

NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES,
LETCWORTH GARDEN CITY
ON THURSDAY, 15TH FEBRUARY, 2024 AT 7.30 PM

MINUTES

Present: *Councillors: Val Bryant (Chair), Tom Tyson (Vice-Chair), Daniel Allen, Simon Bloxham, Mick Debenham, David Levett, Louise Peace, Phil Weeder, Ian Mantle and Dave Winstanley.*

In Attendance: *Sedem Amegashie-Duvon (Trainee Solicitor), Ben Glover (Senior Planning Officer), Shaun Greaves (Development and Conservation Manager), Andrew Hunter (Senior Planning Officer), Caroline Jenkins (Committee, Member and Scrutiny Officer), James Lovegrove (Committee, Member and Scrutiny Manager), Anne McDonald (Development Management Team Leader), Kerrie Munro (Locum Planning Lawyer) and Sjanet Wickenden (Committee, Member and Scrutiny Officer).*

Also Present: *At the commencement of the meeting there were approximately 36 members of the public, including registered speakers.*

Councillors Dominic Griffiths, Nigel Mason, Claire Strong and Clare Billings were also present.

169 APOLOGIES FOR ABSENCE

Audio recording – 1 minute 54 seconds

Apologies for absence were received from Councillors Nigel Mason, Sean Nolan, Terry Tyler and Ian Moody.

Having given notice, Councillor Ian Mantle substituted for Councillor Mason and Councillor Dave Winstanley substituted for Councillor Nolan.

170 NOTIFICATION OF OTHER BUSINESS

Audio recording – 2 minutes 30 seconds

There was no other business notified.

171 CHAIR'S ANNOUNCEMENTS

Audio recording – 2 minutes 33 seconds

(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 matters for the registered speakers.

(4) The Chair advised that Section 4.8.23(a) of the Constitution applied to the meeting.

172 PUBLIC PARTICIPATION

Audio recording – 4 minutes 36 seconds

The Chair confirmed that the registered speakers were in attendance.

173 20/02412/FP LAND BETWEEN 53 AND 81 AND LAND REAR OF 7-53, WATERDELL LANE, ST IPPOLYTS, HERTFORDSHIRE

Audio recording – 5 minutes 50 seconds

The Senior Planning Officer gave a verbal update and advised that there was an update to the Sustainable Transport Heads of Terms. Regarding which Condition 18, on the advice of the Highways Officer this will not be amended and will be as the original from the meeting in September 2023.

The Senior Planning Officer presented the report in respect of Application 20/02412/FP supported by a visual presentation consisting of photographs and plans.

In response to questions from Councillor David Levett the Senior Planning Officer stated that the footpath remained as part of Condition 18 and that there had been a misunderstanding regarding the bus stop upgrade which had now been resolved.

The Chair invited Mr Anthony Frayne to speak against the application. Mr Frayne thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- The infrastructure due process had been ignored as stated in Appendix A.
- There was a flood risk on the proposed area.
- The Local Authority and the Lead Local Flood Authority (LLFA) had begun discussion in May 2023 regarding the flood risks. The local residents had requested to be included in these meeting.
- The LLFA stated that a Local Authority maintenance plan would be required for the maintenance of any trenches, the residents requested to be included in these meetings for transparency and fair planning.
- No staff were in place to discuss the concerns of the residents and there were doubts that any imposed conditions would be fulfilled.

The Chair thanked Mr Frayne for his presentation and invited Ms Wendy Weller to speak against the application. Ms Weller thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- There were concerns regarding the infrastructure which had not been addressed.
- There were ongoing concerns about flooding, light pollution, the position of the playground and parking on Waterdell Lane.
- There was a lack of ecological mitigation in the scheme, no solar panel or solar together schemes and there were concerns regarding how the developer would be held accountable.
- There were ongoing concerns regarding communication between the developer and residents.

The Chair thanked Ms Weller for her presentation and invited Councillor Claire Strong to speak in support of the application. Councillor Strong thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- The footpath discussed at the September meeting had now been agreed.
- One bus stop had now been upgraded and there had been an amendment to 6.1 of the report.
- The Section 106 (s106), agreement met the Heads of Terms for sustainable transport.

