

**NORTH HERTFORDSHIRE DISTRICT COUNCIL**

**PLANNING CONTROL COMMITTEE**

**MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES,  
GERNON ROAD, LETCHWORTH GARDEN CITY  
ON THURSDAY, 14TH NOVEMBER, 2019  
AT 7.30 PM**

**MINUTES**

- Present:** *Councillors Terry Tyler (Chairman), Daniel Allen (Vice-Chairman), Ruth Brown, Val Bryant, Morgan Derbyshire, Mike Hughson, Tony Hunter, David Levett, Ian Mantle, Ian Moody, Michael Muir, Sue Ngwala, Sean Prendergast, Mike Rice and Michael Weeks*
- In Attendance:** *Tom Rea (Principal Planning Officer), Richard Tiffin (Principal Planning Officer), Nurainatta Katevu (Legal Advisor), Amelia McNally (Committee, Member and Scrutiny Officer) and Matthew Hepburn (Committee, Member and Scrutiny Officer)*
- Also Present:** *At the commencement of the meeting approximately 25 members of the public, including 4 registered speakers.*

**63 APOLOGIES FOR ABSENCE**

*Audio Recording – Start of Item - 9 Seconds*

Apologies for absence were received from Councillor Val Shanley.

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

**64 MINUTES - 19 SEPTEMBER 2019**

*Audio Recording – Start of Item - 15 Seconds*

**RESOLVED:** That the Minutes of the Meeting of the Committee held on 19 September 2019 be approved as a true record of the proceedings and be signed by the Chairman.

**65 MINUTES - 17 OCTOBER 2019**

*Audio Recording – Start of Item - 27 Seconds*

**RESOLVED:** That the Minutes of the Meeting of the Committee held on 17 October 2019 be approved as a true record of the proceedings and be signed by the Chairman.

**66 NOTIFICATION OF OTHER BUSINESS**

*Audio Recording – Start of Item - 35 Seconds*

There was no other business notified.

**67 CHAIRMAN'S ANNOUNCEMENTS**

*Audio Recording – Start of Item - 43 Seconds*

- (1) The Chairman welcomed those present at the meeting, especially those who had attended to give a presentation;
- (2) The Chairman advised that, in accordance with Council Policy, the meeting would be audio recorded;
- (3) The Chairman 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.

**68 PUBLIC PARTICIPATION**

*Audio Recording – Start of Item - 2 Minutes 19 Seconds*

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

**69 19/00950/FP BLACKETT ORD COURT, STAMFORD AVENUE, ROYSTON, HERTFORDSHIRE SG8 7EB**

*Audio Recording – Start of Item - 2 Minutes 30 Seconds*

Extension to an existing sheltered housing/retirement apartment block and construction of a new sheltered housing/retirement apartment block to provide a total of 17 number new apartments.

The Principal Planning Officer provided the following updates to the report:

- Correction at Paragraph 4.2.5 – parking space ratio should be 0.7.
- At the end of Paragraph 4.3.7 add:

“Block A would introduce 3 storey development into the partial rear aspect of No 41 Mill Road. However, this would be an addition to the existing three storey block but with a much lower roof and a significantly lesser mass. Furthermore, the building would be set off the boundary by some 12 metres from No 41 and largely opposite the flank of this property with intervening trees remaining. The occupier of No 41 had objected to the development for other reasons but concluded that the new buildings themselves would not impact unduly on their living conditions. I agree with this assessment”

- Add Noise Informative as follows:

**Construction Noise**

During the construction phase the guidance in BS5228-1:2009 (Code of Practice for noise Control on construction and open sites) should be adhered to.

During the construction phase no activities should take place outside the following hours: Monday to Friday 08:00-18:00hrs; Saturdays 08:00-13:00hrs and Sundays and Bank Holidays: no work at any time.

The Principal Planning Officer presented the report in respect of application 19/00950/FP supported by a visual presentation consisting of photographs and plans.

