

File name: Planning Committee Meeting v2.mov

Audio quality: Great

Moderator questions in Bold, Respondents in Regular text.

KEY: Unable to decipher = (inaudible + timecode), **Phonetic spelling** (ph) + timecode), **Missed word** = (mw + timecode), **Talking over each other** = (talking over each other + timecode).

Moderator: Moving on, item five, the planning applications. The first item before the committee this evening is Cheshunt Football Club, Theobalds Lane. We have three speakers, who I'll invite to participate in the meeting after the officer's presentation. Mr Quail, I believe you're presenting this application?

M: That's correct, Mr Chairman.

Moderator: Mr Quail, if you'd like to present in your own time.

M: I shall. I will just aim to achieve the, the PowerPoint so members can see where what is-, what's going on, so if you just bear with me a moment. Is that visible to everybody in the meeting?

Moderator: That's good, thank you, Peter.

M: Yeah, okay, great, thank you. So, the-, this scheme is deferred, as members will recall from the, the meeting in the-, planning and regulatory meeting in September, the Cheshunt Football Club, an application for a stadium with a capacity of up to 2,000 spectators, 163 residential units and other facilities for the football club, and a commercial and leisure and community block. Since publication of the report-, oh, sorry, I'll just bring up the, the site plan. So, that's the site plan, I'm sure members are very familiar with that. Since publication of the report, two statutory responses have been received. First, the, the council's environmental health service has commented on lighting, ground contamination, landfill gas, asbestos, air quality, noise, and construction impact. These comments do not raise objection subject to regulating conditions, and I'll return to those at the-, at the end. A response has today been received from Herts County Council as the local highway authority, this reply sustains the previous objection in the following terms. 'The proposal does not proactively reduce the need for travel. The proposal does not put pedestrians and cyclists first. Use of public transport should be encouraged both in operating the club, and for future residents and-, such as, provision of a, a shuttle bus on match days. And cars should be considered last of all, and on-site parking should be significantly reduced. And that would probably be in concert with parking restrictions for non-residents around the area.' So, in summary, the local highway authority states that the present design falls well short of current standards and best practice. Turning to

the scheme itself, it's represented following deferral as I mentioned, full re-consultation has taken place at breadth with the neighbours and statutory bodies. The responses are set out on pages A3 to A5 of the agenda report. The original scheme for 186 dwellings and a stadium with a capacity of 5,192 spectators was refused in August 2017 for four reasons. That the, the design to the houses was out of keeping with the area, the impact of the scale and density on the green belt was unacceptable, the potential impact of the 5,192 capacity on the, the highway network, and due to lack of information on the relationship between the new houses and existing homes on Montayne Road. The report in its appraisal notes the compliance of the current scheme with adopted policy CH7.

The scheme would deliver enhanced facilities and stadium, development of the 4,000 square meters of community and commercial floor space along with 163 dwellings, and they'd all-, that's all set out within a, a master plan which is shown on page eleven of the agenda report. In terms of the four reasons for refusal on the previous scheme, the house designs have been updated and improved and these are shown on page A19. The size is no longer in the green belt and please disregard the, the statement in paragraph 5.2 which is erroneous. The site has been removed from the green belt as part of the allocation in policy CH7. The application seeks a capacity of 2,000 spectators in the new stadium, this is akin to the current capacity of the club. Detailed drawings have been provided to show the relationship of the new houses to those on Montayne Road, and these are-, and set out on page A22 of the agenda report. The scheme is considered to have adequately addressed the four previous reasons for refusal. And turning now to the, the topical detail, the implications for residential amenity for neighbours and incidentally within the site is considered to be acceptable. Service water disposal will deal with the, the whole of the existing site and is acceptable to the lead local flood authority in Herts County Council. The water will be stored and then will drain eventually down to Theobalds Brook and away. The ecological out-turn would be positive subject to condition, although would not be a significant impact on nearby heritage assets or their setting. Sport England is content with the replacement sporting facilities. With regards to highway and parking, the applicant submitted a technical highway paper at the end of last week, so clearly it couldn't be appended to the report. This sought to address the objection from Herts highways-, excuse me a second, that the proposal does not prioritise pedestrian and cycle access, promote access for all, does not show up to date servicing access and does not take count of air quality issues. The revised layout from the applicant shows improved pedestrian and, and cycle access to and within the site demonstrates access for refuse freighters and servicing that rationalises the car parking. An overall reduction of nineteen car parking spaces would result in the residential element precisely meeting the council's SPG standard, while the other uses across the site would have parking at 70% of the SPG standard. This would reflect overlapping and linked usage of, of the remainder of the site.

