

**NORTH HERTFORDSHIRE DISTRICT COUNCIL**

**PLANNING CONTROL COMMITTEE**

**MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES,  
LETCWORTH GARDEN CITY  
ON THURSDAY, 1ST DECEMBER, 2022 AT 7.30 PM**

**MINUTES**

**Present:** *Councillors: Councillor Tom Tyson (Chair), Daniel Allen, David Levett, Morgan Derbyshire, Sean Nolan, Nigel Mason, Simon Bloxham, Terry Tyler, Tony Hunter and Phil Weeder*

**In Attendance:** *James Lovegrove (Committee, Member and Scrutiny Manager), Nurainatta Katevu (Legal Regulatory Team Manager and Deputy Monitoring Officer), Abigail Hamilton (Committee, Member and Scrutiny Officer), Anne McDonald (Acting Development and Conservation Manager), Peter Bull (Senior Planning Officer) and Andrew Hunter (Senior Planning Officer)*

**Also Present:** *At the commencement of the meeting approximately 60 members of the public, including registered speakers.*

**31 APOLOGIES FOR ABSENCE**

*Audio recording – 1 minutes 14 seconds*

Apologies for absence were received from Councillors Val Bryant, Alistair Willoughby and Ian Moody.

Having given due notice Councillor Alistair Willoughby was substituted by Councillor Nigel Mason.

**32 MINUTES - 20 SEPTEMBER 2022**

*Audio Recording – 1 minutes 45 seconds*

Councillor Tom Tyson, as Chair, proposed and Councillor Daniel Allen seconded and, following a vote, it was:

**RESOLVED:** That the Minutes of the Meeting of the Committee held on 20 September 2022 be approved as a true record of the proceedings and be signed by the Chair.

**33 NOTIFICATION OF OTHER BUSINESS**

*Audio recording – 2 minutes 35 seconds*

There was no other business notified.

**34 CHAIR'S ANNOUNCEMENTS**

*Audio recording – 2 minutes 42 seconds*

(1) The Chair paid tribute to Councillor Judi Billing MBE, following her death on 24 November 2022 and held a minute's silence in her memory.

- (2) The Chair advised that, in accordance with Council Policy, the meeting would be 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) The Chair clarified the speaking procedure for the members of the public in attendance.
- (5) The Chair advised of when comfort breaks would be taken.

### 35 PUBLIC PARTICIPATION

*Audio recording – 5 minutes 25 seconds*

The Chair confirmed that the 10 registered public speakers and 5 Member Advocates were in attendance.

### 36 18/01502/OP Land Between Royston Road And, Cambridge Road, Barkway, Hertfordshire

*Audio recording – 6 minutes 18 seconds*

The Acting Development and Conservation Manager advised of the following updates:

- Three late letters had been received and circulated to Members ahead of the meeting.
- HCC Growth and Infrastructure Team had requested that monitoring fees be included as well as the Section 106 contributions, following a change in their guidance. They had also requested that the fire hydrants be included as a condition for this application, and this now formed Condition 25.
- Councillor Hill maintained her objection to the application.
- Barkway Parish Council had continued their objection to the application. The response from the Planning Officer to the Parish Council regarding their additional conditions proposed had been published and the Planning Officer had offered support to three of these additional proposals.

Councillor Tony Hunter advised that due to comments made during the Local Plan process he was predetermined on this item and would therefore speak as a Member Advocate before leaving the Chamber for the remainder of the item.

The Acting Development and Conservation Manager presented the report in respect of application 18/01502/OP supported by a visual presentation consisting of photographs and plans.

*(At this point of the meeting Councillor Phil Weeder entered the Chamber at 19.48)*

The Chair invited Ms Jacqueline Veater and Ms Aimee Cannon to speak against the item.

Ms Veater thanked the Chair for the opportunity to speak and provided the Committee with a verbal presentation, including:

- Objections to the development had come from all areas.
- The new development of housing will remain remote from the village in the near future.
- The Parish Council would support the District Council if the application was refused permission.
- The village was at risk of becoming nothing more than a housing estate, with limited employment opportunities.

