

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, 13TH JUNE, 2024 AT 7.30 PM

MINUTES

Present: *Councillors: Elizabeth Dennis (Chair), Nigel Mason (Vice-Chair), Sadie Billing, Ruth Brown, Emma Fernandes, Bryony May, Caroline McDonnell, Michael Muir, Louise Peace, Jon Clayden and Ian Mantle.*

In Attendance: *Isabelle Alajooz (Legal Manager and Deputy Monitoring Officer), Peter Bull (Senior Planning Officer), Ben Glover (Senior Planning Officer), Shaun Greaves (Development and Conservation Manager), Andrew Hunter (Senior Planning Officer), Caroline Jenkins (Committee, Member and Scrutiny Officer), James Lovegrove (Committee, Member and Scrutiny Manager), Naomi Reynard (Senior Planning Officer) and Sjanet Wickenden (Committee, Member and Scrutiny Officer).*

Also Present: *At the commencement of the meeting approximately 48 members of the public, including registered speakers.*

1 APOLOGIES FOR ABSENCE

Audio recording – 3 minutes 44 seconds

Apologies for absence were received from Councillor Tom Tyson.

Having given due notice, Councillor Jon Clayden substituted for Councillor Tyson.

Having given due notice, Councillors Ian Mantle and Mick Debenham substituted for the Labour vacancies on the Committee for this meeting.

2 MINUTES - 21 MARCH AND 11 APRIL 2024

Audio Recording – 4 minutes 10 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 21 March and 11 April 2024 be approved as a true record of the proceedings and be signed by the Chair.

3 NOTIFICATION OF OTHER BUSINESS

Audio recording – 5 minutes 36 seconds

There was no other business notified.

4 CHAIR'S ANNOUNCEMENTS

Audio recording – 6 minutes 0 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 PUBLIC PARTICIPATION

Audio recording – 8 minutes 15 seconds

The Chair confirmed that the registered speakers were in attendance.

6 23/00563/FP LAND ON THE SOUTH OF, OUGHTONHEAD LANE, HITCHIN, HERTFORDSHIRE, SG5 2NA

Audio Recording - 9 minutes 50 seconds

Councillor Nigel Mason declared an interest and moved to the public gallery.

The Senior Planning Officer provided an update that:

- Section 2.1 reference to policy HD6 is incorrect and the correct policy HD3 which is considered in the report.
- Section 4.3.1 report to defer to enable applicant to review application to access point to Southeast of site together with wording on Condition 8 with reference to cycle path and pedestrian network review and addressing reasons for deferral.
- It was noted that Alexander Greaves is incorrectly referred to as Kings Counsel rather than Counsel.
- Section 4.3.16 should read “highway code does not seek to address”
- Section 4.3.25 – it was noted the monitoring fees are missing from table.
- The Applicant and agent had agreed to pre commencement conditions.

The Senior Planning Officer presented the report in respect of application 23/00563/FP supported by a visual presentation consisting of photographs and plans.

The following members asked questions:

- Councillor Ruth Brown
- Councillor Ian Mantle
- Councillor Sadie Billing
- Councillor Louise Peace
- Councillor Mick Debenham

In response to the points of clarification, the Senior Planning Officer stated that:

- All properties in the development would be fitted with solar panels.
- There would be 21 affordable homes.
- A maintenance company would be responsible for the upkeep of the communal areas and play area and provisions would be made to monitor the management of the open spaces in the S106 agreement.

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- The main access to the development would be via Oughtonhead Lane. Members were concerned about the disabled access at this point. It was not proposed to make many changes to the Lane as this would alter the character of the area. There was still concern that this is the only vehicular entrance to the site.
- Safety measures would be set out in the Construction Management Plan, and this was covered by Condition 7.
- A letter had been sent by the applicant to the occupants of the management company regarding request for access via Bowlers End. This was again refused as this is a private road.

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

- Traffic from the development was estimated to be around 233 vehicles per day, equating to 27 per hour in the daytime and 30 per hour in the evening.
- Roads surrounding the site, including Oughtonhead Lane, Westbury Close and Redhill Road were all heavily congested.
- Concerns were raised over air pollution in this area.
- There were many pedestrians and cyclists in the area of Lower Innings and Redhill Road.
- The crossover on Oughtonhead Lane was deemed to be against the Highway Code, as it would not give priority to horse riders, pedestrians and cyclists. There would be a need for prominent signs on the crossing.
- The sight lines had been missed from the technical drawings.
- Construction traffic would be exiting the site via Lower Innings, which was disappointing to the residents.
- A bond to cover any damages incurred by construction vehicles was requested from the developer as part of the application.

There were no points of clarification from members.

