

NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

**Meeting held at District Council Offices, Gernon Road, Letchworth Garden City
on Thursday, 17 July 2008 at 7.30 p.m.**

MINUTES

- PRESENT:** *Councillors: Jane Gray (Chairman), Mrs F.R. Hill (Vice-Chairman), D.J. Barnard, David Billing, Clare Body, John Booth, Tom Brindley (substitute), J.M. Cunningham, Gary Grindal, A.F. Hunter, S.K. Jarvis (substitute), David Levett, M.R.M. Muir and M.E. Weeks.*
- IN ATTENDANCE:** *Simon Ellis (Principal Planning Officer), John Chapman (Area Planning Officer), Naomi Reynard (Senior Planning Officer), Kirstie Hough (Senior Planning Officer), Katie White (Senior Lawyer), Nigel Schofield (Committee and Member Services Officer).*
- ALSO PRESENT:** At commencement 15 members of the public (including 5 registered speakers).

40. CHAIRMAN'S WELCOME

The Chairman welcomed everyone to the meeting.

41. APOLOGY FOR ABSENCE

An apology for absence was received from Councillor Alan Millard, Councillor Liz Beardwell and Mary Caldwell (Planning Control and Conservation Manager).

42. SUBSTITUTION OF MEMBERS

Councillor Tom Brindley, having given due notice confirmed that he would be attending this meeting as a substitute for Councillor Alan Millard.

Councillor Steve Jarvis advised the Chairman that he would be attending this meeting as a substitute for Councillor Liz Beardwell.

43. NOTIFICATION OF OTHER BUSINESS

There was no notification of other business.

44. MINUTES – 18 JUNE 2008

RESOLVED: That the Minutes of the meeting held on 18 June 2008 be approved as a true record of the proceedings and be signed by the Chairman.

45. CHAIRMAN'S ANNOUNCEMENTS

Members were reminded that any declarations of interest in respect of any business set out in the agenda, and the nature of the interest, should be declared as either a prejudicial or personal interest at the commencement of the relevant item on the agenda. Members declaring a prejudicial interest should leave the room and not seek to influence the decision during that particular item.

46. PUBLIC PARTICIPATION

The Chairman confirmed that the 5 members of the public who had registered to speak at the meeting were in attendance.

**47. 08/00939/ 1 HH- THATCH END, ASHWELL ROAD, NEWNHAM SG7 5JX
SINGLE STOREY SIDE EXTENSION FOLLOWING DEMOLITION OF EXISTING SINGLE
STOREY LEAN-TO AND DETACHED GARAGE/STORE (AS AMENDED BY PLANS
RECEIVED 1 JULY 2008)**

Mr R. Wainright – Lee thanked the Chairman for the opportunity to address the Committee and confirmed that he was representing Caldecote and Newnham Parish Council who objected to this application. Mr Wainright – Lee advised the Committee that the Parish Council tended to support all applications to extend or improve properties in the Parish provided the applications were of an appropriate scale, design, in keeping with current buildings and materials. Objections to this application included: the use of stained clapping as inappropriate for this listed building; The proposed extension was too large for this small site which would not contribute to the open layout of Newnham village; The size was also too large with the extension nearly doubling the frontage of a building in a conservation area; and that the design would introduce a barn type appearance in a street with no barns.

Mr T. Eames confirmed that he was the applicant and thanked the Chairman for the opportunity to address the Committee. Mr Eames confirmed that this application was the result of extensive discussions with the Local Planning Authority and the final design had met most of the requirements of the NHDC Conservation Officer.

The Committee debated at some length the design, size and the proposed clapping and the Senior Planning Officer confirmed the extensive negotiations, one application had been rejected and proposals for a first floor had been removed.

RESOLVED: That planning application 08/00939/1HH be **GRANTED** planning permission, as per the conditions and reasons set out in the report of the Head of Planning and Building Control.

