

NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

**MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES,
GERNON ROAD, LETCHWORTH GARDEN CITY
ON THURSDAY, 19TH DECEMBER, 2019 AT 7.30 PM**

MINUTES

Present: *Councillors Terry Tyler (Chairman), Ruth Brown, Val Bryant, Morgan Derbyshire, Mike Hughson, Tony Hunter, David Levett, Ian Mantle, Ian Moody, Sue Ngwala, Mike Rice and Michael Weeks*

In Attendance: *Tom Rea (Principal Planning Officer), Kate Poyser (Senior Planning Officer), Ben Glover (Planning Officer), Nurainatta Katevu (Legal Advisor) and Hilary Dineen (Committee, Member and Scrutiny Manager)*

Also Present: *At the commencement of the meeting approximately 6 members of the public, including registered speakers.*

72 APOLOGIES FOR ABSENCE

Audio recording – 11 seconds

Apologies for absence were received from Councillors Daniel Allen, Sean Prendergast and Val Shanley.

73 MINUTES - 14 NOVEMBER 2019

Audio Recording – 28 seconds

RESOLVED: That the Minutes of the Meeting of the Committee held on 14 November 2019 be approved as a true record of the proceedings and be signed by the Chairman.

74 NOTIFICATION OF OTHER BUSINESS

Audio recording – 37 seconds

There was no other business notified.

75 CHAIRMAN'S ANNOUNCEMENTS

Audio recording – 40 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 clarified that 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 applied 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) 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.

76 PUBLIC PARTICIPATION

Audio recording – 2 minutes 19 seconds

The Chairman confirmed that the registered speakers were present.

77 19/01598/FP - SERVICE STATION, BEDFORD ROAD, HITCHIN, HERTFORDSHIRE SG5 2UG

Audio Recording – 2 minutes 59 seconds

Re-development and enlargement of shop, works to existing canopy and increase number of parking spaces, (as amended by drawings received 16/10/2019).

The Principal Planning Officer presented the report in respect of application 19/01598/FP supported by a visual presentation consisting of photographs and plans.

She advised of the following updates to the report:

- Comments had been received from Keep Hitchin Special who objected to the increase in size as this was in a residential area and would create problems as there was no dedicated area for loading and unloading of goods;
- Anglian Water had provided no comment;
- The Highway Authority had recommended an additional informative to read: "The storage of materials associated with the construction of the site shall be provided within the site on land which is not public highway and the use of such areas must not interfere with the public highway."

Ms Elizabeth Weston thanked the Chairman for the opportunity to address the Committee in objection to application 19/01598/FP as follows:

- She owned 1 Deacons Way;
- This used to be a small petrol station, but had grown over the years;
- It had become very disturbing and she has had to call the police;
- If it gets bigger it will attract more people and be noisier;
- The plans show that large trees would be removed;
- She did not want a larger shop in a residential area;
- This was already a very busy 24 hour shop and off licence;
- There would be more traffic and there was no space for delivery vans;
- This would be an eyesore and reduce the value of properties.

The Chairman thanked Ms Weston for her presentation.

Councillor Ian Albert thanked the Chairman for the opportunity to address the Committee regarding the reasons for calling in application 19/01598/FP as follows:

- Since he called in the application the application had improved, but there were still issues;
- The parking spaces were small and on a slope meaning lights would shine into houses and flats in King Georges Close;
- The 11pm closing time was helpful, but it needed to be earlier;
- It would be an inconvenience for residents;
- The site for holding supplies, near Deacons Way, would disturb residents with loading noise and there were no set times and set space for unloading;
- Residents would be concerned if additional lighting was installed;
- Although Anglian Water has made no comment, there were issues with flooding.

The Senior Planning Officer advised that:

- The compound was to be enclosed by acoustic fencing;
- A condition could be put in place to restrict additional lighting.

The following Members asked questions of Councillor Albert:

- Councillor Michael Weeks;
- Councillor Mike Rice.

In response to questions Councillor Albert advised that the shop and garage were open 24 hours a day.

The Chairman thanked Councillor Albert for his presentation.

