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NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES,
LETCWORTH GARDEN CITY

ON THURSDAY, 27TH JANUARY, 2022 AT 7.30 PM

MINUTES

Present: *Councillors: Councillor Mike Rice (Chair), Councillor David Levett (Vice-Chair), Val Bryant, Morgan Derbyshire, Mike Hughson, Ian Mantle, Terry Tyler, Tom Tyson and Carol Stanier*

In Attendance:

Simon Ellis (Development and Conservation Manager), Nurainatta Katevu (Legal Regulatory Team Manager and Deputy Monitoring Officer), Andrew Hunter (Senior Planning Officer), Alex Howard (Planning Officer), James Lovegrove (Committee, Member and Scrutiny Officer and Louis Mutter (Committee, Member and Scrutiny Officer)

Also Present:

At the commencement of the meeting approximately 6 members of the public, including registered speakers.

39 APOLOGIES FOR ABSENCE

Audio recording – 1:10

Apologies for absence were received from Councillors Tony Hunter, Ian Moody and John Bishop.

Having given due notice Councillor Simon Bloxham substituted for Councillor John Bishop and Councillor Michael Muir substituted for Councillor Tony Hunter.

40 MINUTES - 2 DECEMBER

Audio Recording – 1:40

Councillor Mike Rice, as Chair, proposed and Councillor Ian Mantle seconded and, following a vote it was:

RESOLVED: That the Minutes of the Meeting of the Committee held on 2 December 2021 be approved as a true record of the proceedings and be signed by the Chair.

41 NOTIFICATION OF OTHER BUSINESS

Audio recording – 2:45

There was no other business notified.

42 CHAIR'S ANNOUNCEMENTS

Audio recording – 2:50

- (1) The Chair welcomed those present at the meeting, especially those who had attended to give a presentation;
- (2) The Chair advised that, in accordance with Council Policy, the meeting would be audio recorded;
- (3) 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.
- (4) The Chair gave advice to the registered speakers on the speaking procedure and time limits.
- (5) The Chair announced a comfort break would be taken around 9pm if required.

43 PUBLIC PARTICIPATION

Audio recording – 3:52

The Chair confirmed that the 4 registered speakers were in attendance.

44 21/02076/FP Land West Of, Castlefield, Preston, Hertfordshire

Audio Recording: 4:20 -

The Development and Conservation Manager presented the report in respect of application 21/02076/FP supported by a visual presentation consisting of photographs and plans.

The Development and Conservation Officer advised of updates to the report including:

- Paragraph 4.87 includes a table which sets out Section 106 obligations. The table has elements missing: (1.) £11,118 towards St. Martin's Church footpath improvements. (2.) £13,068 towards new surface footpath between Butchers Lane and Chequers Lane. (3.) £5,000 towards improvements and future maintenance of the Chiltern Way footpath. (4.) £10,000 towards a proposed extension of the recreation ground pavilion.
- Fire hydrants to be removed from the table in Paragraph 4.87 and added as a planning condition.
- Following further comments received from HCC Growth & Infrastructure, the table in Paragraph 1.87 must be revised due to a change in County Council contribution levels, these are: (1.) Secondary School contribution £259,074. (2.) Special Educational Needs and Disabilities £25,578. (3.) Library services £2,219. (4.) Youth Service £4,596.
- The applicant has confirmed via their agent by e-mail on 25 January that they accept these revised contribution requests.
- Paragraphs 4.57 to 4.62 are an analysis of the scheme in relation to Heritage Assets. The Development and Conservation Manager read out a formal comment made by the Council's Conservation Manager who raised no objections.
- The Lead Local Flood Authority has withdrawn their objections to the development and recommended two conditions. The Development and Conservation Manager provided a summary: (1.) The drainage strategy should be carried out in accordance with the approved plans. (2.) Requiring detailed engineering drawings.
- Add a Recommendation B: The applicant should agree any necessary extension to the statutory determination period to enable final completion of the Section 106 agreement.

The Chair invited Ms. Margaret Trinder to speak in objection of the application.