**48. 08/00940/ 1 LB - THATCH END, ASHWELL ROAD, NEWNHAM SG7 5JX
SINGLE STOREY SIDE EXTENSION FOLLOWING DEMOLITION OF EXISTING SINGLE
STOREY LEAN-TO AND DETACHED GARAGE/STORE (AS AMENDED BY PLANS
RECEIVED 1 JULY 2008)**

Mr Wainright – Lee and Mr Eames were invited to speak on this application by the Chairman but declined.

RESOLVED: That application 08/00940/1LB be **GRANTED** planning permission as per the conditions and reasons as set out in the report of the Head of Planning and Building Control.

**49. 08/00987/ 1 – FORMER MURCO FILLING STATION, SOUTHFIELDS, LETCHWORTH
GARDEN CITY SG6 4LU
REDEVELOPMENT OF SITE FOR RESIDENTIAL PURPOSES (AFFORDABLE
HOUSING) COMPRISING A TERRACE OF 2 X 2 BEDROOM, 2 X 3 BEDROOM AND 1 X
5 BEDROOM HOUSES AND ERECTION OF 12 X 1 BEDROOM FLATS, 17 PARKING
SPACES, FORMATION OF NEW VEHICULAR ACCESS ONTO PELICAN WAY AND
SOUTHFIELDS, FOLLOWING CLOSURE OF TWO EXISTING VEHICULAR ACCESSES,
BIN STORE, LANDSCAPING AND ANCILLARY WORKS**

The Principal Planning Officer (PPO) advised the Committee that outstanding issues regarding suitable arrangements for refuse storage had been resolved and that following receipt of comments from Hertfordshire Highways there would now be a Condition 12 on visibility splays.

The Committee applauded this application by the Registered Social Landlord – North Hertfordshire Homes and the much need provision of affordable homes, some of which would be in shared ownership and others available to rent. Comment was made as to the provision of amenity space and the provision of parking spaces (below the NHDC adopted SPD parking provision) and the PPO considered that the nature of the housing provision in this application would not present a need for open green spaces nor a full vehicle ownership in the terraced houses or flats. A Member advised the Committee that any lack of amenity land at this development would be offset by the Community Garden some 100 yards distant. Discussion was also made as to Section 106 Obligations and the PPO confirmed that discussions with the applicant had reached satisfactory conclusion on appropriate payments.

Members also raised the matter of construction hours with regard to minimum disturbance to local residents including an old people's home to the rear of the development site. The PPO proposed and it was agreed that a construction management plan should be drawn up and that this would be included as a new Condition 14.

RESOLVED: That application 08/00987/1 be **GRANTED** planning permission as per the reason set out in the report of the Head of Planning and Building Control, subject to the applicant entering into a Section 106 Obligation to North Herts District Council to include the following elements: 1. Financial contributions of Childcare provision = £1063, Youth provision = £189, Library services = £1374, Community centres = £5023.76, Leisure services = £8325.41, Play space = £7923.72 together with fire hydrant provision across the site and delivery of stated affordable housing within the application, and two additional conditions as follows:

- (12) Before the accesses are first brought into use 2.0m x 2.0m pedestrian visibility splays shall be provided and permanently maintained each side of the vehicular access points hereby permitted. They shall be measured from the point where the edges of the access way cross the highway boundary, 2.0 m into the site and 2.0 m along the highway boundary. Therefore forming a triangular visibility splay within which there shall be no obstruction to visibility between 600mm and 2.0m above the carriageway.

Reason: To provide adequate visibility for drivers entering and leaving the site, in the interests of highway safety.

- (14) Prior to the commencement of the development hereby permitted full details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of hours of work, parking areas for construction vehicles, storage of materials, access arrangements into and out of the site during construction and hoarding/screening details. All construction associated with this development shall thereafter be carried out in complete accordance with the approved details or particulars, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that construction work is carried out sensitively in the interests of highway safety and amenity.