The agent has written to the council today emphasising their contention and highway and safety-, sorry, highway, safety and congestion do not form part of the Herts County Council objection to the scheme, emphasising that they have installed and improved pedestrian and cycle facilities in the proposal. And that travel plans which have already been submitted could be updated to include measures suggested by Herts County Council in respect of sustainable transport. Excuse me. This site is, of course, allocated in the local plan and the impact on the, the wider highway network, whilst considered as part of the allocation process. The proposal was not assessed for 5,192 spectators has-, but since has been assessed

for the current scheme which includes 2,000 spectators. And in terms of air quality, condition 28 proposed in the agenda report will ensure comprehensive electric vehicle charging provision which will be beneficial to air quality. The overall-, the overall conclusion of the report is that members are recommended to support the scheme subject to completion of planning obligation and a range of conditions including additionally to those in the agenda report details of a scheme to minimise noise for residents, and a stadium event management plan which would be for events which exceed 1,000 visitors. I'll, I'll hand over in a moment the-, to Mr Cooper who will just clarify further on the proposed section one of plan obligation. But first, I'll just move through the slides and that's the, the current low line stadium and the existing buildings to the, the western side of the side. That's to the east of the, the main car-park. This is the southeastern corner, as it takes on the slide, and-, excuse me, this shows the area which has already been raised by 900 mill, sorry, 0.9 of a metre above the original site. And that shows some landscaping which has been installed along that eastern side of the ground. And that's the view taken from the public footpath at the end of Albury Walk. Again, looking at the southeastern corner, and indicating the level of changings-, changes, from the path up to the landfilled and extended height of the site. Then, some views of the scheme. I think the titles of the slides are self-explanatory. It's looking across to the houses, where the houses meet the flats. This is the proposed site layout.

Moderator: Peter, I think we might have lost you there. Peter? Okay. Doug, do you want to perhaps pick up on the section 106 bits that Peter alluded to?

M: Yeah, so-,

Moderator: While we hopefully get Peter back.

M: Yeah, certainly.

Moderator: Thank you.

M: There, there was a slide dealing with this and I don't know if it's possible for Katie to get hold of the presentation to put that slide up in front of the members. Katie's with us I assume.

F: Yes, I'll put it up.

M: Is that possible, Katie?

F: Yeah.

M: Thank you. The obligations are set out on page A28 of the report. And in short, they include the delivery of the football stadium, the football club, club house and associated facilities. And the community/commercial block. It's described as a community, commercial, block because it will contain a space set for potential community as well as commercial activities. And if Katie can find the particular slide in question, we'll see why that is a particular obligation. The only financial obligation is a sum of £250,000 and that money to be-, thank you, that, that's the slide. But that, that, that is money to be provided for transport-, further transportation improvements, most notably associated with Theobalds Lane and the upgrade of Theobalds Lane where the pinch point takes place. So, while, while base (mw 11.34) is being instigated. So, what's in front of you there is a financial appraisal of the development, there were some questions about this the last time this item was heard and in short, there is a, a, an appendix to the paper which takes you through this. But in short, this slide sets out the overall financials associated with this development. And you'll see from that that the total value of all those facilities, residential, ground rents, the community and commercial lot, and the enhanced club value comes to £64 million. And the total cost, those are the real costs to the developer are just over £62 million. Now, out, out of that comes a residual profit of just over £2 million. You'll soon figure out that's at the bottom of the page which is profit of cost, which is 3.5%. Now, normally within these appraisals, a developer's profit and a developer's profitable that will be allowable within an appraisal would sit between 15% and 20%. So, if this development is, is to be implemented, that is the ultimate return. I hope now, now there will no doubt be those that consider within those figures that are presented, the developer may make significant savings on costs and, and make upgrades for income of value. For that reason, the officers and the applicant have agreed that there will be an open book approach to this development whereby the costs will be followed through in detail and if the profit levels exceed what's set there then there will be a discussion about what happens to those additional profits, whether they are shared between the developer with the, the council. Whether they come back as planning obligations or, or, or whether there's some, sort of, split arrangement. So, this appraisal has been appraised, it was appraised eighteen months ago by Derrick Wade Waters, the council's appraiser and found to be sound.

