

NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

**MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES,
LETCWORTH GARDEN CITY, SG6 3JF
ON THURSDAY, 21ST AUGUST, 2025 AT 7.00 PM**

MINUTES

Present: *Councillors: Nigel Mason (Chair), Emma Fernandes (Vice-Chair), Clare Billing, Val Bryant, Ian Mantle, Bryony May, Caroline McDonnell, Martin Prescott, Daniel Allen and Tina Bhartwas.*

In Attendance: *Amy Cantrill (Trainee Committee, Member and Scrutiny Officer), Paul Chaston (Senior Planning Officer), Faith Churchill (Democratic Services Apprentice), Shaun Greaves (Development and Conservation Manager), Alex Howard (Senior Planning Officer), Natasha Jindal (Deputy Monitoring Officer), James Lovegrove (Committee, Member and Scrutiny Manager) and Christella Menson (Principal Planning Officer).*

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

33 APOLOGIES FOR ABSENCE

Audio recording – 1 minute 48 seconds

N.B. Councillor Clare Billing entered the Chamber at 19:01.

Apologies for absence were received from Councillors Ruth Brown, Louise Peace, Tom Tyson and Dave Winstanley.

Having given due notice Councillor Tina Bhartwas substituted for Councillor Peace and Councillor Daniel Allen substituted for Councillor Winstanley.

34 MINUTES - 17, 24 JULY 2025

Audio Recording – 2 minutes 15 seconds

Councillor Nigel Mason as Chair proposed to approve the Minutes from 17 July 2025 and Councillor Martin Prescott seconded.

In response to a point raised by Councillor Caroline McDonnell, the Chair agreed to consider the Minutes separately, as not all Members were present at both meetings.

The following Members made comments on the Minutes of 17 July 2025:

- Councillor Martin Prescott
- Councillor Bryony May

The following comments were made:

- Whether there should be reference in the Reasons for Decision regarding the deferral of application 23/01552/OP to consider specifically the keeping open of Swangleys Lane.

- On page 8, in the responses of the Development and Conservation Manager, it should say 'surface water flooding' rather than 'storm surge flooding'.

In response to comments, the Development and Conservation Manager confirmed that reference to 'surface water flooding' was correct.

In response to comments, the Chair advised that the reason provided for the deferral was open ended purposefully, as keeping Swangleys Lane open was just one option to be considered alongside other options. The Chair advised that he would not allow this amendment, to ensure all options were able to be considered.

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

RESOLVED: That the Minutes of the Meeting of the Committee held on 17 July 2025 be approved, as amended, as a true record of the proceedings and be signed by the Chair.

Councillor Nigel Mason as Chair proposed to approve the Minutes from 24 July 2025 and Councillor Martin Prescott seconded and, following a vote, it was:

RESOLVED: That the Minutes of the Meeting of the Committee held on 24 July 2025 be approved as a true record of the proceedings and be signed by the Chair.

35 NOTIFICATION OF OTHER BUSINESS

Audio recording – 9 minutes 8 seconds

There was no other business notified.

36 CHAIR'S ANNOUNCEMENTS

Audio recording – 9 minutes 12 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 confirmed the procedure for moving to debate on an item.
- (5) The Chair advised that Section 4.8.23(a) of the Constitution applied to the meeting.
- (6) The Chair confirmed the cut off procedure should the meeting proceed at length.
- (7) The Chair advised that the order of the agenda had been changed from that published and moved Agenda Item 8, Enforcement Part 1, to after Agenda Item 10, Enforcement Part 2.

37 PUBLIC PARTICIPATION

Audio recording – 11 minutes 59 seconds

The Chair confirmed that the registered speakers were in attendance.

38 24/02907/RM LAND NORTH OF POUND FARM, LONDON ROAD, ST IPPOLYTS, HERTFORDSHIRE, SG4 7NE

Audio recording – 12 minutes 26 seconds

The Senior The Senior Planning Officer advised that there were no updated matters to report on since the publication of the agenda.

The Senior Planning Officer presented the report in respect of Application 24/02907/RM supported by a visual presentation consisting of plans and photographs.

The following Members asked questions:

- Councillor Daniel Allen
- Councillor Val Bryant
- Councillor Bryony May

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

- Highways had not commented on the use of 26 tonne vehicles on the hard surfaced road.
- The comments on the Planning Portal were varied, some were relevant to this item for example, boundary details were part of this phase of development. However, the comments about highways would have only been relevant to phase one.
- When looking at energy efficiency the applicant decided to focus building performance, such as suitable insulation, rather than photovoltaic (PV) panels.

In response to questions, the Development and Conservation Manager advised that although the roads would not be formally adopted by the County Council, they would have to be built to adopted standards.