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

- He had already spoken to the committee in July 2023 and February 2024 to object against this application. The legal advice received by the Council advised that these two applications were linked.
- There had been 97 comments, with all but 1 opposing this application.
- There was much discussion at earlier meetings regarding the road and pedestrian safety, but no decision was made and consultation with other parties had not taken place.
- It was noted that conditions would be put in place, but not necessarily enforced before commencement of work, only sometime before occupation and there were concerns as to whether the conditions would be enforced.
- Residents of Lower Innings should have access to the progress in monitoring actions and compliance contained in 8.2 of the report.
- It was noted that uncertainty in February 2024 almost got a refusal for this application.
- This site is a significant problem with its execution, which should be addressed before the application is approved.

There were no points of clarification from Members.

The Chair thanked Mr Love for his presentation and 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:

- This was the fourth time this application had come before the Committee.

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- The first application was narrowly passed in July 2023, following assurance that consideration could be given to access at the meeting where this application was considered. However, in the February 2024 meeting this assurance seemed absent.
- The Committee must decide whether vehicles can cross Oughtonhead Lane without being a threat to other users. Objections to this application have always been about the safety aspects.
- Formal conditions had been improved but had raised more questions than answers.
- Technical plans were great, when they are seen by residents.
- There should be no housing built until Oughtonhead Lane can be crossed safely.
- Any progress on the development should be made transparent to residents.
- Lack of permeability to the site.
- The request for access at Bowlers End has now been refused, leaving one access by Oughtonhead Lane and Redhill Road, where there is a primary school.
- There were concerns regarding how traffic would be managed around Lower Innings to access the site.
- There has never been a safe entrance for this site.
- He believed it was a mistake to consider this as two applications, and residents would like this to be reconsidered as one application.

There were no points of clarification from Members.

N.B. Councillor Nigel Mason, following the conclusion of his presentation, left the Chamber for the remainder of this item.

The Chair thanked Councillor Mason for his presentation and invited Mr Neil Farnsworth as the applicant, to speak in support of the application. Mr Farnsworth thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- The application submitted on 15 February 2024 had been deferred. An update by the management company had been sent to Cala Homes.
- Policy HD3 had been included within the adopted Local Plan.
- Vehicular access, impact on the character of the area and amenities had been approved.
- There were no objections from Hertfordshire Highways or the Rights of Way Officer.
- The development complied with the NPPF and Highways plan.
- The site was not in the green belt and Biodiversity net gain would be met.

There were no points of clarification from Members.

In response to points raised, the Senior Planning Officer advised that the site access and road markings has been agreed by the Council and Hertfordshire Highways, who had been consulted and had no objections.

Councillor Michel Muir proposed to approve planning permission and Councillor Mick Debenham seconded.

The following Members took part in debate:

- Councillor Mick Debenham
- Councillor Louise Peace
- Councillor Michael Muir
- Councillor Elizabeth Dennis
- Councillor Sadie Billing
- Councillor Ian Mantle

Points raised during the debate included:

- Having looked at the site and surrounding roads, it was felt there was nothing to vote against on this application.
- Concerns were still raised about the access, particularly wheelchair access to the site.
- The area was unsteady underfoot with no additional entry.
- This was now a responsibility of Hertfordshire County Council Highways to be lobbied to provide adequate standards.
- The responsibility will now be for the management company to ensure the maintenance of facilities.

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

RESOLVED: That application 23/00563/FP be **GRANTED** planning permission subject to the reasons and conditions set out in the report of the Development and Conservation Manager.

7 23/00743/RM - LAND ADJACENT TO OAKLEA AND SOUTH OF, COWARDS LANE, CODICOTE, HERTFORDSHIRE, SG4 8UN

Audio recording: 57 minutes 48 seconds

The Chair clarified for Members that outline planning permission had already been granted for residential development on this site including details of access. This was a Reserved Matters application to deal with the details relating to layout, landscaping, appearance, and scale.

The Senior Planning Officer provided an update that:

- The applicant is Croudace Homes Ltd.
- An extension to the statutory period had been granted to 19 June 2024.
- Outline planning permission was granted on 2 November 2022, not 2011.
- Condition 2 should be removed as it duplicates a condition on the outline application.
- Granting "Planning permission" should read granting "Reserved Matters details". The recommendation in 10.1 should be worded as follows: "*That the Reserved Matters details are GRANTED subject to the following conditions.*"
- Further resident objections had been received regarding concerns about the boundary of the site and possible Japanese Knotweed, which had been covered by a landscaping condition requiring details of boundary treatment to be submitted and approved and with regard to Japanese Knotweed the applicant has been notified and no objection had been received on the application from Herts Ecology.
- There were concerns raised that the 6-metre buffers to much of the hedgerow network endorsed by Herts Ecology was not consistent with the policy which states that 12 metres should be applied.
- Whilst Local Planning Policy stated the provision of 12m buffers of complimentary habitat around wildlife sites, trees and hedgerows should be provided it was not an absolute requirement of policy.
- A further representation was received from a neighbour regarding the protection of the wildlife on the boundary hedgerow and asked if the Council would consider asking that the Biodiversity Net Gain (BNG) offsetting was planted onsite. It was the officer's understanding that at least 10% BNG could be provided on site, although a condition was recommended requiring an updated Biodiversity Metric.