The Chair thanked Councillor Strong for her presentation and invited Mr David Fletcher as the agent of the applicant to speak in support of the application. Mr Fletcher thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- The application had been returned to the Committee to secure s106 money for Special Education Needs (SEND). The applicant had never objected to any SEND s106 payments and there had been an error by not including this as part of the s106 payment table.
- Work was ongoing with Officers regarding the sustainable transport conditions.

The Chair thanked Mr Fletcher for his presentation.

In response to points raised the Senior Planning Officer advised that the points raised by objectors had been considered at the meeting in September and that any conditions would be monitored and enforced in accordance with procedures.

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

RESOLVED: That application 20/02412/FP be **GRANTED** planning permission subject to the reasons and conditions set out in the report of the Development and Conservation Manager.

174 23/00563/FP LAND ON THE SOUTH OF, OUGHTONHEAD LANE, HITCHIN, HERTFORDSHIRE, SG5 2NA

Audio recording – 22 minutes 4 seconds

The Senior Planning Officer gave a verbal update and advised that:

- The remaining s106 matters had been agreed by the applicant. These included funding for Oughtonhead Common, waste services and Hitchin swim centre.
- There was an error at Paragraph 4.3.5, the affordable housing column should include one 4 bed dwelling, the total remained at 17 affordable dwellings.

The Senior Planning Officer presented the report in respect of Application 23/00563/FP supported by a visual presentation consisting of photographs and plans.

The following Members asked points of clarification:

- Councillor Val Bryant
- Councillor Ian Mantle
- Councillor Dave Winstanley
- Councillor David Levett
- Councillor Louise Peace

In response to the points of clarification the Senior Planning Officer advised that:

- There was one main road access to this site at Lower Innings and four pedestrian access routes onto Oughtonhead Lane.

- The majority of dwellings had garages, and the plans highlighted the storage areas for refuse bins.
- There had been a separate application approved for the access to this site.
- The application only had vehicular access from the north via Lower Innings, access from Bowlers End did not form part of the application.
- A draft travel plan had not been submitted with this application however, this would form a Condition of the approval of the application.
- No response had been received from the Rights of Way Officers.
- The biodiversity net gain was highlighted at section 4.3.65 of the report and there would be a net gain of 6.91%.
- Solar panels for the majority of dwellings had been secured by the approved plans, and not as a condition of the approval of the application.

In response to points of clarification the Development and Conservation Manager advised that:

- Access to this site had been previously granted and this application was for the housing development and associated traffic of the new dwellings.
- The absence of a draft travel plan would not be a reason to refuse an application and would normally be added as a condition when granting an application.

The Chair invited Mr Hugh Love to speak against the application. Mr Love thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- They had attended and objected to the application for access to this site.
- There had been 97 comments on this application, only 1 comment was in support of the application.
- There were concerns regarding pedestrian safety at the access point to this site.
- There were concerns regarding the traffic flow which should be reviewed prior to the development commencing.
- There were concern regarding priority rights on Lower Innings and how traffic queues and associated pollution would be managed.
- Residents of Lower Innings had further concerns as they already struggled to get their cars and refuse bins out for collection.

The Chair thanked Mr Love for his presentation and invited Mr Neil Dodds to speak against the application. Mr Dodds thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- There were 137 parking spaces on the development site, and it was predicted that this would generate 233 car journeys per day, of which 27 would be in the morning peak and 30 during the evening peak.
- There were concerns regarding traffic congestion, air quality, noise and pedestrian safety.
- The junction of Lower Innings would cross a green traffic free route that had flora and wildlife habitat and leads to a nature reserve.
- There were concerns regarding the high level of street lighting which were not desirable in the location.
- There were no cycle or pedestrian link to Bowlers End, which would have benefitted residents.
- There were concerns regarding the cycle route on Oughtonhead Lane and the avoidance of vehicular traffic at the new Lower Innings junction.
- There was no information regarding the market price of the affordable housing.

The Chair thanked Mr Dodds for his presentation and invited Councillor Nigel Mason to speak against the application. Councillor Mason thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- There were still unanswered queries relating to the access application.
- The two applications were linked, this housing development provided the traffic that would be passing the Oughtonhead Lane bridle way.
- There were concerns regarding the Lower Inning junction with the Oughtonhead Lane bridle path and the impact to users of the bridle way.
- There were concerns relating to the access of the site as stated at 4.3.42 of the report, and these had yet to be addressed.
- The technical plans details and the vehicular access safety were highlighted by Condition 8 of the previous application, however these had not been adequately addressed in this application.
- A full traffic assessment had been requested but not completed by the applicant.
- There was confusion regarding Condition 8 with conflicting information.
- It was felt that questions still remained unresolved, including the vehicular access priority from Lower Innings into the development.
- There were no slides of Oughtonhead Lane in the presentation.

