NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES, GERNON ROAD, LETCHWORTH GARDEN CITY, SG6 3JF ON THURSDAY, 10TH OCTOBER, 2024 AT 7.30 PM

MINUTES

Present: *Councillors: Elizabeth Dennis (Chair), Nigel Mason (Vice-Chair), Sadie Billing, Ruth Brown, Emma Fernandes, Ian Mantle, Bryony May, Caroline McDonnell, Michael Muir, Louise Peace and Tom Tyson.*

In Attendance: *Loretta Commons (Locum Planning Lawyer), Shaun Greaves (Development and Conservation Manager), Susan Le Dain (Committee, Member and Scrutiny Officer), Henry Thomas (Planning Officer - Graduate), Melissa Tyler (Senior Planning Officer) and Sjanel Wickenden (Committee, Member and Scrutiny Officer).*

Also Present: *At the commencement of the meeting approximately 5 members of the public, including registered speakers.*

63 APOLOGIES FOR ABSENCE

Audio recording – 2 minutes 2 seconds

Apologies for absence were received from Councillor Amy Allen.

Having given notice, Councillor Val Bryant substituted for Councillor Allen.

64 MINUTES - 5 SEPTEMBER 2024

Audio Recording – 2 minutes 23 seconds

Councillor Elizabeth Dennis, as Chair, proposed and Councillor Nigel Mason seconded and, following a vote, it was:

RESOLVED: That the Minutes of the Meeting of the Committee held on 5 September 2024 be approved as a true record of the proceedings and be signed by the Chair.

65 NOTIFICATION OF OTHER BUSINESS

Audio recording – 3 minutes 06 seconds

There was no other business notified.

66 CHAIR'S ANNOUNCEMENTS

Audio recording – 3 minutes 11 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.

(5) The Chair advised of a change in the order of the agenda. Agenda Item 9 followed by Item 8 were considered after Agenda Item 5.

67 PUBLIC PARTICIPATION

Audio recording – 6 minutes 15 seconds

The Chair confirmed that the registered speakers were in attendance.

68 24/00756/FP COACH HOUSE CLOISTERS, HITCHIN STREET, BALDOCK, HERTFORDSHIRE, SG7 6AE

Audio recording – 1 hour 51 minutes 50 seconds

The Senior Planning Officer presented the report in respect of Application 24/00756/FP supported by a visual presentation consisting of photographs and plans.

The following Members asked questions:

- Councillor Ian Mantle
- Councillor Michael Muir
- Councillor Nigel Mason
- Councillor Elizabeth Dennis
- Councillor Sade Billing
- Councillor Louise Peace
- Councillor Val Bryant

In response to questions, the Senior Planning Officer advised that:

- The property was currently empty and had previously been used as offices.
- The access and gate to the property had been moved back so vehicles were not obstructing the road.
- Highways had objected that a fire engine could not enter the site, but the applicant would install a sprinkler system and the building was at a lower risk as residential.
- There were 3 parking spaces along the side of the building and the rest was to the rear of the courtyard.
- Blocks 4 and 5 would have a sprinkler system that would fall outside the maximum distance of 45 meters.
- There were no planning concerns with property number 1 having a bedroom in the basement with no window.
- In the event of a fire, a fire engine would be able to park outside as there were double yellow lines and hoses could be rolled out to the property.

In response to questions, the Development and Conservation Manager advised that this was a listed building and would need to be partly demolished to achieve full access by a fire tender.

Councillor Ruth Brown proposed and Councillor Sade Billing seconded, and following a vote, it was:

RESOLVED: That application 24/00756/FP be ***GRANTED*** planning permission subject to the reasons and conditions set out in the report of the Development and Conservation Manager.

69 24/00757/LBC COACH HOUSE CLOISTERS, HITCHIN STREET, BALDOCK, HERTFORDSHIRE, SG7 6AE

Audio recording – 1 hour 54 minutes 39 seconds

The Senior Planning Officer presented the report in respect of Application 24/00757/LBC supported by a visual presentation consisting of photographs and plans.

