

NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

**MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES, GERON ROAD, LETCHWORTH GARDEN CITY, SG6 3JF
ON THURSDAY, 25TH JULY, 2024 AT 7.30 PM**

MINUTES

Present: *Councillors: Elizabeth Dennis (Chair), Amy Allen, Sadie Billing, Ruth Brown, Ian Mantle, Bryony May, Caroline McDonnell, Michael Muir, Louise Peace and Mick Debenham.*

In Attendance: *Loretta Commons (Locum Planning Lawyer), Ben Glover (Senior Planning Officer), Shaun Greaves (Development and Conservation Manager), Alex Howard (Senior Planning Officer), Andrew Hunter (Senior Planning Officer), Susan Le Dain (Committee, Member and Scrutiny Officer), James Lovegrove (Committee, Member and Scrutiny Manager), Christella Menson (Principal Planning Officer), Alina Preda (Trainee Solicitor) and Melissa Tyler (Senior Planning Officer).*

Also Present: *At the commencement of the meeting approximately 53 members of the public, including registered speakers.*

31 APOLOGIES FOR ABSENCE

Audio recording – 1 minute 33 seconds

Apologies for absence were received from Councillors Nigel Mason, Tom Tyson and Emma Fernandes.

Having given due notice, Councillor Mick Debenham substituted for Councillor Mason.

32 MINUTES - 20 JUNE 2024

Audio recording – 1 minute 57 seconds

Councillor Elizabeth Dennis, as Chair, proposed and Councillor Ruth Brown seconded and, following a vote, it was:

RESOLVED: That the Minutes of the meeting held on 20 June 2024 be approved as a true record of proceedings and be signed by the Chair.

33 NOTIFICATION OF OTHER BUSINESS

Audio recording – 2 minutes 47 seconds

There was no other business notified.

34 CHAIR'S ANNOUNCEMENTS

Audio recording – 2 minutes 52 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 to the order of the published agenda and Agenda Items 8 and 9 would be taken ahead of Agenda Items 6 and 7.

35 PUBLIC PARTICIPATION

Audio recording – 8 minutes 00 seconds

The Chair confirmed that the registered speakers were in attendance.

36 19/01669/FP - LAND ON THE SOUTH WEST SIDE OF STEVENAGE ROAD, ST IPPOLYTS, HERTFORDSHIRE

Audio recording – 1 hour 46 minutes 45 seconds

The Senior Planning Officer provided a verbal updated, including that:

- The County Highways Officer had provided comments that they did not wish to restrict the grant of permission.
- A response had been provided in the supplementary documents to comments from the Parish Council.

The Senior Planning Officer presented the report in respect of Application 19/01669/FP supported by a visual presentation consisting of photographs and plans.

The following Members asked questions:

- Councillor Amy Allen
- Councillor Ruth Brown
- Councillor Sadie Billing
- Councillor Elizabeth Dennis
- Councillor Michael Muir

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

- There were two access points proposed, but these would be separate, and it would not be possible to drive through the entire site.
- The affordable housing would be accessed off Stevenage Road.
- The turquoise highlighted sections represented some open grass area, as well as the SUDs provision.
- Comments in the report from the Urban Designer related to the original 2019 application and had been included for reference only and were not relevant to the decision on this application.
- There was no direct pedestrian link within the site, but a new footpath was proposed to the east of the site which would allow connection between the two sections.
- Sperberry Hill was a national speed limit road and Stevenage Road was a 30mph road.
- Occupants of the affordable housing units would still have access to the open spaces on the western section of the site.

- On the ground the affordable units would appear self-contained as a group of houses with access from Stevenage Road, not unlike 6 dwellings further north of the site.
- He was unsure whether a housing association provider had been agreed.
- There was 1 visitor parking space proposed in the affordable housing side, with the other visitor spaces provided on the other side.

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

- This was a relatively modest scheme and providing the affordable housing in one location would be more suitable to an affordable housing provider.
- The proposed separation would mean that affordable unit occupiers would not need to contribute to the maintenance of the market value housing. This would help to make the properties affordable.
- The design of the houses was tenure blind, in line with overall parameters.
- It was a small site and access to the other side of the site would be a short walk along a new footpath.

