

NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES,
LETCWORTH GARDEN CITY, SG6 3JF
ON THURSDAY, 24TH OCTOBER, 2024 AT 7.30 PM

MINUTES

Present: *Councillors: Elizabeth Dennis (Chair), Nigel Mason (Vice-Chair), Emma Fernandes, Ian Mantle, Bryony May, Caroline McDonnell, Louise Peace, Tom Tyson, Val Bryant, Mick Debenham and Steve Jarvis.*

In Attendance: *Isabelle Alajooz (Legal Manager and Deputy Monitoring Officer), Thomas Howe (Planning Officer), Susan Le Dain (Committee, Member and Scrutiny Officer), Anne McDonald (Development Management Team Leader) and Sjanel Wickenden (Committee, Member and Scrutiny Officer).*

Also Present: *At the commencement of the meeting there were approximately 8 members of the public, including registered speakers.*

74 APOLOGIES FOR ABSENCE

Audio recording – 1 minute 25 seconds

Apologies for absence were received from Councillors Ruth Brown, Sadie Billing and Amy Allen.

Having given due notice Councillor Steve Jarvis substituted for Councillor Brown, Councillor Val Bryant substituted for Councillor Billing and Councillor Mick Debenham substituted for Councillor Allen.

75 MINUTES - 26 SEPTEMBER 2024

Audio Recording – 1 minute 58 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 26 September 2024 be approved as a true record of the proceedings and be signed by the Chair.

76 NOTIFICATION OF OTHER BUSINESS

Audio recording – 2 minutes 43 seconds

There was no other business notified.

77 CHAIR'S ANNOUNCEMENTS

Audio recording – 2 minutes 46 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- (5) Agenda Item 6, 24/00444/FP had been withdrawn from the agenda as the applicant had withdrawn the application, therefore there was no longer an application to consider.
- (6) The Chair advised of a change in the order of the agenda. Agenda Item 8 would be taken ahead of Agenda Item 7.

78 PUBLIC PARTICIPATION

Audio recording – 6 minutes 6 seconds

The Chair confirmed that the registered speakers were in attendance.

79 24/00444/FP NORTHWAY FILLING STATION, GREAT NORTH ROAD, HINXWORTH, BALDOCK, HERTFORDSHIRE SG7 5EX

The Chair confirmed that agenda item 6, 24/00444/FP had been withdrawn from the agenda following the withdrawal of the application, therefore there was no longer an application to consider.

80 24/00671/FP GREENSIDE, LONDON ROAD, LANGLEY, HITCHIN, HERTFORDSHIRE SG4 7PP

Audio recording - 45 minutes 44 seconds

The Development Management Team Leader advised that there had been two updates which were published as a Supplementary Document to the agenda:

- An updated response from Hertfordshire County Council Highways to advise they had no objections subject to the recommended conditions and informatives.
- As a result of a response from the Hertfordshire County Council Public Rights of Way team which suggested ways for traffic calming, Condition 17 had been added to the recommendations.

The Development Management Team Leader presented the report in respect of Application 24/00671/FP supported by visual presentation consisting of photographs and plans.

In response to a question from Councillor Ian Mantle, the Senior Planning Officer advised that the application was for 6 houses and not 5 houses as shown on the last slide.

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

- The scheme sought to change location of the access road to ensure cars entered via the front entrance of the site.
- The reduction in build form would enhance the character of the local area and openness to greenside.
- This proposal introduced pitched roofs in keeping with the building style of the local area.
- The design elements included oak frame features and horizontal board cladding.
- The scheme met current policies and the design approach would be carefully implemented.

There were no points of clarification for Members.

Councillor Caroline McDonnell proposed to grant permission, with the addition of Condition 17 and, Councillor Tom Tyson seconded and, following a vote, it was:

RESOLVED: That application 24/00671/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 17.

“Condition 17

Prior to the first occupation of the first dwelling, a scheme of traffic calming measures is to be submitted to, and agreed in writing by, the Local Planning Authority, and installed on site and be retained thereafter.

Reason – to ensure traffic is moving at a slow speed to protect users of Footpath no.14. LP Policy T1.”

81 24/00952/FPH 14 OAKFIELDS AVENUE, KNEBWORTH, HERTFORDSHIRE SG3 6NP

Audio recording – 6 minutes 40 seconds

The Planning Officer advised that:

- There had been 5 objections received rather than 2 as stated, but all the contents raised were all covered in the report.
- There was a slight amendment to the description of development to include the retention to the side door and rear bi-fold doors.
- This application had been called in by Councillor Paul Ward following an objection from Knebworth Parish Council.
- The material consideration related to the impact of the windows and doors and not to the matter of the copper beech tree previously felled on site.
- The ridge line of the property was currently incomplete, but this would be completed.
- As an update to Members, recent correspondences between the Planning Officer and Councillor Ward and the applicant were read out.