Councillor Ruth Brown proposed and Councillor Michael Muir seconded and, following a vote it was:

RESOLVED: That application 24/00757/LBC be ***GRANTED*** planning permission subject to the reasons and conditions set out in the report of the Development and Conservation Manager.

70 24/01489/FPH 68 CHILTERN ROAD, BALDOCK, HERTFORDSHIRE, SG7 6LS

Audio recording – 31 minutes 13 seconds

The Planning Officer advised that updates had been provided in the Supplementary Document to the agenda and there were no further updates.

The Planning Officer presented the report in respect of Application 24/01489/FPH supported by a visual presentation consisting of photographs and plans.

The following Members asked questions:

- Councillor Val Bryant
- Councillor Emma Fernandes
- Councillor Ruth Brown
- Councillor Nigel Mason
- Councillor Elizabeth Dennis

In response to questions, the Planning Officer advised that:

- Since this application was refused in June 2024, there had been changes to the proposed materials and colours, plus the addition of solar panels to the property.
- The site plan had been changed to show 2 parking spaces but there was no change to the size of the allocated parking area.

In response to questions, the Conservation and Development Manager advised that the sustainability elements of the property were positive but they did not outweigh the harm to the character and appearance of the street scene and the host dwelling that would result from the design compared to a traditionally designed dwelling.

The Chair invited Councillor Alistair Willoughby, as Member Advocate, to speak in support of the application. Cllr Willoughby thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- The house had originally been in a very bad state of repair.
- The applicant had shown willingness to adapt the application and had invested money to improve this property.
- This was a significant improvement to the existing property.
- This property would be a modern design which would be visually appealing.
- Timber was a material that had been used in properties for many years.

- The neighbours had shown no objections to the new design.
- The porch would have a flat roof which provided a better level of energy efficiency.
- There were already many different house styles in the road.

The following Members asked for points of clarification:

- Councillor Ruth Brown
- Councillor Val Bryant
- Councillor Nigel Mason
- Councillor Elizabeth Dennis

In response to points of clarification, Councillor Willoughby advised that:

- There were other timber cladded buildings in the area.
- Timber made this property sustainable.
- There was a great variety of porches in properties in the road.
- Very few semi-detached properties were uniform in appearance.

The Chair thanked Cllr Willoughby for his presentation and invited Mr Ashley Greenhall to speak, as representative for the applicant, in support of the application. Mr Greenhall thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- He was the designer of the property and a future resident.
- He wished to create a family home which was energy efficient that reached local government targets.
- The flat roof and timber cladding met the Local Plan policy D1.
- The flat roof minimised the building surface area and allowed space for solar panels to be installed.
- The porch at 13cms higher met passive house standards.
- A significant investment was being made to make this building sustainable.

The following Members asked for points of clarification:

- Councillor Tom Tyson
- Councillor Emma Fernandes
- Councillor Ian Mantle
- Councillor Sade Billing

In response to points of clarification, Mr Greenhall advised that:

- Timber had been used as it was more sustainable and would reduce carbon.
- The flat roof had been used to reduce energy and this was the most sustainable option for the property.
- Light grey timber had been used to blend in with the property opposite and one further down the street.
- The design could have been changed if he had heard from the Planning Officer following his visit to the property 9 weeks ago.
- The porch did not cover the whole front of the property.
- Japanese timber cladding had a life span of over 100 years.
- As the property was near a nature reserve and could be vulnerable to mildew, timber had been used as it was more resistant than rendering.
- A warm roof system had been used for this property and the walls were passive house standard.
- The vertical gladding on the rear of the property was black.

In response to points raised, the Planning Officer advised that after the first refusal, it was still the view of the planning team to refuse permission.

In response to points raised, the Development and Conservation Manager advised that as the applicant had not entered the pre application service, further amendments to the scheme were not sought.

Councillor Michael Muir proposed to grant permission and this was seconded by Councillor Caroline McDonnell.

