

**NORTH HERTFORDSHIRE DISTRICT COUNCIL**

**PLANNING CONTROL COMMITTEE**

**MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES. GERONON ROAD, LETCHWORTH GARDEN CITY  
ON THURSDAY, 17TH OCTOBER, 2019 AT 7.30 PM**

**MINUTES**

**Present:** *Councillors Councillor Terry Tyler (Chairman), Councillor Daniel Allen (Vice-Chairman), Ruth Brown, Val Bryant, Morgan Derbyshire, Mike Hughson, Tony Hunter, David Levett, Ian Mantle, Sue Ngwala, Sean Prendergast and Mike Rice*

**In Attendance:** *Tom Rea (Principal Planning Officer), Richard Tiffin (Principal Planning Officer), Nurainatta Katevu (Legal Advisor), Amelia McInally (Committee, Member and Scrutiny Officer) and Matthew Hepburn (Committee, Member and Scrutiny Officer)*

**Also Present:** *At the commencement of the meeting approximately 10 members of the public, including registered speakers.*

**53 APOLOGIES FOR ABSENCE**

*Audio Recording – 7 seconds*

Apologies for absence were received from Councillors Ian Moody and Val Shanley.

Having given due notice Councillor Michael Muir advised that he would be substituting for Councillor Val Shanley.

**54 MINUTES - 19 SEPTEMBER 2019**

*Audio Recording – 40 seconds*

The Committee Member and Scrutiny Officer advised that the Minutes of the meeting held on 19 September 2019 would be presented to the next meeting of this Committee for approval.

**55 NOTIFICATION OF OTHER BUSINESS**

*Audio Recording – 54 seconds*

There was no other business notified.

**56 CHAIRMAN'S ANNOUNCEMENTS**

*Audio Recording – 1 minute 3 seconds*

- (1) The Chairman advised that, in accordance with Council policy this meeting is being audio recorded. Members of the public and the press may use their devices to film/photograph, or do a sound recording of the meeting, but should not disturb the meeting.
- (2) Please could Members, officers and public speakers announce their names each time they speak and speak directly into the microphones to assist members of the public.

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- (3) To clarify matters for the registered speakers: Members of the public have 5 minutes for each group of speakers i.e. 5 minutes for objectors and 5 minutes for supporters. This 5 minute time limit also applies to Member Advocates. The bell will sound after 4½ minutes as a warning and again at 5 minutes, to signify that the speaker must cease.
- (4) Members were reminded that any declarations of interest in respect of any business set out in the agenda, should be declared as either a Disclosable Pecuniary Interest or Declarable Interest and are required to notify the Chairman of the nature of any interest declared at the commencement of the relevant item on the agenda. Members declaring a Disclosable Pecuniary Interest must withdraw from the meeting for the duration of the item. Members declaring a Declarable Interest, wishing to exercise a 'Councillor Speaking Right', must declare this at the same time as the interest, move to the public area before speaking to the item and then must leave the room before the debate and vote;
- (5) The Chairman advised that application 19/00950/FP had been withdrawn at the request of the applicant.

## **57 PUBLIC PARTICIPATION**

*Audio Recording – 2 minutes 43 seconds*

The Chairman confirmed that the four registered speakers were present.

## **58 19/00386/RM LAND ADJACENT AND TO THE EAST OF MCDONALDS RESTAURANT, BALDOCK ROAD, ROYSTON, HERTFORDSHIRE SG8 9NT**

*Audio Recording – 3 minutes 40 seconds*

The Principal Planning Officer presented the report in respect of application 19/00386/RM supported by a visual presentation consisting of photographs and plans.

The Principal Planning Officer advised that the Highway Authority had now agreed the layout subject to an additional Condition 9 as follows:

“Prior to the commencement of the works identified on the 'in principle' plans [Drg. No 17181 (D) 015 Rev: V and Drg. No 17181 (D) 016 Rev: W] of the proposed internal site layout, ultimate designs details shall be submitted to, being technically approved in writing by the Highway Authority (in conjunction with the Local Planning Authority) until such time as an agreement has been entered into under Section 38 of the Highways Act 1980. The ultimate design details should include: a) Spine Road Access junctions with Baldock Road b) Pedestrian and Cycleway details and linkages to the proposed school site c) Detailed Proposals for Waiting Restrictions d) Detailed Drainage proposals e) Visibility Splays f) Turning Areas g) Bus stop locations h) Appropriate Road Safety Audits.

Reason: To ensure satisfactory development and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with Policies 5 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).”

The following Members asked questions and took part in the debate:

- Councillor Ruth Brown;
- Councillor David Levett;
- Councillor Mike Rice;
- Councillor Tony Hunter;
- Councillor Ian Mantle;
- Councillor Michael Muir; and
- Councillor Terry Tyler.

Points raised in the debate were as follows:

- The design was improved and more aesthetically pleasing;
- Sewerage issues;
- Whether there was adequate storage for bikes, pushchairs and mobility scooters;
- Whether there were charging points on the site; and
- Pedestrian and cycle access to Ivy Farm Phase 2.