- The 140 homes proposed would make a minimal contribution to the housing supply in the district.
- There were amendments to the Levelling Up Bill which aimed to commit developers to offset pollution caused to environments, but the phased sewage plant scheme for this development is not enough to protect the River Quinn.
- Requested that the sewage plant condition be amended to require an upgrade to the sewage plant before commencement of the development.
- Requested additional wording to Condition 19 to ease parking and traffic congestion around the site.
- Further exploration of the proposed shop is required.
- The application should be refused as an inappropriate and unsustainable development.

Ms Cannon thanked the Chair for the opportunity to speak and provided the Committee with a verbal presentation, including:

- Newsells Park Stud farm remain of the view that this development is not suitable, but request measures are put in place to mitigate against harm if permission is granted.
- The parameters needed setting at this stage of the application.
- No noise assessment has been made as part of the application and an acoustic fence should be required around the boundaries of the site and this should be in place before development
- There should be no development until the mature landscaping around the site has been completed.
- There should be a management plan in place, with the onus put on the developer to mitigate against harmful impacts, for example through the prohibition of lanterns and fireworks on this site.

There were no points of clarification from Members and the Chair thanked Ms Veater and Ms Cannon for their presentation.

The Chair invited Councillors Gerald Morris and Tony Hunter to speak against the item, as Member Advocates.

Councillor Morris thanked the Chair for the opportunity to speak and provided the Committee with a verbal presentation, including:

- Newsells Park Stud has detailed that this development would lead to the loss of 35 jobs, with impacts on families, suppliers and contractors involved.
- Signage suggested around the site is not suitable as a mitigation to the impact of the development on the Stud.
- There was no need to create a north-south wildlife corridor as there was already an existing one through the site and the new proposed road would destroy this. This is contrary to NPPF policy, which states developments should not cause a loss of biodiversity or harm natural environments.
- Thames Water have detailed that in Barkway last year there were 734 hours of raw sewage pumped into the River Quinn and it was expected that this would double with this development.
- The Environment Agency had detailed that water companies should be consulted as part of the Local Plan development, in this instance North Herts had not completed this.
- Thames Water have identified an inability of the existing sewage treatment to deal with the housing on this development.
- Needed to send a message to government that this sort of development is not acceptable and should therefore be refused.

Councillor Hunter thanked the Chair for the opportunity to speak and provided the Committee with a verbal presentation, including:

- Provided details of NPPF policies where were not met with this application, including NPPF 6, NPPF 4, NPPF 8 and NPPF 11, amongst other relevant considerations.
- Not a suitable site due to the lack of amenities, including schools and transport.
- There were no mitigation measures included within this proposal.
- As had been detailed, without a school the site would not be sustainable and would see residents travelling neighbouring towns for schools or leisure.
- The Committee should refuse the application and allow an Inspector to make the final decision.

In response to a point of clarification from Councillor Daniel Allen, Councillor Hunter stated that the potential costs of losing an appeal should not be prioritised over supporting the views of residents and the local community.

The Chair thanked Councillors Morris and Hunter for their contribution.

*N.B. Following his declaration on this item and having spoken as a Member Advocate, Councillor Tony Hunter left the room at 20.03.*

The Chair invited Mr David Fletcher and Mr Rob Rand to speak in support of the item.

Mr Rand thanked the Chair for the opportunity to speak and provided the Committee with a verbal presentation, including:

- The objections raised to the application had been fully addressed.
- As with all new development, infrastructure or services will need to be improved and this site is no different. There is a legal requirement on Thames Water to provide suitable upgrades to the sewage system within two years of the development. Without permission on this site, there would be no requirement for the sewage plant upgrades.
- The potential impact on Newsells Park Stud is minimal and the Inspector had suggested landscaping measures to mitigate against any potential harm, as detailed in the proposed master plan.
- The accusation that the Stud would be unviable if permission was granted was incorrect, as the Stud had been purchased in 2021 following due diligence and impact assessments, and three years after the submission of the planning application.
- The BK3 site was the largest undeveloped site allocated within the Local Plan which was not within existing greenbelt land.
- There had been no objections from statutory consultees.
- The previous affordable housing in Barkway had been sold off and smaller developments did not meet the threshold to require affordable housing to be included. There were 56 affordable dwellings proposed in this development, with 65% being rented.
- BK3 was arguably the most scrutinised site in the Local Plan process and even had a dedicated public meeting to understand concerns and multiple visits from the Inspector, but ultimately the Inspector concluded that this was a sound site for development.

