

NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

**MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES,
LETCWORTH GARDEN CITY
ON THURSDAY, 6TH APRIL, 2023 AT 7.30 PM**

MINUTES

Present: *Councillors: Councillor Val Bryant (Chair), Councillor Tom Tyson (Vice-Chair), Alistair Willoughby, Daniel Allen, David Levett, Ian Moody, Morgan Derbyshire, Sean Nolan, Simon Bloxham, Tony Hunter and Phil Weeder*

In Attendance: *Nurainatta Katevu (Legal Regulatory Team Manager and Deputy Monitoring Officer), Anne McDonald (Area Planning Officer), Thomas Howe (Planning Officer), Henry Thomas (Planning Officer - Graduate), James Lovegrove (Committee, Member and Scrutiny Manager), Sjanet Wickenden (Committee, Member and Scrutiny Officer) and Eleanor Hopcraft (Committee, Member & Scrutiny Officer)*

Also Present: *At the commencement of the meeting approximately 3 members of the public, including registered speakers.*

Councillor Claire Strong was also present.

60 APOLOGIES FOR ABSENCE

Audio recording – 1 minute 9 seconds

N.B. Councillor Phil Weeder entered the meeting at 19:31

There were no apologies for absence received.

Councillor Terry Tyler was absent.

61 MINUTES - 9 FEBRUARY 2023

Audio recording – 1 minute 34 seconds

Councillor Val Bryant, as Chair proposed, Councillor Tom Tyson seconded, and following a vote, it was:

RESOLVED: That the Minutes of the Meeting of the Committee held on 9 February 2023 be approved as a true record of the proceedings and be signed by the Chair.

62 NOTIFICATION OF OTHER BUSINESS

Audio recording – 2 minutes 31 seconds

There was no other business notified.

63 CHAIR'S ANNOUNCEMENTS

Audio recording – 2 minutes 35 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 clarified the speaking process for public participants.
- (4) The Chair advised that Clause 4.8.23(a) of the Constitution applied to the meeting.

64 PUBLIC PARTICIPATION

Audio recording – 3 minutes 55 seconds

The Chair confirmed that the registered speakers were in attendance.

65 TPO/00204 (2022) LAND REAR OF 30-36 GARDEN FIELDS, GREAT OFFLEY

Audio recording – 4 minutes 8 seconds

The Planning Officer provided the following update:

- Tree Preservation Order (TPO) TPO/00204 (2022) was being presented to the Committee due to objections to the serving of the notice.
- The spinney had come to the attention of the Planning Team so it was prudent to investigate the value of the trees.

The Planning Officer presented the report in respect of application TPO/00204 (2022) supported by a visual presentation consisting of photographs and plans.

In response to the question from Councillor Simon Bloxham, the Planning Officer advised that there was no current reported damage caused by the trees, however residents were concerned of damage that could arise.

Councillor Morgan Derbyshire proposed, Councillor Sean Nolan seconded, and following a vote, it was:

RESOLVED: That the Tree Preservation Order TPO/00204 (2022) for a group of 10 English Oak (*Quercus Robur*) was confirmed.

66 TPO/00205 (2022) SOLLERSHOTT HALL, LETCHWORTH GARDEN CITY

Audio recording – 11 minutes 6 seconds

The Planning Officer provided the following update:

- The TPO was in response to an application to fell five pine trees at Sollershott Hall (reference 22/02634/TCA), which was refused in November 2022.
- There had been two letters of objection to the TPO, with issues raised including road lifting, potential danger of falling deadwood, damage to the fabric of Sollershott Hall and original drainage systems.

The Planning Officer presented the report in respect of application TPO/00205 (2022) supported by a visual presentation consisting of photographs and plans.

The following Members asked questions:

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

In response to the questions, the Planning Officer advised:

- The TPO covered a group 25 pine trees.
- The TPO was served in December 2022.
- The trees concerned provide significant landscape and amenity value from assessment.
- There was some root uplifting reported in the assessment, however it was felt that removal of the trees would be more harmful.