Ms. Margaret Trinder thanked the Chair for the opportunity to speak and gave a presentation including:

- She is the Chairman of Preston Parish Council, and is speaking behalf of the Parish Council, the Neighborhood Plan Steering Group and the Preston Trust.
- The aspect of this application which most concerns Preston residents is the large number of dwellings and proposed identity. Representations have made clear that in their view it will have a detrimental impact on the village. A reduction in housing numbers would be welcomed by the local community.
- A better mix would be 13 large properties and 8 smaller dwellings. These numbers would meet policy HS3 of the emerging Local Plan.
- Drainage, water runoff and water pressure are ongoing problems likely to be exacerbated by this development.
- Do not agree that measures included in these proposals are adequate to meet North Hertfordshire's target of 0% Carbon Emissions by 2030.
- North Hertfordshire has low annual rainfall, which is likely to be exacerbated by climate change. New housing will potentially make this worse.
- Disagree that solar panels are not required.

The Chair thanked Ms. Margaret Trinder for her presentation.

The Chair invited Mr. Simon Hoskin to speak in support of the application, as agent of the applicant. Mr. Simon Hoskin thanked the Chair for the opportunity to speak and gave a verbal presentation including:

- The site has been allocated for residential development in the emerging local plan and is referred to as Site PR1.
- This site also lies within the settlement boundary for the village; in which residential development is supported by policy HD1 of the Preston Parish Neighbourhood Plan.
- The proposed development will deliver an allocation which is expected to make an important and early contribution to meeting the urgent need for new housing in the district.
- The emerging local plan is at an advanced stage and is close to adoption; it should therefore be afforded significant weight in accordance with paragraph 48 of the MPPF.
- The design and layout of the proposed development has been carefully considered to ensure the policy requirements for this site, as set in policy PR1 of the emerging Local Plan will be met.
- Amendments have been made during the course of the application to positively respond to feedback from officers and the local community. This has included a reduction in the amount of proposed dwellings from 23 to 21.
- The new development will allow a new mix community to develop; helping to enhance the vitality of the existing village community in accordance with the objectives of paragraph 78 of the NPPF.
- The development provides 57 parking spaces which meets both the emerging Local Plan and Neighborhood Plan standards.

In response to points made during public presentations, the Development and Conservation Manager advised:

- Once the development plan has reached this stage changes to the number of dwellings cannot be made.
- The plan is an acceptable scheme and complies with the dwelling estimate and MPPF.

The following Members took part in the debate:

- Councillor David Levett
- Councillor Simon Bloxham
- Councillor Tom Tyson

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

- The Lead Local Flood Authority have looked at two iterations of a drainage strategy and are now happy with the plan. Developments are built to a very high standard to ensure surface water drainage is not a problem in the future.

RESOLVED: That application 21/02076/FP be **GRANTED** planning permission subject to the reasons and conditions outlined in the report of the Development and Conservation Manager and the following amendments to conditions:

- Condition 1 to be added with the following:

“The development permitted by this planning permission shall be carried out in accordance with FRA and Drainage Strategy E20-064 Issue 4 dated November 2021 prepared by SDP Consulting Engineers including Appendices 1-19. and the following mitigation measures;

- 1. Limiting the surface water run-off rates for all rainfall events up to and including the 1 in 100 year + climate change event with discharge via two deep bore soakaways.*
- 2. Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event through the use of permeable driveways, permeable access road with sub-base and a detention pond.*
- 3. Implement drainage strategy as indicated on the proposed drainage strategy drawing E20-064-1001 P4 dated December 2021 prepared by SDP Consulting*

Reason: To reduce the risk of flooding to the proposed development and future occupants”

- Condition 2 to be added with the following:

“No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted FRA and Drainage Strategy E20-064 Issue 4 dated November 2021 prepared by SDP Consulting Engineers including Appendices 1-19. The scheme shall also include;

- 1. Detailed engineered drawings of the proposed SuDS features (Permeable driveways, permeable road with subbase and pond) including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.*
- 2. Infiltration bore holes tests to be undertaken in the exact location of the two proposed deep bore soakaways to determine the worst-case infiltration rate to be used to finalise the proposed attenuation pond design.*
- 3. Cross sections of the proposed pond including the permanent water level, freeboard and the additional 1 in 30-year rainfall event.*
- 4. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features such as permeable paving, swales etc. for the access road and reducing the requirement for any underground storage.*
- 5. Silt traps for protection for any residual tanked elements.*
- 6. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.*
- 7. All drawings should be final, ready for construction and not subject to change.*

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site

- Condition 22 to be added with the following:

