mike Rice.

Points and comments made in the debate included:

- The number of EV charging points was too low;
- Access to the development was in the wrong place;
- The number of dwellings was too high;
- The site was detrimental to existing houses;
- The layout of the site was not acceptable; and
- Loss of privacy.

A Member raised that the matters being discussed were in fact reserve matters and another Member advised that the decision that needed to be made was whether the Committee were happy with 45 dwellings being built at this location.

Councillor Daniel Allen proposed to refuse planning permission which was seconded by Councillor Sue Ngwala.

Councillor David Levett raised a Point of Order and stated that a reason for refusal was needed.

The Development and Conservation Manager provided guidance to Members by reminding them that it was an outline application and they would still have control of the scheme as it was all matters reserved. The Officer advised that Members could control the number of dwellings, the access and layout if they were minded to grant planning permission.

In response to the point of order raised by Councillor Levett, the Development and Conservation Manager advised that Policy 21 could be used as a reason for refusal. However, using Policy 21 as a reason for refusal could be difficult to sustain at appeal.

At the request of the Chair, the Committee voted on the proposal to refuse planning permission which had been proposed by Councillor Daniel Allen and seconded by Councillor Sue Ngwala. Upon being put to the vote, the motion to refuse was lost.

Councillor Mike Rice proposed to grant planning permission and Councillor David Levett seconded the proposal.

It was put to the vote and:

**RESOLVED:** That application 18/02913/OP be **GRANTED** planning permission subject to the conditions and reasons contained in the report of the Development and Conservation Manager, and the variation of condition 15 and additional informatives.

'Condition 15 as amended:

Prior to occupation of any of the dwellings hereby approved, a scheme identifying a significant number, as well as distribution, of EV charging points shall be submitted and agreed in writing by the Local Planning Authority. The EV charging points agreed by way of this condition shall be implemented prior to the occupation of any dwelling hereby approved.

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality.'

Additional informatives:

2. It is expected that the scheme to be submitted in line with condition 15 of this permission will provide a significant number of EV charging points. The Council will consider any details submitted on its merits, however, are of the mind that at least one EV charging point should be provided for each dwelling.

10. The applicant, and future developers, are recommended to review the committee footage which raised some concerns in respect to the ability of the site to accommodate the maximum number of units permissible pursuant to this outline application for UP TO 45 dwellings. Furthermore, concerns were raised as to the date of the Transport Assessment evidence supporting the outline application, and any subsequent reserved matters applications for access should be supplemented by up-to-date transport evidence.

**124 PLANNING APPEALS**

*Audio Recording – 2 Hours 38 Seconds*

There were no Planning Appeals.

The meeting closed at 9.33 pm

Chair