In response to a point of clarification from Councillor David Levett, Mr Fletcher advised that there had been a number of discussions which had taken place with Thames Water over a number of years since the site was allocated within the Local Plan. The applicant was aware of the issues with sewage capacity, however the dates for the upgrade could not formally be agreed until permission was granted. This would be the next stage of the development for the applicant.

In response to the public presentations, the Acting Development and Conservation Manager advised that this was an allocated site within the Local Plan, which means it had been deemed sustainable by the Inspector, and the Local Plan had been formally adopted by Council.

Councillor David Levett noted that this was a site within the Local Plan and it was an outline application with all matters reserved, which meant there would be a while before detailed plans were submitted for consideration and it would take a significant time to agree a sewage plan with Thames Water.

Councillor David Levett proposed to grant permission, with an amendment to Condition 9 to say that 'no development shall commence until'. The Acting Development and Conservation Manager advised this would be a suitable amendment.

Having been proposed, as amended, by Councillor Levett, it was seconded by Councillor Daniel Allen and, following a vote, it was:

**RESOLVED:** That application 18/01502/OP be **GRANTED** planning permission subject to the reasons set out in the report of the Development and Conservation Manager, with an amendment to Condition 9 to read:

"Prior to the commencement of development, a development and infrastructure phasing plan is to be submitted to and approved in writing by the LPA which must be agreed with the Local Authority in consultation with Thames Water. This plan is to set out the measures / works required to ensure that the local infrastructure has the capacity to serve the development and to allow the development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: Sewage Treatment Upgrades are likely to be required to accommodate the proposed development. Any upgrade works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents."

*Following the conclusion of this item there was a short comfort break in proceedings until 20.24, at which point Councillor Hunter returned to the Chamber.*

**37 22/00927/FP 20 High Street, Baldock, Hertfordshire, SG7 6AX**

*Audio recording – 49 minutes 30 seconds*

The Acting Development and Conservation Manager advised of the following updates:

- There were two applications for this site but the updates would be provided for both, with votes taking place separately.
- A group of objections had been received from nearby schools raising safeguarding concerns with regard to these applications.
- An objection had been received from a neighbouring business.
- A group of residents had submitted an objection.
- A statement from the YMCA had been provided in support of the application.
- A detailed response from the Police Liaison Officer had been received and it detailed that although anti-social behaviour had increased in the town from October 2019 to September 2022, this could not be attributed to 20 High Street.
- Most issues raised in these late representations had been addressed within the report.
- There were no safeguarding concerns raised by consultees.
- There was no reference to the loss of commercial floorspace in the report, but this application is for a temporary change of use and therefore not relevant in this circumstance.
- The Local Plan does contain provision for the support of homeless people.

The Acting Development and Conservation Manager presented the report in respect of application 22/00927/FP supported by a visual presentation consisting of photographs and plans.

The Chair invited Ms Karan Bugler to speak against the item.

Ms Bugler thanked the Chair for the opportunity to speak and provided the Committee with a verbal presentation, including:

- The residents believe that the report is flawed and their objections had been submitted in response to this.
- It is clear than only offences within the building itself have been referenced, when there are wider issues across the town.
- A Freedom of Information request had been made, but a response had not yet been received. In the interim residents had compiled a list of incidents with Police Crime Reference Numbers, with 24 occurrences happening in a 3 month period over summer 2022 all involving residents of 20 High Street.
- There was no police station in Baldock.
- A stabbing had taken place in Stevenage recently and it had been confirmed that the perpetrator was resident at 20 High Street, Baldock.
- The decision should be deferred to allow for time to receive an accurate police report.
- In the report it is detailed by the Police Liaison Officer acknowledges that a high number of the residents are and will be drug users and suggested that this would increase the likeliness of drug dealers in the area.
- The report proposes mitigations to protect residents, but not to protect the vulnerable residents in the community.
- The proximity to local schools, and the position of the site along a key walkway to these, has not been considered in the report. Headteachers from the schools had provided a submission detailing safeguarding concerns.
- Should the extension be granted, Baldock would have more beds to support homeless people than Stevenage, which was a bigger town. Baldock had limited employment opportunities and sporadic access to public transport and therefore did not provide a sustainable site for this service.
- The lack of infrastructure in place and the lack of a detailed police report meant Members did not have suitable information to make a decision on these applications this evening.