It is two years old now and for that reason, we have looked at differences in-, without updating the full appraisal, the differences in costs and values. And they've roughly gone up the same so the ultimate profit will be very similar but that, in any case, will be trailed through the implementation of this development. So, that is the basis on which this application is upgraded for approval. But it delivers these facilities, I've commented previously about the commercial block, you'll notice detail at the figures, that will be cost of delivering that block is greater than the income. So, there is an element of subsidy into that particular facility. So, overall-, is Peter back with us?

Moderator: I'm trying to call him into the meeting. Oh, there we go. Peter, was that you? Yes.

M: Can you hear me? Yeah, my internet crashed. Sorry, I've returned.

M: Peter, I've just been going through, very briefly, the financial appraisal and the obligations offered I

think as a bridge to you just explaining the recommendation in the report.

Moderator: Peter, would you like me to therefore carry on where you left off before?

M: I don't where I left off before, where I disappeared. Was I going through the slides at that point?

Moderator: You were going through the slides of images.

M: Right. I can-, I can reboot that if that would be helpful.

Moderator: I, I think Katie has control of the full application so I don't know if it's going to be easier for Katie just to flick, or to put control back over to you. I'll leave that between the two of you.

M: Katie, have you got it open?

F: You should have control, Peter, but if you-, if you've got problems with the slide (talking over each other 16.03).

M: We can do it, it's no problem. I'll do it now. I need-, I need Doug to give me control.

M: I'm sorry. I don't have control, Peter.

M: Oh, okay.

M: I thought that was with Katie.

M: I'll try now. Is that appearing?

M: Yes.

M: Yep. Alright, I think-, I don't know where I-, where I dried up or disappeared but-,

Moderator: I've got nothing on my screen, Peter, that's showing a presentation.

M: Can everybody hear me okay? This, this is the, the south eastern corner of the site where there's already been a 900 mill cupping layer put above the original landfill. You can see there the, the hedge and the tress which are-, which have been planted along that boundary.

Moderator: Peter, sorry, can I interrupt you?

M: Directly from the south-east where it meets the, the public footpath, showing the level changes through there. And then-,

Moderator: Peter, sorry, can I interrupt you? There's nothing currently showing up on my screen presentation-wise.

F: I can see it, I (talking over each other 17.47).

Moderator: I can only see-, can only see just a (talking over each other 17.48) presentation.

F: I can see it. I can see it.

F: Chair, yes, (talking over each other 17.53).

Moderator: That's just me, Peter, carry on. Peter, carry on then, thank you. Peter? Peter Quail. Seem to have lost Peter again.

F: I think-, would it help if I move through the slides so they're (talking over each other 18.25)?

Moderator: Katie, you're in a position to do that, is that-, great. Thank you.

M: Shall I-, shall I speak to the slides, Katie, as best as I'm able?

F: Okay. Sorry, I'm going to have to change because I can't move through Peter's so I'll, I'll put the other

one back up, apologies.

Moderator: Right, that's all showing up fine by the looks of it, so in your own time.

