

NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES, GERONON ROAD, LETCHWORTH GARDEN CITY, SG6 3JF
ON THURSDAY, 5TH SEPTEMBER, 2024 AT 7.30 PM

MINUTES

Present: *Councillors: Elizabeth Dennis (Chair), Nigel Mason (Vice-Chair), Amy Allen, Sadie Billing, Ruth Brown, Emma Fernandes, Ian Mantle, Bryony May, Caroline McDonnell, Tom Tyson and Jon Clayden.*

In Attendance: *Loretta Commons (Locum Planning Lawyer), Ben Glover (Senior Planning Officer), Alex Howard (Senior Planning Officer), Susan Le Dain (Committee, Member and Scrutiny Officer), James Lovegrove (Committee, Member and Scrutiny Manager), Anne McDonald (Development Management Team Leader) and Sjanet Wickenden (Committee, Member and Scrutiny Officer).*

Also Present: *At the commencement of the meeting there were 2 members of the public present.*

44 APOLOGIES FOR ABSENCE

Audio recording – 1 minute 32 seconds

Apologies for absence were received from Councillor Louise Peace.

Having given notice, Councillor Jon Clayden substituted for Councillor Peace.

Councillor Michael Muir was absent.

45 MINUTES - 18 JULY 2024 AND 25 JULY 2024

Audio Recording – 2 minutes 3 seconds

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

RESOLVED: That the Minutes of the Meetings of the Committee held on 18 July 2024 and 25 July 2024 be approved as a true record of the proceedings and be signed by the Chair.

46 NOTIFICATION OF OTHER BUSINESS

Audio recording – 2 minutes 54 seconds

There was no other business notified.

47 CHAIR'S ANNOUNCEMENTS

Audio recording – 3 minutes 1 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 Members of the ongoing Community Governance Review survey which was being conducted to look at parish arrangements. The survey was open until the 7 October 2024 and posters had been provided to Members to distribute in their wards.
- (6) The Chair advised that items 8, 9 and 10 of the agenda, relating to The Bull, High Street, Gosmore, Hitchin, SG4 7QG had been withdrawn from the agenda due to the withdrawal of the call-in request.

48 PUBLIC PARTICIPATION

Audio recording – 7 minutes 21 seconds

The Chair confirmed that the registered speakers were in attendance.

49 23/01492/FP WESTBOURNE RESIDENTIAL CARE HOME, 9 BEDFORD ROAD, HITCHIN, HERTFORDSHIRE, SG5 2TP

Audio recording – 9 minutes 16 seconds

N.B. Councillor Nigel Mason declared a predetermination on this item and moved to the public speaking gallery to present as Member advocate.

The Senior Planning Officer provided an update that the Applicant had agreed to the pre commencement conditions set out within the recommendations.

The Senior Planning Officer presented the report in respect of Application 23/01492/FP supported by a visual presentation consisting of photographs and plans.

The following Members asked questions:

- Councillor Ruth Brown
- Councillor Ian Mantle
- Councillor Tom Tyson

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

- The increase to the height ridge would be 1.5 metres to the main building, and 0.6 metres to the existing two storey side.
- The surrounding buildings had higher elevations.
- There was a Section 106 (s106) payment item for £15 for Childcare services.
- There was an off-site contribution for affordable housing in the S106 agreement.

The Chair 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 concerns regarding parking on the site.
- There were road safety concerns as the site was on a known traffic hot spot.

- The application had 12 parking spaces, but had 16 apartments, this was below the guidelines which stated that for this size development there should be 18 resident parking spaces and 12 visitor parking spaces.
- The parking space explanation at 4.3.33 and 4.3.34 of the report did not appease the situation.
- It was likely that the majority of residents would have at least one car, and parking would therefore spill out onto the surround already overcrowded streets, causing a traffic problem in an already congested area.
- The roads surrounding the development were frequently congested and the traffic light junction onto Bedford Road caused chaos, leading to the area being gridlocked.
- There would be addition traffic congestion from any construction traffic.
- The conversion of the care home would lead to the loss of a viable business and residential beds. There was an aging population, and this conversion was not in the best interest of the public.
- Raising the roofline would have an impact on the character of the area.
- Paragraph 111 of the National Planning Policy Framework (NPPF) should be applied in this matter as there would be an unacceptable impact on the traffic system in this area.
- The application offered too many flats, with no affordable housing and an inadequate amount of parking.