The Senior Planning Officer presented the report in respect of application 23/00743/RM supported by a visual presentation consisting of photographs and plans.

The following members asked questions:

- Councillor Ruth Brown
- Councillor Micheal Muir

- Councillor Jon Clayden
- Councillor Louise Peace

In response to the points of clarification, the Senior Planning Officer stated that:

- The 10% biodiversity net gain had been secured on site. This was not clear in the outline application when it was submitted. The initial application was granted before the requirement for BNG.
- Highways initially objected to this application, but minor changes had now been made to the layout and they had withdrawn their objection.
- Proposals for Solar Panels and Heat Pumps would form part of the Energy and Sustainability statement required by condition on the outline planning permission.
- Whilst most of the trees to be planted were situated in communal areas, some were sited in residential gardens and there was no condition which could be added to ensure that these would not be felled over time.
- The 12-metre buffer was deemed not to be required on the whole site. The parameter plan had been approved as part of the outline application and a 12-metre buffer would be in place adjacent to the wildlife site with 6 metre buffers on the rest of the southern and eastern boundaries.
- Access to the site was not being considered on this application.

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

- Codicote village had fought an increased expansion of one third of the current size over the last few years, with problems of parked cars and increased vehicles.
- Traffic now halted at peak times and travelled south and north to avoid the High Street.
- Approved village expansion of 500 homes would add to the problems, as well as approval of development in the High Street with no parking.
- The last full traffic assessment of Codicote was completed in May 2017. Since this the Council had approved much more development in the area.
- The traffic data that decisions were based on was out of date. The application should therefore be deferred until a new traffic assessment could be undertaken.

There were no points of clarification from Members.

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

- The Parish Clerk from Codicote wrote to Herts County Council in 2019 to highlight the problem of additional housing and school places in the village.
- A transport assessment was submitted in July 2017 on behalf of residents to promote the need for a roundabout for access via St Albans Road and Cowards Lane.
- Ordinance Survey map which this application had not used, showed 3 smaller ponds which had not been accounted for. To the right of this was woodland and a larger pond, with obvious connectivity for wildlife. Great crested newts had been photographed in the area.
- Protection of wildlife was of vital importance as it cannot be replaced once gone.
- There were currently 240 homes being planned in Codicote.
- A new assessment of pupil numbers and a highways assessment were required before this application could be passed.

There were no points of clarification from Members.

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

- The resident had lived near to Cowards Lane for 24 Years, so knew very well of the traffic dangers in the area. The narrowest part was 1.8 metres wide with no adequate room for passing cars, ambulances or fire engines.
- Cowards Lane would be used as the entrance and exit to the development. There was an old people home on Cowards Lane housing 40 elderly residents who would need access to ambulances.
- Traffic had increased on Cowards Lane and the additional footpaths proposed would exit onto the narrowest point of this road, which was an accident waiting to happen.
- It was felt this plan needed the roundabout in the high street to enable ambulances to leave.

There were no points of clarification from Members.

The Chair thanked Mr Collins for his presentation and invited Councillor Ralph Muncer to speak against the application. Councillor Muncer thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- Developers do not just build houses, but homes and communities and these needed to be built correctly first time around.
- Taking into account the wider impact to the community of Codicote, around 300 houses would be built over the next few years, without the infrastructure to cope.
- Many residents of Cowards Lane and The Riddy were concerned regarding privacy. The 1.8 metre fence and hedging should be extended to plots 40- 54.
- Application was originally granted for 72 dwellings, which changed to 83 and now reduced to 80. The application should be granted for 72 homes as originally agreed.
- The plans were felt not appropriate and far from in keeping with the rural, more open landscape.
- Residents would be able to see into other gardens and it was felt developers should go back to the drawing board to check on equal spaces between properties.
- Planning conditions in Codicote have been breached. Officers must ensure that conditions are enforced and that breaches lead to repercussions for the developers.
- Access to the development was not appropriate with a dangerous and busy junction.
- Developers should have more consideration to the adopted Local Plan.

There were no points of clarification from Members.

The Chair thanked Councillor Muncer for his presentation and invited Ms Rachel Caplin to speak as the applicant. Ms Caplin thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- The developer, Croudace Homes, were a family owned, well established, award-winning, high-quality developer.
- The site was granted planning permission in November 2022 for up to 83 dwellings.
- Following discussion with officers, it was now reduced to 80 dwellings. The dwellings comprised of 32 affordable homes and 48 private homes. The affordable dwellings comprised 65% social and affordable rent and 35% shared ownership.
- There was seen a greater need for 2 bed roomed houses for rent. The scheme has a mix of 1-to-5-bedroom properties, with materials in the local context.
- Flats would have communal gardens and all houses would have individual gardens.
- The main access would be tree lined with a new planting scheme planned.
- Air source heat pumps and PV panels were proposed to a number of units, delivering improved energy performance.