In response to questions the Principal Planning Officer (East Team) advised:

- The developer had submitted a strategy to Anglian Water in relation to sewerage issues;
- There was adequate storage for bikes, pushchairs and mobility scooters;
- Electric Vehicle charging points were referred to in Condition 8.

It was proposed by Councillor David Levett and seconded by Councillor Michael Muir that 19/00386/RM application be granted planning permission.

Upon the vote it was:

**RESOLVED:**

That application 19/00386/RM be **GRANTED** planning permission subject to the conditions contained in the report of the Development and Conservation Manager, the following additional condition 9:

“Prior to the commencement of the works identified on the 'in principle' plans [Drg. No 17181 (D) 015 Rev: V and Drg. No 17181 (D) 016 Rev: W] of the proposed internal site layout, ultimate designs details shall be submitted to, being technically approved in writing by the Highway Authority (in conjunction with the Local Planning Authority) until such time as an agreement has been entered into under Section 38 of the Highways Act 1980. The ultimate design details should include: a) Spine Road Access junctions with Baldock Road b) Pedestrian and Cycleway details and linkages to the proposed school site c) Detailed Proposals for Waiting Restrictions d) Detailed Drainage proposals e) Visibility Splays f) Turning Areas g) Bus stop locations h) Appropriate Road Safety Audits.

Reason: To ensure satisfactory development and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with Policies 5 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).”

**59 19/00950/FP BLACKETT ORD COURT, STAMFORD AVENUE, ROYSTON, HERTFORDSHIRE SG8 7EB**

*Audio Recording – 22 minutes 5 seconds*

The Chairman informed the Committee that application 19/00950/FP had been withdrawn at the request of the applicant.

**60 19/01379/FPH 80 ASHWELL STREET, ASHWELL, BALDOCK, HERTFORDSHIRE SG7 5QU**

*Audio Recording – 22 minutes 11 seconds*

The Principal Planning Officer presented the report in respect of application 19/01379/FPH supported by a visual presentation consisting of photographs and plans.

The Principal Planning Officer advised that Paragraph 3.3.3 of the report should be amended to read:

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“It is necessary to be mindful of the fall back position of what could be built as ‘permitted development’. The proposed single storey element of the development would be approximately 3.28m in depth and 4.2m high where it meets the house and 3.5m at its lowest point . A single storey rear extension 3m in depth and 4m in height where it meets the house and 3m at its lowest point could be built without planning permission (to the rear of the existing house).”

The following Members asked questions:

- Councillor Ruth Brown;
- Councillor Terry Tyler.

In response to questions, the Principal Planning Officer advised that there were no dimensions regarding the garage given in the report. However, the garage width was adequate and it was 5.6 metres deep.

Mr Norton Mahy, Ashwell Parish Council, thanked the Chairman for the opportunity to address the Committee in objection to application 19/01379/FPH as follows:

- There would be an impact on parking;
- Many residents used the footpath including older people and young families. They would be affected if the footpath were to be closed;
- He asked for conditions to be added in order to:
  - prevent the footpath from being closed during construction work;
  - change the use of the garage.

Councillor Tom Tyson who had called the application in, was unable to attend but had provided the Committee with a written statement in objection to application 19/01378/FPH which was read out by the Principal Planning Officer as follows:

- The rear extension would have a deleterious impact on the neighbours at No 78;
- The height of the eaves exceeded the threshold of permitted development;
- The floor level of the proposed extension was above ground level; and
- The extension would dominate the neighbour’s view at No 78.

Mr Clive Self, CSA Environmental Planning, thanked the Chairman for the opportunity to address the Committee in support of application 19/01379/FPH as follows:

- The development made efficient use of land;
- The application was compatible with the prevailing character of the area;
- There were no material impacts on the character of the area or amenity of residents;
- The terrace was a 1.8 metre high screen which prevented any direct views into the rear garden of the neighbouring property;
- Neighbours had not objected to the development;
- The application provided 2 parking spaces, one of which was the garage; and
- There would be no impact on the public footpath.

The following Member asked questions:

- Councillor Daniel Allen.

In response to questions, Mr Self advised that:

- The client would not have a problem with a condition being added that ensured the garage was used for parking.

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

- Condition 3 was in place to ensure that the public right of way was not affected by the proposed works; and
- The Council were not able to enforce garage use as parking only.

The following Members took part in the debate:

- Councillor David Levett; and
- Councillor Michael Muir.

Points raised in the debate were as follows:

- Neighbours had not objected to the application; and
- The loss of sunlight.

The Principal Planning Officer advised that:

- A daylight/sunlight test would not be carried out on a single storey extension.

It was proposed by Councillor David Levett and seconded by Councillor Michael Muir, that application 19/01379/FPH be granted planning permission.

Upon being put to the vote, it was:

**RESOLVED:** That application 19/01379/FPH be **GRANTED** planning permission subject to the conditions contained in the report of the Development and Conservation Manager.