Councillor Jean Green who had called the application in, was unable to attend the Planning Control Committee meeting that evening, but had provided the Committee with a written statement in objection to application 19/00950/FP which was read out by the Principal Planning Officer and the following points were highlighted:

- Allocation of 26 car parking spaces to service 39 apartments was insufficient;
- The report stated that there was “off road” parking facilities within a 2 minute walk from the proposed development, however neither Royston Town Hall car park or The Station car park could be realistically reached by walking in the stated time, it would take much longer;
- The site area was already being considered under a parking review by North Hertfordshire District Council owing to congestion; and
- The suggested height of the proposed Block A would be obtrusive to the Victorian Cottages opposite.

Mr Geoff Reynolds, Housing 21, thanked the Chairman for the opportunity to address the Committee in support of application 19/00950/FP and informed as follows:

- A non-profit positive alternative to residential care;
- Provision of 39 Apartments, (18 x 2 beds and 21 1 x bed);
- The properties would provide specialist accommodation in self-contained properties;
- A manager would be in situ to provide advice and support to residents and be pro-active in organising community activity; and
- Affordable Housing provision, (21 x apartments and 18 x shared ownership.  
The scheme was part of Housing 21’s Shared Ownership and Affordable Housing Programme 2016-2021 and would contribute to Havant Council’s Housing Strategy which identified the need to increase the supply of housing for older people and a projected population growth in people aged 65 and over of 35% by 2035. Discussions had taken place with Julie Clark, Housing Manager (Development) at Havant Council who had confirmed support for the proposal.

The following Members asked questions for clarification of the presentation:

- Councillor David Levett;
- Councillor Mike Hughson; and
- Councillor Michael Weeks;

Points raised by Members were as follows:

- Car parking provision;
- The waiting list for tenants; and
- Tenant allocation criteria;

In response to questions raised, Mr Reynolds provided the following:

- Surveys had been conducted across schemes nationwide to look at car park provisions and parking data had been obtained from the scheme in Cornwall; and
- Accommodation would be directed towards local people in the first instance.

In response to questions, the Principal Planning Officer added the following:

- “The development would provide 20-26 parking spaces within the site, which would fail to comply with the requirements of the North Hertfordshire District Council Vehicle Parking at New Development Supplementary Planning Document 2011 (the SPD) which required a minimum of “1 space per dwelling” to be provided. The appellant, however, is an experienced provider of retirement accommodation and within its Transport Statement (TS), sought to demonstrate that such accommodation generated an average parking demand of some 0.28 spaces per residential unit. Thus, as the development would provide some 0.66 spaces per unit, there wouldn’t be a requirement to provide one space per unit as it would not generate a demand for such levels of parking provision;”
- The allocation criteria was in line with NHDC Policy and was included in Condition 13 within the report.

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

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

Questions and points raised by Members:

- Electrical Vehicle Charging Points / implementation of rapid charging points;
- Storage for mobility scooters and cycles;
- Appearance and Impact the proposed building would have on the street scene;
- Parking issues;
- Altering the roof material; and
- Possibility of reduction in the number of proposed units.

In response to points raised during the debate, the Principal Planning Officer provided the following:

- Condition 15 could be broadened in respect of charging facilities and electric vehicle ready domestic charging points for personal battery powered transport;
- There were already other buildings in the street that were not necessarily in-keeping with the street scene immediately adjacent to the site;
- Condition 21 could be broadened in respect of residents cycle parking;
- For architectural reasons, it was suggested that the slate roof had to be the shade stated, however, a new condition could be added in relation to the materials used on the roof; and
- If the top floor were to be removed, the scheme was unlikely to be viable.

In response to points raised, Mr Reynolds added further clarification as follows:

- There was provision in an existing building to charge and store electric vehicles;

- If the top level were to be removed, it would unacceptably reduce the amount of units from 17 to 14.

With the inclusion of the suggested amendments, it was proposed by Councillor Daniel Allen and seconded by Councillor Mike Hughson that application 19/00950/FP be granted planning permission.