The Chair thanked Councillor Nigel Mason for his presentation.

N.B Councillor Nigel Mason left the Chamber at 19:52 for the duration of this item.

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

- The roof extension and the conversion had received a positive response from Highway and Officers.
- There was an under provision of parking spaces, however the site was close to the main amenities of Hitchin.
- There would be 9 dwellings for single users, 4 of these units would not have a parking space. There was an onsite parking for 19 cycle and visitors could use the nearby public transport.
- It was a 6 minute walk from the site into Hitchin town centre and a 3 minute walk to local leisure facilities and a supermarket.
- It was a 8 minute cycle ride to Hitchin train station and a 1 minute walk to the nearest bus stop.
- The care home currently employed 17 full time staff and 12 part time staff. It was unlikely that the conversion would see an increase in trip generation. The development was not likely to create more traffic compared to now and was acceptable under T2 of the Local Plan.
- Section 115 of the NPPF stated that developments of this kind should only be refused on Highways grounds, Highway had not objected to this application.
- There was an under provision of parking on the 4 small dwellings however, taking into account the existing usage it was felt that this would not have a severe impact on the current traffic situation.
- The boundary wall would be lowered to aid visibility, and the entrance would be widened.
- There was an off site commuted sum of £1M for the provision of affordable housing.

The following Members asked points of clarification:

- Councillor Ruth Brown
- Councillor Jon Clayden
- Councillor Amy Allen
- Councillor Elizabeth Dennis
- Councillor Sadie Billing
- Councillor Tom Tyson
- Councillor Emma Fernandes

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

- It was difficult to provide affordable housing in a single block conversion. There would be issues regarding management fees and complications with social landlords and therefore an off-site contribution was deemed an acceptable alternative.
- The 4 smallest dwelling would not be provided with an allocated parking space. This would be made clear in any documents. It was felt that the requirement for a parking space on these dwellings was less than that of the two bedroom dwellings.
- The smallest dwellings were not deemed as family sized and there was, more demand for parking spaces with the larger dwellings.
- Young professions were less likely to require a parking space.
- The technical space for a dwelling was set nationally. All the units meet with this requirement and were classed as either single or double. There were 9 dwellings classed as 1 person, 1 bedroom dwellings according to the technical space recommendations.
- The number of dwellers could not be policed other than by housing welfare standards, therefore the intention was to trickle the parking spaces from largest to smallest.
- Other vehicles would need to find somewhere off site to park.
- The site would be deemed as private land and those residents that had not been allocated a parking space would not be able to park onsite.
- The site was in a sustainable location with amenities on its doorstep.
- Public transport was in close proximity to the site and there was a national shift to homeworking.
- There would be allocated parking spaces and it would be clear in legal documents which space belonged to which dwelling.
- At least 1 of the parking spaces could be widen for disabled access.
- There were no lifts in the floor plan.
- The majority of the 1 bedroom dwellings were on the ground floor.

In response to a point of clarification, the Senior Planning Officer advised that allocated parking space could not form part of a planning condition, but it was likely that they would be highlighted in any purchase contracts.

The Chair thanked Mr Gran for his presentation.

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

- The policy regarding parking spaces was based on bedrooms and not occupancy.
- The NPPF had caveats regarding parking, for sustainable locations, this development fell within the caveat.
- The site was on 2 bus links.
- It was likely that there would be a buyer beware clause in purchase contracts.
- Highways had no objection to the application.
- There was S106 mitigation for transport improvements.
- There was onsite cycle parking.

Councillor Ruth Brown proposed to grant permission and this was seconded by Councillor Ian Mantle.