M: Sure, okay. Well, I think that's explanatory, that's a birds-eye view of the development with the commercial block in the foreground looking over the pitch towards the houses at the rear of the site. And that's a ground eye view of the new apartment blocks on the corners of the stadium. Bird's eye view of the stadium. Similarly, you can see, particularly from the top images, I think how the elevations will work across the two sides of the pitch. That, that slides showing the indicative makeup of the interior of the club house in the commercial block. These are the-, sorry, the houses at the back of the site, round in Montayne Road. Similarly. And that's the layout of those houses. And what that perspective is showing is the relationship between the existing houses to the east of the site and the new housing and apartment blocks where the, the easternmost block has been dropped two stories to address that relationship with intervening landscaping. Think-, I think that's the end of the slides, Katie.

F: It is.

M: Okay. So, the conclusion of the report is that this application is considered to be of significant benefit to the local community, it's on an allocated site within the local plan and is in accordance with that allocation. And the recommendation is for (talking over each other 21.24)-,

Moderator: Thank you, Doug and Katie, and I'm not sure if Peter Quail can hear me or not. But thank you officers and thank you members for your patience with some of the technical problems we were having. As I said, we do have speakers on this application and we have three, the first is Paul Forsi, Mr Forsi are you there and can you hear me?

M: I am and I can.

Moderator: Lovely, in a moment, I'll give you three minutes to speak on this application and if at the end of your speech you could indicate if you're happy to take any questions as it gets to-, as you hit the three minutes, I'll then interrupt you to ask to conclude your remarks.

M: Okay.

Moderator: So, in your time please, Mr Forsi, if you'd like to start.

M: Hello there, thank you for letting me speak on behalf of Cheshunt Football Club today. My name is Paul Forsi, I've been a resident of Cheshunt for over twenty years. My son, Max, was born and raised here. He was born with growth and developmental issues which has led to numerous problems throughout his life. We wanted our son to be involved in sport, but after trying multiple mainstream teams, we couldn't find anywhere suitable. I spoke to a friend who's involved with Cheshunt Football Club, and he mentioned they have a pan-disability team. Max and I went along to watch the first-team game, and met the manager and some of the players who are regulars watching the games. Being involved in the disability team meant they go in for free which I think is a fantastic incentive by the club. Max went to training the next day, and hasn't looked back since. I was amazed at the difference in him. He felt included, part of a team, and it was fantastic to witness, he was so happy. I've seen this on so many occasions since. I help at all the training sessions and matches because there are so many young men with varying levels of disability. We'd regularly get 25 or more on Sunday morning training and Thursday evenings. We have some-, we have seen young men turn up extremely shy, low on confidence and some occasions, not even speaking for the first couple of sessions. To see these men progress and grow is an absolute joy. As someone who goes to the ground so often, I've seen first-hand how busy the pitches are with boys, girls, men and women. There is a large group of older men who play walking football after us on a Thursday. The pan-disability teams at Cheshunt have all achieved great success with lots of league and cup wins, with Cheshunt entering three teams in most competitions. They've had so many wonderful experiences, including playing at the Tottenham Foundation, Watford training ground, and playing competition at Chelsea on the main pitch, and many more. These are experiences they'll remember for the rest of their lives. Max has continued to grow and develop as a young man we're extremely proud of, but as in the rest of life-, his life, we struggle to find work for him. After speaking to Dean, the chairman, he offered him an opportunity as assistant groundsman. Max has been doing this for the last couple of years now and he absolutely loves it, working most days and helping match days. He has been made to feel like part of the Cheshunt Football Club family and we couldn't be prouder of the independent young man he's turned into. We owe a large debt of gratitude to the Williamsons and Cheshunt Football Club.

The club has played a massive part in my son's development, and many more men with disabilities. We love going to games both home and away, and our promotion to the (mw 24.34) premier league at Bracknell will be a memory we'll have for the rest of our lives. The club plays a big role from the community, from pan-disability, women's, men's and boys' football. It's important for all their mental and physical wellbeing. I've seen first hand the range of people who go and support the club, men, women, families and young people, and I've spoken to pensioners who regularly attend the games, and they've told me how much they get out of going to watch live sport and supporting their local club. Cheshunt Football Club needs the help of the council to help it continue to grow and develop, the viewing facilities and changing areas are basic, and don't compare to our neighbouring clubs at Ware and Harlow. The planned development will allow the club to grow and continue to help more and more people in the community, thank you.