The Chair invited the representative of the Applicant, Mr Russel Gray, to speak in support of the application. Mr Gray thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- The report outlined the comprehensive reasons why the application should be approved.
- Policy SI2 of the adopted Local Plan sets out 4 specific criteria which have all been met. These included a detailed archaeological survey, incorporation of existing trees where possible, maintenance and enhancement of existing rights of way and noise mitigation measures.
- The original application from 2019 had been worked on with officers and had addressed the concerns raised to make the scheme acceptable.
- These changes included layout of the site and the mix of affordable properties.
- The design was respectful of the character and appearance of the area and the density proposed was suitable.
- Further evidence had been provided to the County Council Highways to demonstrate that safe access can be gained from both site entrances.
- There were proposed ecological enhancements throughout the site, and these would contribute towards Biodiversity Net Gain (BNG).

The following Members asked points of clarification:

- Councillor Michael Muir
- Councillor Ruth Brown
- Councillor Amy Allen
- Councillor Elizabeth Dennis

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

- A housing association had not yet been confirmed to manage the affordable housing on the site.
- An energy assessment had been submitted and the developers were committed to air source heat pumps. The application was 55% more sustainable than required to meet Part L.
- All greenspaces on the site were for general amenity.
- The plans looked like there was a plot division, but it should be possible to rectify concerns regarding pedestrian access through the site.

N.B. Due to a technical issue, there was a break in proceedings, and the meeting reconvened at 22.01.

In response to points of clarification, the Development and Conservation Manager advised that there was no boundary detail at this stage and therefore this could be dealt with by condition. It was therefore possible to include a condition on an informal pedestrian link between the two sides, though due to space constraints a formal footpath would not be possible.

Councillor Michael Muir proposed to grant permission, with the additional conditions in the supplementary pack and on pedestrian access between the site, and this was seconded by Councillor Amy Allen. Following a vote, it was:

RESOLVED: That application 19/01669/FP be **GRANTED** subject to the reasons and conditions set out in the report of the Development and Conservation Manager, with the removal of Condition 24, the relevant renumbering of other Conditions and the following additional new Conditions 29 – 33, to read:

“Condition 29:

Prior to the first occupation of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing number 18142-1006 Rev G in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire’s Local Transport Plan (adopted 2018). To comply with Policy T1 of the Local Plan.

Condition 30:

Prior to the first occupation of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved drawing number 18142-1006 Rev G. The splay shall thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policy 5 of Hertfordshire’s Local Transport Plan (adopted 2018). To comply with Policy T1 of the Local Plan.

Condition 31:

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan / Statement shall include details of:

- a) Construction vehicle numbers, type, routing;*
- b) Access arrangements to the site;*
- c) Traffic management requirements;*
- d) Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);*
- e) Siting and details of wheel washing facilities;*
- f) Cleaning of site entrances, site tracks and the adjacent public highway;*
- g) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;*
- h) Provision of sufficient on-site parking prior to commencement of construction activities;*

- i) *Post construction restoration/reinstatement of the working areas and temporary access to the public highway;*
- j) *where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;*
- k) *Phasing Plan.*

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018). To comply with Policy T1 of the Local Plan.

Condition 32:

Prior to the first use of the development hereby permitted, arrangement shall be made for surface water from the proposed development to be intercepted and disposed of separately so that it does not discharge onto the highway carriageway.

Reason: To avoid the carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018). To comply with Policy T1 of the Local Plan.

Condition 33:

Notwithstanding the approved plans, a permanent pedestrian/cyclist access shall be provided between approved Plots 7 and 8, and the dwellings approved to be accessed off Stevenage Road. The access shall be a minimum of 2.5m in width and shall be retained in perpetuity. Detailed plans of the access, its location within the development, and adjacent boundary details and hard surfacing, shall be submitted to the Local Planning Authority for approval prior to the first occupation of the dwellings. The approved details shall be completed prior to the first occupation of the affordable dwellings, unless otherwise agreed in writing with the LPA.

Reason: In the interests of maximising physical and social accessibility. To comply with Policy D1 of the Local Plan."

37 23/00186/FP - LAND OFF MILKSEY LANE, GRAVELEY, HERTFORDSHIRE

Audio recording – 2 hours 32 minutes 30 seconds

The Senior Planning Officer provided updates, including that:

- An arboricultural plan submitted alongside the application had not been updated following amendments made in January 2024. The old layout would need to be removed and the new plan provided.
- A condition on tree protection was proposed to be included in order to address the missing arboricultural plan.

The Senior Planning Officer presented the report in respect of Application 23/00186/FP supported by a visual presentation consisting of photographs and plans.

In response to questions from Councillor Ruth Brown, the Senior Planning Officer advised that:

- There would be access to the byway from the west of the site.
- Consultee comments regarding fencing were not relevant, as it was outside the site area.
- The design met Part L criteria for sustainability.

