

**NORTH HERTFORDSHIRE DISTRICT COUNCIL**

**PLANNING CONTROL COMMITTEE**

**MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES,  
LETCWORTH GARDEN CITY  
ON THURSDAY, 27TH JULY, 2023 AT 7.30 PM**

**MINUTES**

**Present:** *Councillors: Councillor Val Bryant (Chair), Councillor Tom Tyson (Vice-Chair), Daniel Allen, Simon Bloxham, Mick Debenham, David Levett, Ian Moody, Sean Nolan and Louise Peace*

**In Attendance:** *Shaun Greaves (Development and Conservation Manager), Ben Glover (Senior Planning Officer), Nurainatta Katevu (Legal Regulatory Team Manager and Deputy Monitoring Officer), James Lovegrove (Committee, Member and Scrutiny Manager) and Eleanor Hopcraft (Committee, Member and Scrutiny Officer)*

**Also Present:** *At the commencement of the meeting approximately 24 members of the public, including registered speakers.*

*Councillors Claire Billing and Nigel Mason were also present.*

**96 APOLOGIES FOR ABSENCE**

*Audio recording – 1:23*

Apologies for absence were received from Councillor Nigel Mason.

Having given due notice, Councillor Ian Mantle substituted for Councillor Mason.

**97 NOTIFICATION OF OTHER BUSINESS**

*Audio recording – 1:54*

There was no other business notified.

**98 CHAIR'S ANNOUNCEMENTS**

*Audio recording – 1:58*

(1) The Chair advised that, in accordance with Council Policy, the meeting would be 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 Section 4.8.23(a) of the Constitution applied to the meeting.

**99 PUBLIC PARTICIPATION**

*Audio recording – 3:09*

The Chair confirmed that the registered speakers were in attendance.

**100 23/00555/FP LAND ON THE SOUTH OF OUGHTONHEAD LANE, HITCHIN, HERTFORDSHIRE, SG5 2NA**

*Audio recording – 3:26*

The Senior Planning Officer gave a verbal update and advised:

- Members had received a map which showed the wider context of the application.
- For the purposes of clarification, paragraph 4.31 was reference to the development of the proposed access.

The Senior Planning Officer presented the report in respect of application 23/00555/FP supported by a visual presentation consisting of photographs and plans.

In response to the question from Councillor Daniel Allen, the Senior Planning Officer advised that the map on slide 7 of the presentation showed vehicles leaving the site on the left and vehicles entering the site on the right.

The Chair invited Hugh Love to speak in objection of the application. Mr Love thanked the Chair, gave a verbal presentation and advised:

- The only communication that the applicant had with residents of Lower Innings was a letter in 2021 which asked for comments online on the proposed development.
- The map given to residents showed that there were no crossings on Oughtonhead Lane.
- At the time, the applicant advised that the access to the site would be via Bowlers End. The access had since changed, and the original access point was deemed unviable due to the way cars were parked.
- Section 3.1 of the document pack advised that the access via Lower Innings was most suitable but was not in the original proposals.
- The Lower Innings access involved Bedford Road and Redhill Road, which was a busy interchange with cars parked on both sides. This caused several pinch points and congestion on the road.
- Section 4.3.20 of the document pack stated that the Planning Officer accepted that there would be increased traffic in the vicinity but not unusually high in a residential area. This increase would be caused by construction and through traffic.
- The noise assessment of the area advised that the noise levels of the proposed development would be excessive.
- The Planning and Public Rights of Way Officers had advised that Oughtonhead Lane was a restricted by way used for walking, cycling and horse-riding. It was also the main access from Hitchin town centre to Oughtonhead Common.
- Section 6.1.5 stated that the surface of Oughtonhead Lane must be protected, but the proposed access would damage it.

In response to a point of clarification from Councillor Sean Nolan regarding the noise assessment, Mr Love advised that the expert advised that noise was likely to be excessive and exceed normal limits.

The Chair invited Councillor Nigel Mason to speak in objection as Ward Member of Hitchin Oughton. Councillor Mason thanked the Chair, gave a verbal presentation and advised:

- Access via Oughtonhead Lane was the third attempt to address access to the proposed development. Past potential accesses were via Oughtonhead Way, Lavender Way, Bowler's End and Westbury Close.
- Parked vehicles made the road single lane most of the time. There were junctions near each other, which made the bridleway busy.
- Redhill Road was already a busy road with speeding issues and vehicles parked on both sides. Shops and a primary school were in close proximity to the road, with no pedestrian crossings.
- The application had given no clarity on safety measures for the access, the crossing and surrounding roads.
- There were no conditions suggested by Highways to mitigate road issues and there were serious safety issues caused by the increased traffic that needed to be considered.
- Westbury Close and Lower Innings were not suitable for through traffic.
- The bridleway on Oughtonhead Lane was a public right of way and a restricted byway, and was in constant use by pedestrians, cyclists and horse-riders.
- The traffic report at 4.2.3 stated that the Public Rights of Way Officer had requested the intersection access be designed to have priority for non-motorised users. This had now been dropped.
- The application breached Paragraphs 1 and 111 of the National Planning Policy Framework.