In response to a point of clarification from Councillor Daniel Allen, Ms Bugler advised that reference numbers and photographic evidence of crimes recorded by residents could be shared with Members following the meeting.

The Chair thanked Ms Bugler for her contribution and invited Councillor Michael Weeks to speak against the item, as Member Advocate.

Councillor Weeks thanked the Chair for the opportunity to speak and provided the Committee with a verbal presentation, including:

- Members should take in account the document submitted by Ms Bugler which challenged the findings of the Officer and brought into consideration parts of the newly adopted Local Plan.
- The Officer needed to provide a reply to the concerns raised in the document submitted.
- The incidents being referred to are happening now, with only 19 residents on site, but this number will increase by 10 people under proposals.
- The Police clearly did not have the time or resources available to provide accurate records and therefore the residents had submitted a Freedom of Information request.
- A vast majority of the incidents go unreported.
- Three nearby schools have objected to this application.
- There was no reference to the safety of women and girls, which is of national importance.
- Baldock is a small, historic market town and the proposals to 20 High Street put this at risk, especially as the Council Plan detailed that it would put People First.

Councillor Daniel Allen noted that this was a planning meeting and the content of Councillor Weeks' presentation was nothing to do with planning considerations.

The Chair thanked Councillor Weeks for his contribution and invited Mr Euan Courtney-Morgan to speak in support of the item.

Mr Courtney-Morgan thanked the Chair for the opportunity to speak and provided the Committee with a verbal presentation, including:

- He was speaking in support of both applications regarding 20 High Street, Baldock.
- There would be a dedicated set of staff on site on a 24/7 basis to manage the building and support residents.
- There was full support and counselling provided.
- The accommodation was temporary and individuals could be placed here for up to 18 months.
- There was a preferred alternative site on Protea Way, Letchworth and approval had been granted for this and it was currently subject to negotiation and contract.
- He was unaware of any anti-social behaviour issues regarding residents.

The following Members asked points of clarification:

- Councillor David Levett
- Councillor Daniel Allen
- Councillor Tony Hunter

In response to points of clarification, Mr Courtney-Morgan advised:

- There would be a dedicated support team on site.
- He was unsure as to what attempts had been made by residents to engage with the community.
- He was unsure at this time what levels of staff would be present on site at one time.

In response to the public presentations, the Acting Development and Conservation Manager advised:

- It was not of the Planning Committee members to tackle anti-social behaviour, this was for the Police to consider and deal with and for the management of the building.
- The vast majority of the objection received from Ms Bulger had already been published and the key issues addressed.
- There were no changes to the recommendations in the report and no reasons identified for deferral.

Councillor David Levett noted that this application was something he would usually support, but he had concerns over this with the main issue regarding whether this would create a safe and accessible place, which would not undermine the quality of life of residents or community cohesion, as detailed in NPPF Section 8. He also had concerns that public opinion was not adequately taken into account and that additional proposed recommendations had not been fully considered. Whilst he recognised there was not sufficient ground to refuse the application, Members had not been provided with enough evidence to approve either.

Councillor David Levett proposed that the application be deferred until sufficient information could be provided by the Police for Members to make a decision. This was seconded by Councillor Morgan Derbyshire.

In response to the proposal to defer from Councillor Levett, the Acting Development and Conservation Manager advised:

- The Police had been contacted several times and the most recent conversation took place 10 days ago to specifically ask about the figures provided.
- There was limited further advice that could be provided by the Police.
- The NPPF paragraphs referred to creating policies for areas where the layout and design was an element of the proposal. This was a change of use application and there were no layout or design considerations.
- There was a requirement to minimise anti-social behaviour through Secure by Design methods.

Councillor Daniel Allen noted that this placed too much emphasis on the anti-social behaviour and crime aspect, which was an issue, but this Committee dealt with planning considerations. Councillor Allen felt there was not enough information provided by Councillor Levett to support deferral.

Councillor Levett noted that the NPPF did not solely apply to layout of proposals, but could take into consideration other aspects including promoting social interaction in communities.

Councillor Tony Hunter highlighted that there were several parts of the NPPF Section 8 which this application did not meet. The Officer was suggesting that there was no answer that can be provided by the Police with regard to the anti-social behaviour, but the Freedom of Information request had been submitted and deferral until a response had been received either way would be sensible.