The Chair thanked Councillor Mason for his presentation and invited Mr Neil Farnsworth to speak in support of the application. Mr Farnsworth thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- The site had been allocated under the Local plan for the development of 46 dwellings.
- Access had been approved from Lower Innings into the development area.
- There was no other vehicular access point available due to a ransom strip between the site and Westbury Close.
- There would be 17 affordable dwellings of various sizes.
- There would be negligible visual impacts to the Chilterns Area of Outstanding Natural Beauty (AONB).
- The designs were in keeping with local developments and would be two stories high.
- There would be a biodiversity net gain and the development would avoid any impact on the important habitats within the site.
- New play areas would be provided for all members of the community.
- The garages on the site would be oversized to accommodate cars and bicycles.
- There had been no objections from Hertfordshire County Council Highways team.
- All dwellings would have heat pumps, PV panels, EV charging points and timber frames.
- The application would generate S106 money including £500K for primary education and £600K for secondary education.
- There had been no consultee objections to this application.

The following Members asked points of clarification:

- Councillor Daniel Allen
- Councillor David Levett

In response to points of clarification Mr Farnsworth advised that:

- All properties would have PV panels, EV charging points and heat pumps.
- There was a ransom strip of land at Westbury Close.
- The land at Bowlers Ends was owned by a management company and their policies did not allow Vehicle access from Bowlers End onto the development site.
- No contact had been made to negotiate with the Bowlers End Resident Association.

The Chair thanked Mr Farnsworth for his presentation.

In response to points raised the Senior Planning Officer advised that access to the site and the condition attached to the Planning application were still under consideration from Highways.

The Chair invited Mr Senober Khan, Transport Senior Development Management Officer and Manjinder Sehmi, Transport Development Management Area Manager from Hertfordshire Highways to summarise the application.

The Transport Senior Development Management Officer summarised that:

- The site access was to the north of site from Lower Innings a single carriageway cul de sac of 16 dwellings.
- As part of the application the Lower Innings footpath would be widened, and the road would be extended to the Oughtonhead Lane bridle path
- Following discussion with the HCC Rights of Way Officer priority would be given to non-motor users using Oughtonhead Lane
- A stage 1 traffic audit had been undertaken and the access was deemed acceptable.
- The access from the north west of the site was integral and essential to the development.
- A condition of the application stated that a full traffic audit was required.

The Transport Development Management Area Manager summarised that:

- A Construction Management Plan to ensure the flow of traffic was a recommended Condition.
- The site was enclosed by private land that Highways had no control over.
- There were no concerns regarding the impact of 30 extra cars per hour at peak time, and 27 car per hour at normal flow.
- Local access roads were not uncommon in Hertfordshire.

The following Members asked questions:

- Councillor David Levett
- Councillor Daniel Allen
- Councillor Val Bryant

In response to questions the Transport Senior Development Management Officer stated:

- It was unclear from the site photo, if access from Bowler End was possible.
- Priority would be given from Lower Innings into the site.
- It would be the responsibility of drivers to pull over when faced with any oncoming traffic and the road layout would prioritise access from Lower Innings.
- The new highway code gave priority to cyclist and pedestrians at junctions.

In response to questions the Senior Planning Officer stated:

- That Bowlers End was a privately managed road and had not been adopted.
- This application considered the housing, internal roads and landscaping within the development.

In response to a question the Locum Planning Lawyer stated that the site access application had been determined in July 2023, this application related to the dwellings on the site, it was important that Members did not confuse the two matters. This application was for the houses, traffic on the development site and parking.

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In response to a question the Development and Conservation Manager stated that applicant applied for the access on to the site separately, because section 278 agreements take a considerable time to be processed. This application would generate the traffic.

Councillor David Levett proposed that the application be refused, and Councillor Simon Bloxham seconded.

The Locum Planning Lawyer stated that it was unique to have separate applications for the access and development of a site. Members were reminded that the access had already been granted and this application was for consideration and voting on today.