The following Members took part in the debate:

- Councillor Sadie Billing
- Councillor Elizabeth Dennis
- Councillor Jon Clayden
- Councillor Tom Tyson
- Councillor Ian Mantle

Points raised in the debate included:

- There were concerns regarding the number of parking spaces and the assumption that younger people and the elderly may not have a car, however these were not grounds to refuse.
- T2 of the local plan made it possible to reduce parking space requirements, and there was a small amount of on street parking.
- The parking spaces were not ideal and there were no disabled spaces, but also no sustainable reason to reject the application.
- It was regrettable to lose a care home.
- Anyone purchasing a dwelling would be advised in advance if there was a parking space allocated.
- A precedent had been set by the Letchworth Black Squirrel site approval of 18 dwellings and no onsite parking.

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

RESOLVED: That application 23/01492/FP be **GRANTED** planning permission subject to the reasons and conditions set out in the report of the Development and Conservation Manager.

N.B. Following the conclusion of this item, there was a break in proceedings and the meeting reconvened at 20:33

50 24/00103/FP COUNTRY BOARDING FOR CATS AND DOGS, GANNOCK LANE, SLIP END, BALDOCK, HERTFORDSHIRE, SG7 6NL

Audio recording – 1 hour 3 minutes 35 seconds

N.B Councillor Nigel Mason returned to the Chamber at 20:33.

The Senior Planning Officer presented the report in respect of Application 23/00103/FP supported by a visual presentation consisting of photographs and plans.

The following Members asked questions:

- Councillor Nigel Mason
- Councillor Jon Clayden
- Councillor Amy Allen
- Councillor Elizabeth Dennis
- Councillor Ruth Brown
- Councillor Tom Tyson
- Councillor Emma Fernandes

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

- The applicant may be able to clarify the centre circles on the aerial view of the site.
- All applications were considered individually, on their own merits and depending on the facts of each application.
- The ownership of the completed bungalows was not a material planning consideration.
- The sitemap showed spaces for refuse bins for each bungalow, and there was a turning point on the site for a refuse vehicle near a bin collection point.
- The site could be accessed via Deadman's Hill and via the cut over from Royston.
- This was a brown site for 7 dwellings and would be in conflict of Policy SP2 of the Local Plan.
- There had been an objection from Highways, but this had been considered in depth in the report..
- There was a condition in the report for sustainable energy and this had been agreed by the applicant.
- The development would create less trip generation compared to its current commercial usage.
- Requesting a vehicle pass area was beyond the scope of the application.
- All the dwellings would have EV charging points.
- Although the applicant mentioned securing a lynx bus service to the site, this could not be a planning condition as it was beyond the scope of the application.
- Condition 15 of the report related to the sustainability of the site.

The Chair invited Mr Jeremy Burrowes the applicant to speak in support of the application. Mr Burrowes thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- The site was used for kennels and had been for sale for the last 4 years.
- There was a downward trend for kennels, with recent local closures and it was not easy to get permission to open a new kennel.
- Three enforcement notices due to noise levels had been served on the premises.
- No objections had been received to the change or use, or the proposed development.
- There was a public footpath along the A505 and current employees walked to the site from the train station.
- There was regular access to the site by large lorries, and this was likely to cease with the new development.
- There was a lack of affordable housing in the area and a housing shortage.
- The development was for modest 3 bedroom bungalows, suitable for young families.

The following Members asked points of clarification:

- Councillor Nigel Mason
- Councillor Emma Fernandes
- Councillor Tom Tyson

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

- Planning permission had previously been granted for a small lake on the site, it was now however filled with sand.
- The applicant was committed to sustainable energy however, the site would not be developed by the applicant.

The Chair confirmed that the site was below the threshold for affordable housing.

The Chair thanked Mr Burrowes for his presentation.

In response to points raised, the Area Planning Officer advised that Condition 15 was not binding however, a change to the wording would make this an implementation prior to occupation of the site.

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

- Should the application be granted, and the development sold on to another, any conditions including solar panels would still be binding. A new owner would then need to make an application to review or vary any such conditions.
- The site was not sustainable in principle and paragraphs 4.3.43 to 4.3.48 of the report discussed that point, however based on the number of dwellings the application was considered a more sustainable use of the land.
- National and Local policies accepted that in isolated locations developments may not be sustainable and a lower threshold could occasionally be applied. This consideration would have differed if this application had this been for a completely new development instead of a change of use.

Councillor Amy Allen proposed to grant permission with the amendment to Condition 15 and this was seconded by Councillor Nigel Mason.