In response to points raised, the Legal Advisor commented:

- The Officer has spoken to the Police and have not got further information and can only provide information in the report based on the answer that is received.
- We would need to understand further what the wording of the Freedom of Information request and with no knowledge of what the response will be.
- The Council had not submitted the Freedom of Information request.

The Acting Development and Conservation Manager noted that the crime stats provided by the Police were uploaded as an addendum and circulated to Members ahead of the meeting and these provided figure through to September 2022.

Councillor Terry Tyler noted that the Police had provided figures for crimes linked to 20 High Street, Baldock, but the public needed to provide their evidence of incidents to Members and therefore would support deferment.

Councillor Simon Bloxham advised that he could understand the views of both the Officer and Councillor Levett, but it did not appear that we would get further information to what had been supplied. Therefore it would make sense to either approve or refuse, but not defer.

In response to a question from the Legal Advisor regarding the timeframe for deferral and what additional information would be provided, Councillor Levett advised that the Officers should consult the Police on the issues documented by residents and this should then be brought back to the Committee. If the reports of residents are true, then there is a conflict between the reports of the police and residents, therefore a decision could not be adequately taken and must be deferred. He would suggest a Committee meeting in February 2023 to allow for the Freedom of Information request to be answered and presented.

The Acting Development and Conservation Manager confirmed for Members that the planning committee was not responsible for the crime statistics in an area, it is for other statutory bodies to deal with crime.



The Chair noted the issues regarding the crime figures provided, but it is difficult to return to the Police and say their evidence is wrong.

Following the debate, and having been proposed by Councillor Levett and seconded by Councillor Derbyshire, the Chair moved to a vote and it was:

**LOST:** That application 22/00927/FP be **DEFERRED** to await further details from the Police regarding incidents of anti-social behaviour.

Councillor Bloxham commented that he would vote on the application with a view to represent and look out for the community, including those within the facility itself, whether or not this amounted to breaching planning requirements for refusal.

The Chair noted that should there be a proposal to refuse Members would have to do this based on planning considerations.

Councillor Allen commented that Members soapboxing on the most vulnerable and comments from the public gallery made it difficult for Members to adequately make an impartial decision. He noted that it was important that crime statistics were still provided so that residents could be supported in dealing with any issues.

Councillor Daniel Allen proposed to approve the application and Councillor Nigel Mason seconded.

Councillor Levett advised that he would like to have supported this proposal, as it does support vulnerable people, but there was insufficient evidence to prove this was right for the community.

Councillor Nigel Mason commented that these were hard decisions and commended the public objector for their approach to the Committee and their presentation of points and Members were sympathetic to issues raised by residents. It was important to put people first and the residents in this accommodation are some of the most vulnerable and ultimately these facilities are required for those in need.

Having been proposed to approve by Councillor Allen, Councillor Nigel Mason seconded and, following a vote, it was tied. Therefore the Chair cast the deciding vote and it was:

**RESOLVED:** That application 22/00927/FP be **GRANTED** planning permission subject to the reasons set out in the report of the Development and Conservation Manager.

**38 22/01498/FP 20 High Street, Baldock, Hertfordshire, SG7 6AX**

*Audio recording – 103 minutes 23 seconds*

The Chair advised that the Acting Development and Conservation Manager would not be providing a further update on this second application for 20 High Street, Baldock, as all updates had been provided alongside the first application.

The Chair invited Ms Bugler to provide further comments against this second application and Ms Bugler noted that the incidents referred to in the Police statistics is only incidents within the building, whereas residents were referring to incidents happening in the wider environment.

The Chair invited Councillor Michael Muir to speak against the second application as Member Advocate. Councillor Muir advised:

- He agreed with all points raised by Councillor Weeks with regard to the first application.

- The strength of feeling was evident from public attendees at the meeting.
- Detailed incidents which he had witnessed at the site.

The Chair advised Councillor Muir that anecdotal evidence was not suitable at the Planning Control Committee meeting.

The Chair invited Mr Courtney-Morgan to speak in support of the second application, and Mr Courtney-Morgan advised that he had no further comments.

Councillor Daniel Allen proposed and Councillor Nigel Mason seconded and, following a vote, it was:

**RESOLVED:** That application 22/01498/FP be **GRANTED** planning permission subject to the reasons set out in the report of the Development and Conservation Manager.