In response to a point of clarification from Councillor Val Bryant, Councillor Mason advised that the Public Rights of Way officer requested that pedestrians and cyclists had priority over motorists on the road, but this was overruled in the application.

The Chair invited Victoria Davies to speak in support of the application. Ms Davies thanked the Chair, gave a verbal presentation and advised:

- The safety of road users was an understandable concern; however the land had been allocated in the Local Plan and complied with policy HD3.
- Access to the proposed development was only possible due to policy HD3.
- The applicant had explored the option of access from Westbury Close, which was not possible due to land ownership issues. Access to the site was only possible via Lower Innings.
- The safety of the proposals had been carefully considered with the design team and in consultation with the Highway Authority.
- A Stage 1 road safety audit had taken place prior to application submission and minor amendments made to make the environment as safe as possible.
- The impact of traffic generation, the wider highway network and sustainable transport would be a part of the residential development application.
- 14 metres of hedgerow, one yew tree and a group of category C trees would be lost however this loss was deemed limited. It was necessary to provide access to the development in accordance with planning policy.
- Assessments and documents had been submitted with the application so hedgerows and trees would be protected during development.
- A separate application had been submitted for access due to the time required for the Section 278 process. Section 278 could be determined while the housing application was awaiting consideration.

The following Members asked points of clarification:

- Councillor Daniel Allen
- Councillor Tom Tyson
- Councillor Louise Peace
- Councillor David Levett
- Councillor Sean Nolan

- Councillor Ian Mantle
- Councillor Mick Debenham
- Councillor Val Bryant

In response to the points of clarification, Ms Davies advised:

- 14 metres of hedgerow in total would be removed.
- Section 278 process was a Highway process necessary to get the Highway Authorities agreement on the drawings and specification of new access. This process had to be complete before development commenced.
- Access from Westbury Way was deemed unsuitable as part of the land was still owned by the original housing developer.
- A full transport assessment of the wider area would be completed in the planning application of the site.
- The transport assessment considered home and shopping deliveries within the data.
- The Highways Authority would not adopt an unfinished road, so the lane would be tarmacked. This would be the only change of character to the lane.
- There was no alternative way to the site if the access was blocked.
- There was a condition that required full signage in advance.
- Some change of character was unavoidable, and the road would be illuminated to adoptable standards.
- A traffic light system on Oughtonhead Lane could be an option.

The Chair invited the Hertfordshire County Council Highways Officer to provide advice to the Committee on points raised. The Highways Officer highlighted that:

- Recent changes to the Highway Code gave priority to pedestrians over cars. Cars would have to give way to pedestrians and cyclists.
- The Highways Authority would be adopting the road and it would be required to be illuminated. The junction would require some formal lighting.
- The applicant used the traffic assessment data to predict the trips from the proposed site development. It was likely that the size of the development would generate trips such as deliveries and shopping, which was included in the figures in the report.
- There were conditions to do an audit of the crossing facilities in the neighbouring streets. Improvements would be made to crossing and junctions.

The following Members asked questions:

- Councillor Sean Nolan
- Councillor David Levett
- Councillor Louise Peace

In response to the questions, the Highways Officer advised:

- The condition regarding the audit was within the application for the proposed site development, not this application for access to the site.
- Further discussions with the developer would determine the final design.
- Sight lines were a requirement to make the access safer.

Councillor David Levett proposed that planning permission be granted for the application. Councillor Tom Tyson seconded the proposal.

The following Members took part in debate:

- Councillor Sean Nolan
- Councillor Daniel Allen
- Councillor Louise Peace

- Councillor Tom Tyson
- Councillor Ian Mantle
- Councillor David Levett

Points raised during the debate included:

- There was concern around the safety of pedestrians and cyclists on Lower Innings.
- Lower Innings was a vital way of access to Hitchin and to local schools.
- Questions raised in the meeting would be answered in the context of the whole development.
- The principle of access and the detailed design would come to the committee when the proposed site development is considered.

The Development and Conservation Manager advised during the debate:

- The proposed design features of the Lower Innings access would minimise the impact on pedestrian safety on Lower Innings.
- Condition 3 detailed the technical plans which was standard for the application. More detailed matters would be negotiated with the Highways Authority.
- If the detailed changes were significant and resulted in a change of design a new application would be made.

Councillor David Levett proposed, and Councillor Tom Tyson seconded, and following a vote, it was:

**RESOLVED:** That application 23/00555/FP be **GRANTED** planning permission due to the reasons outlined in the report of the Development and Conservation Manager.

## 101 PLANNING APPEALS

*Audio recording – 58:47*

The Development and Conservation Manager presented the report entitled 'Planning Appeals' and advised:

- There had been one appeal decision and one appeal lodged since the last meeting.
- The appeal was allowed and related to prior approval for a taller telecommunications mast, which would replace a smaller existing mast in Priory Memorial Gardens, Royston.
- The application had been refused first due to the mast being located within a conservation area, however the inspector found that the mast location was not inappropriate and should be allowed.

**RESOLVED:** That the Committee noted the report.

The meeting closed at 8.34 pm

Chair