The following Members took part in the debate:

- Councillor Ruth Brown
- Councillor Nigel Mason
- Councillor Elizabeth Dennis
- Councillor Louise Peace
- Councillor Tom Tyson
- Councillor Michael Muir
- Councillor Ian Mantle
- Councillor Caroline McDonnell

Points raised in the debate included:

- Sustainability was important, but a passive house had to be in keeping with the local area.
- Low carbon emissions could be achieved in the same way in keeping with the street scene.
- This house would stand out in a row of semi-detached 1930 style houses.
- The public view at the front of the building was incompatible with the rest of the street.
- Officers had objected that the porch was 13cm too high.
- The same levels of sustainability could be achieved with a house more fitting in with the rest of the street.
- The design was modern and innovative.

The Development and Conservation Manager advised that if Members approve this application against the recommendation of the Planning Officer, this would be based upon:

- The benefits of sustainability of the building outweighing any harm and impact on the street scene and subject to the following conditions.
- The application must commence within 3 years and;
- Be implemented in accordance with the submitted drawings.

Having been proposed and seconded, the motion to approve the application, contrary to the officer recommendation, was lost.

Councillor Ruth Brown proposed to refuse permission for the reasons stated in the report of the Planning Officer and this was seconded by Councillor Nigel Mason.

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

RESOLVED: That application 24/01489/FPH be ***REFUSED*** planning permission subject to the amended reason set out in the Supplementary document published alongside the report of the Development and Conservation Manager.

N.B. Following the conclusion of this item there was a short break in proceedings and the meeting reconvened at 21:51

71 24/00482/FP MUNTS, MAIDEN STREET, WESTON, HITCHIN, HERTFORDSHIRE, SG4 7AG

Audio recording – 6 minutes 36 seconds

The Planning Officer provided an update that the applicant had agreed to additional informatives and amendments as set out in Condition 5.

The Planning Officer presented the report in respect of Application 24/00482/FP supported by a visual presentation consisting of photographs and plans.

The following Members asked questions:

- Councillor Tom Tyson
- Councillor Louise Peace

In response to questions, the Planning Officer advised that:

- The removal of apple trees would be covered by the landscaping provision.
- A site notice was displayed.
- Refuse bins would need to be taken to the main road for collection, in line with the existing dwellings.

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

- He was the representative for 6 homes that would be affected by this development.
- This development would cause a loss of privacy to the rear gardens.
- The trees on the western boundary were deciduous, so would not provide cover in the winter months.
- Construction of the properties could damage existing tree roots and new saplings would take 15 years to mature.
- The 4 cottages in the main street were low and would be overshadowed by the development.
- The site was situated on heavy clay sub soil and would not provide adequate drainage in heavy rain.
- The development would bring extra traffic to the area.
- The biodiversity net gain by providing swift boxes would not compensate for the loss of the natural habitat.
- He agreed with the view of the Parish Council that this was an inappropriate building on a high piece of land that would be obtrusive to neighbours.

In response to a point of clarification from Councillor Ruth Brown, Mr Hofton advised that the higher piece of land was approximately 2 – 2.5 meters from ground level, but he could not confirm this.

The Chair thanked Mr Hofton for his presentation.

In response to points raised, the Planning Officer advised that:

- The distance to the dwellings was 30 meters to 1 Maiden Cottages and 27 meters to 2 Maiden Cottages cottage. The outbuildings were 16 meters and 18 meters respectively.
- The application was submitted before biodiversity net gain was a requirement.
- The trees were protected by the conservation area and would be required to be replaced.

Councillor Michael Muir proposed to grant permission and this was seconded by Councillor Ruth Brown.

The following Members took part in the debate:

- Councillor Ian Mantle
- Councillor Val Bryant
- Councillor Nigel Mason
- Councillor Elizabeth Dennis
- Councillor Ruth Brown

Points raised in the debate included:

- The recommendation from highways regarding the distance of the bins from the properties should be noted.
- Residents would be required to bring their refuse bins to roadside for collection.
- This development could not be refused on the grounds of privacy to neighbours.
- The planning balance was not a sustainable argument to refuse this application.

