

NORTH HERTFORDSHIRE DISTRICT COUNCIL

DECISION SHEET

Meeting of the Planning Control Committee held in the Council Chamber, District Council Offices, Gernon Road, Letchworth Garden City, SG6 3JF on Thursday, 21st November, 2024 at 7.30 pm

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Elizabeth Dennis.

2 MINUTES - 10 OCTOBER AND 24 OCTOBER 2024

RESOLVED: That the Minutes of the Meetings of the Committee held on 10 October 2024 and 24 October 2024 be approved as true records of the proceedings and be signed by the Chair.

3 NOTIFICATION OF OTHER BUSINESS

There was no other business notified.

4 CHAIR'S ANNOUNCEMENTS

- (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 PUBLIC PARTICIPATION

The Chair confirmed that the registered speakers were in attendance.

6 QUESTIONS FROM MEMBERS

There were three questions submitted in accordance with Standing Order 4.8.11.

Councillor Ralph Muncer to Councillor Nigel Mason, Chair of the Planning Control Committee:

- (1) What is the Council's policy regarding the application of its powers under the Listed Building Act 1990, the Town and Country Planning Act 1990, and the Buildings Act 1984, in respect of holding building owners to account for the dilapidation of Listed Buildings, especially for registered Assets of Community Value?
- (2) In particular, if the Council becomes aware that a Listed Building or building within a Conservation Area is at risk from dilapidation, to what extent will the Council allow the building to deteriorate before exercising its power to take formal legal enforcement action under the above acts?

- (3) If the owner's maintenance of a Listed Building falls below the Council's minimum standard requirement (as in (2) above), and indeed the minimum standard required by legislation, how much time will the Council give the owner to restore the building to comply with informal requests and comply with statutory requirements before taking formal legal action to protect the historic building?

7 22/02675/FP KIMPTON GRANGE, LUTON ROAD, KIMPTON, HITCHIN, HERTFORDSHIRE, SG4 8HA

RESOLVED: That application 22/02675/FP be **GRANTED** planning permission subject to the reasons and conditions set out in the report of the Development and Conservation Manager.

8 23/02895/OP LAND ON THE NORTH EAST SIDE OF, THE CLOSE, CODICOTE, HERTFORDSHIRE

RESOLVED: That application 23/02895/OP be **GRANTED** planning permission subject to the reasons and conditions set out in the report of the Development and Conservation Manager with the removal of Condition 13, the amendments to Conditions 11,12 and 14 as set out in the supplementary document and the relevant renumbering of existing conditions.

“Condition 11:

Landscape and Ecological Management Plan (LEMP)

‘Prior to commencement of the development, a Landscape and Ecological Management Plan shall be prepared, detailing how biodiversity will be incorporate within the development scheme and managed/monitored long-term. This should include details regarding who will have the management responsibilities. The plan shall include details of the landscaping proposed to achieve measurable gains to biodiversity, as well as a graphical plan which sets out the number, type and position of ecological enhancement features to be incorporated into the design scheme. This plan shall be submitted to the Local Planning Authority for written approval to demonstrate the expectations of the NPPF and Local Policy in achieving overall measurable net gains for biodiversity. The development shall be carried out in accordance with the approved plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure sensible working practices which protect ecology on and adjacent to this site, in accordance with Policy NE4: Biodiversity and Geological Sites.

Condition 12

Construction Environment Management Plan (CEMP)

No development shall take place until a Construction Environmental Management Plan (CEMP) for biodiversity has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following:

- a) *Risk assessment of potentially damaging construction activities.*
- b) *Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements). This must include:*
 - i. *Best practice measures to ensure the protection of retained vegetation during construction;*
 - ii. *Best practice measures to ensure any invasive species listed on Schedule 9 of the Wildlife and Countryside Act 1981 encountered within the site will be removed and disposed of as controlled waste;*
 - iii. *A precautionary working method for hedgehogs.*

- c) *The location and timings of sensitive works to avoid harm to nesting birds.*
- d) *Details of a translocation programme for slow-worms.*

The CEMP should include a statement to the effect that if any protected species are encountered during any stage of the development, then works must cease immediately and advice be sought from a suitably qualified ecologist on how best to proceed. Development shall proceed in accordance with the approved CEMP, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure sensible working practices which protect ecology on and adjacent to this site, in accordance with Policy NE4: Biodiversity and Geological Sites.

Condition 13:

Lighting Strategy

No development shall take place until an external lighting scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme should follow guidance from the Bat Conservation Trust and Institution of Lighting Professionals (2023), and be designed to minimise light spill, in particular directing light away from boundary vegetation to ensure that dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites. This should be accompanied by a short statement from a suitably qualified ecologist showing how the design meets the level of protection required.

Reason: To ensure protected species are not disturbed by the development in accordance with National Legislation (Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, Wildlife and Countryside Act 1981 (as amended)) and Local Planning Policy NE4 – Biodiversity and geological sites.”

9 APPEALS

The Development and Conservation Manager provided an update on Planning Appeals.

10 PLANNING ENFORCEMENT QUARTERLY REPORT

The Principal Planning Officer (Conservation and Enforcement) provided an update on the Planning Enforcement Quarterly Report.

11 EXCLUSION OF PRESS AND PUBLIC

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).

12 PLANNING ENFORCEMENT TEAM QUARTERLY UPDATE - PART 2

The Principal Planning Officer (Conservation and Enforcement) provided an update on the Planning Enforcement Team.