- All units would be fitted with EV charging points.
- The site plan includes a Local Equipment Area for Play (LEAP) with play equipment and wildflower meadow.
- Drainage would be via a swale and a drainage basin in the northeast and southeast corners.
- Planting would be used to soften the area whilst providing a feature of the pond and essential habitat for nature.
- Most of the development was two stories, which was consistent with surrounding developments.
- The scheme was part of collaboration with North Herts Council Officers and had resulted in a well-considered and sustainable scheme.

The following members asked points of clarification:

- Councillor Ruth Brown
- Councillor Elizabeth Dennis
- Councillor Nigel Mason

In response to points of clarification, Ms Caplin stated that:

- There would be no obvious difference in materials between the private and affordable housing on the site.
- The 2.5 story block had been planned for the highest part of the site as to be a landmark feature. The location was moved following consultee comments. Officers considered this a suitable location.
- The initial policy document proposed 73 homes for this site and permission was granted for up to 83 properties, which had now been reduced to 80 following discussions with officers.

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

- Traffic concerns were outside the remit of the reserved matters application, which was just to look at layout, landscaping, appearance and scale.
- Highways had been consulted and had not objected and access to the site had already been approved.
- There was a S106 agreement on the outline application securing a contribution towards expansion of Codicote Primary School. Hertfordshire County Council are monitoring spaces and the release of places in the school.
- There had been no objections from the Ecology officers on the application.
- The fencing would be secured by the recommended landscaping condition.
- The construction traffic management plan condition on the outline application would be enforced as necessary.
- Ideally the Council would like to see affordable housing spread across the site, and there had been amendments to the plan.

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

The following Members took part in debate:

- Councillor Emma Fernandes
- Councillor Ruth Brown
- Councillor Caroline McDonnell
- Councillor Ian Mantle
- Councillor Michael Muir
- Councillor Nigel Mason

- Councillor Mick Debenham

Points raised in debate included:

- Concerns were raised over the privacy of the residents in the Bungalows at The Riddy. There was a condition for the applicant to submit boundary details.
- Members liked the scheme, landscaping, biodiversity and the installation of Heat Pumps and Solar panels.
- There were concerns over the 2.5 story block being on the highest point of the development, but this was viewed as acceptable.
- Due to the materials to be used, the look and feel of the development will not distinguish between the private and affordable housing.

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

RESOLVED: That application 23/00743/RM 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 2.

N.B. Following the conclusion of this item there was a short break in proceedings and the meeting reconvened at 21.51.

8 22/00741/FP - LAND WEST OF ASHWELL ROAD, BYGRAVE, HERTFORDSHIRE, SG7 5EB

Audio recording: 2 hours 21 minutes and 35 seconds

The Senior Planning Officer presented the report in respect of application 22/00741/FP supported by a visual presentation consisting of photographs and plans.

The following Members asked points of clarification:

- Councillor Ruth Brown
- Councillor Elizabeth Dennis

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

- The construction traffic to the site would be limited to two articulated lorries per day and this would be enforced by a condition. If the traffic was thought to be more, the application would be referred to the Enforcement team.
- The nearest grid connection point was 5k from the site.
- There was minimal hedge removal proposed for access to the site.

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

- The Bygrave action group was set up by the Parish Council and would support a solar farm in Bygrave, as long as it was in the correct location.
- This site would dominate the area, which was too large and exposed. The field is grade 2 arable farmland which would be lost.
- The adjacent roads were not safe for construction traffic, with heavy traffic on the nearby A507 and blind bends on smaller roads.
- There would also be a constant humming noise from the site, with no grid connection plan.

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The Chair thanked Mr Colegrave for his presentation and invited Ms Julie Stothard to speak against the application. Ms Stothard thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- Last year was commented that too little weight had been given to the impact on the landscape, together with the residential amenities and risk from construction traffic and fire.
- Biodiversity net gain had been overstated.
- The harms of this development clearly outweigh the benefits.
- This type of use of the best and most versatile land should be avoided as much as possible and high-grade agricultural land is required to ensure future food security.
- In December 2023, Council approved for consultation a draft Supplementary Planning Document on sustainability. This development fails on all the counts in the document.
- This proposed development does not comply with published health and safety guidance.
- In November 2023, the Council refused an application for a solar farm at Sperberry Hill. There can be no reason to refuse Sperberry Hill and approve the Bygrave application.

The Chair thanked Ms Stothard for her presentation and invited Mr Mark Goddard to speak against the application. Mr Goddard thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- Bygrave was a small quiet village with beautiful views, dog walkers, cyclist and horse riders. Their enjoyment would be destroyed by loss of views and the noise from the solar farm.
- In 2017 an application for a microbrewery was rejected in the same area. The design and scale were deemed inappropriate to visual amenities. The solar farm planned would be 400 times bigger than that application.
- The junction to the site would be moved to centimetres of busy roads in North Hertfordshire.
- There was no reliable information on traffic speeds or volumes.
- Bygrave village would be ruined for its residents, should this development go ahead.
- 93% of residents objected to this proposal.
- The development had nothing to do with renewable energy.
- The development does not comply with planning rules and regulations.