Moderator: Thank you, Mr Forsi. Are you open to questions from members?

M: Yes.

Moderator: Are there any questions from members, if so, can you please indicate via the Q&A function? Councillor Issat.

M: So, yeah, thank you very much, Mr Chairman. Mr Forsi, of course, this application is the building of-, a building of homes predominantly on existing pitches. Are you worried about this reduction in capacity of playing services, is this going to have any ramifications for your son and other players?

M: Not as far as I'm aware, no. Indeed, my son's team and a lot of the teams I see over there play on largely the astroturf pitches there and obviously, the main pitches. I don't see any, any problem with that at all, no.

Moderator: Thank you. I see no further questions in the Q&A section, I'll pause a second just to allow members to-, no, I see no further questions. Thank you very much, Mr Forsi.

M: Thank you for having me, thank you.

Moderator: Our second speaker is George Constantinou. Mr Constantinou, are you there, please?

M: Yes, I am.

Moderator: Thank you. As with the previous speaker, I'll give you three minutes and if at the end, you could please indicate if you're happy to take any questions. When you get to your three minutes, I'll interrupt you to ask you to conclude your remarks. So, in your own time Mr Constantinou, you may begin.

M: Thank you. Good evening and thank you for giving me the opportunity to speak again on behalf of the public against this application. I trust that you have all seen the refusal received from Highways. Highways have rejected this application twice previously, a quote from Matthew Armstrong, 'This application is fundamentally out of date in the Highways context. A last-ditch attempt this evening to persuade the Highways has failed.' Regarding the site itself, the environmental health response I quote from Craig Gent, several exceedances with respect to arsenic, lead, naphthalene, mercury and zinc have been recorded. Contaminants of concern therefore must be considered to have the potential to pose an, an unacceptable risk to future users and residents of this site. I then question why has Peter Quail put this application forward for approval tonight? The members should seriously question the integrity of the case officer of this application. Remember, you the committee were not aware of this at the September meeting when Peter Quail also put this application forward for approval. Regarding the viability appraisal, page three, the economic modelling talks about £5.2 million of interest, page six, professional

fees of £4 million, page eleven, construction cost of £1.8 million for underground parking. What underground parking are we referring to? We've never spoke about that. The applicant does not want to pay the full S106, doesn't want to contribute fully to the Highways cost, and doesn't want to contribute fully to the pollution plan. In this paper, 8.34 refers to the cash sum of 8.5 million and the 40% affordable homes, therefore you seriously considering giving Cheshunt Football Club another 8.5 million in addition to the 6 million they already had from raising the land levels which has subsequently costed the council £10,000 a borehole, sacrificing 40% affordable homes. 8.4, I quote, "The development of the football club, and community and commercial blocks, are not inherently viable in their own right. The conclusion drawn from the viability assessment is that should this development proceed, affordable housing and other obligations cannot be afforded. If the application needs to be approved than those obligations forgone, members should be satisfied that the overall benefits to the community would justify approval. No member should be in favour of this. 9.3, all of the houses have walk-out balconies to the front which intrude the privacy of houses in Montayne Road, we'll be overlooked resulting in loss of amenity and light from the towering three-storey houses set at nine metres taller than the houses of Montayne Road.

Please refer to the photos that I share today. Ten, Broxbourne council hold a 999-year lease, Cheshunt Football Club have twenty years remaining. Are you prepared to sell this land cheap at 1.4 million? Until the sale of the freehold is agreed, how can houses be built and sold on this land. Where is the construction plan? Is the plan to build the houses and sell them, then build the flats, commercial units, and stadium? Now that the land has been removed from the green belt, it must be very valuable, has independent evaluation been made to compare it with the football club's cheap offer. Given the current situation regarding school football clubs such as-

Moderator: Mr Constantinou, if I could please ask you to conclude?