*Following the conclusion of this item there was a short comfort break in proceedings until 21.32.*

**39 21/02796/FP 59 - 61 Walsworth Road, Hitchin, Hertfordshire, SG4 9SX**

*Audio recording – 117 minutes 52 seconds*

The Senior Planning Officer advised of the following updates:

- Two additional responses had been received, one from HCC Growth and Infrastructure Unit and one from the Lead Local Flood Authority (LLFA), and these had been added as addenda to the report.
- The applicant has agreed in principle to the S106 conditions proposed by Herts County Council subject to legal agreement.
- The LFFA had proposed two further conditions to replace Condition 21 in the report.
- No response had been received from HCC Ecology Unit, but a satisfactory response would be required before issuing a Decision Notice.

The Senior Planning Officer presented the report in respect of application 22/02796/FP supported by a visual presentation consisting of photographs and plans.

In response to a question from Councillor Daniel Allen, the Senior Planning Officer advised access to the retail units would be via the three service doors at the rear of the site, and this is where deliveries would be made. There have been no concerns raised by Highways in terms of deliveries to this area.

The Chair invited Dr Georgina Porter and Mr Toby Shelley to speak against the item.

Mr Shelley thanked the Chair for the opportunity to speak and provided the Committee with a verbal presentation, including:

- They did not object to the proposals in principle and support a number of the proposals but believe there are two planning issues which need addressing.
- The first was drainage and this area was already prone to flooding, with Walsworth Road flooded every time it rains and the railway bridge is almost continually flooded during heavy rain.
- There was a recent example where drain covers were popping out due to volume of water in one street nearby.
- Due to climate change, rain is becoming more sporadic and more intense.

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- The sewage system in the area is ancient and it is clear that neither the issue of ground water or sewage had been resolved by the relevant agencies. Given the talks had been ongoing for over a year, it demonstrated the complexities of the issues involved.
- The issue of drainage should be addressed and should show that it is durable, with clear responsibility allocated for when issues occur.
- They request deferral of the application until the drainage issue can be resolved.

Dr Porter thanked the Chair for the opportunity to speak and provided the Committee with a verbal presentation, including:

- There was a mains leak in Walsworth Road recently, with traffic control measures put in place to conduct repair works, and this had a huge impact on traffic. This is a key road in the town and wider district, and is the main access to the train station.
- They had objected to the original plans due to their overbearing on neighbours. There have been some changes to the plan and there is no longer a fourth storey, but the roof height has not been reduced and the steep pitch is to remain.
- The social housing behind the site will be impacted by this issue more than those at the front, as the sunlight into their properties would be restricted.
- No objection to the development in principle, but the height of the building should be reduced, and this would be in keeping with other properties on Walsworth Road which had mixed roof heights.

There were no points of clarification from Members and the Chair thanked Dr Porter and Mr Shelley for their presentation.

The Chair invited Councillor Ian Albert to speak against the item, as Member Advocate.

Councillor Albert thanked the Chair for the opportunity to speak and provided the Committee with a verbal presentation, including:

- Both the long running nature of the application and the multiple conditions attached demonstrate the complexity of this proposal.
- The applicant refused to meet with residents, which may have helped to smooth the planning process.
- The proposed frontage had been improved, but there remained concerns about the viability of these premises. Whilst it had been acknowledged that deliveries would be made to the rear, this would block any other access to the car park.
- Walsworth Road was a main thoroughfare and there was no customer parking.
- There needed to be strong conditioning placed on energy, with more specificity with regard to heat pumps and solar panels, as these should not be dealt with at a later stage.
- There was no need for the roof to be brought level with the building next door, as this was part of its character. The loss of light created by the roof height is significant.
- The addendum provided made clear the building would need to be demolished before a drainage plan could be confirmed. This could lead to further delay and presents a lack of transparency in the process.
- Urged Members to think about refusal or deferral until the drainage plans could be determined by the Committee.

There were no points of clarification from Members and the Chair thanked Councillor Albert for his contribution.

In response to points raised during the public presentations, the Senior Planning Officer advised:

- They had been in consultation with LLFA and Anglian Water for some months, primarily due to staffing issues at the LLFA. However, most issues had now been resolved.

