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NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES, GERONON ROAD, LETCHWORTH GARDEN CITY, SG6 3JF
ON TUESDAY, 3RD DECEMBER, 2024 AT 7.30 PM

MINUTES

Present: *Councillors: Nigel Mason (Chair), Emma Fernandes, Ian Mantle, Bryony May, Caroline McDonnell, Louise Peace, Tom Tyson, Sean Nolan, Jon Clayden and Val Bryant.*

In Attendance: *Faith Churchill (Democratic Services Apprentice), Loretta Commons (Locum Planning Lawyer), Shaun Greaves (Development and Conservation Manager), Alex Howard (Senior Planning Officer), Martin Lawrence (Strategic Housing Manager), Susan Le Dain (Committee, Member and Scrutiny Officer), James Lovegrove (Committee, Member and Scrutiny Manager) and Tom Rea (Senior Planning Officer).*

Also Present: *At the commencement of the meeting there were approximately 18 members of the public, including registered speakers.*

95 APOLOGIES FOR ABSENCE

Audio recording – 2 minutes 8 seconds

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

Having given due notice Councillor Jon Clayden substituted for Cllr Brown, Councillor Val Bryant substituted for Cllr Billing and Councillor Sean Nolan substituted for Cllr Allen.

96 NOTIFICATION OF OTHER BUSINESS

Audio recording – 2 minutes 35 seconds

There was no other business notified.

97 CHAIR'S ANNOUNCEMENTS

Audio recording – 2 minutes 41 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.

98 PUBLIC PARTICIPATION

Audio recording – 4 minutes 18 seconds

The Chair confirmed that the registered speakers were in attendance.

99 24/01962/FP LAND ADJACENT TO RED BRICK COTTAGE, THE STREET, KELSHALL, ROYSTON, HERTFORDSHIRE, SG8 9SQ

Audio recording – 4 minutes 59 seconds

The Senior Planning Officer provided an update regarding the Supplementary Document that had been published on 2 December 2024.

The Senior Planning Officer presented the report in respect of Application 24/01962/FP supported by a visual presentation consisting of photographs and plans.

The following Members asked questions:

- Councillor Louise Peace
- Councillor Tom Tyson
- Councillor Sean Nolan
- Councillor Jon Clayden

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

- A self-build planning application was exempt from Biodiversity Net Gain (BNG) regulations.
- The height of the mature hedge was noted as 2.5 meters on all plans submitted.
- This scheme reflected the changes approved by the Council following the appeal that was upheld.
- The applicant would have to apply separately to North Hertfordshire to divert the public footpath under the Town and Country Planning Act and this would have to be addressed as a separate issue to this application.
- When this application was approved it was prior to the BNG regulation being made a mandatory requirement.

In response to questions, the Development and Conservation Manager advised that as the Council was not a Community Infrastructure Levy (CIL) Authority, there were no adopted processes or procedures to control self-build/custom occupation, which was a possible exemption from the Levy. There were no separate processes to control the self-build/custom build exemption for BNG and therefore the Council relied on the information provided by the applicant for a self-build planning application. It was understood that the Government was looking into this exemption.

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

- He had lived in Kelshall for 35 years and was representing the Parish Council this evening.
- It was the view of the Parish Council that this application was not suitable for an infill site.
- The previous application for this site had originally been refused by the Council.
- This infill site was only suitable for a small single dwelling not a property of this size.
- He requested the Committee not to permit any further building on this site.

There were no points of clarification from Members.

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

- He had been a resident of The Street in Kelshall for ten years.
- There were ten footpaths that would be within clear visibility of the site.
- This house was large and would have a negative impact on the landscape.
- The original use of the land was for agricultural use.
- There had already been 20% housing growth in this Category B village which exceeded the allocation in the Local Plan.
- This property would be one and a half meters above the ridge line so would be very visible.
- He asked the Committee to refuse planning permission as this property was out of the scale and character of The Street.

There were no points of clarification from Members.

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

- He supported the views of Mr Gartside and Mr Looker.
- This house was too large for the area and it would also change the character of the village.
- When you looked at the two houses together as one site, this would be a big development.
- The footpath was unusable at present as it was covered with building materials.

There were no points of clarification from Members.

The Chair thanked Councillor Prescott for his presentation and invited Philip Kratz to speak in support of the application. Mr Kratz thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- Kelshall was a Category B village in the Local Plan and infill development was allowed.
- This application was for a mirror image property of the one next door which had already been approved.
- The property had been designed in a way not to overlook or overshadow any neighbouring properties.
- All technical issues had been resolved and all relevant technical authorities had given their approval.
- A good landscaping plan for the site had been designed.
- Both the principle and design of this application was considered satisfactory, therefore there was no good reason to refuse this application.