50. 08/00711/ 1 – LAND AT JACKMANS RECREATION GROUND, RADBURN WAY, LETCHWORTH GARDEN CITY SG6 CONSTRUCTION OF MULTI USE GAMES AREA, FLOOD LIGHTING AND FENCING.

The Committee were in unanimous support for this application as the provision of such a facility met one of the objectives of North Herts District Council. Debate ensued over the opening hours and the availability of floodlighting and although the Senior Planning Officer proposed a shorter opening time the Committee expressed a view that the hours of 0700 to 2200 (7.00 am to 10.00 pm) were acceptable. In response to an enquiry on lighting and noise the Senior Planning Officer confirmed that an Informative on such nuisances would be included in the Decision Notice.

RESOLVED: That application 08/00711/1 be **GRANTED** planning permission as per the conditions and reasons as set out in the report of the Head of Planning and Building Control together with an Informative Note provided by the Head of Housing and Environmental Health as follows:

- (1) Should the Local Authority receive complaints about noise or light from the site they will be duly investigated under the statutory nuisance provisions in the Environmental Protection Act 1990. Complying with the above conditions does not preclude the Local Authority from taking action in respect of nuisance.
- (2) The provision of lighting shall be in accordance with the Institute of Lighting and Engineers Guidance Notes for the Reduction of Obtrusive Light 2005.

**51. 08/01052/1AD – BALDOCK SERVICES, GREAT NORTH ROAD, RADWELL, BALDOCK, HERTFORDSHIRE SG7 5TR
ADDITION OF INTERNALLY ILLUMINATED SIGN PANEL TO EXISTING TOTEM SIGN.**

RESOLVED: That application 08/01052/1AD be **GRANTED** advertisement consent as per the conditions and reasons as set out in the report of the Head of Planning and Building Control.

**52. 08/00330/1 - THE PLAYING FIELDS, BURY LANE, CODICOTE, HITCHIN
TWO STOREY SPORTS HALL AND COMMUNITY CENTRE WITH SINGLE STOREY
STORE AND PLANT ROOM FOLLOWING DEMOLITION OF EXISTING SPORTS AND
SOCIAL CLUB BUILDING. (AS AMENDED BY PLAN RECEIVED 24 JUNE 2008)**

Mr J. Park thanked the Chairman for the opportunity to address the Committee and confirmed that he was speaking on behalf of Codicote Parish Council who supported the need for a new community and sports centre in Codicote which was contrary to the recommendation in the report of the Head of Planning and Building Control. Mr Park provided a detailed report on the activities and membership of the Codicote Sports Centre. There were over 450 members enjoying: Art classes, Dancing, bingo and Carpet bowls and the major sports of Tennis, Football and Cricket. The Parish Council considered that if the planned development was reduced as per the recommendations of the Local Planning Authority there would be a much less attractive building, the youth club would share an open function room next to the bar, there would be no reception or lobby area, the loss of a two storey building would mean no viewing for disabled and older community members of tennis, football and cricket or any activities in the sports hall. Also, if the proposed ancillary features were reduced this would lose over 50 per cent of the function area which would restrict the availability of carpet bowls, art and dance classes, youth club and after sport relaxation. With such reduction the loss of income would affect the financial viability of the sports centre.

Mr Park advised the Committee that should the extant planning permission be taken up the resulting two buildings would be more expensive to build and manage, would prohibit the integrated sports and community centre and would breach to a greater level the openness requirements of green belt policy. The need for a 10 metre high hall was essential to allow a national standard level of badminton and was a pre-requisite by Sport England for funding.

The Area Planning Officer advised the Committee that whilst officers were in broad agreement and supported the need for a replacement sports centre in Codicote the key factor was the intrusion into the Green Belt, the size of the new hall and the prevention of urban sprawl. There must be very special circumstances why planning control should go against Green Belt policy and although the requirements of Sport England had been met it was the ancillary facilities which were too large and a footpath from Mansell Lane crossed the sports field which may be lost or at least re routed. The Area Planning Officer advised the Committee that the special circumstances had not been met.

