

NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES
ON THURSDAY, 2ND DECEMBER, 2021 AT 7.30 PM

MINUTES

Present: *Councillors: Councillor Ruth Brown (Chair), Val Bryant, Morgan Derbyshire, Tony Hunter, Mike Rice, Terry Tyler and Tom Tyson, Michael Muir, Simon Bloxham and Amy Allen.*

In Attendance: *Simon Ellis (Development and Conservation Manager), Tom Allington (Principal Planning Officer – Strategic Sites), Arhamna Jafri and Louis Mutter (Committee, Member and Scrutiny Officer)*

Also Present: *At the commencement of the meeting Herts County Councillor Fiona Hill and approximately 2 members of the public, including registered speakers.*

27 APOLOGIES FOR ABSENCE

Audio recording – 20 seconds

Apologies for absence were received from Councillors John Bishop, Mike Hughson, David Levett and Ian Mantle.

Having given due notice Councillor Michael Muir substituted for Councillor David Levett, Councillor Simon Bloxham substituted for Councillor John Bishop and Councillor Amy Allen substituted for Councillor Mike Hughson.

28 MINUTES - 4 NOVEMBER

Audio Recording – 53 seconds

Councillor Ruth Brown, as Chair, proposed and Councillor Morgan Derbyshire seconded and, following a vote, it was:

RESOLVED: That the Minutes of the Meeting of the Committee held on 4 November 2021 be approved as a true record of the proceedings and be signed by the Chair.

29 NOTIFICATION OF OTHER BUSINESS

Audio recording – 2 minute 17 seconds

There was no other business notified.

30 CHAIR'S ANNOUNCEMENTS

Audio recording – 2 minutes 21 seconds

- (1) The Chair advised that, in accordance with Council Policy, the meeting would be audio recorded.

- (2) 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.
- (3) The Chair gave advice to the registered speakers on the speaking procedure and time limits.
- (4) The Chair announced a comfort break would be taken around 9pm.
- (5) The Chair advised that there was a Part 2 Item on the agenda for this meeting and notified members of the public that they would be required to leave the room and the live stream would be stopped at this point.

31 PUBLIC PARTICIPATION

Audio recording – 3 minutes 41 seconds

The Chair confirmed the one registered speaker was in attendance.

32 19/02865/RM LAND EAST OF GARDEN WALK AND NORTH OF NEWMARKET ROAD, GARDEN WALK, ROYSTON, HERTFORDSHIRE

Audio recording – 3 minutes 56 seconds

The Senior Planning Officer advised of updates to the report including:

- Consider that plans for the internal road layout, but not the landscaping or footpaths, should be provided and Condition 10 should be amended to remove reference to landscaping or footpaths.
- This was due to their being two different plans, one with a care home and one without.
- Currently the Lead Local Flood Authority had objected as they required more detailed plans of the drainage system. There was a pre-commencement condition which covered this and plans were being worked on by the applicant.

The Senior Planning Officer presented the report in respect of application 19/02865/RM supported by a visual presentation consisting of photographs and plans.

The following Members asked questions:

- Councillor Tony Hunter

In response to questions, the Senior Planning Officer advised that Condition 10 was being updated as the site of the proposed care home meant there was a slight variation in the two schemes (19/02865/RM and 19/02866/RM), other than this they were identical. This proposed Condition 10 would prevent the applicant using a hybrid of the two plans, as the internal road layout plans would be different for the two applications.

The Chair invited Claire Newbury to speak on behalf of the applicant.

Claire Newbury thanked the Chair for the chance to address the Committee and gave a verbal presentation including:

- Confirmed there were two layouts proposed and this proposal would reflect the original aspiration of the outline planning application, with general housing but no specialist accommodation.