- Other sites in Graveley had been allocated in the adopted Local Plan, but this was an additional site which was classed as 'white land'.

Councillor Amy Allen proposed to grant permission and Councillor Ruth Brown seconded and, following a vote, it was:

RESOLVED: That application 23/00186/FP be **GRANTED** subject to the reasons and conditions set out in the report of the Development and Conservation Manager, with the removal of Condition 19, relevant renumbering of existing conditions and the additional Condition 25 to read:

"Condition 25:

Prior to the commencement of works on site, an Arboricultural Protection Plan, which sets out the method of protection for trees to be retained within the site, shall be submitted to, and approved in writing by the Local Planning Authority. The protection plan shall be in accordance with Section 4.6 of BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations'. Thereafter, the development shall be carried out in accordance with the approved plan.

Reason: To prevent damage to or destruction of trees to be retained on the site in the interests of the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031."

38 23/01885/FP - LAND AT POLICE ROW BETWEEN THE GRANGE AND 1 THE GRANGE, POLICE ROW, THERFIELD, HERTFORDSHIRE

Audio recording – 9 minutes 16 seconds

The Senior Planning Officer provided updates, including that:

- A draft section 106 agreement had been received, which had been forwarded onto the legal team at the Council.
- The current recommendation subject to the receipt of impact assessments had been updated, due to changes in the approach of the applicant to address the issues and it was not possible to consult with the Ecology Officer ahead of the meeting.
- The Highways Authority continued to object to the application, due to the collection of refuse from the site. However, the proposals outline the collection of refuse from Police Row which was acceptable in the planning balance, and it was therefore considered that refusal for this reason would not be sustainable.
- If the refuse matter can be resolved, without compromise to the design, then the matter should be explored further.
- Should Members consider current refuse proposals to be unacceptable, then a proposed further amendment to the recommendation for resolution to grant had been circulated which would allow the Development and Conservation Manager, alongside the Chair of the Committee, to make this decision to prevent the application returning to Committee for this reason alone.
- There was an error at paragraph 4.3.52 and an archaeological report had been received and was included on the website.

The Senior Planning Officer presented the report in respect of Application 23/01885/FP supported by a visual presentation consisting of photographs and plans.

The following Members asked questions:

- Councillor Ruth Brown
- Councillor Amy Allen
- Councillor Michael Muir
- Councillor Mick Debenham

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

- Affordable housing requirements only applied to developments of 11 or more dwellings. If the application was for 12 dwellings, then 3 units would need to be affordable to be policy compliant.
- There was only one access point proposed to the site within the application, but there was an informal footpath to the south.
- Any open spaces in the proposals were expected to be for any Therfield residents and would not be sectioned off.
- The Lead Local Flood Authority (LLFA) had been consulted and this is detailed in points 4.3.53 to 4.3.57 of the report. They noted the need to have regard to SUDs and boreholes but raised no objection subject to the inclusion of 3 conditions.
- It would be unreasonable to reject the application on flooding grounds, as no objection had been received from the LLFA.
- In assessments undertaken, and outlined at 4.3.46 to 4.3.49 of the report, there would be ecological and biodiversity gains. These had been consulted on with the Ecology Officer who had proposed 2 conditions.
- The application was submitted prior to the Biodiversity Net Gain (BNG) requirements being mandatory and so it is beneficial this is being done regardless.

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

- It had been 8 years since the application was first lodged for this site.
- The Parish Council acknowledged that the site was included in the Local Plan but could not comprehend how this had been the case.
- Therfield was an historic village, with low density housing, open character and surrounding green spaces.
- This site was the last remaining meadow within the village and was located adjoined to the conservation area. The meadow was grade 3 agricultural land.
- The site was frequently used by dog walkers.
- There would be an impact on the neighbouring grade 2 listed buildings.
- Therfield village and Hay Green were separate parts of the village and previous applications had been rejected due to the coalescence of these two separate parts.
- There was a further application for 7 houses within the village boundary and, should both be approved, that would represent a 10% gain in houses in the village.
- The proposals would lead to the character of the village and its countryside setting being lost.

The Chair thanked Parish Councillor Andy Osbourne for his presentation and invited Mr Charles Archer to speak against the application. Mr Archer thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- There were two specific issues he wished to address, including dangerous traffic situation and the low level street lighting proposed.
- This road through Therfield was known to be a cut through between the A505 and A10 which caused high levels of traffic and often speeding.