“Prior to the commencement of the development hereby permitted, a feasibility study into the installation of UV solar panels within the development shall be submitted to and approved in writing by the Local Planning Authority. The study shall include provision for the installation of such panels where they are deemed to be feasible. Such works shall thereafter be carried out in accordance with the approved details or particulars prior to the occupation of the dwellings to which they relate unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of delivering sustainable homes”

- Condition 23 to be added with the following:

“Prior to the commencement of the development hereby permitted, full details of measures to minimise water use and consumption shall be submitted to and approved in writing by the Local Planning Authority. Such measures shall thereafter be implemented in accordance with the approved details or particulars prior to the first occupation of the development and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: In the interest of delivering sustainable homes”

45 21/00354/FP Land To The Rear Of 23, Conquest Close, Hitchin, Hertfordshire

Audio Recording: 34:52

The Senior Planning Officer advised of updates to the report including:

- An investigation by the Fire Service into access of Conquest Close was performed earlier today and a submission by the Service has now been accepted.
- A resident in Conquest Close voiced concerns that there had been no evidence that any other issues raised by the Highways Authority have been adequately addressed.
- The Highways Officer provided comments stating that the recommendation for refusal would not be withdrawn until further clarification from the Fire Service; the Service has now commented on fire safety in 3.12 in the report, in which they have not objected to the layout plans.

The Senior Planning Officer presented the report in respect of application 21/00354/FP supported by a visual presentation consisting of photographs and plans.

The following Members asked questions:

- Councillor Ian Mantle
- Councillor David Levett
- Councillor Tom Tyson
- Councillor Val Bryant
- Councillor Michael Muir
- Councillor Mike Hughson

In response to questions the Senior Planning Officer advised:

- The storage space for bicycles and mobility scooters would be internal and the development also includes hard surfacing around the dwellings as well as a small outbuilding in the rear garden.

- The refuse collection plans are just north of the back garden of 23 Conquest Close; there is a bin storage area which would allow bins from both houses to be kept.
- The Highways Authority have not officially withdrawn their present objection.
- The proposal does include the intention to upgrade and resurface the access track to the North of the plan; condition number 8 asks for more details from the applicant as to the plan to resurface.
- The resurfacing condition only relates to the upgrading of the access drive not of the development in the larger part of the site.

The Chair invited Andrew Hills to speak in objection of the application.

Andrew Hills thanked the Chair for the opportunity to address the Committee and gave a verbal presentation including:

- He was an owner and resident of a property in Conquest Close and a practicing architect.
- He is representing the resident group of Conquest Close and Stevenage Road, which consists of over 30 neighbouring properties, all of whom are concerned about the proposed development and wish to object.
- The main concern relates to the sites proposed access. Earlier this week the speaker sent an email containing pictures of the access to Committee Members.
- The majority of the access laneway is not owned by the site or developer.
- The laneway is a poorly managed dirt road which provides access to rear garages and gardens.
- Even with improvements to the laneway surface, the laneway would remain inadequate as the sole vehicular access to the dwellings.
- The speaker drew attention to the objections of the Highways Officer and the lack of space for Fire Service vehicles.
- Previous proposals for a single dwelling on this site led to a similar response from the NHDC Highways Officer in 2013.

The following Members asked questions:

- Councillor Mike Hughson
- Councillor Mike Rice

In response to questions Andrew Hills advised:

- The laneway ownership is divided into many portions of about 10-15 dwellings. Every terraced house owns a portion.
- The laneway owners are only obliged to allow a maximum 8 feet of space for anything to pass. There is nothing to stop owners of the laneway narrowing their portion.

The following Members then took part in the debate:

- Councillor Ian Mantle
- Councillor David Levett
- Councillor Michael Muir
- Councillor Simon Bloxham
- Councillor Val Bryant

Councillor Michael Muir proposed and Councillor Mike Hughson seconded and, following a vote it was:

RESOLVED: That application 21/00354/FP be **REFUSED** planning permission for the following reason:

The proposal by reason of the design, and siting of the dwellings and ancillary development on this cramped and poorly accessed site would be harmful to the character and appearance of the locality. Moreover, the inadequate access arrangements do not appear to enable the safe access of delivery, service and emergency vehicle to the site, to the detriment of highway safety and amenity. The proposal therefore fails to accord with Policy 57 of the North Hertfordshire District Local Plan and Policy SP1, SP3, D1 and D3 of the North Hertfordshire Emerging Local Plan (2011-2031) and Section 12 of the National Planning Policy Framework (NPPF).