The Chair invited the Agent to the Applicant, Mr Mike Osbourn to speak in support of the application. Mr Osbourn thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- The application was a reserved matter with hybrid consent meaning that phase one was already under construction.
- High quality landscaping was one of the priorities for the application.
- This phase of the plan built upon the same approach of phase one for consistency, quality and design purposes.
- The Applicant reflected on the recommendations of the officers and amended the application accordingly.
- The applicant welcomed the recommendation put forward by officers and wanted to provide the houses needed in North Hertfordshire.

The following Members asked points of clarification:

- Councillor Ian Mantle
- Councillor Caroline McDonnell
- Councillor Val Bryant
- Councillor Bryony May

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

- A new management company would be formed to maintain the landscaping of communal areas and this, in time, could be taken over by the new residents.
- The application took a material first approach to energy efficiency, therefore PV panels were not a core part of the proposed scheme.

- The highways stage of development, specifically the roundabout, would be one of the first things completed in this phase.
- There was an open dialogue about the hedges on the southern boundary and the application was adjusted to reflect local comments.

Councillor Nigel Mason, as Chair, proposed to grant permission and this was seconded by Councillor Emma Fernandes.

The following Members took part in the debate:

- Councillor Daniel Allen
- Councillor Ian Mantle

The following points were made as part of the debate:

- Considering phase one was already approved, it would be unreasonable to refuse phase two.
- There was no reason in the report to refuse this application.

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

RESOLVED: That application 24/02907/RM be **GRANTED** planning permission subject to the reasons and conditions set out in the report of the Development and Conservation Manager.

39 25/01196/FP STARWOOD HOUSE, AVENUE ONE, LETCHWORTH GARDEN CITY, HERTFORDSHIRE, SG6 2HB

Audio Recording – 37 minutes 31 seconds

N.B Councillor Ian Mantle declared an interest due to his trustee position on the Letchworth Garden City Heritage Foundation and left the Chamber.

The Senior Planning Officer advised that:

- A mandatory recommendation needed to be added in regard to the Biodiversity Net Gain requirement.
- Condition 13 needed to be amended to reflect the recommendation in paragraph 3.7 of the report, with the wording 'save for demolition to slab level and site clearance works' to be added.

The Senior Planning Officer the report in respect of application 25/01196/FP accompanied by a visual presentation consisting of plans and photographs.

The following Members asked questions:

- Councillor Caroline McDonnell
- Councillor Daniel Allen

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

- The individual heights of the buildings surrounding the proposed development were varied.
- The recommendations stated the permission would be subject to highways approval of a Traffic Regulation Order (TRO), and that there would have to be changes made if this was not approved.
- That double yellow lines were part of the TRO and therefore did not fall under the responsibility of the Applicant.

- That options for if the TRO was not approved were being considered and, by delegation through the conditions, the Development and Conservation Manager could approve one, if necessary.
- Highways wanted a design that may result in HGVs swinging over to another lane if necessary.

In response to questions, the Development and Conservation Manager advised that the TRO would restrict on road parking which was causing an issue at the junction allowing HGVs to turn safely, and if the TRO was not approved then approving an alternative Scheme would be delegated to him.

The Chair invited the Agent to the Applicant, Mr Lyndon Gill, and the Representatives to the Applicant, Mr Stuart Morse and Mr George Leaf, to speak in support of the application. Mr Gill thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- Further clarification on the proposed TRO could be provided should Members require further information.
- The report is fully supported by the Applicant and their representatives.
- The applicant had already successfully delivered similar schemes in the East of England.
- The applicant wished to turn a vacant lot back into one for economic use which could house a wide range of tenants.
- Depending on the industries that used the units, this development could create 350 new jobs.
- The TRO was ready and works were expected to start before the end of the 2025.

In response to points of clarification by Councillor Daniel Allen, Mr Gill advised that, depending on the use of the lot, additional car parking could be made in one of the yards if necessary.

In response to points of clarification by Councillor Daniel Allen, Mr Morse advised that:

- Depending on the use of the space 160 parking spaces should be enough.
- The applicant always advocated a change for the junction, HGV would need to swing over the centre of the road if turning left towards A1, and therefore the applicant wants parking restriction to make this deliverable.
- If the TRO failed there was a fall-back plan drafted to be discussed with officers.

Councillor Nigel Mason, as Chair, proposed to grant permission and this was seconded by Councillor Emma Fernandes.

As part of the debate, Councillor Tina Bhartwas noted that the sustainability standards should be commended and that this application should drive up future standards in the area.