Mr Richard Baker and Mr Adam Bamford, Applicant's Agent and noise consultant, thanked the Chairman for the opportunity to address the Committee in support of application 19/01598/FP as follows:

- The garage already held a 24 hour alcohol licence and had been operating 24 hours a day since 2012;
- The business had been operated by the applicant and his family since 2012;
- The application was designed to meet the need of his customers, whilst not causing detriment to the neighbours;
- The application was supported in the emerging Local Plan;
- They had worked closely with officers to put in place conditions;
- Some neighbours had expressed some concern although residents were not completely against the plans;
- Substantial alterations had been made to address concerns raised;
- There had been no complaints from the police or residents since the family had taken over the shop;
- The car was would remain in the current location with no alteration;
- There would be landscaping put in place;
- This was a neighbourhood convenience store and it was envisaged that most sales happening in standard hours;
- The noise assessment complied with National guidelines and was Council approved;
- The noise was assessed over 7 days;
- Measures had been proposed to mitigate noise;
- The scheme was acoustically acceptable.

The following Members asked questions:

- Councillor Val Bryant;
- Councillor David Levett;
- Councillor Terry Tyler.

In response Mr Baker and Mr Bamford advised that:

- They had not researched other convenience stores in the area, but were reacting to the needs of their existing customers;
- The storage of gas bottle was overseen by the Petroleum Officer;
- The noise assessment was undertaken over a 24/7 period.

The Chairman thanked Mr Baker and Mr Bamford for their presentation.

The senior Planning Officer advised that the applicant was not required to demonstrate need.

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

- Councillor Michael Weeks;
- Councillor Sue Ngwala;
- Councillor Val Bryant;
- Councillor Terry Tyler;
- Councillor Mike Rice;
- Councillor David Levett;
- Councillor Tony Hunter;
- Councillor Ian Mantle.

In response to questions and comments the Senior Planning Officer advised:

- Policy 8 outlined what would be normally acceptable, however if Members had objections that this may cause harm to local residents it would be a valid objection;
- There was a condition recommended to restrict parking between the hours of 11pm and 7am, which is considered as the hours of sleep;
- The trees to be removed included leylandi and a few conifers;
- The Leylandi trees had limited aesthetic value;
- A landscaping scheme could be conditioned.

It was proposed by Councillor David Levett and seconded by Councillor Morgan Derbyshire that application 19/01598/FP be granted planning permission with additional conditions regarding lighting and drainage and informatives.

Upon the vote it was:

RESOLVED: That, subject to the additional conditions and informatives below, application 19/01598/FP be **GRANTED** planning permission.

Condition 8.

No external lighting shall be installed unless prior agreement has been obtained in writing by the Local Planning Authority. Any lighting agreed shall be implemented as approved.

Reason: in the interests of the living conditions of nearby residential properties.

Condition 9.

Prior to the provision of the new car parking spaces, a surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be implemented as approved before the new shop is first brought into use.

Reason: In the interests of controlling surface water drainage within the site.

Additional informative to read:

The storage of materials associated with the construction of the site shall be provided within the site on land which is not public highway and the use of such areas must not interfere with the public highway.

78 19/02061/FP - 3 COMMONS LANE, KIMPTON, HITCHIN HERTFORDSHIRE SG4 8QG

Audio recording – 38 minutes 55 seconds

Erection of one 4-bed detached dwelling including creation of vehicular access.

The Planning Officer presented the report in respect of application 19/02061/FP supported by a visual presentation consisting of photographs and plans.

He advised of the following updates to the report:

- The reason for call in was for wider public interest;
- The applicant had now agreed to Condition 4 pre-commencement condition.

Mr Mark Houghton, settle, applicant, thanked the Chairman for the opportunity to address the Committee in support of application 19/02061/FP as follows:

- The proposal was for a new 4 bed dwelling in the side garden of the current vacant 3-bed dwelling;
- It was not viable for the property to be developed for social rent
- The proposed dwelling would be promoted for market sale;
- The current dwelling would remain as a social rent home;
- Residents did not require a large garden and development would reduce the risk of poor garden maintenance;
- 61 percent of Commons Lane was owner occupied therefore the introduction of another private dwelling would not be alien to the area;
- Settle would sell the site with the benefit of planning permission and use the funds to provide affordable housing;
- The site would help provide additional homes in a village location.

The Chairman thanked Mr Houghton for his presentation.

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

- Councillor David Levett;
- Councillor Ruth Brown;
- Councillor Michael Weeks.