The Committee entered into a long debate on the merits of this scheme and whilst the need for a new facility had the support of most of the Committee it was clear that not all Members agreed with the intrusion into the Green Belt. Reference was made as to the provision of sufficient car parking facilities, the value of a viewing platform, the sustainability of the sports centre, the size of the new building, ancillary facilities and the external view of a new sports hall from various angles..

Question was also made as to whether the application would require reference to the Secretary of State should the Committee reach a decision that was contrary to the officer's recommendation. In response the Senior Lawyer and Principal Planning Officer confirmed that any application would need to be referred to the Secretary of State, since the building had a floor space greater than 1000 square metres.

Upon being put to vote on the officer's recommendation it was:

RESOLVED: That application 08/003301 be **REFUSED** planning permission as per the reason set out in the report of the Head of Planning and Building Control.

**53. 08/00729/1HH – 123 HIGH STREET, KIMPTON SG4 8QN
SINGLE AND TWO STOREY REAR EXTENSION TO EXISTING DWELLING. ERECTION
OF 4 BEDROOM END OF TERRACE DWELLING (AS VARIATION TO APPLICATION
NO. 04/01246/1)**

RESOLVED: That application 08/00729/1HH be **GRANTED** planning permission as per the conditions and reasons as set out in the report of the Head of Planning and Building Control.

**54. 08/00872/1 – LAND ADJACENT TO 11 LINDSAY AVENUE, HITCHIN SG4 9JA
DETACHED 3 BEDROOM DWELLING: ALTERATIONS TO EXISTING ACCESS AND
FORMATION OF NEW VEHICULAR ACCESS FROM LINDSAY AVENUE 9AS
AMENDED BY DRAWING NOS. RAK/LIN/08/01A AND AMPLIFIED BY DRAWING NO.
RAK/LIN/08/03 RECEIVED 10 JUNE 2008)**

Mrs D. Shawe thanked the Chairman for the opportunity to address the Committee and confirmed that she was an objector to this application as were several residents in Lindsay Avenue. Mrs Shawe advised the Committee that she thought that an extension to 11 Lindsay Avenue would be more appropriate and that a detached house in a modern design was out of character with the other properties in Lindsay Avenue. Car parking was also of concern and the new property was on a tight bend and the movement of vehicles on and off the development site would be a problem for pedestrians and young children at play. Mrs Shawe also referred the Committee to the possibility of Deeds of Covenant applicable to this site.

Mr D. Kitchener thanked the Chairman for the opportunity to address the Committee and confirmed that he was the applicant. Mr Kitchener confirmed that the application was for a three bedroomed dwelling and he was in agreement with the officers' recommendation.

Following the two presentations the Senior Lawyer advised the Committee that Deeds of Covenant were subject to private property law and could not be considered as part of any planning application. The Committee entered into a short debate and did not regard the parking of cars as a material problem, however Members expressed doubt as to whether Condition 6 (visibility splays) could ever be enforced and it was subsequently agreed to delete Condition 6 and accordingly:

RESOLVED: That application 08/00872/1HH be **GRANTED** planning permission as per the conditions and reasons as set out in the report of the Head of Planning and Building Control and with the removal of Condition 6.

55. PLANNING APPEALS

The Principal Planning Officer advised the Committee that one appeal had been lodged and three appeals dismissed in the period since the meeting of the Planning Control Committee held on 18 June 2008. The report of the Planning Control and Conservation Manager contained details of the appeals that had been lodged and dismissed.

RESOLVED: That the report be noted.

56. PLANNING ENFORCEMENT CASELOAD

The Planning Control and Conservation Manager gave details of the latest situation with regard to planning enforcement cases and updated the Committee on outstanding enforcement notices and the monitoring thereof as presented in the report.

RESOLVED: That the report be noted and the actions taken be supported.

The meeting closed at 10. 24 p.m.

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Chairman