The Chair thanked Mr Goddard for his presentation and invited Councillor Lisa Nash to speak against the application. Councillor Nash thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- This application was strongly objected to as it was felt it was a vandalism of the landscape, a threat to food security and included a reckless traffic management scheme.
- This area had been designated North Baldock chalk uplands with valued openness and long-distance views from local vantage points. This was a rare landscape deserving protection.
- Solar farms can have a negative impact on the environment, particularly in undulating landscapes.
- These developments should be sited where they have the least impact.
- They should also protect the amenity of residents, with public rights of way bordering the site, which would be lost.
- Since the Covid Pandemic the benefit of open spaces on mental health has been recognised.
- Good agricultural land should continue to be farmed for food production, including crops and cereals. We are living in uncertain times with current hostilities as they are and need to protect food growing land.
- This is an appalling use of this land, particularly when all new build homes are asked to provide solar panels.

- The officers report rules out nuclear power and offshore wind data.
- The traffic management plan endangers the lives of other road users. The applicants 407 trucks will need to negotiate small roads and bends to enter the construction site.
- The Highways officer noted that these roads are inappropriate for large trucks. There is a 7.5-ton weight limit. A condition has been imposed that only two articulated trucks would visit the site per day.
- The application should not be approved until details can show how construction traffic will move to and from the site.

The following members asked points of clarification:

- Councillor Michael Muir
- Councillor Ruth Brown
- Councillor Nigel Mason
- Councillor Louise Peace
- Councillor Elizabeth Dennis

In response to points of clarification, objectors stated that:

- The site search was misleading, and it was felt there were more suitable sites which could be used, rather than this one with Grade 2 best and most versatile agricultural land.
- The traffic survey carried out was deemed to be nonsense. There were issues with the number of vehicles recorded and measurements submitted.
- It was a vulnerable area for horse riders and pedestrians.
- A similar application in Sperberry Hill was rejected, yet this application is being recommended, when Sperberry Hill was in the green belt and listed agricultural land.
- Pedestrian paths were being reduced in width, with only just enough access for a wheelchair. A stopping point was being moved nearer to the A507, around 1 metre from the main road.
- It was thought to be unsafe for HGV to turn onto Bygrave Road.
- The visibility on Bygrave Road was good to see oncoming traffic, but in some sections of the road it was impossible for lorries and large cars to pass.

The Chair invited Mr Edward Wainwright-Lee to speak in support of the application. Mr Wainwright-Lee thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- His family had been farming the fields for years and it was noted that local farming was important to the area. Sustainability of enterprise was the core of their business and securing financial sustainability for future generations.
- Food security and climate change was high on all agendas.
- They now had 50 acres set aside for wildlife schemes, resulting in larger numbers of insects and butterflies.
- Recently huge changes in agriculture, mean that some animal crops can grow.
- The need to diversify the business to ensure longevity and the agreement with PACE for this site would provide an ongoing income and address the sustainable energy needs.
- Grade 2 land would still be used for sheep farming and at some point return to cropping.
- The development provided a sustainable action towards carbon neutral.

There were no points of clarification from Members.

The Chair thanked Mr Wainwright-Lee for his presentation and invited Mr Stewart Reddaway to speak in support of the application. Mr Reddaway thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

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- The biggest issue facing humankind was climate change, mostly caused by greenhouse gases and fossil fuels to generate electricity. This can be reduced by the use of solar panels. Rooftop panels are good, but the more, the better.
- All costs on this development are being paid by PACE, so there is no cost to the public. PACE will redeem their money by selling the electricity generated back to the national grid.
- Objectors claim the views will be spoilt, but this is reduced as the land falls away down the hill the farm is on and the impact would be on only a few houses.
- The view from Bygrave Road may distract or annoy motorists.
- Objectors maintain agricultural land will be lost. However, land is already lost to golf courses and a lot of land is devoted to cattle.
- The solar farm will occasionally omit some noise from the cooling fans, but this is a tiny amount.

There were no points of clarification from Members.

The Chair thanked Mr Reddaway for his presentation and invited Ms Gill Eaton to speak in support of the application. Ms Eaton thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- The team from PACE had been working on the site for several years and last spoke to the Committee in September 2023.
- The vision was to help to avoid the worst effects of the climate emergency, whilst reducing dependence on fossil fuels.
- The benefits of the solar farm through the adopted Local Plan are clear and explicit, providing reliable, sustainable and affordable energy.
- It had been recently seen the adverse weather patterns on declining crop yields. Over the UK farmers have been using their land to provide them with a sustainable income, together with a reliable and clean source of energy.
- Solar power was one of the cheapest sources of power and the solar farm will make a crucial contribution to the Councils target of net zero by 2040.
- Extensive work had been carried out, resulting in no objections from consultees.
- Consultation had taken place in the form of a site visit with Bygrave Parish Council to understand their concerns.
- Consultation with the public had benefitted details on construction traffic, landscape biodiversity and the inclusion of two paths to the south and east of the site.
- The commitment to the community through the proposed community benefit fund of £200,000 over the lifetime of the project.
- There was a plan to set up a two-way liaison group, to allow two-way dialogue with villagers following the construction.
- The impact on heritage had been investigated with officers from Historic England and deemed acceptable.