M: It is my opinion that this application has been thrown together this evening to rush it through. The application shows no respect for the local residents by imposing on our privacy and loss of amenity and have produced the revised Highways counteract with which it's seriously difficult and dangerous for children attending St. Mary's School. The environmental agency also raised serious concerns of toxic, hazardous waste. Members should seriously consider the integrity of this application and the officers' recommendation for approval. Thank you for listening and I welcome any questions.

Moderator: Thank you, Mr Constantinou. Are there any questions from members? If so, please indicate via the Q&A function as normal. Councillor Issat.

M: Thank you, Chairman. Mr Constantinou, I mean, this is an enabling development to enable a fantastic new sports facility with all sorts of associated interesting places to visit. I mean, there has been a petition in support I believe, or, or a list of names of, of neighbours, of support. So, I'm just puzzled, don't you see this as something exciting and attractive, somewhere that you can visit, perhaps take your family and friends? Perhaps even your children, or I don't know if you've got children, or your, your relatives'

children can use these facilities and benefit, especially in a time with such high obesity rates. So, I'd like you to, to comment on that, please?

M: So, yeah, thanks, Councillor Issat. I mean, firstly, with regards to the leisure centre, I'm actually a member of the council-run leisure centre at the Laura Trott. So, this potentially would be talking away members of the public from the leisure centre which is council-run, and then obviously, attending the private-run leisure centre. So, I'm happy to remain as a member of the leisure centre at the Laura Trott centre. With regards to the application, I think it was fantastic from the, the guy that spoke previously regarding disabled children. Unfortunately, this isn't just about the football club, this is the impact it has on the local residents building 163 new homes, four-storey peer blocks of flats towering at seventeen metres, rooftop gardens, houses that impose on the houses on Montayne Road, loss of amenity, privacy, balconies that you can walk out to and look directly into my bathroom windows or the houses that back onto Montayne Road. I could go on all evening but I get three minutes-, but I welcome any other questions.

Moderator: Thank you. I see no further questions. I'll pause to allow members to type. I see no further questions, thank you Mr Constantinou for your time.

M: Thank you.

Moderator: Our third speaker this evening is Mr Zack Simmons, Mr Simmons, can you hear me?

M: I certainly can, can you hear me okay?

Moderator: I can, thank you. As with the two previous speakers, I will give you three minutes and at the end, if you could please indicate if you're happy to take any questions. When it gets to three minutes, I will interrupt you to ask you to conclude your remarks.

M: Thank you, chair.

Moderator: In your own time, please, Mr Simmons.

M: Thank you, Chair. Good evening, members. Cheshunt Football Club's been a cornerstone of local life for almost 150 years. It's, it's resided on Theobalds Lane since 1949. More than 28 teams play here regularly, from youth, academy, disability teams, as we've heard about so movingly from Mr Forsi, all the way up to the seniors. There's also an academy partnership with Stevenage Football Club which is a really important pathway, Chair, into semi-professional football, higher education, and a range of other careers

for local teenagers. There are too many other fantastic initiatives to mention. Soccer camps to help kids lead active lifestyles, links to important local charities, work experience, links into local schools and colleges. All of that's led to the club winning a number of awards for its important work but in the end, members, there's no doubt about it, this club plays a hugely important role in the social and economic life of this community. But it's under threat, and as members understand, and we make no bones about this, this club faces an existential crisis. Its survival depends on creating a viable future, and that really does mean bringing its facilities up into the 21st century to increase attendance, to attract players, sponsors, volunteers, to increase the fantastic range of community outreach programmes. And all of that depends on this scheme. There is a profound need for these new facilities, the cost as you've seen, members, many millions of pounds. In order to get to them without incurring yet more crippling debt for the club, residential development is required to enable this important work to happen, which is why it's so very commendable that this council took two wonderful steps when it adopted the new local plan in June of this year. First, it took the site out of the green belt. Second, it allocated the site through policy CH7 from mixed-use development to include more or less exactly what's on offer as part of this scheme. Officers have confirmed to you, rightly so, that this scheme delivers on and accords with that all-important allocation policy. And, members, in a plan-led system, that's all we should need to hear. Taking land out of the green belt is always an enormously difficult decision for any council, of course it is, but the circumstances, in this case, were exceptional enough to warrant it because of the profound need to foster the continued life of this club.