- The main issues which remain cannot be dealt with until the building is demolished and the existing drainage information provided.
- The building would meet the height of the adjoining building and in line with existing buildings in the street.
- In terms of light, the existing building covered around 95% of the site, but this would be reduced under these proposals, which would improve light to properties to the rear.
- The commercial units were not proposed to be destination shops, but to serve the local community and therefore it was expected most people would cycle or walk to these.
- It was not typical to know the details of energy on site at this stage, but officers would be seeking good quality energy matters, which would be dealt with by condition.

Councillor Daniel Allen commented that it was for members of the Committee to respect the knowledge and experience in these matters. The proposals did appear to be similar to existing neighbouring properties. He retained concerns on parking and energy but was happy to accept Officer proposals

Councillor David Levett noted that he understood the concerns around drainage and the requirement to knock the existing building down. These proposals would reduce the roof space of the building and was in keeping with newer developments along the road. The issue of parking was not ideal, however it was close to the railway and 10 parking spaces was more than other similar developments.

Councillor Daniel Allen proposed, with the amendments to conditions outlined by the Senior Planning Officer and subject to the Section 106 agreement, and Councillor David Levett seconded and, following a vote, it was:

**RESOLVED:** That application 22/00170/FP be **GRANTED** planning permission subject to the completion of a satisfactory S106 Legal Agreement and the reasons set out in the report of the Development and Conservation Manager, with the following amendments:

- Removal of Condition 21 as detailed in the report.
- Condition 22 and Condition 23 to become Condition 21 and Condition 22 respectively.
- Additional Conditions 23 and 24 to read:

“Condition 23

The development permitted by this planning permission shall be carried out in accordance with the following documents:

- E-mail response dated 23 August 2022 from Nolan Associates
- E-mail response dated 28 October 2022 from Nolan Associates
- Drainage Strategy carried out by Nolan Associates dated March 2022 reference 2021- 087
- CCTV and Connectivity Survey dated 9 May 2022 carried out by Wrc
- Manhole Survey Report dated 27 May 2022 carried out by Wrc

and the following mitigation measures:

1. Provide minimum surface water attenuation volume of 27m<sup>3</sup> to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change (40%) event.
2. Implement drainage strategy based on a tank and permeable paving for attenuation and treatment at a discharge rate of 2l/s into an existing surface water sewer (final details to be confirmed as part of a post demolition condition).
3. Provide water quality treatment using permeable paving on 10 parking bays where all the impermeable areas including the access road will be directed to the permeable paving for treatment prior to discharge.

Reason To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

Condition 24

No development shall take place, apart from the demolition of the current building, until the final design of the drainage scheme is completed and is approved by the LPA. The surface water drainage system will be based on the following approved documentation:

- E-mail response dated 23 August 2022 from Nolan Associates
- E-mail response dated 28 October 2022 from Nolan Associates
- Drainage Strategy carried out by Nolan Associates dated March 2022 reference 2021-087
- CCTV and Connectivity Survey dated 9 May 2022 carried out by Wrc
- Manhole Survey Report dated 27 May 2022 carried out by Wrc

The scheme shall also include:

1. Post demolition survey of the existing drainage system to confirm the existing connection into a sewer. Should the survey determine the connection is into an existing combined sewer, the applicant will need to demonstrate that they have considered other options where possible to connect into another surface water sewer.
2. Permission from Anglian Water to connect into their sewer including any required sewer upgrades due to capacity issues at the agreed rate of 2l/s.
3. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance for climate change event.
4. Detailed engineered drawings of the tank and permeable paving parking areas. The drawing should also show proposed levels of how the access road and other hardstanding areas will drain into the permeable paved parking bays.
5. Demonstrate appropriate SuDS management and treatment and inclusion of above ground features such as permeable paving, reducing the requirement for any underground storage.
6. Provision of half drain down times for surface water drainage within 24 hours.
7. Silt traps for protection for any residual tanked elements.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.”

**40 22/01990/PNAA 34 Royal Oak Lane, Pirton, Hitchin, Hertfordshire, SG5 3QT**

*Audio recording – 142 minutes 08 seconds*

The Senior Planning Officer advised of the following updates:

- An extension of time had been agreed until the 5 December 2022.

The Senior Planning Officer presented the report in respect of application 22/01990/PNAA supported by a visual presentation consisting of photographs and plans.

Councillor Simon Bloxham declared that he knew the applicant personally. He was advised by the Legal Advisor that whilst this was not a DPI, this was a declarable interest and he should remove himself from this item.