The following members asked points of clarification:

- Councillor Michael Muir
- Councillor Ruth Brown
- Councillor Jon Clayden
- Councillor Elizabeth Dennis

In response to points of clarification, Ms Eaton stated that:

- The construction period would not take place on Bank Holidays or weekends. There would be two lorries per day to the site and this would be fully assessed.
- The connection to the grid and cabling was a statutory undertaking and not part of this application.

- With the 5km distance to the nearest grid connection, it was confirmed there would be very limited energy loss.
- The CCTV on site would be visible from all angles, which is part of a condition. There would be no impact on residential amenities.
- The energy generated from the site would go back into the National grid as a whole. It would provide no direct benefit to the local area.
- The site would provide a local employment opportunity for approximately 35 weeks.

In response to points raised, the Development and Conservation Manager stated that officers had considered the issues objectively and weighed the benefits and negative impacts in the planning balance and the overall view was that planning permission should be granted.

Councillor Mick Debenham proposed to approve planning permission, and this was seconded by Councillor Ian Mantle.

The following members took part in debate:

- Councillor Ruth Brown
- Councillor Michael Muir

Points raised during the debate included:

- The site was located in a huge field, destroying the local view and farmland. With Ashwell to the higher ground, this would destroy the valley and visual aspect.
- Merits of the solar farm were discussed, with views of the farms themselves to be located in the correct places.
- This site would not help locally with renewable energy and the net zero target, as any energy would be put back into the National grid.
- Mindful of the locally situated chalk uplands, use of NPPF grade 2 land, the visual impact and construction traffic on the site, some members were to refuse this application.

Having been proposed and seconded, the motion to approve the application was put to a vote following which the vote was tied.

Therefore, the Chair was required to cast the deciding vote and it was:

RESOLVED: That application 22/00741/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 short break in proceedings and the meeting reconvened at 23:35.

9 23/01749/FPH 45 WEST STREET, LILLEY, LUTON, HERTFORDSHIRE, LU2 8LN

Audio recording: 4 Hours 6 minutes and 20 seconds

The Senior Planning Officer provided an update that:

- Documents were on the website prior to the meeting including a letter from the applicant and a response from the planning officer.
- The development would lead to less than substantial harm to heritage assets and there were no public benefits that outweighed the harm identified.
- The Council acknowledged the letter from the applicant, and the proposed changes, they are not for consideration, and it remained the original scheme for determination.
- The changes in the letter from the applicant were that the development was still 2 storey, but slightly reduced in height and set further back from the front elevation.

The Senior Planning Officer presented the report in respect of application 23/01749/FPH supported by a visual presentation consisting of photographs and plans.

There were no questions for the planning officer.

The Chair invited Parish Councillor Nicola Price to speak in support of the application. Councillor Price thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- Councillor Price was showing support for this application as a Parish Councillor and a resident of the village.
- The village was very protective of its area and residents are usually vocal about schemes that harm the historic aspects of the village. However, this application agrees with the historic aspect and in keeping with the charm of the village.
- Lilley is a very small village and needs young families. It was required to house young families in the area in properties that could sustain this.
- Lilley Conservation Charter set out in 2020 notes key properties in the area, a large amount were detached or semi-detached and enhances the village. It was believed this scheme adhered to the criteria.
- Removal of the garage would increase the area between houses.
- The materials to be used would enhance and retain 45 West Street for its future.
- The applicants had sympathetically restored the property and maintained its original character.
- The need for a third bedroom with a growing family was very apparent. The current second bedroom has a very small floor space and was restricted by height.
- The applicants are keen members of the community and would be a shame to see them have to move on from the area.
- The direct neighbours and members of the community have approached the Parish Council, all in support of the application, and had urged the Parish Council to back this application.
- The proposed extension would not be visible to passers-by, demonstrating the minimal impact on the conservation area.
- Identical cottages in the area had also had planning permission for similar adaptations.

There were no points of clarification from Members.

In response to points raised, the Senior Planning Officer clarified that no amended plans were submitted to the planning department, who only received a letter responding to comments. The Planning officer would not accept the principal of a 2-storey side extension to the property.

The Chair thanked Councillor Price for her presentation and invited Councillor David Barnard to speak in support of the application. Councillor Barnard thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- A letter from 11 November in response to letter of 9 November was offering to move the property back, lower the roof and take off the render.
- Neighbours were in full support of the removal of the 1960s concrete garage and its rebuild.
- It was noted the statutory period expires on 26 September 2024. The application was submitted in August 2023.
- No responses had been received from planning officers since January 2024 until a couple of weeks ago.
- It was noted that Lilley parish Council did not comment on this application, when they did submit a comment.

- There are other examples of planning permission given to properties in the area.
- This application has no effect on the street scene.

There were no points of clarification from Members.