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- At the time of submission, the care home application had not been determined and was only allowed on appeal. Therefore this application was required as a backstop option to preserve the ability to deliver homes on the site.
- 165 houses were proposed under this phase.
- Landscaping had previously been approved as part of Phase 1, which included agreements over biodiversity gains.
- 100 homes have been built so far and aim to complete development within 3 years.
- There has been a strong rate of sales so far, with good feedback from new residents.
- In the outline planning application, it was agreed that buildings would remain below the 18 metre contour lines, to ensure the development does not have a negative impact on wider views.
- This principle was vital in deciding the layout of this phase and this has guided the main streets and orientation of dwellings.
- The main street routes followed the contours of the site and meet Highways requirements.
- Have met and discussed with Officers how best to ensure the 18 metre height was not exceeded and to maximise use of site.
- Further ground modelling was agreed, alongside some plots having extended gardens, to lessen the impact of the site.
- This phase exceeds the development management policy requirements and will make a key contribution to Council's 5 year land supply.

The following Members asked questions:

- Councillor Tony Hunter

In response to questions, Claire Newbury advised that detailed negotiations with the care home provider were in the final stages and it was hoped the care home would go ahead, conditional on the outcome of these discussions.

The following Members took part in the debate:

- Councillor Ruth Brown
- Councillor Tony Hunter

In response to questions the Senior Planning Officer advised:

- There was affordable, not social, housing included in the plans as part of the Section 106 agreement.
- The scheme had previously been amended to confront issues raised by Officers relating to the typography of the site and Officers were now confident that there will be no overlooking of properties.

Councillor Ruth Brown, as Chair, proposed and Councillor Tony Hunter seconded and, following a vote, it was:

RESOLVED: That application 19/02865/RM be **GRANTED** planning permission subject to the reasons and conditions outlined in the report of the Development and Conservation Manager and the following amendment to conditions:

- Condition 10 to be amended to the following:

"A phasing plan detailing the timing of implementation of the internal road layout shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. The phasing plan shall be implemented in accordance with the approved plans.

Reason: The development hereby approved is one of two versions for delivery of housing on the site. There are differences in layout between the two versions in the vicinity of an approved care home towards the northern end of the site, where one or the other version could be implemented. This condition is to ensure that this development is implemented in accordance with the approved plans for this version of development of the site, which forms the basis for the approval."

33 19/02866/RM LAND EAST OF GARDEN WALK AND NORTH OF NEWMARKET ROAD, GARDEN WALK, ROYSTON, HERTFORDSHIRE

Audio recording – 26 minutes 5 seconds

The Senior Planning Officer advised of updates to the report including:

- Condition 10 was amended as outlined under Item 6.
- There were 148 dwellings proposed, 17 fewer than application 19/02865/RM due to the exclusion of land for the care home.
- Royston Town Council had no objections.
- The Lead Local Flood Authority had objected, but this concerned the drainage which was covered under Condition 7 of the Outline Planning application.

The Senior Planning Officer presented the report in respect of application 19/02865/RM supported by a visual presentation consisting of photographs and plans.

The following Members asked questions:

- Councillor Michael Muir
- Councillor Val Bryant
- Councillor Tom Tyson

In response to questions the Senior Planning officer advised:

- Cycleways would be included within the footpaths on the site and the width and surfacing of these would be appropriate.
- The community open space would not be suitable for cycles, as this is a chalk grass land and intended to increase biodiversity, which would be negatively impacted by cycles.
- Any inclusion of charging points for electric cycles, and suitable storage facilities, would have to have been agreed within the outline planning application and was not.

Following questions, the Chair advised that she regularly cycled in and around this site and felt that cycle access to the site and within the site would not be an issue.

The Chair confirmed that the steepest part of the site was the proposed community open space, where cycles would not be allowed, so did not feel electric cycle charging points were required.

The Chair invited Claire Newbury to speak on behalf of the applicant.

Claire Newbury thanked the Chair for the chance to address the Committee and gave a verbal presentation including:

- This proposal was for 148 units, with 30% affordable, allowing space for the care home on site.
- Changes were agreed with Officers to include ground remodelling around the care home and the reorientation of some houses on the site, which saw a reduction of one unit.
- In all other aspects this layout is the same as the first version.

- Agreed as part of the Section 106 that a new surfaced footpath and cycleway into Newman Way would be installed.
- The roads through the site have been agreed so that they follow the gradient of the land, and this considered cycles using the roads as well, which had been agreed with Highways Authority.