**61 19/01244/FP ODYSSEY HEALTH CLUB, OLD KNEBWORTH LANE, KNEBWORTH, HERTFORDSHIRE SG2 8DU**

*Audio Recording – 50 minutes 45 seconds*

The Principal Planning Officer presented the report in respect of application 19/01244/FP supported by a visual presentation consisting of photographs and plans. He provided the following updates to the report:

- In response to additional comments received from Hertfordshire Ecology, the applicant had submitted a Great Crested Newt Scoping Technical Note following a survey carried out by its ecological consultants. Herts Ecology had been consulted on this document and had advised that the document addressed the issue of Great Crested Newts satisfactorily so that conditions 20 and 25 were no longer required, there will be an informative for newts during the construction phase;
- The applicant had submitted a revised Energy Assessment report. After further assessment it concluded that one of the proposed renewable energy features i.e. ground source heat pumps, was not feasible due to the high costs associated with the extensive ground works required to facilitate the system. In compensation the report considered that the roof mounted photovoltaic panels to be provided on the roof of the flats should be extended to all of the dwelling houses in the proposed development. The applicant had agreed that a further condition be attached so that the Local Authority could receive and approve details of the solar PV system.
- Condition 15 needed to be updated to reflect the approval of a non-material amendment agreed in July this year. The alterations to the wording of the condition are minor and relate to technical matters concerned with the design of the new roundabout on Stevenage Road.

Councillor Steve Deakin-Davies, Member Advocate, thanked the Chairman for the opportunity to address the Committee in objection to application 19/01244/FP as follows:

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- There was very little affordable housing;
- The development only offered 25% affordable housing instead of 40%;
- There was a parking problem in Knebworth;
- There was 128 car parking spaces for dwellings and 15 car parking spaces for visitors which was below the Council's standards;
- Cumulative highway impact as Knebworth gate development already had highway issues; and
- He had received a large number of comments from public.

Mr Sean Burroughs, Bonham Property, thanked the Chairman for the opportunity to address the Committee in support of application 19/01244/FP as follows:

- Work had been done to improve the Scheme;
- He had worked closely with officers since January 2019;
- He believed that the proposal was better designed and in keeping with the local area;
- The scheme provided more affordable;
- Provided an enhancements to the health club that would secure its future;
- No objections had been received from Members of the Public save the Parish Council;
- Provides open space; and
- The scheme was fundable and deliverable.

The following Members asked questions:

- Councillor Sue Ngwala;
- Councillor Val Bryant; and
- Councillor David Levett.

In response to questions raised, Mr Burroughs confirmed the following:

- They were complying with current policy in relation to the percentage of social housing needed;
- Properties would be built to robust details to ensure that warm air was recycled within the home; and
- There would be a lift available in the apartment block.

The following Members entered into debate:

- Councillor Michael Muir;
- Councillor Daniel Allen;
- Councillor David Levett;
- Councillor Sue Ngwala;
- Councillor Sean Prendergast;
- Councillor Ian Mantle;
- Councillor Terry Tyler; and
- Councillor Tony Hunter.

Points raised by Members were as follows:

- The amount of trees that would be cut down;
- The number of parking spaces available;
- The amount of social housing;
- Electric vehicle charging points; and
- The viability assessment.

In response to questions raised, the Principal Planning Officer advised that:

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- He was not able to provide an accurate figure of the number of trees that would be removed;
- A viability assessment had been completed by the applicant which outlined the reasons that more social housing could not be given and this had been reviewed by our external consultants and they were satisfied with the assessment;
- The amount of social housing met the emerging local plan policy;
- Condition 4 could be amended to ensure that any trees that were cut down, would be replaced;
- In future, Councillors would be able to see the viability assessment;
- The EV charging point condition was Condition 24 of the report; and
- The development complied with Paragraph 145 (g) of the National Planning Policy Framework.

It was proposed by Councillor Daniel Allen and seconded by Councillor Morgan Derbyshire that application 19/01244/FP be granted planning permission.

Upon the vote, it was:

**RESOLVED:** That application 19/01244/FP be **GRANTED** planning permission subject to the conditions contained in the report of the Development and Conservation Manager and the following additional and amended conditions:

Prior to its installation full details of the proposed roof mounted solar PV array system to be provided as part of the development 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: To ensure compliance with the submitted Energy Assessment and in the interests of safeguarding the appearance of the development'

Condition 15 to be amended to reflect the approval of a non-material amendment agreed in July 2019. The minor alterations to the wording relating to technical matters concerned with the design of the new roundabout on Stevenage Road would be confirmed by the Planning Officer.

Conditions 20 and 25 to be deleted.

## **62 PLANNING APPEALS**

*Audio Recording – 1 hour 32 minutes 40 seconds*

The Principal Planning Officer presented the item entitled Planning Appeals. He advised the following:

- There were 6 appeal decisions;
- 6 appeals had been lodged, all of which were dismissed; and
- There was currently 1 appeal lodged.

**RESOLVED:** That the report entitled Planning Appeals be noted.

The meeting closed at 9.05 pm

Chairman