The following Members asked points of clarification:

- Councillor Jon Clayden
- Councillor Louise Peace
- Councillor Tom Tyson

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

- At the time of the previous application only one house was being considered for construction.
- The house would be visible, but with a hedge height of 2.5 meters and the construction of single storey eaves, there would be no visible harm to the area.

- He was unaware of a blockage on the footpath, but would contact the applicant to advise of this and ensure it was cleared immediately.
- Landscaping visual impacts were not required for a single dwelling as stated in the NPPF.

The Chair thank Mr Kratz for his presentation.

Councillor Tom Tyson proposed to grant permission and this was seconded by Councillor Val Bryant.

The following Members took part in the debate:

- Councillor Val Bryant
- Councillor Tom Tyson

Points raised in the debate included:

- There was no material planning consideration why this application should not be granted.
- It was a valid application for an infill site and the harmful impact to the village did not outweigh the benefits.

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

RESOLVED: That application 24/01962/FP be **GRANTED** planning permission subject to the reasons and conditions set out in the report of the Development and Conservation Manager subject to an additional Condition 12.

“Condition 12

Prior to the commencement of the works hereby granted a footpath diversion order shall have been applied for to the Local Planning Authority under the Town and County Planning Act 1990 Section 257 and a temporary diversion/stopping up order granted by the Hertfordshire County Council Public Rights of Way department. At no point shall the public footpath be blocked or access impeded until such time as both the above criteria are satisfied. Guidance on the application can be found at <https://www.north-herts.gov.uk/public-footpath-diversions> or by contacting the officer delegated on 01462 474431.

Reason: To ensure that the route of the public footpath remains open for use by members of the public at all times. To comply with Policy D1 of the North Herts.”

N.B. Following the conclusion of this item, there was a break in proceedings and the meeting reconvened at 20:22

100 24/02173/FP ANDERSON HOUSE, FLORENCE STREET, HITCHIN, HERTFORDSHIRE, SG5 1RA

Audio recording – 51 minutes 59 seconds

N.B. Councillor Val Bryant moved to the public speaking gallery at the start of this item to act as an Objector Member Advocate.

The Senior Planning Officer provided an update regarding the Supplementary Document that had been published on 2 December 2024.

The Senior Planning Officer presented the report in respect of Application 24/02173/FP supported by a visual presentation consisting of photographs and plans.

The following Members asked questions:

- Councillor Sean Nolan
- Councillor Jon Clayden
- Councillor Louise Peace

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

- The NHS had been consulted following concerns raised by residents during the consultation process on the impact of the local infrastructure.
- This application was for an existing building which made it easier to develop than some of the other similar planning applications in the district.
- The allocation of parking spaces was deemed sufficient as the majority of the spaces would be used by staff and visitors as many of the clients would not own cars.
- The height of the mature hedge along the southern boundary varied in height and was not at a consistent height of 1.8 meters.

In response to a question, the Strategic Housing Manager advised that the figures for housing demand could be found in the report and although the Council had several layers of requirements for housing in the district, demand always exceeded supply.

The Chair invited 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:

- This was a change of use for Anderson House to provide sheltered accommodation to 86 homeless people, who would have complex needs.
- Hitchin Forum had objected to the scale of this application as it was inappropriate in a quiet residential street.
- This application neglected the safety and wellbeing of the neighbours.
- The police had been informed of this scheme and seemed satisfied, but he had not seen any report.
- This scheme had advanced quickly with One YMCA stating in August that they had agreed to obtain Anderson House.
- Anderson House would be more suitable if used for affordable housing in the district.

There were no points of clarification from Members.

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

- She was a neighbour to Anderson House and lived there with her family.
- There was much diversity in the area and young families and single people felt safe.
- She had supported the Sanctuary development with 23 units which was of the right size for the area.
- The size and scale of the proposal for Anderson House was disproportionate for the area and went against policy DS23 in the Local Plan.
- Security inside Anderson House may be secure, but this would not ensure the safety to residents outside in the local area.
- There was a conflict with the Council trying to meet its objectives without listening to the needs of residents.
- She urged the Committee to defer or to refuse this application to allow for more consultation with the local community and for a more considerate scheme to be allowed.

There were no points of clarification from Members.

The Chair thanked Ms Cotton for her presentation and invited Councillor Val Bryant to speak against the application. Councillor Bryant thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- She was speaking on behalf of Councillor Ian Albert who had called in this application as there had been significant public interest in the change of use of Anderson House from when it was owned by settle.
- Councillor Albert did not object to the application itself, but felt there was a need for conditions to be enforced.
- Residents had concerns about the density of 86 residents which was a considerable change to the previous usage.
- It had been noted that the Sanctuary building on Grove Road would not be used for additional accommodation but would be demolished and rebuilt for use as outreach education by One YMCA.
- Frosted glass would be required on all first-floor windows to ensure privacy for neighbours.
- One YMCA would need to clarify the number of staff on duty overnight and what areas had CCTV.
- Residents had concerns about parking overflowing on to Florence Street.