46 21/02112/OP Daisy Barn, Treacle Lane, Rushden, Buntingford, Hertfordshire, SG9 0SL

Audio Recording: 1:14:58

The Planning Officer advised of updates to the report including:

- The report missed out the extension to the statutory period date, which has been agreed as the 31st January 2022.
- Following this application being called to the committee, the Planning Officer received a response from Rushden and Wallington Parish Council which reiterated the points they made in their initial objection, adding a point about the application being contrary to a previous decision at Southern Green House in 2018.
- The Planning Officer received an email from Councillor Tyson the day before the Committee, asking about the principal of development on this site in comparison to another site in Hinxworth.

The Planning Officer presented the report in respect of application 21/02112/OP supported by a visual presentation consisting of photographs and plans.

The following Members asked questions:

- Councillor Tom Tyson
- Councillor Ian Mantle

In response to questions the Planning Officer advised:

- There is a loose understanding that when land has a residential use existing, there is a favourable principal for development because the use of that land isn't changing, i.e., it's a residential garden land therefore further residential development is acceptable. Paddock land requires the land to change to residential land.
- The area that is used for the turning circle is just south of Daisy Barn. The applicant wishes to retain this for emergency and refuse vehicles.
- The turning circle is within the location plan and thus part of the application, but will not be impacted by the development.

The Chair invited Councillor Steve Jarvis to speak as a member advocate against the application.

Councillor Steve Jarvis thanked the Chair for the chance to address the Committee and gave a verbal presentation including:

- The policy issue relates to policy SP2 of the Emerging Local Plan in that it suggests that in Rushden it's acceptable to build a single dwelling on a plot within the built core of the village that doesn't extend that core.
- This application is an outward extension of the village, and from that point of view it is not compliant with policy SP2 of the Emerging Local Plan.

- The argument that the application is acceptable as the land is currently used as a garden does not apply, as the core only refers to the built core; a garden is not built.

In response to Councillor Steve Jarvis verbal presentation, the Planning Officer advised:

- The SP2 policy that Councillor Jarvis mentioned has been noted; however, the supporting text under that policy states that developments cannot be built into the surrounding countryside. The initial report states that the South-Eastern boundary is the boundary between the village and the countryside. In the view of the Planning Officer a dwelling on this site would not encroach onto the surrounding countryside.
- This is a new dwelling application, so paragraph 11 of the National Policy Planning Framework needs to be considered. In recent appeal decisions, the inspector has acknowledged that there is a clear policy non-compliance and has still said that this plan does not significantly or demonstrably outweigh the benefits.

The following Members took part in the debate:

- Councillor David Levett
- Councillor Tom Tyson
- Councillor Ian Mantle
- Councillor Simon Bloxham

Councillor David Levett proposed and Councillor Michael Muir seconded, and, following a vote it was:

RESOLVED: That application 21/02112/OP be **GRANTED** planning permission subject to the reasons and conditions outlined in the report of the Development and Conservation Manager.

47 **21/02576/FP Courtlands, Todds Green, Stevenage, Hertfordshire, SG1 2JE**

Audio Recording: 1:37:20

The Development and Conservation Manager presented the report in respect of application 21/02576/FP supported by a visual presentation consisting of photographs and plans.

The following Members asked questions:

- Councillor Tom Tyson

In response to questions the Development and Conservation Manager advised that the Flood Authority had not had any issues with this application and any issues they did have would be presented at the Stevenage Borough scheme.

Councillor Michael Muir proposed and Councillor Ian Mantle seconded, and, following a vote it was:

RESOLVED: That application 21/02576/FP be **GRANTED** planning permission subject to the conditions and reasons contained in the report of the Development and Conservation Manager.

48 **Planning Appeals**

The Development and Conservation Manager presented the report entitled Planning Appeals and stated he had no updates for the Committee.

RESOLVED: That the report entitled Planning Appeals be noted.

Thursday, 27th January, 2022

REASON FOR DECISION: To keep the Planning Control Committed apprised of planning appeals lodged and planning appeal decisions.

The meeting closed at 9:12 pm

Chair

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