The following Members took part in debate:

- Councillor Daniel Allen
- Councillor Ian Mantle
- Councillor Simon Bloxham
- Councillor David Levett
- Councillor Tom Tyson
- Councillor Louise Peace

Points raised in debate included:

- A legal reason to refuse was required to avoid costly legal bills.
- There were concerns that the application was in conflict with the Integration into Existing Communities section of the Local Plan
- There should be access onto the southern end of the site.
- An agreement with the resident group for a southern path should be explored.
- The application did not meet the criteria of section 135 of the NPPF.
- Guidance was required from Highways regarding trip data.
- This application should be deferred to allow the applicant to negotiate non-vehicular access from the south and east of the site.

In response to points raised in debate the Development and Conservation Manager advised:

- There was only one vehicular access point for this site, other pedestrian access points had been identified.
- Applicants were unlikely to procure costly technical reports at this stage as this could be unnecessary wasted expense in the event that an application was refused and instead preferred such matters to be controlled by a planning Condition.

Councillor David Levett on considering the points raised in debate, withdrew his proposal to refuse the application.

Councillor Levett further proposed that the application was deferred to investigate and consider Condition 8 and for the applicant to enter discussion regarding access to the south of the site. Councillor Simon Bloxham seconded the deferral.

The Development and Conservation Manager stated that it was reasonable to ask the applicant to review pedestrian access to the south east of the site.

Councillor Daniel Allen stated that the applicant had confirmed that they had not contacted the Bowlers End Resident Association to discuss any access points.

Having been proposed and seconded and following a vote, it was:

RESOLVED: That application 23/00563/FP be **DEFERRED** to a future meeting to allow for the applicant to review the potential for a pedestrian access point to the southeast of the application site, and for the wording and requirements of recommended Condition 8 regarding the Local Cycle/Pedestrian Network Audit to be reviewed.

N.B. Following the conclusion of this item there was a short break in proceedings until 21:09.

175 23/02650/FP LAND SOUTH WEST OF AND ADJACENT TO LODGE COURT, TURNPIKE LANE, ICKLEFORD, HERTFORDSHIRE

Audio recording – 1 hour 38 minutes 32 seconds

N.B. Councillor Mick Debenham declared an interest and left the Council Chamber at 21:09.

The Chair advised that Councillor Peace was to speak as a Member Advocate against this item and would therefore move to the public gallery and not take part in the debate or vote.

N.B. Councillor Louise Peace moved to the public gallery at 21:10.

The Development Management Team Leader provided an update that:

- A supplement had been published correcting errors on the report.
- The agent had emailed a statement for the Committee which had been published on the 15 February 2024.

The Locum Planning Lawyer stated that the email from the agent was to be disregarded as it was submitted late.

The Development Management Team Leader presented the report in respect of application 23/02650/FP supported by a visual presentation consisting of photographs and plans.

The following Members asked points of clarification:

- Councillor David Levett
- Councillor Tom Tyson
- Councillor Daniel Allen
- Councillor Dave Winstanley

In response to the points of clarification the Development Management Team Leader stated that:

- There had been objections from neighbours regarding the felling of a lime tree as stated under policy 4.3.19 of the emerging Ickleford Neighbourhood Plan however previous applications had allowed the felling of this tree.
- There were still live applications granted for this site, including an application for 5 dwellings.
- PV panelling was not included in the application but could be added as a condition.
- Policy D1 would cover the addition of a new condition for an environmental management condition which could include PV panels, air pumps and renewable energy.

The Locum Planning Lawyer clarified that any new conditions would need a valid reason.

The Chair invited Parish Councillor Phillip Crowe to speak against the application. Councillor Crowe thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

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- Ickleford did not need any new developments, planning had recently been granted for 40 new dwellings as well as a development at Turnpike Lane as agreed in the Local Plan.
- There were concerns regarding the lack of pavement in front of the development, which would be hazardous to pedestrians.
- There was no provision for visitor parking on the site.
- The sewerage system in Ickleford was Victorian and not sufficient for water deluges.
- Four years ago the land had been cleared in preparation of a development, this land had now been reclaimed by wildlife.
- The development was not in keeping with the rural area.
- The residents objected to this development.

In response to a point of clarification from Councillor Tom Tyson, Councillor Crowe confirmed that there was only a footpath on the opposite side of the road to the development.