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

RESOLVED: That application 25/01196/FP be GRANTED planning permission subject to the following matters:

- a) The completion of a suitable legal agreement in line with the agreed Heads of Terms.
- b) A response of no objection and any relevant conditions from the Local Lead Flood Authority, to be delegated to the Development and Conservation Manager prior to any decision.
- c) A response of no objection and any relevant conditions from the Hertfordshire Highway Authority, to be delegated to the Development and Conservation Manager prior to any decision.

- d) An agreement to an extension of time to the statutory determination date to allow for a), b) and c) to occur.
- e) The conditions and informatives set out in the report of the Development and Conservation Manager with the following amendment to Condition 13, the addition of the following Condition 1 and the subsequent renumbering of other Conditions:

‘Condition 13

The development hereby permitted shall not commence save for demolition to slab level and site clearance works, until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the local planning authority, has been submitted to, and approved in writing by, the local planning authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the local planning authority.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework paragraphs 187,196 and 197 and relevant position statements within the Environment Agency's Approach to Groundwater Protection.

Condition 1

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be North Hertfordshire District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>).

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.’

N.B. Following the conclusion of this item, there was a break in proceedings and the meeting reconvened at 20.14.

N.B. Councillor Mantle returned to the Chamber at the end of the break.

40 EXCLUSION OF PRESS AND PUBLIC

Audio recording – 1 hour 14 minutes 6 seconds

Councillor Daniel Allen, as Chair, proposed and Councillor Emma Fernandes seconded and, following a vote, it was:

RESOLVED: That under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting on the grounds that the following report will involve the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A of the said Act (as amended).

41 PLANNING ENFORCEMENT QUARTERLY REPORT - PART 2

N.B. This item was considered in restricted session and therefore no recordings are available.

The Principal Planning Officer (Conservation and Enforcement) presented the Information Note entitled 'Planning Enforcement Quarterly Report – Part 2' and highlighted that:

- Recent monitoring of Uptown Pizza found no continued evidence of license breaches, but any further breaches may result in further legal action.
- Regarding the land at Three Houses Lane, Officers were awaiting an update from the Planning Inspector and in the meantime monitoring would continue.
- The Land adjacent to Pulmer Water had an application to regularise its use as a Gypsy and Traveller site had been refused. The anticipated appeal has not been forthcoming, and conversation with Legal will continue to determine next steps.
- The Cabinet in Reed is still waiting for a decision from the Planning Inspectorate, however we have now been advised that the cases have been allocated to a Planning Inspector and the case is finally progressing through the process. For confirmation, the matters relate to change of use, internal works. In addition, we are also looking into the potential breach of historic Enforcement Notice.

In response to a question by Martin Prescott, the Principal Planning Officer advised that the land at The Cabinet, Reed was to be on sale by auction with information on the company website.

42 PLANNING ENFORCEMENT QUARTERLY REPORT - PART 1

Audio recording – 1 hour 21 minutes 29 seconds

The Principal Planning Officer (Conservation and Enforcement) presented the Information Note entitled 'Planning Enforcement Quarterly Report – Part 1'.

43 APPEALS

Audio recording – 1 hour 22 minutes 10 seconds

The Development and Conservation Manager provided an update on Planning Appeals and highlighted the following:

- Table 1 highlighted that seven appeals were submitted.
- The Wandon End appeal decision had been included in Table 2. This application was rejected by the Committee before grey belt was introduced in the December revision of the NPPF, however was reviewed and approved following the introduction of grey belt.
- This appeal decisions firmed up what grey belt meant. It was not just previously developed land, but any land that does not contribute to all green belt purposes set out in the NPPF.
- He would be recording online training that outlined the grey belt for Members and that, in the Local Plan review, the green belt would be looked at and the Plan would distinguish what could be considered grey belt.

The following Members asked questions:

- Councillor Daniel Allen
- Councillor Bryony May

- Councillor Nigel Mason
- Councillor Martin Prescott

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

- If an area was considered grey belt under paragraph 1.1.5 of the NPPF, it must still be considered to make a significant contribution to an area. In North Hertfordshire, there was a need for renewable energy generation and housing to meet the requirements of the 5-year land supply would be examples of significant contributions which could be considered grey belt. .
- If the Council had already met its 5-year land supply need then grey belt would be used for housing only if there was an unmet need for a specific type of dwelling, for example a nursing home.
- There was no definite date the 5-year land supply would be met but, depending on approval of applications to be considered, it could be within 12-18 months.
- An approved site would be added to the future land supply based on size, for example the sites approved in the Baldock Masterplan would not contribute to the 5-year land supply, but the development approved tonight would.
- Larger sites, like those within the Baldock Masterplan, would contribute to the 10–15-year housing land supply.

The meeting closed at 8.38 pm

Chair