The following Members asked questions:

- Councillor Michael Muir

In response to questions, the Senior Planning Officer advised that Outline Planning Permission was granted in 2016, prior to the requirement for Electric Vehicle charging points.

Councillor Ruth Brown confirmed that all applications going forward would have this requirement included.

Councillor Tony Hunter proposed and Councillor Morgan Derbyshire seconded and, following a vote, it was:

RESOLVED: That application 19/02866/RM be **GRANTED** planning permission subject to the reasons and conditions outlined in the report of the Development and Conservation Manager and the following amendment to conditions:

- Condition 10 to be amended to the following:

“A phasing plan detailing the timing of implementation of the internal road layout shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. The phasing plan shall be implemented in accordance with the approved plans.”

Reason: The development hereby approved is one of two versions for delivery of housing on the site. There are differences in layout between the two versions in the vicinity of an approved care home towards the northern end of the site, where one or the other version could be implemented. This condition is to ensure that this development is implemented in accordance with the approved plans for this version of development of the site, which forms the basis for the approval.”

34 21/02194/S73 LAND EAST OF GARDEN WALK AND NORTH OF NEWMARKET ROAD, GARDEN WALK, ROYSTON, HERTFORDSHIRE

Audio recording – 46 minutes 12 seconds

The Principle Planning Officer advised there was one update to the report and this related to 2.7 where the Lead Local Flood Authority had removed their objection.

The Principle Planning Officer presented the report in respect of application 21/02194/S73 supported by a visual presentation consisting of photographs and plans.

The following Members asked questions:

- Councillor Ruth Brown
- Councillor Amy Allen

In response to questions, the Principle Planning Officer advised:

- He was unsure whether the one-way system for buses would allow for cyclists to go both ways – he could check this and confirm at a later stage.

- Confirmed that the one-way system was already in place.

Councillor Ruth Brown advised that the one-way system was in place due to residents concerns that allowing vehicular access to the school would cause further issues.

Councillor Tony Hunter commented that there were discussions with Highways on how to enforce the one-way system, but it was desirable that emergency vehicles would be able use it for access.

Councillor Morgan Derbyshire proposed and Councillor Tom Tyson seconded and, following a vote, it was:

RESOLVED: That application 21/02194/S73 be **GRANTED** planning permission subject to the reasons and conditions outlined in the report of the Development and Conservation Manager.

35 PLANNING APPEALS REPORT

Audio recording – 54 minutes 07 seconds

The Development and Conservation Manager presented the report entitled 'Planning Appeals' and commented that there had been two householder appeals lodged, but no decisions made on these.

RESOLVED: That the report entitled 'Planning Appeals' be noted.

36 CURRENT ENFORCEMENT NOTICES

Audio recording – 54 minutes 35 seconds

The Development and Conservation Manager presented the report entitled 'Current Enforcement Notices' and advised Members:

- These would now be presented to the Committee on a quarterly basis.
- They had previously been presented as Part 1 and reported to Executive Members, but this has been tightened up and would now include a Part 1 and Part 2 report for the Planning Control Committee.
- The public reports will show the enforcement notices from the previous period.
- In the last two years, only 3 enforcement notices had been issued. The Development and Conservation Manager advised that often issues are resolved before getting to an enforcement notice stage.
- Of those three notices, the first expired, the second was allowed on appeal, and the third was successful on appeal but no action can be taken until the compliance period expires.

RESOLVED: That the report entitled 'Current Enforcement Notices' be noted.

37 EXCLUSION OF PRESS AND PUBLIC

Audio recording – 57 minutes 29 seconds

Councillor Ruth Brown, as Chair, proposed and Councillor Morgan Derbyshire seconded and, following a vote, it was:

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 5 and 7 of Part 1 of Schedule 12A of the said Act (as amended).

38 CURRENT ENFORCEMENT ACTIONS

The Development and Conservation Manager presented the report entitled 'Current Enforcement Actions'.

The following Members asked questions:

- Councillor Val Bryant
- Councillor Tom Tyson
- Councillor Ruth Brown

The Development and Conservation Manager responded to questions and gave advice.

It was:

RESOLVED: That the report entitled 'Current Enforcement Actions' be noted.

The meeting closed at 8.44 pm

Chair