The Chair thanked Councillor Barnard for his presentation and invited Ms Emma Talbot to speak in support of the application. Ms Talbot thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- The applicant logged changes to the planning application, but was not told the changes would not be looked at.
- The applicant asked for photos of Horseshoe Cottage to be uploaded to the application. This was not carried out.
- The extension was until 31 January 2024. The applicant had a response from the Conservation Officer, yet this was based on the old application.
- The applicants had sympathetically restored Rose Cottage to what it is today.
- Their growing children were sleeping in toddler beds and desperately needed an extra bedroom.
- To continue living in the property, the family would need a conventional layout with a further bedroom upstairs.
- Despite alterations to the first set of plans, these were refused without prior notification.
- The recent alterations to the application were only acknowledged on 4 June, 9 days before this meeting.
- There was no encroachment of privacy onto the neighbours properties. The scheme is of an appropriate scale to the plot size and in keeping with its surroundings. There is adequate parking for 5 cars.
- Removal of the unsightly 1960s flat roof garage is greatly supported by the Parish Council and community.
- The angle of the property allows the extension to be almost obscured from public view.
- It was impossible to reduce the height anymore by not retaining the first floor.
- The rear roof planes were at the back of the house, unseen from public view.
- It was noted that 3 other properties in the area have downstairs toilets in the same design.

In response to points of clarification from Councillor Elizabeth Dennis, the Senior Planning Officer stated that the application was the original filed as comments were not received by the planning officer. The fundamental issues are the height of the extension.

In response to a point of clarification from Cllr Mick Debenham, Ms Talbot stated that:

- The planning officer advised in 2020 to maintain a single storey side extension, with the pitch height being almost identical to the proposal forwarded.
- The family also required a downstairs toilet for disability needs. The conservation officer suggested the toilet to the left of the property, obscuring the back door, but this would not be allowed on the right of the property.

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

- The points made on the scale of the development are in relation to the greenbelt, rather than the listed building.
- While this complied with some parts of the NPPF, it did not on others.
- Each case is based on its own merits. The visibility of the development from the highway has no bearing in terms of the effect upon the character of this Grade 2 listed building.

Councillor Nigel Mason proposed to approve planning permission and this was seconded by Councillor Michael Muir.

The following members took part in debate:

- Councillor Nigel Mason
- Councillor Michael Muir
- Councillor Louise Peace
- Councillor Caroline McDonnell

Points raised during the debate included:

- It was noted the hard work that officers had put into this application with dealing with the correct procedures.
- There had been no objections to the development from people in the vicinity.
- Members saw no reasons not to allow this application.
- It was a huge improvement for the 1960s garage to be taken down.
- For the family to stay in the community and for villages to be supported and vibrant with young families.
- The floor plan was not an increase and was no harm to the nature of the village.

Councillor Nigel Mason proposed to grant planning permission for the development and Councillor Michael Muir seconded, and following a vote it was:

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

RESOLVED: That contrary to the officer recommendation, application 23/01749/FPH be **GRANTED** planning permission and listed building consent.

“Notwithstanding the materials shown on the submitted plans and application form, details and/or samples of all external materials to be used for the works, hereby granted consent, shall be submitted to, and agreed in writing by the Local Planning Authority before any works are commenced.”

Reason: To safeguard the character and appearance of the listed building to which this consent relates and to comply with Policies SP13 and HE1 of the North Hertfordshire Local Plan 2011 to 2031.”

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Councillor Ruth Brown proposed and Councillor Michael Muir seconded and, following a vote, it was:

RESOLVED: That contrary to the officer recommendation, application 23/01749/FPH be **GRANTED** planning permission and listed building consent.

“Notwithstanding the materials shown on the submitted plans and application form, details and/or samples of all external materials to be used for the works, hereby granted consent, shall be submitted to, and agreed in writing by the Local Planning Authority before any works are commenced.”

Reason: To safeguard the character and appearance of the listed building to which this consent relates and to comply with Policies SP13 and HE1 of the North Hertfordshire Local Plan 2011 to 2031.”

11 22/01687/FP - LAND ON THE NORTH SIDE OF, PIRTON ROAD, HOLWELL, HERTFORDSHIRE, SG5 3SN

Audio Recording: 4 hours 44 minutes and 28 seconds

N.B. Councillor Louise Peace declared an interest and moved to the public gallery.

The Senior Planning Officer presented the report in respect of application 22/01687/FP supported by a visual presentation consisting of photographs and plans.

The Following Members asked points of clarification:

- Councillor Ruth Brown
- Councillor Ian Mantle
- Councillor Jon Clayden

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

- The size of the parking spaces in the car ports are of sufficient size.
- Heat pumps would be installed in the properties, but no solar panels.
- The local bus service was a regular service.
- Condition 13 recommended that the applicant would need to provide a land and ecology maintenance plan to ensure the biodiversity net gain was met. The submission will be consulted with the ecologist or Hertfordshire County Council Ecologist for net gain provided.
- The mix of properties was considered satisfactory.