The Chair thanked Councillor Crowe for his presentation and invited Mrs Kate Sargent to speak against the application. Mrs Sargent thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- This was the fourth application on this site.
- Ickleford did not have any further housing needs.
- The application was supported by Officers to prevent expensive legal fees from an appeal.
- There were concerns for the local heritage assets.
- The application highlighted the weaknesses of the Planning systems.

In response to a point of clarification from Councillor Daniel Allen, Mrs Sargent stated that the law should be applied fairly to this decision.

The Chair thanked Mrs Sargent for her presentation and invited Councillor Louise Peace to speak against the application. Councillor Peace thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- This application was for 8 dwellings, previous applications on this site had been for 5 detached, 4 bedroom dwellings, this application was for 2 detached, 4 bedroom dwellings and 6 semidetached, 3 bedroom dwellings.
- The previous application on this site had been decided on appeal.
- This was the first application since the adoption of the Local Plan and the Ickleford Neighbourhood Plan.
- The applicant had not demonstrated a 10% biodiversity net gain on the site, the site had been previously cleared and wildlife had now returned.
- A mature tree would need to be felled for this application.
- Ickleford required smaller houses, whilst this application was an improvement on the previous applications, 1-3 bedroom, dwellings were required not 4.
- The 3 bedroomed dwellings were too high and did not comply with Policy SD3 of the Ickleford Neighbourhood plan.
- The planned dwellings were too big for the site.
- There were no solar panel on the site.
- There was an emerging Ickleford Neighbourhood Plan, and this application did not meet the planning policy of that plan.
- Outline planning permission had already been granted for 72 new homes in Ickleford.
- There was no s106 money from this development.

In response to a question from Councillor Simon Bloxham, Councillor Peace stated that the application would not generate any s106 money and a pedestrian crossing on the Bedford Road was required for the Village.

The Chair thanked Councillor Peace for her presentation.

In response to points raised the Development Management Team Leader stated that:

- There was already an ecological condition for this application.
- The roof height had been slightly raised and a similar height had been accepted by previous application. It was deemed that the increases would not be noticeable.

In response to a question from Councillor Daniel Allen the Development Management Team Leader stated that the Local Plan did not have a 10% biodiversity net gain requirement however, the emerging Ickleford Neighbourhood Plan did have that requirement, and this would be considered for any applications received after April 2024.

Councillor David Levett proposed the application with the additional condition and Councillor Ian Mantle seconded.

The Chair confirmed that the wording of the new condition would be delegated to the Development Management Team Leader and would state prior to first occupation.

Having been proposed and seconded and following a vote, it was:

RESOLVED: That application 23/02650/FP be **GRANTED** planning permission subject to the reasons and conditions set out in the report of the Development and Conservation Manager, with the addition of Condition 20 to read:

“Condition 20:

Prior to the first occupation of the first dwelling a scheme of sustainability measures for all the dwellings is to be submitted to, and approved in writing by, the Local Planning Authority and implemented on site.

Reason: To address the climate emergency in accordance with Local Plan Policy D1.”

176 23/01392/FP LAND REAR OF 33, HIGH STREET, GRAVELEY, HERTFORDSHIRE, SG4 7LA

Audio recording – 2 hours 14 minutes and 24 seconds

N.B. Councillors Louise Peace and Mick Debenham returned to the main Chamber at 21:44.

The Senior Planning Officer gave a verbal update and advised that:

- There was an ecology condition included in the application, and no development could take place until a construction management plan had been submitted in writing and approved. This had been agreed by the agent and applicant.
- There had been a request from Ecology for a plan to manage the 10% Biodiversity of the site, however this was not required under the Environment Act, and policy NE4 of the Local Plan due to the size of the development.

The Senior Planning Officer presented the report in respect of Application 23/01392/FP supported by a visual presentation consisting of photographs and plans.

In response to a point of clarification from Councillor Daniel Allen, the Senior planning officer stated that the dotted line indicated the visibility splays on the road.

The Chair invited Mrs Gill Shenoy to speak against the application. Mrs Shenoy thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- The development would not provide any affordable housing.
- Plot 4 of the development would block out the light to an existing house and would not comply with the Right to Light 1959 act.
- There would be a distance of 25 feet from the back door of plot 4 to an existing house.
- There were concerns that the access opened onto a busy newly improved cycle lane and bridleway.
- The development was situated near a blind corner and there was no footpath to the school.
- The development was on a very busy narrow road.
- Trees had recently been felled in the area without permission.