The Planning Officer presented the report in respect of Application 24/00952/FPH supported by a visual presentation consisting of photographs and plans.

The following Members asked questions:

- Councillor Tom Tyson
- Councillor Louise Peace
- Councillor Ian Mantle

In response to questions, the Planning Officer advised that this application was to retain the change to the colour of the existing windows from white to anthracite grey frames.

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

- He was a neighbour and lived at number 12 Oakfields Avenue.
- If this application was approved, it would mean planning conditions had been overruled.
- The submitted drawings detailed Georgian style windows for the property and the conditions were to match the style of the existing surrounding properties.
- There had been in fact 6 objections to this application and they should all be taken into account.
- The anthracite grey windows should be replaced with white Georgian style windows to the approved specification.

There were no points of clarification from Members.

The Chair thanked Mr Calver for his presentation and invited Ms Vivien Philips-Tate to speak against the application. Ms Philips-Tate thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- She lived opposite the property at number 9 Oakfields Avenue.
- There had previously been a significant number of objections from residents, but this had reduced as residents had become worn down over time.
- The previously granted planning conditions were not being enforced as they stipulated white windows.
- The applicant had previously applied for changes to plans before completing previous approved changes.
- The objections of the Parish Council had been discounted.
- If this application was approved, it would be setting a precedent for future applicants to ignore planning conditions.

In response to a point of clarification from Councillor Nigel Mason, Ms Philips Tate advised that no other front facing windows in the road were not white and people should comply with the planning laws.

The Chair thanked Ms Philips-Tate for her presentation and invited Councillor Paul Ward, as Ward Member, to speak against the application. Cllr Ward thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- He had been approached by neighbours and the Parish Council with matters relating to this site.
- There were 3 material grounds for objecting this application, which were firstly, that it was against policy KBBE4 of the Knebworth Neighbourhood Plan, as the windows were a different style to the majority in the vicinity and policy D1 of the Local Plan, as they did not enhance the special character of Knebworth village.
- Secondly, that the design and material were out of character of the rest of the street scene.

- Thirdly, that the previous decisions made by the Planning Control Committee were being ignored.

There were no points of clarification from Members.

The Development and Conservation Manager advised that to retain planning control it was common to seek the submission of a retrospective application when developers had failed to comply with planning conditions. The planning enforcement process should not be punitive. Seeking a retrospective application allowed the merits to be fully considered.

Councillor Ian Mantle proposed to grant planning permission and this was seconded by Councillor Emma Fernandes.

The following Members took part in a debate:

- Councillor Ian Mantle
- Councillor Nigel Mason
- Councillor Elizabeth Dennis
- Councillor Mick Debenham
- Councillor Caroline McDonnell
- Councillor Louise Peace
- Councillor Tom Tyson
- Councillor Steve Jarvis

Points raised in the debate included:

- There were no real grounds to refuse this application solely on the colour of the windows.
- If this was the first time this application was brought to the planning committee it would have been granted with anthracite grey windows.
- The windows of the house were white before the extension was built.
- All the windows of the extension and house now had anthracite grey windows.
- It was not the role of the planning committee to be punitive.
- The previous application had a condition imposed that the original windows should be retained, but this had now changed.

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

- This dwelling was set back from the road with trees on either side of the property, which provided a good screening.
- There were properties with other colours of windows and doors in Oakfields Avenue.
- During building works, bottle green window frames had been discovered which showed that at some point the windows had not been all white.
- Under section 55 of the Planning Act, as a change of windows to anthracite grey was not a huge difference to the original application, it would be deemed as acceptable.

In response to the points raised, the Development and Conservation Manager advised that it was a standard approach to impose a condition that all materials should match the existing materials. However, the aim here was to achieve consistency of the extension with the rest of the property and not necessarily with the other dwellings in the area.

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

RESOLVED: That application 24/00952/FPH be **GRANTED** planning permission subject to the reasons and conditions set out in the report of the Development and Conservation Manager.

82 **PLANNING APPEALS**

Audio recording - 58 minutes 10 seconds

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

- A public hearing was arranged for an appeal lodged for site BA4, which was refused by the Committee in March 2024, as the allocation of affordable housing was not felt adequate. This hearing was to be held at 9.30am on Thursday 21 November at the Council Offices.
- 1 appeal decision had been made since the last hearing which related to a householder application for dormer windows to the loft space, which had been dismissed for the reasons set out in the summary and appeal notice.

RESOLVED: That the Committee noted the report.

The meeting closed at 8.34 pm

Chair