- Along Police Row, cars were often parked on the pavement and pedestrians use the site for safety.
- Cars and agricultural vehicles often came to a head on Police Row, as there was not sufficient passing space.
- The direction of the road and the position of the sun would turn the corner into a blind spot for motorists.
- There was little public transport provision from the village.
- The proposals would lead to around 40 to 60 additional car journeys per day.
- Cars had been recorded doing between 35 and 40mph on this section of 30mph road, and proposals to address this by removing hedgerows was not appropriate.
- The low level street lighting proposed was not appropriate and the village had previously opposed any form of street lighting, as it was in a dark skies area.
- There were serious failings in the design and layout of the proposals and the solutions proposed were for problems which need not exist.

The following Members asked points of clarification:

- Councillor Louise Peace
- Councillor Mick Debenham

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

- The Lynx bus service operated in the village, but this was chargeable and only callable via an app, which was not available at all times of day and was often very busy.
- Points regarding the road being less safe related to the introduction of a junction into the site off Police Row.
- Street lighting would make the road conditions safer, but this was contrary to the nature of the village which was in a dark sky area.

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

- There were concerns around the drainage from the site, which had historically been a water storage site.
- He lived in a property on a similar site and during the winter the garden regularly flooded.
- The calculations did not account for greenfield run off.
- The arrows included on plans were only relevant if that is how the water flows during flooding.
- The storage pond was poorly located and badly designed.
- Drainage would be from the south of the site, but would need to go to the north of the site to connect to the public sewer.
- There were already issues of the sewer flooding and contaminating nearby chalk streams.
- There was no commitment from Thames Water to upgrade the sewers.

The Chair thanked Mr Small for his presentation and invited Mr Jake Pavet-Golding to speak, as agent to the applicant, in support of the application. Mr Pavet-Golding thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- Wheatley Homes had reached out to the Parish Council to work with them alongside this application, but the opportunity was not taken up.
- They continued to work closely with Council Officers and statutory consultees throughout the process.
- Proposals had been designed to take inspiration from local architecture and agricultural history of the area.
- There was a large set back from Police Row to the proposed units.

- This site would see the delivery of a high level designed scheme, which complimented its surroundings.
- There would be a community orchard planted to the south of the site, which would exist in perpetuity.
- The proposed drainage basin would be landscaped.
- The open spaces enhanced the northern boundary of the site and would prevent any further coalescence of Therfield and Hay Green.
- The proposed refuse collection would take place from Police Row, which was the same situation as other houses along this road. This had been proposed as it was felt detrimental to the site design to include space enough for a refuse vehicle to turn and it was felt this would undo conservation gains.
- This design was being used as a template for other sites within North Herts.

The following Members asked points of clarification:

- Councillor Ruth Brown
- Councillor Ian Mantle
- Councillor Bryony May
- Councillor Amy Allen
- Councillor Mick Debenham
- Councillor Michael Muir
- Councillor Sadie Billing

In response to points of clarification, Mr Pavet-Golding advised that:

- There had been no intention from the applicant to only deliver 10 units to avoid affordable housing commitments, it was felt that 10 units was most suitable for the design and mix.
- There would be public amenity open spaces, the attenuation basin would be landscaped and the community orchard would be designed.
- The mix of properties was agreed with the Council and deemed appropriate.
- Solar panels were not proposed for this site, but all units would be designed to modern standards and would achieve Part L requirements without the need for solar panels.
- The proposed bin collection point would be at the front of the site and it would be the responsibility of the residents to ensure bins were put out appropriately. Refuse workers would not be expected to enter the site to collect bins.
- The site had been tracked so a fire engine could turn and therefore delivery vehicles would be able to.
- The site design was most important and working with Officers, it was agreed that 10 units was most suitable for the site.
- The garages would be slightly larger than usual to ensure that they could fit, and be used by, modern cars.

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

- Many different issues had been raised, but this remained an allocated site in the Local Plan and there was no objection in principle.
- Other areas of concern, such as conservation, coalescence, flooding and highways access, had all been addressed.
- Therfield had been classed as a Category A village in the Local Plan, meaning development was allowed within the settlement boundary.
- Policy circumstances had changed since the previous application, namely the adoption of the Local Plan.
- He was not initially aware of the dark skies area, but the low level street lighting proposed had subsequently been removed once this was discovered.
- Highways had raised no objection to access from Police Row.

