

SUMMARY OF DECISIONS

Meeting:	Planning and Development Committee	
Date:	Wednesday, 15 February 2023	
Place:	Council Chamber	
Members Present:	Councillors:	Michael Downing (Chair), Adrian Brown (Vice-Chair), Myla Arceno (substitute), Julie Ashley-Wren, Sandra Barr, Nazmin Chowdhury, Chris Howells, Graham Lawrence CC, Mrs Joan Lloyd, Maureen McKay, Adam Mitchell CC, Claire Parris, Graham Snell and Anne Wells.

1	APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST	
	<p>Apologies for absence were submitted on behalf of Councillor Teresa Callaghan. Councillor Myla Arceno was substituting for Councillor Callaghan.</p> <p>The following declarations were made in respect of Item 4 on the agenda – 22/00902/ENF: Tranquil Turtle:</p> <p>Councillor Michael Downing (Chair) advised that he had met with residents objecting to the unauthorised structure on various occasions, including at Member surgeries for the Ward he represented (Symonds Green). He announced that he had listened to the views expressed, but had not offered any opinions on the matter, and that he would be considering the issue with an open mind.</p> <p>Councillor Maureen McKay and Myla Arceno stated that there were also Members of the Licensing Panel which would be meeting in March 2023 to consider an application for a variation of the premises licence relating to the Tranquil Turtle. They advised that they would only be considering the Planning aspects of the matter at this Planning & Development Committee meeting.</p> <p>Councillor Graham Lawrence wished it to be noted that the Tranquil Turtle was located in the Division (Old Stevenage) he represented on Hertfordshire County Council.</p>	

2	22/00923/FPM - THE FORUM CENTRE	
	<p>It was RESOLVED:</p> <p>(1) That application 22/00923/FP be GRANTED planning permission, subject to the conditions set out in the report, and subject also to the applicant having first entered into a S106 Legal Agreement to secure/provide contributions towards:</p> <ul style="list-style-type: none">• S278 Agreement (covering the junction improvements, surface level crossing and public realm works on highway verge land to be adopted by HCC Highway Authority)• £6000 Travel Plan evaluation and support fee• £116,600 'Strand 2' HCC Highway Authority contribution• Local Employment and Apprenticeships• Retail phasing planning obligations• Management Company to manage areas of un-adopted public realm• S106 monitoring fee, <p>the detail of which would be delegated to the Assistant Director of Planning and Regulation, in liaison with the Council's appointed solicitor, along with the recommendations of Highways England following cessation of their holding direction and the Council's Drainage Consultant, as well as the imposition of suitable safeguarding conditions.</p> <p>(2) That authority be given to the Assistant Director of Planning and Regulation, in consultation with the Chair of the Planning & Development Committee, to amend or add to the suggested draft conditions set out in this report, prior to the decision notice being issued, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning & Development Committee has resolved to approve.</p>	

3	22/01075/FPM - THE BRAGBURY CENTRE	
<p>It was RESOLVED that application 22/01075/FPM be GRANTED planning permission, subject to the imposition of suitable conditions, as set out in the report, and that authority be given to the Assistant Director of Planning and Regulation, in consultation with the Chair of Planning & Development Committee, to amend or add to the suggested draft conditions set out in the report, prior to the decision notice being issued, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning & Development Committee has resolved to approve.</p>		
4	22/00902/ENF - TRANQUIL TURTLE	
<p>It was RESOLVED:</p> <ol style="list-style-type: none"> <li data-bbox="275 847 2069 991">(1) That an Enforcement Notice be issued and served by the Assistant Director of Planning and Regulation, and subject to an appointed solicitor by the Council being satisfied as to the evidence, requiring the removal of the existing structure in the outdoor seating area of the Tranquil Turtle. The precise terms of the Enforcement Notice, including all time periods, to be delegated to the Assistant Director of Planning and Regulation. <li data-bbox="275 1027 2069 1134">(2) That, subject to an appointed solicitor by the Council being satisfied as to the evidence, the Assistant Director of Planning and Regulation be authorised to take all steps necessary, including prosecution or any other litigation/works in default to secure compliance with the Enforcement Notice. <li data-bbox="275 1171 2069 1278">(3) That, in the event of any appeal against the Enforcement Notice, the Assistant Director of Planning and Regulation be authorised to take any action required to defend the Enforcement Notice and any appeal against the refusal of planning permission. <li data-bbox="275 1315 2069 1382">(4) That, within three months of the date of any Enforcement Notice served, the entirety of the scaffolded structure which forms a cover for the outdoor seating area shall be removed in its entirety and the land made good where required. 		

5	22/00952/FP - 22 BASILS ROAD	
	It was RESOLVED that application 22/00952/FP be GRANTED planning permission, subject to appropriate conditions.	
6	INFORMATION REPORT - DELEGATED DECISIONS	
	Noted.	
7	INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS	
	Noted.	
8	URGENT PART I BUSINESS	
	<p><u>22/00423/FP – Town Square (Event Island) - Cycling on the road in front of Daneshill House</u></p> <p>With the Chair’s permission, a Member referred to the planning permission relating to the Event Island space in the Town Centre, and the condition prohibiting cycling on the road in front of Daneshill House (known informally as the “Yellow Brick Road”). She was concerned that cyclists were still using the road in contravention of this condition.</p> <p>In response, the Assistant Director (Planning & Regulation) advised that cycling was banned in the area up to 6.00pm as part of the Town Centre wide cycling prohibition. The extension of the ban beyond 6.00pm for the “Yellow Brick Road” had required the drawing up of a Traffic Regulation Order (TRO), which officers had included as part of the wider TRO relating to the</p>	

	<p>adjacent Matalan site development. Objections had been received to the element of the TRO relating to the prohibition of cycling on the “Yellow Brick Road”. If such objections were not overcome, then a Public Inquiry would be required. In the circumstances, and to avoid the need for a Public Inquiry, officers had separated the cycling element from the Matalan site element, which would enable the TRO relating to that element to be progressed. Officers were working on a solution to the remaining cycling prohibition issue, but if necessary would report back to the Committee should changes be required to the planning permission for the Town Square/Event Island space.</p>	
9	EXCLUSION OF THE PRESS AND PUBLIC	
	Not required.	
10	URGENT PART II BUSINESS	
	None.	