Councillor Tom Tyson stated that there would be less traffic movement to the site, however the kennel clients would have to find a new site and that it was difficult to walk to the site from Ashwell due to a bramble footpath but, on balance the application was acceptable.

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

RESOLVED: That application 24/00103/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 amendment to Condition 15.

“Condition 15:

Prior to commencement a site-wide sustainability strategy shall be submitted to the Local Planning Authority for approval addressing renewable energy, reducing carbon emissions and water conservation and the measures shall be implemented on site prior to the first occupation of each dwelling.

Reason: To reduce carbon dioxide emissions and promoting principles of sustainable construction and the efficient use of buildings in accordance with Policies SP9 and D1 of the North Hertfordshire Local Plan 2011 to 2031.”

51 **24/00796/FP THE BULL, HIGH STREET, GOSMORE, HITCHIN, HERTFORDSHIRE, SG4 7QG**

The Chair confirmed that agenda item 8, 24/00796/FP had been withdrawn from the agenda due to the withdrawal of the call-in request.

52 **24/00751/FP THE BULL, HIGH STREET, GOSMORE, HITCHIN, HERTFORDSHIRE, SG4 7QG**

The Chair confirmed that agenda item 9, 24/00751/FP had been withdrawn from the agenda due to the withdrawal of the call-in request.

53 24/00725/LBC THE BULL, HIGH STREET, GOSMORE, HITCHIN, HERTFORDSHIRE, SG4 7QG

The Chair confirmed that agenda item 10, 24/00725/LBC had been withdrawn from the agenda due to the withdrawal of the call-in request.

54 23/02706/FP LAND WEST OF, AVENUE ONE, LETCHWORTH GARDEN CITY, HERTFORDSHIRE, SG6 2WW

Audio recording – 1 hour 42 minutes 14 seconds

The Senior Planning Officer presented the report in respect of Application 23/02706/FP supported by a visual presentation consisting of photographs and plans and stated that the recommendation was to grant permission for this application subject to the Lead Local Flood Authority (LLFA) matters being resolved and to the conditions in the report.

In response to a point of clarification from Councillor Sadie Billing, the Senior Planning Officer advised that Highways had not raised any objections to this application and any request for yellow lines outside of the application site, could not be dealt with by this application.

The Chair advised that the application offered adequate, disable, cycle and car parking spaces.

Councillor Ruth Brown proposed to grant permission and this was seconded by Councillor Jon Clayden and, following a vote, it was:

RESOLVED: That application 23/02706/FP be **GRANTED** planning permission subject to the reasons and conditions set out in the report of the Development and Conservation Manager.

N.B. Following the conclusion of this item, there was a break in proceedings and the meeting reconvened at 21:23.

55 24/01285/S73 LAND NORTH OF 68, LONDON ROAD, BALDOCK, HERTFORDSHIRE, SG7 6JL

Audio recording – 1 hour 42 minutes 14 seconds

The Development Management Team Leader presented the report in respect of Application 24/01285/S73 supported by a visual presentation consisting of photographs and plans.

The following Members asked points of clarification:

- Councillor Jon Clayden
- Councillor Ruth Brown

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

- The variation to the planning application did not extend the 3 years time period to commence the development.
- There were no garages on any other dwellings on the site, and the request was for market choice.

Councillor Tom Tyson proposed to grant this application and Councillor Ruth Brown seconded and, following a vote, it was:

RESOLVED: That application 24/01285/S73 be **GRANTED** planning permission subject to the reasons and conditions set out in the report of the Development and Conservation Manager.

56 APPEALS

Audio recording – 1 hour 58 minutes 55 seconds

The Development Management Team Leader provided an update on Planning Appeals and highlighted that, the applications submitted for appeal were detailed on page 131 of the report and that there had been 2 decision appeal recorded both of which had been dismissed.

The following Members asked questions:

- Councillor Ruth Brown
- Councillor Jon Clayden

In response to questions the Area Planning Officer advised that about 90% of appeal were dismissed and that currently there was no comparison data on this topic regarding nearby Local Authorities.

The Chair advised that the information could be requested from the Development and Conservation Manager.

The meeting closed at 9.31 pm

Chair