In response to questions Mr Houghton advised:

- The land would be sold with planning permission;
- Self development of the property did not meet their development criteria.

The Chairman thanked Mr Houghton for his presentation.

It was proposed by Councillor Michael Weeks, seconded by Councillor David Levett and:

RESOLVED: That application 19/02061/FP be **GRANTED** planning permission subject to the conditions and reasons contained in the report of the Development and Conservation Manager.

Members expressed concern that some Councillors who had called in Applications to be considered by the Committee were not present to explain their reasons.

79 19/02501/FPH - 3 Highbury Road, Hitchin, Hertfordshire SG4 9RW

Audio recording – 48 minutes 50 seconds

Single storey rear extension; replacement of garage door with window & brickwork to facilitate garage conversion; clear glazing in existing first floor window in side, (south) elevation and replacement windows in front elevation; 2.5m fence with trellis along part of north boundary; and ancillary works following demolition of existing rear conservatory.

The Principal Planning Officer presented the report in respect of application 19/02501/FPH supported by a visual presentation consisting of photographs and plans.

The application was being considered by the Committee as the applicant was an employee of the Planning Department.

The following Member asked a question:

- Councillor Ian Mantle.

In response to questions the Principal Planning Officer advised that the roof of the extension could be used as a balcony, however this had not been applied for and would not need permission.

It was proposed by Councillor Morgan Derbyshire, seconded by Councillor Michael Weeks and:

RESOLVED: That application 19/02501/FPH be **GRANTED** planning permission subject to the conditions and reasons contained in the report of the Development and Conservation Manager.

80 19/02621/AD - LLOYDS PHARMACY, 7 ST MARTINS ROAD, KNEBWORTH, HERTFORDSHIRE SG3 6ER

Audio recording – 53 minutes 6 seconds

Installation of internally illuminated fascia sign and internally illuminated projecting sign.

The Principal Planning Officer presented the report in respect of application 19/02621/AD supported by a visual presentation consisting of photographs and plans.

Thursday, 19th December, 2019

Parish Councillor Colin Stringer, Knebworth Parish Council and a resident of St Martins Road, thanked the Chairman for the opportunity to address the Committee in objection to application 19/02621/AD as follows:

- St Martins Road was, for 75 percent of its length, a private, un-adopted, entirely residential street;
- The Post Office and retail shop had signs, but they were not illuminated;
- The houses opposite had not been advised of the application;
- The original design showed unilluminated signs, which was considered to be acceptable;
- If grant permission for lights to the Pharmacy the other shops will ask for them;
- Statements in the report regarding signage appeared to be contradictory;
- He asked that the application be rejected as the Illumination of signs was not in character with the surrounding area;
- Given that new external lamp stands had been installed on the site illuminated signage seemed to be unnecessary.

The following Members asked questions:

- Councillor Michael Weeks;
- Councillor David Levett.

In response to questions Parish Councillor Stringer advised that:

- He believed that the Lloyds in London Road was planned to close.

The Chairman thanked Parish Councillor Stringer for his presentation.

The Principal Planning Officer advised that:

- The Parish Council did not object to the original surgery application;
- Comments regarding a 24 hour licence was purely speculative;
- The applicant's had accepted the time limits regarding the signage as set out in the conditions;
- The signage shown on the original application was purely illustrative.

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

- Councillor Terry Tyler;
- Councillor Michael Weeks;
- Councillor David Levett.

In response to questions the Principal Planning Officer advised that:

- The pharmacy could operate from 8am to 8pm on Monday-Friday, 8am to 7pm on Saturday and 10am to 4pm on Sunday with no Bank Holiday opening;
- The applicant had accepted a condition that the illumination was restricted to opening hours of the pharmacy.

It was proposed by Councillor David Levett, seconded by Councillor Ian Mantle and:

RESOLVED: That application 19/02621/AD be **GRANTED** planning permission subject to the conditions and reasons contained in the report of the Development and Conservation Manager.

81 **PLANNING APPEALS**

Audio Recording – 1 hour 6 minutes 49 seconds

The Principal Planning Officer presented the report entitled Planning Appeals and drew attention to the following:

- Four appeals had been lodged as detailed in the report;
- Four decisions had been received, with 1 partially granted and 3 dismissed, details could be found in the report.

RESOLVED: That the report entitled Planning Appeals be noted

The meeting closed at 8.38 pm

Chairman