- Removal of existing hedgerow was required for access and this was proposed to be replaced with other planting on site.
- There were 3, 4 and 5 bedroom houses proposed on the site.
- Highways had advised that it would be possible for a refuse vehicle to enter the site and turn around, should collection from Police Row not be acceptable to Members.

The following Members asked further questions:

- Councillor Michael Muir
- Councillor Ruth Brown
- Councillor Mick Debenham

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

- The recreation ground opposite had a small car park and he was unsure if this led to parking on Police Row, but this had been indicated as the case in public comments received.
- The Parish Council did not approach for section 106 contributions, but had been asked.

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

- If permission was granted, then the sewage company must make provision to service the development.
- Sewage companies had a statutory duty to avoid spillages, but some had been acting illegally. However, planning determinations cannot be considered along those issues and would not be a defensible reason for refusal.

Councillor Amy Allen proposed to grant permission and this was seconded by Councillor Ruth Brown.

The following Members took part in the debate:

- Councillor Amy Allen
- Councillor Ruth Brown
- Councillor Elizabeth Dennis
- Councillor Louise Peace
- Councillor Michael Muir

Points raised in the debate included:

- There were concerns about parts of this application, but could not see legal grounds for refusal.
- There were safety concerns for refuse crews and parking along Police Row.
- The site had been allocated in the Local Plan, which went through 5 and a half years of thorough consultation and examination.
- There were lots of positives about this application.
- It was disappointing the Parish Council had not worked with the applicant to get the best contribution for their community.
- The plans would have been better had they included two smaller affordable units.
- The removal of low level lighting was welcomed.
- The gated access to the site should be removed as was the policy across North Herts.
- Lack of smaller and affordable houses meant the development would likely be unaffordable for younger residents already living in the village.
- There were concerns regarding the safety of the road and the impact on pedestrians using the footpath.

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

- There was no policy to require solar panels on developments. The desire was for sustainable housing and this application met Part L requirements through other methods.
- The Sustainability SPD was being progressed but currently no policy requiring solar panels existed.
- The removal of the gate to the front of the site was possible by condition, as had been done on previous application.
- While the section 106 agreements and wildlife assessments were reviewed, the access of refuse vehicles could be considered again in consultation with Highways and, if possible, agreed with the Chair. If it could not be agreed, it would return to the Committee.
- Due to the size of the site it would not be lawful to require a pedestrian crossing over Police Row.

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

RESOLVED: That application 23/01885/FP be **GRANTED** planning permission subject to:

- A) *The completion of a S106 agreement in line with the agreed Heads of Terms;*
- B) *The receipt of the Impact and Conservation Payment Certificate following an application to Natural England under the GCN District Level Licensing (DLL) or any other means to address impact on GCN and a response of no objection from the North Herts Ecologist;*
- C) *Seeking to address the objection from the Highway Authority relating to refuse collection, which the Highway Authority have indicated can be reasonably achieved, and this matter is delegated to the Development and Conservation Manager and the Chair of Planning Control Committee, so that this application would not need to come back to Planning Committee for this reason alone;*
- D) *The agreement to an extension of time to the statutory determination date to allow time for (A), (B) and (C) to occur; and*
- E) *The conditions and informatives recommended in the report, and any other reasonable and necessary conditions that are recommended by the Highway Authority.*

And the following additional Condition 35 to read:

“Condition 35:

Notwithstanding the submitted plans, no gates shall be provided across the access to the site.

Reason: In the interests of local visual amenity and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.”

N.B. Following the conclusion of this item, there was a break in proceedings and the meeting reconvened at 20.57.

39 23/02948/FP - LAND NORTH OF 2 MILLERS CLOSE, PICKNAGE ROAD, BARLEY, HERTFORDSHIRE

Audio recording – 1 hour 25 minutes 35 seconds

The Senior Planning Officer advised there were no updates to provide and presented the report in respect of application 23/02948/FP supported by a visual presentation consisting of photographs and plans.

In response to questions from Councillor Ruth Brown, the Senior Planning Officer advised that:

- There were light tunnels proposed to be installed in the roof of the middle dwelling to allow natural light into the ensuite and bathroom, as these did not have external walls.
- Permitted development rights had been removed, so any extension into the loft space would require further planning permission.