In response to the question from Councillor Daniel Allen, the Acting Development and Conservation Manager advised that letters were sent to everyone involved in the Tree Preservation Order but was unaware of the delays in receipt.

The Committee, Member and Scrutiny Manager advised that the letter was dated 29 March 2023, and that the Council could not be responsible for delivery of the letter.

The Legal Adviser advised that the agenda would have been available to the public in line with the legal deadline before the meeting. Two members of the public had registered to speak for the item, so appropriate notice was given.

The Acting Development and Conservation Manager further advised that the Council had six months to confirm the TPO after it was served. If the TPO was not confirmed within the timeframe, it would fall away, and the trees would become vulnerable.

In response to a question from Councillor Hunter, the Acting Development and Conservation Officer advised that the TPO was bought to the Committee as a TCA had been submitted.

The Chair invited Yasmin-Kate Pattison to present in objection to the Tree Preservation Order. Ms Pattison thanked the Chair, provided a verbal presentation and advised:

- A request had been submitted to the Letchworth Heritage Foundation in 2022 which did not have any issues.
- An Independent Health and Safety Risk Assessment found that the tree roots had damaged and lifted the driveway at Sollershott Hall, which was the main access point to the building and left the pathway unsafe.
- An Engineer Report had found one tree leant towards Block 34-39, which posed a risk to the building.
- There were plans to replant the trees after the driveway had been upgraded.

The Chair invited Richard Dennis to present in support of the Tree Preservation Order. Mr Dennis thanked the Chair, provided a verbal presentation and advised:

- The trees added amenity value and encouraged wildlife to the area.
- It would take a long time to replace the trees if they were felled. Therefore, a TPO should be implemented to protect the trees.

The Planning Officer advised that conditions could be placed within the TPO, such as a registered arborist would be required to undertake work. Replacement conditions could also be added.

The following Members asked questions:

- Councillor Alistair Willoughby
- Councillor David Levett
- Councillor Sean Nolan

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

- Anyone could submit an application with supporting statements for work on trees protected by a TPO.
- TPOs do not appear on the public planning portal until they are confirmed.
- The TPO description of works could be amended to exclude certain or a group of trees.

The following Members took part in discussion:

- Councillor Daniel Allen
- Councillor Tom Tyson
- Councillor David Levett
- Councillor Alistair Willoughby
- Councillor Morgan Derbyshire

Councillor Alistair Willoughby proposed, Councillor Tom Tyson seconded, and following a vote, it was lost. Therefore, it was:

RESOLVED: That the Tree Preservation Order TPO/00205 (2022) – G1 – for a group of 25 Pine Trees was not confirmed.

67 PLANNING APPEALS

Audio recording – 58 minutes 18 seconds

The Acting Development and Conservation Officer advised:

- There had been 6 new planning appeals in the last monitoring period. All appeals had been dismissed by the Inspector.
- 21/02973/PIP Land East of Picknage Road appeal was dismissed on landscape value impact.

RESOLVED: That the Committee noted the report.

68 CURRENT ENFORCEMENT NOTICES

Audio recording – 59 minutes 43 seconds

The Acting Development and Conservation Manager advised that there were no specific points to raise for this item.

RESOLVED: That the Committee noted the report.

69 EXCLUSION OF PRESS AND PUBLIC

Audio recording – 1 hour 25 seconds

Councillor Val Bryant, as Chair proposed, Councillor Alistair Willoughby seconded, and following a vote, it was:

RESOLVED: That under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting on the grounds that the following report will involve the likely disclosure of exempt information as defined in Paragraphs 5 and 7 of Part 1 of Schedule 12A of the said Act (as amended).

70 CURRENT ENFORCEMENT ACTIONS

N.B. This item was considered in restricted session and therefore no recording is available.

The Acting Development and Conservation Manager advised that the update covered more than one quarter and there was nothing specific to bring to the attention of the Committee.

RESOLVED: That the Committee noted the report.

The meeting closed at 8.35 pm

Chair