In response to points raised, the Conservation and Development Manager advised that the development was 34 meters from the turning for the new development so did not comply with the guidance of 30 meters.

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

RESOLVED: That application 24/00482/FP be ***GRANTED*** planning permission subject to the reasons and conditions set out in the report of the Development and Conservation Manager with the following two additional Informatives and amendments to Condition 5:

"Condition 5

None of the trees to be retained on the application site shall be felled, lopped, topped, uprooted, removed or otherwise destroyed or killed without the prior written agreement of the Local Planning Authority. On the tree report these trees are: T2- T11 and H2 Leyland Cypress hedge.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

Ecology Informative
The applicant is advised to avoid the bird nesting season, or if this cannot be avoided the site should be checked for nesting birds prior to any site clearance taking place.

The applicant is advised if bats are found during the course of any work to buildings or trees where not previously anticipated, then works should immediately stop and Natural England notified for appropriate advice.

Drainage Condition
Prior to the undertaking of works above ground level, details of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. Approved details will be implemented and maintained thereafter.

Reason: To safeguard neighbouring dwellings in accordance with policies D1 and NE8 of the Local Plan."

72 24/00497/FP AUTOGLYM, WORKS ROAD, LETCHWORTH GARDEN CITY, HERTFORDSHIRE, SG6 1LU

Audio recording – 2 hours 17 minutes 57 seconds

The Senior Planning Officer advised that updates had been provided in the Supplementary Document to the agenda.

The Senior Planning Officer presented the report in respect of Application 24/00497/FP supported by visual presentation consisting of photographs and plans.

The following Members asked questions:

- Councillor Ian Mantle
- Councillor Ruth Brown
- Councillor Nigel Mason
- Councillor Michael Muir

In response to questions, the Senior Planning Officer advised that:

- The supplementary document detailed the intention of the applicant to improve biodiversity on site and the Council Ecologist was happy to support this.
- No space had been lost with the reduction in the height of the roof from 16.3 to 14.6 meters. Where the height of the roof had been reduced, the floor space and been slightly increased to ensure there was no change to the overall space.

In response to questions, the Development and Conservation Manager advised that this was an extension of an established family business and therefore it would not meet the requirements for a Section 106.

Councillor Ian Mantle proposed to approve planning permission and Councillor Michael Muir seconded.

In response to the request for additional landscaping on site by Councillor Michael Muir, the Development and Conservation Manager advised that there was a standard condition for landscaping that could be submitted.

Councillor Michael Muir proposed the amended recommendation and Councillor Ruth Brown proposed, and following a vote, it was:

RESOLVED: That application 24/00497/FP be ***GRANTED*** planning permission subject to the reasons and conditions set out in the report of the Development and Conservation Manager subject to an additional Condition 13.

"Condition 13

Prior to commencement of above ground works full details of all hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscape details to be submitted shall include the following:

a) which, if any, of the existing vegetation is to be removed and which is to be retained

b) what new trees, shrubs, hedges and grassed areas are to be planted, together with the species proposed and the size and density of planting

c) the location and type of any new walls, fences or other means of enclosure and any hardscaping proposed

d) details of any earthworks proposed

The approved landscape details must be implemented on site prior to the first use of the hereby approved warehouse and retained on site thereafter.

Reason: To ensure the soft and hard landscaping is in accordance with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031."

73 PLANNING APPEALS

Audio recording –2 hours 38 minutes 37 seconds

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

- 8 appeals had been lodged since the last report.
- One of the appeals lodged had been through the hearing procedure and related to 6 dwellings east of Ashmill Poultry Farm, Barkway, where permission was refused by the Committee in March 2024. This hearing would take place on 21 January 2025.
- A further hearing was arranged for site BA4, which was refused by the Committee in March 2024, as the allocation of affordable housing was not felt adequate. A public hearing was to be held at 9.30am on Thursday 21 November at the Council Offices and consultants had been appointed to defend the decision of the Council.
- Since April there had been 9 appeals dismissed and 2 had been allowed.

RESOLVED: That the Committee noted the report.

The meeting closed at 10.14 pm

Chair