In response to a point of clarification from Councillor Daniel Allen, Mrs Shenoy stated that the trees had been cut down 6 months ago.

The Chair thanked Mrs Shenoy for her presentation and invited Parish Councillor Helen Lumley to speak against the application. Councillor Lumley thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- There were concern regarding the traffic access onto Turf Lane and the nearby cycle way.
- Turf Lane was a narrow dead-end road with frequent users and high risks due to blind corners.
- The dwellings were not in keeping with the local area or the needs of the area.
- The ridge height of 8 metres would affect the quality of life of nearby residents.

The Chair thanked Councillor Lumley for her presentation and invited Councillor Dominic Griffiths to speak against the application. Councillor Griffiths thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- The road width at Oak Lane and Turf Lane was a car and half wide.
- Under the Construction Management Plan only the construction site would be widened, and it was questionable whether a large lorry would be able to turn into either road.

The Chair thanked Councillor Griffiths for his presentation and invited Mr James Gran the Applicants agent to speak in support of the application. Mr Gran thanked the Chair for the opportunity and provided the Committee with a verbal presentation including that:

- The scheme was for 4 dwellings with large rear gardens.
- HCC Highways had deemed the site access acceptable, and there would be visibility splays on Turf Lane.
- The site would have a public walkway maintained for perpetuity.
- The concerns regarding the public highways were outside the scope of this development.
- A similar scheme had been approved for Ashwell Common which was situated closer to the blind bends on Turf Lane.
- The nearest plot which was situated due north of the existing dwellings did not breach the 25-metre rule taken from the elevation of 22 Oak Lane for light shading.
- The closest windows to residents would be obscured and would have high level openings to safeguard privacy.
- The dwellings would be set back and would not affect any loss of light.
- The site was within the village boundary of Graveley which was designated as a category A village in the Local Plan.

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- There was an acceptable turning area for large vehicles with a dedicated turning area as stated under Condition 5.
- The rear properties would be completed first to allow ample turning area, which would be 20 metres in width.
- The development was for 4 dwellings that were appropriate and in fitting with the character of the village.

In response to a point of clarification from Councillor Ian Mantle, Mr Gran stated that Turf Lane was an adopted road.

The Chair thanked Mr Gran for his presentation.

In response to points raised the Senior Planning Officer stated that Highways had amended their plans and condition regarding large vehicles. The new road would not be adopted and therefore any waste disposal would need to be taken outside of the site for collection.

The following Members took part in debate:

- Councillor David Levett
- Councillor Daniel Allen
- Councillor Val Bryant
- Councillor Louise Peace
- Councillor Tom Tyson

Points raised in debate included:

- The site looked very different before the trees were cut down.
- This was not the right size houses for the need but no legal reason to oppose the application.
- There may have been a legal reason to oppose this application if the trees had remained.
- The site looked very different in summer.
- There were concerns regarding the proximity of plot 4 to existing dwellings.
- The development was for 4 houses and would not greatly impact the cycleway.

In response to points raised in debate the Development and Conservation manager stated that:

- The site was within the setting of a grade 2 listed house and the Graveley Conservation Area but outside it.
- The Conservation Officer was satisfied that although there would be some harm from this development, that the harm would be at the very bottom of the spectrum of less than substantial harm and would be outweighed by the public benefits of the scheme.
- There was no legal definition regarding proximity, however in this case the BRE standard was used as a guide. A 25% line was drawn to indicate whether the proposed plot would overshadow the existing houses, this was not the case. The proposed dwelling was in any event to the north of the existing neighbouring dwelling.

Councillor Simon Bloxham proposed and Councillor David Levett seconded and following a vote, it was:

RESOLVED: That application 23/01392/FP be **GRANTED** planning permission subject to the reasons and conditions set out in the report of the Development and Conservation Manager

177 APPEALS

Audio recording – 2 hours 27 minutes 59 seconds

The Development and Conservation Manager presented the report entitled 'Planning Appeals' and informed the Committee that:

- There had been three appeals lodge since the last report.
- There had been three decisions made since the last report, two appeals of had been dismissed and one had been allowed.
- There was a summary of each decision in the report.

In response to a question from Councillor David Levett, the Development and Conservation Manager stated that the Secretary of State had indicated that an update would be provided before the 11 March 2024 regarding the Gravely Solar Farm.

The meeting closed at 10.19 pm

Chair