Upon being put to the vote, it was:

**RESOLVED:**

That application 19/00950/FP be **GRANTED** planning permission subject to the conditions and reasons contained in the report of the Development and Conservation Manager, and:

- The correction at paragraph 4.2.5 – parking space ratio should read 0.7.
- At the end of paragraph 4.3.7 the following to be added:

“Block A would introduce 3 storey development into the partial rear aspect of No 41 Mill Road. However, this would be an addition to the existing three storey block but with a much lower roof and a significantly lesser mass. Furthermore, the building would be set off the boundary by some 12 metres from No 41 and largely opposite the flank of this property with intervening trees remaining. The occupier of No 41 had objected to the development for other reasons but concluded that the new buildings themselves would not impact unduly on their living conditions. I agree with this assessment.”

Add Noise Informative as follows:

**Construction Noise**

During the construction phase the guidance in BS5228-1:2009, (Code of Practice for noise control on construction and open sites) should be adhered to.

During the construction phase no activities should take place outside the following hours: Monday to Friday 08:00-18:00hrs; Saturdays 08:00-13:00hrs and Sundays and Bank Holidays: no work at any time.

**Condition 15 be amended to read:**

The approved scheme shall incorporate at least 2 rapid Electric Vehicle (EV) ready domestic charging points as well as charging facilities for personal battery powered transport such as mobility scooters and cycles. These will be available prior to first occupation.

**Reason:** To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality.

**Condition 21 be amended to read:**

Residents cycle parking: Prior to first occupation of the development hereby approved the details of the type, design of twelve cycle parking spaces as well as facilities for personal battery powered transport shall be submitted to and approved in writing by the Local Planning Authority and the Highway Authority. Residents cycle parking should be in the form of lit, lockable and weather resistant cycle lockers or stores and be sited away from bin stores.

Cycle parking and other facilities shall be fully completed to the satisfaction of the Local Planning Authority and the Highway Authority before first occupation of the new development.

**Reason:** To ensure the provision in line with the Council's adopted standards contained in Policy 1 and 5 of the Hertfordshire's Local Transport Plan 4 and in accordance with the North Hertfordshire's parking standards and the NPPF as it relates to the promotion of sustainable transport.

**Add a new Condition 26 to read:**

Details and/or samples of materials to be used on all external elevations and the roof of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the approved details shall be implemented on site.

**Reason:** To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area.

**70 19/01748/FP RECREATION GROUND, SWINBOURNE AVENUE, HITCHIN, HERTFORDSHIRE**

*Audio Recording – Start of Item - 1 Hour 10 Minutes*

Area including play equipment, bonded rubber mulch safety surfacing, site furniture, 1 metre high galvanised steel boundary fencing and access pathway from Swinburne Avenue.

The Principal Planning Officer updated Members of the Committee as follows:

- That he had circulated conditions within the report to the Crime Prevention Officer. The Crime Prevention Officer had responded, and advised that the conditions regarding the CCTV Cameras and lighting would help to mitigate concerns and would increase the formal surveillance of the sight. The officer had also advised that having checked records, no recent incidents had been reported in the proposed designated area.

The Principal Planning Officer presented the report in respect of application 19/00950/FP supported by a visual presentation consisting of photographs and plans.

Ms Jacqueline McDonald thanked the Chairman for the opportunity to speak in objection to application 19/01748/FP, she explained that she, along with many residents from the Westmill Community were opposed to the proposed play area and drew the Members attention as follows:

- Locating a children's play area in the Swinburne Playing Fields behind houses, without visibility from the majority of the Westmill houses had caused concern from both local residents and the Police;
- Children's safety and welfare – A children's play area should be located and remain within the hub of the community to ensure both visibility and accessibility;
- Owing to the out of sight proposed location of the park there would be a strong chance that it would be subject to antisocial behaviour and vandalism;
- The proposed CCTV and large floodlights would have a negative visual and atmospheric impact which would be out of character with the natural environment; and
- On 8 November 2019 a public meeting had been held at Westmill Community Centre whereby a vote had been taken, this had resulted in the large majority having voted against the proposal.

The following Members raised points and asked questions:

- Councillor Daniel Allen;
- Councillor Ruth Brown; and
- Councillor Michael Weeks.

Ms McDonald informed that:

- The playground was being moved as a result of the John Barker Place re-development.

In response to points raised, the Principal Planning Officer highlighted that Crime Prevention Design Advisor's comments within the report were a concern, not an objection to the application.