The following Members asked points of clarification:

- Councillor Jon Clayden
- Councillor Sean Nolan
- Councillor Louise Peace

In response to points of clarification Cllr Bryant advised that:

- She had seen detailed feedback from the police to the Senior Planning Officer following their consultation.
- The Council had been informed that Anderson House was being sold by settle to One YMCA and that they had planning permission to demolish Sanctuary and rebuild.
- The grant obtained by One YMCA from the government had been transferred to the Anderson House project to be used by the end of March 2025.
- There were currently 4 or 5 residents in Sanctuary who would be able to stay there until Anderson House was converted.
- Anderson House was now empty and any Live-In Guardians had left by the end of November 2024.

The Chair thanked Councillor Bryant for her presentation and invited Guy Foxell to speak in support of the application.

N.B. Following the conclusion of the speaking time, Councillor Val Bryant left the Chamber at 21:00 and did not return.

Mr Foxell thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- He was the Chief Executive of One YMCA in Hertfordshire.
- He had worked closely with key stakeholders to secure funding for this project.
- One YMCA would operate a successful venture from Anderson House.
- One YMCA had a large staff team and would provide 24/7 and 365-day support to ensure safety for the local area.
- There had been no founded objections concerning density of the site.
- He was committed to holding events inside the building, so residents could meet staff and view the facilities.
- He would be happy to hold more public meetings with residents to discuss any concerns.

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- Most residents did not drive and One YMCA would be installing bike racks and slightly increasing parking spaces to ensure all staff could park at all times.
- This scheme was needed to turn the lives around of the clients and to help reintegrate them back into the local community.
- He asked the Committee to grant this planning application to enable One YMCA to start making a difference to those people in need.

The following Members asked points of clarification:

- Councillor Caroline McDonnell
- Councillor Sean Nolan

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

- The scheme would be flexible to meet the needs of residents but it would not be able to accommodate a family with young children, as parents were required to provide care for their children rather than One YMCA.
- This application was solely for a change of use of Anderson House and no decision was required for the Sanctuary building.

The Chair thanked Mr Foxell for his presentation.

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

- There was no increase in the size of the building apart from a small storage area as detailed in paragraph 4.3.21 of the report.
- There had been an amendment made to the additional Condition 12 to allow any action resulting from consultation with NHS to be delegated to the Development and Conservation Manager in consultation with the Chair of the Planning Committee.

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

The following Members took part in the debate:

- Councillor Sean Nolan
- Councillor Ian Mantle
- Councillor Emma Fernandes
- Councillor Jon Clayden

Points raised in the debate included:

- Another condition should be added to ensure that the hedge along the southern boundary was a higher and consistent level of 2 meters in the interests of the local residents and to comply with Local Plan.
- Blinds and shutters should be closed at night to ensure there was not any light pollution to residents backing on to Nightingale Road.
- There was clearly a need for a facility of this type within the district.
- The One YMCA management plan was very detailed and they were a very experienced organisation in this area.

In response to points raised in the debate, the Development and Conservation Manager advised that an additional Condition 13 could be added to ensure the boundary treatment was a minimum of 2 meters in height along the southern boundary.

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

RESOLVED: That application 24/02173/FP be **GRANTED** planning permission subject to subject to the reasons and conditions set out in the report of the Development and Conservation Manager subject to:

- (a) The receipt of formal comments from the NHS Herts and West Essex Integrated Care team within the statutory consultation period.
- (b) The Committee to delegate authority to the Development and Conservation Manager in consultation with the Chair of the Planning Committee to resolve any issue arising from the consultation response from the NHS.
- (c) Subject to the addition of Condition 12 (as outlined in the Supplementary Document) and the addition of Condition 13.

“Condition 12

Prior to the commencement of the use hereby permitted full details of a resident nominations agreement for Andersons House to include the role of North Hertfordshire District Council as local housing authority, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in perpetuity in accordance with the approved nominations scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development meets a local housing need and to comply with paragraph 60, Section 5 of the National Planning Policy Framework. (2023).

Condition 13:

Prior to the commencement of the use hereby permitted details of an enhanced boundary treatment scheme along the southern boundary, to include a minimum fence height of 2 metres, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of the amenity of adjacent residents and to comply with Policy D3 of the North Herts Local Plan.”

101 PLANNING APPEALS

Audio recording – 1 hour 51 minutes 51 seconds

The Development and Conservation Manager provided an update on Planning Appeals and advised that there had been one appeal for a dwelling in Hitchin which had been dismissed.

The meeting closed at 9.23 pm

Chair