**Thursday, 1st December, 2022**

In response to a question from Councillor David Levett, the Senior Planning Officer advised that the proposal was similar in height to neighbouring properties. The roof height of this property would be 8.48 metres, where number 36 is approximately 8.3 metres and numbers 45 and 43 were approximately 8.5 metres in height.

In response to a question from the Chair, the Senior Planning Officer advised that the roof height was partially determined by the requirement for it to be the same pitch as the roof of the existing dwelling.

The Chair invited Ms Diane Burleigh to speak against the item.

Ms Burleigh thanked the Chair for the opportunity to speak and provided the Committee with a verbal presentation, including:

- She was speaking on behalf of Pirton Parish Council who felt that the height would adversely affect this section of the Lane.
- While the height of the roof has been reduced and it would no longer be the tallest, it would still be one of the tallest.
- The differing heights of the dwellings on Royal Oak Lane is part of its charm.
- 28 to 34 Royal Oak Lane are from a similar date and are set back from the road, but the property would not be hidden from public view all year round.
- Number 34 is clearly part of a distinct group of houses and changing one would be out of character with the other dwellings in the group.
- The property is most comparable to 28, 30 and 32, not number 36 and these neighbouring properties to which it compares would have grounds to claim the proposals would have an adverse impact on their homes.
- The impact on amenity is not limited to overlooking, privacy or loss of light and the impact the height would have on number 32 would mean there was an impact on amenity.
- Should approval be granted, there should be two further conditions included, one to ensure the first floor is in the same brick as other bungalows and an Article 4 direction placed on future developments into the roof space.

There were no points of clarification from Members and the Chair thanked Ms Burleigh for her presentation.

The Chair invited Councillor Claire Strong to speak against the item, as Member Advocate.

Councillor Strong thanked the Chair for the opportunity to speak and provided the Committee with a verbal presentation, including:

- Due to the unusual nature of the application, she felt it was worthwhile calling this into the Committee to consider, specifically with concerns over the height of the expansion.
- Even with the reduction proposed, it is a large extension and it will affect the street scene.
- The views of residents did not match those of the Officer in their report, as has been detailed in residents' objections.
- This application should still be thought of as a planning application and consideration given to the impact of the development.
- The Committee should also take into consideration the Pirton Neighbourhood Plan and they should recognise that proposals should reinforce the rural character of the village and parish, as set out in ways including height, scale and construction materials.
- If the Committee felt there was an impact on this part of Royal Oak Lane by these proposals, then they should refuse.
- Otherwise they should request the Officer return to the applicant and find ways in which the height of the roof could be further reduced.
- Following this a formal planning application should be submitted.

There were no points of clarification from Members and the Chair thanked Councillor Strong for her contribution.

The Chair invited Mr Colin Weatherall Morris to speak in support of the item.

Mr Weatherall Morris thanked the Chair for the opportunity to speak and provided the Committee with a verbal presentation, including:

- He was the agent applicant for this house project.
- The use of cladding does not form part of this proposal and the building will be extended using brick worked as detailed in submitted documents and the Officer report.
- The pitch of the existing roof is 40 degrees, and this revised proposal retains this to meet Class AA requirements. This reduction in height was achieved by reducing the height of the first floor windows.
- This property formed an end of a row of houses, which as referred to by the Officer acted as bookends to other properties on the street.
- The building is not currently in good repair and the proposals would have a benefit to the street scene.

In response to a point of clarification from Councillor Sean Nolan, Mr Weatherall Morris advised that it would be facing brickwork on the exterior to match existing building and no cladding would be used later on in construction. The hatching in the plans was to denote new wall not a specific material.

In response to points raised during the public presentations, the Senior Planning Officer advised:

- He maintained view that this would not have an impact on the Conservation Area, as it is located too far from it and is a fairly small development to a large bungalow.
- The bungalows are not listed buildings and there were no planning reasons to refuse this application based on the height.
- It was comparable to many other two storey dwellings close by.

*Councillor Simon Bloxham left the Chamber at 22.24.*

Councillor Daniel Allen proposed and Councillor David Levett seconded and, following a vote, it was:

**RESOLVED:** That application 22/01990/PNAA be **GRANTED** planning permission subject to the reasons set out in the report of the Development and Conservation Manager.

The meeting closed at 10.28 pm

Chair