Councillor Martin Stears-Handscomb, Member Advocate, thanked the Chairman for the opportunity to address the Planning Committee and explained that he had called the item into the Committee in the wider public interest only, and was not making a recommendation. He further explained that he had taken legal advice but for complete transparency he wished to inform the Members of the Committee that whilst some of his family members had objected to the application, he did not have a Declarable Interest.

- Councillor Martin Stears-Handscomb made the following points:
- Settle's proposals to re-develop John Barker Place had been held up for a number of years, one factor was due to the need to find a suitable replacement location for a play area.
- Settle had worked with the Council on a number of options, but to no avail.
- Most residents would prefer a more centrally located play area, however, taking more time to establish a different location would just cause further delay.
- Objections had been received from residents, particularly from those living adjacent to the suggested location and their opinions should be considered.
- The majority of constituents who had contacted Cllr Stears-Handscomb and Cllr Billing in respect to the application, had been in support.
- Asked The Committee to decide the application on it's merits.

The Chairman thanked Councillor Martin Stears-Handscomb for his presentation.

Ms Shenaz Virgi, settle, thanked the Chairman for the opportunity to speak in support of application 19/01748/FP and reported as follows:

- The reasons that the current play area needed to be relocated;
- The play area would provide new equipment for all ages, including equipment accessible to wheelchair users;
- The proposed location on Swinburne playing fields had been suggested by local families as part of a previous consultation which had run in 2017.
- Public exhibitions, meetings and coffee mornings, had taken place to gather feedback from residents;

- Lighting and CCTV had been requested as conditions; and
- CCTV footage would be monitored back to the control centre in Stevenage.

The following Members asked questions of Ms Virgi's presentation:

- Councillor Michael Muir;
- Councillor Ian Mantle; and
- Councillor David Levett.

In response to questions raised by Members, Ms Virgi provided the following:

- It would be dependent on the terms of the lease agreement as to whether the proposed play area would remain after the first phase of build was completed at John Barker Place; and
- settle would be responsible for the ongoing maintenance of the play area.

The following Members took part in discussion and debate:

- Councillor David Levett;
- Councillor Michael Weeks;
- Councillor Michael Muir;
- Councillor Daniel Allen;
- Councillor Ian Mantle; and
- Councillor Ruth Brown.

Points and issues raised:

- Children's safety
- Police concerns
- Remoteness of the play area
- The decommissioning of the play area
- CCTV and flood lighting monitoring and specifications
- Light pollution.

In response to questions and issues raised, the Principal Planning Officer stated the following:

- The Crime Prevention Design Advisor gave the assurance that Conditions 4 and 5 would mitigate the concerns with safety;
- There was a decommissioning condition at Condition 6 within the report;
- There were already play areas on the edge of settlements i.e. Purwell Meadows.
- Condition 5 could be brought back to the Committee if required.
- Drew the Members attention to Condition 6 within the report confirming the requirement for the submission of a decommissioning and removal scheme of the play area should it no longer be required.

It was proposed by Councillor David Levett and seconded by Councillor Ruth Brown to defer planning permission and

**RESOLVED:**

That application 19/01748/FP be **DEFERRED** planning permission for the following reasons:

- In respect of Condition 4 within the report – CCTV Monitoring - Members requested that they be provided with fuller, in-depth detail and specification with respect to the type of

surveillance system proposed, hours of operation and monitoring, positioning and height;

- In respect of Condition 5 within the report – Members requested that they be provided with more detailed information and specification to include the type of lighting proposed, a programme of maintenance and operation, position and height; and
- Paragraph 3.2 within the report - In light of the concerns raised by the Police Crime Prevention Design Advisor, Members felt that they would be in a position to make an informed decision once they had been supplied with and were satisfied with the outcome of information with respect to CCTV and lighting.

## 71 PLANNING APPEALS

*Audio Recording – Start of Item - 1 Hour 54 Minutes 33 Seconds*

The Principal Planning Officer presented the Planning Appeals stating:

- There were two planning appeals; both of which were written representations. A decision on these would be made in due course; and
- The Barratt Scheme at the LS1 site had now been withdrawn from the enquiry and planning permission had been granted for an alternative scheme.

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

The meeting closed at 9.26 pm

Chairman