The Chair invited Parish Councillor Yvonne Hart to speak against the application. Parish Councillor Hart thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- The development was outside the village boundary and did not follow the aesthetics. It would also set a precedence for future development.
- Large 3 and 4 bedrooed houses were not needed in the area.
- There was a large reliance on cars, there is no shop or school.
- Buses were not frequent and did not run on a Sunday.
- There was increasing number of cars on the roads, together with parked cars with a limited visibility.
- A growing number of children walk and bike ride to school and were currently safe around their homes.
- The local sewage system had been having problems with being exasperated.
- Concerns over the local Grade 1 listed church which could be damaged during construction.
- Local wildlife was thriving and diverse, with bats and owls both breeding.
- Holwell would not benefit from this site, as there would be no financial gain as the development is too small for S106 money and will just cause disruption.

There were no points of clarification from Members.

The Chair thanked Parish Cllr Hart for her presentation and invited Councillor Louise Peace to speak against the application. Councillor Peace thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- There was objection to the development of the location, habitat loss, road safety and parking issues.
- The ecological survey was an abundance of wildlife. It was noted that the biodiversity Net gain calculations had not yet been provided.
- There were very few facilities in the village, no shop, pub or junior school. There was a drive to either Pirton or Hitchin for a secondary school.

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- There were already children standing on the bus to school, with additional pressure on the service and no S106 money.
- There was a high impact on limited parking provisions, with areas on the roads full of parked cars.
- 90-degree bends in some places had the local residents considering the access dangerous.

The following members asked points of clarification:

- Councillor Ruth Brown
- Councillor Elizabeth Dennis

In response to points of clarification, Councillor Peace stated that:

- The homes on the site were unaffordable.
- Highways have not properly looked at the bend in the road, with cars parked on the wrong side of the road.

N.B. Councillor Louise Peace, following the conclusion of her presentation, left the Chamber for the remainder of this item.

The Chair thanked Councillor Peace for her presentation and invited Mr AJ Shone to speak in support of the application. Mr Shone thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- Engagement started with the Parish Council and Conservation officer in 2022.
- This is redevelopment of redundant open space, with a large building left barren for decades.
- Creation of housing needed in the village, with the current land of no benefit to the village.
- The development would be set further back, concealed from view, with a limited impact.
- The bridleway denoted the edge of village.
- The character assessment would ensure suitable materials with features will be incorporated. The Development and Conservation Officer supports the use of weatherboarding.
- Hertfordshire County Council had raised no concerns to this being a safe development.
- Parking provision had been provided and overflow dealt with.
- Ecology on the site had been deemed acceptable with hedgerows being retained.
- Tilted balance was in favour of this development.
- Housing objectives had been met with disruptions minimised and communications maintained with residents.
- This development would transform a redundant parcel of land into an area to contribute to the housing needed.

The following members asked points of clarification:

- Councillor Micheal Muir
- Councillor Ruth Brown

In response to points of clarification, Mr Shone stated that:

- Archaeological digs were usually covered by conditions and carried out when going through the development itself. This was noted by condition 10.
- The area was deemed to be a sustainable location due to Holwell being a category B village. The developer had made enquiries to seek to get a virtual bus stop into the village.
- Holwell was the close by to Hitchin and Pirton, which both have more amenity features.

In response to points of clarification, the Senior Planning Officer stated that:

- The site was deemed as sustainable and complies with policy SP2.
- It was not a major application in terms of the number of dwellings and would not qualify for any s106 contributions.
- There had been no Highways objections to the widening of the existing access.
- The site was large enough for visitor parking outside of the proposed 2 spaces.
- The officers were satisfied with the view from Hertfordshire Ecology on the ecological impact of the application. Net gain would be provided via Condition 13.

Councillor Michael Muir proposed to approve planning permission and this was seconded by Councillor Mick Debenham.

The following members took part in debate:

- Councillor Jon Clayden
- Councillor Mick Debenham
- Councillor Ruth Brown
- Councillor Sadie Billing
- Councillor Ian Mantle

Points raised during the debate included:

- It was noted that the bend in the road and additional parked cars were a problem.
- Whether there could be any provision for mirrors to be added to the side of the road for visibility purposes. There was no condition for the installation of mirrors, and these would also need to be placed by the Grade 1 listed Church.
- The bend was already challenging, and drivers would not potentially see vehicles exiting the development whilst negotiating the bend.
- Yellow lines to eliminate parked cars would require a condition from Highways and traffic regulations.
- There were no grounds for refusal.
- A different entry had not been considered, as an existing entry remains. This allows no loss of trees that currently provide screening for the development.
- It was noted that in proportion, this was a small development of 6 houses.

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

RESOLVED: That application 22/01687/FP be **GRANTED** planning permission subject to the reasons and conditions set out in the report of the Development and Conservation Manager.

12 APPEALS

RESOLVED: That the Committee agreed to defer the items for information from the Appeals Tracker to the next meeting.

The meeting closed at 12.55am

Chair