The Chair invited Parish Councillor Yvonne Lee to speak against the application. Parish Councillor Lee thanked the Chair for the opportunity and provided the committee with a verbal presentation including that:

- Barley was a small settlement with fewer than 700 residents. However, it was considered a Category A village in planning terms.
- There had been a long Local Plan process which had considered this site for housing, but this was rejected by the Council partly due to its location in the Conservation Area.
- No sites had been allocated within the village for development in the Local Plan.
- There were questions as to why the site was previously rejected for housing but was now considered suitable for development.
- There had already been substantial development in the village with a 22% increase in units over recent years. This included 8 units on open land behind the village surgery, which had an impact on the conservation area.
- Another application across the road was rejected by the inspector due to consideration of impact on the conservation area.
- It was not unusual for there to be tensions between planning policies, as these were subjective, and it was possible to come to a different view to the Officer proposals along planning grounds.

The Chair thanked Parish Councillor Lee for her presentation and invited Parish Councillor Jerry Carlisle to speak against the application. Parish Councillor Carlisle thanked the Chair for the opportunity and provided the committee with a verbal presentation including that:

- The Conservation Officer was opposed to the application due to damage to the conservation area, but the Planning Officer had disagreed with this.
- The Parish Council had been consulted on two occasions in January and June. However, the website outlines that the Parish Council should have been consulted further in July.
- Due to this, the Parish Council were not aware of some changes proposed including changes to visitor parking and landscaping.
- Parking was expected to be on Picknage Road, but there would not be suitable space here for visitors, as had been demonstrated on another nearby site.
- Picknage Road was a 30mph road, but speeds had been recorded between 40 and 50mph, therefore it would not be suitable for parking.
- Parking on Picknage Road would cause access problems for emergency and refuse vehicles.

In response to a point of clarification from Councillor Elizabeth Dennis, the Senior Planning Officer advised that the Parish Council had been consulted on one set of amended plans in June 2024.

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

- The site was located within the village boundary and on 'white land' which was open to development.
- The appeal decision on a nearby site was a mixed use site and was outside of the village boundary, which set it apart from this application.

In response to a question from Councillor Ruth Brown, the Development and Conservation Manager advised that:

- There were several possible reasons why this site was not considered during the Local Plan process, but mostly that this would normally include sites of 5 or more dwellings.
- In terms of planning principles, the site was in a Category A village and development was allowed within the settlement boundaries.

Councillor Ian Mantle proposed to grant permission and this was seconded by Councillor Amy Allen.

As part of the debate, Councillor Ruth Brown noted that she knew the site well and it appeared to be an odd piece of land with terraced housing opposite. The proposals were in line with what already existed and, although there was a lot of development in Barley, it was classified as a Class A village.

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

RESOLVED: That application 23/02948/FP be **GRANTED** planning permission subject to the reasons and conditions set out in the report of the Development and Conservation Manager.

40 PLANNING APPEALS

Audio recording – 2 hours 44 minutes 15 seconds

The Development and Conservation Manager provided an update on Planning Appeals and outlined that there had been two appeals lodged and one appeal dismissed.

There were no questions from Members.

41 CURRENT ENFORCEMENT NOTICES

Audio recording – 2 hours 45 minutes 16 seconds

The Principal Planning Officer (Conservation and Enforcement) provided an update on Current Enforcement Notices, including that:

- The Levelling Up and Regeneration Act came into force from April 2024, which provided further tools for Officers to use regarding enforcement.
- Further updates would be provided to Members on any other notices issued.
- There had been one notice issued in this quarter, which had been appealed against.

There were no questions from Members.

42 EXCLUSION OF PRESS AND PUBLIC

Audio recording – 2 hours 47 minutes 11 seconds

Councillor Elizabeth Dennis, as Chair, proposed and Councillor Ruth Brown seconded and, following a vote, it was:

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A of the said Act (as amended).

43 CURRENT ENFORCEMENT ACTIONS

N.B. As this item was considered in private session, no audio recording is available.

The Principal Planning Officer (Conservation and Enforcement) provided an update on Current Enforcement Actions, including that:

- Point 3.2 of the report should refer to Q1 as January to March and Q2 as April to June, however the figures provided within the table are accurate.
- There had been 30 new cases in June.

The following Members asked questions:

- Councillor Ruth Brown
- Councillor Elizabeth Dennis

Councillor Ruth Brown congratulated the team on dealing with the backlog of enforcement cases and noted that it was important reputationally for the Council to be seen to be conducting enforcement, especially in high profile cases.

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

- There had been no further update on the site listed at the top of the table at point 3.16 of the report.
- Direct reporting to Planning Enforcement was the most appropriate way to log a case.
- They were reviewing the information on the website and how this could be more appropriate.
- Members reporting issues directly would allow for monitoring and reviewing of key themes or core sites.

The meeting closed at 10.29 pm

Chair