What a tragedy it would be for so many local young people that the very scheme that CH7 was drafted to promote the scheme that warranted taking this land out of the green belt, allocating it for development, the scheme the four members tonight refused. And this crisis had a fantastic and historic centre for the life of this community, we're denied the chance it needs to prosper into the future. So, we ask you to support the officers' recommendations and grant permission. I thank you, Chair, and I would of course be very happy to answer any questions that members have for me.

Moderator: Thank you, Mr Simmons. Are there any questions from members, if so, can you please indicate in the Q&A function as is our standard protocol. Councillor Issat?

M: Thanks very much, Mr Chairman. I might as well ask everyone a question. This is something that's been puzzling me, I mean, I've, I've, I've looked on, online, it's a document called the Pyramid Info which gives details of ground capacities. Now, the proposal before us is for a 2,000 capacity. Now, I'm looking at this, this listing, I mean, you've got to correct me if this is out of date or wrong, but, but your existing capacity is a 3,000. So, you're going to have a reduction and I'm, I'm really at a loss to, to work out how that's gonna assist your league aspirations because looking at this listing, that would mean your, your capacity would be suitable for the division lower to what you're currently in. The Isthmian First Division rather than the Isthmian Premier Division which you're currently in. Because of course, the requirements for that, for, for the division you're currently in is 1,950 with a capability of 3,000 which you currently have. It would push you down to what's called a grade D, which would be 1,300 seated capacity with a maximum possible of 1,950. So, I just need a little bit of assertion because I'm not an expert on this, I, I just-, you know, and Google of course, can be totally inaccurate. But I, I just see this as perhaps a little bit

of a regression, I mean, I, I did ask at the previous meeting Mr William's senior for details of the proposed development and not a lot was forthcoming. I expected something a little perhaps glossier and giving all these, sort of, details with, with pictures. So, I don't know if you can answer that point on the capacities, thank you very much.

M: I can certainly-, I can certainly have a go although as you might appreciate, I'm not an expert on the stadium capacities either. But let me do-, let me do my-, let me do my darnedest. The, the current capacity is 2,300 not, not 3,000. And as you say, Councillor Issat, is that this scheme would involve a 2,000 capacity stadium and as you've obviously appreciated, you've heard from officers, this involves quite a substantial reduction from an earlier scheme that's already been through the, the, the process. Now, the-, in, in the future, in order to actually expand and move on up the ranking, up, up the leagues as it were, the next threshold that the team would need to attain is, is just over 3,000, a hair over 3,000. So, you're right to say, it's not a regression, although it's a minor regression, but it, it doesn't of itself achieve what we would need in order to move up the rankings, or up, up the leagues and all the rest of it. So, you're right on that, Councillor, absolutely. The design of the site, which you've seen, you've got a flavour of I hope from some of the slides that officer showed you, an overall picture anyway is future-proofed. So, in the future, if we, you know, happy days if that actually ends up being the case, the team is performing at a, a well enough and is making the money required to support a move up the-, up the leagues. The additional capacity can be physically supported on site, obviously, in the end, if we ever get into that situation, we're back in front of members for, for planning consent. But, but you're right to say, Councillor, this is, I think your key point, that this scheme is not the-, not the end, it's not the-, it doesn't deliver everything that this club will need into the future. But it's a-, it's an absolutely, as I hope I explained, a mission-critical staging post to, to, to bring ourselves up to-, up to scratch. Not even cutting edge but just to, to, to give us a fighting chance compared to our, our, our rivals. I hope that can answer.

Moderator: Thank you, Mr Simmons. I see no further question in the Q&A, however, I shall pause just to allow members to type. No, I see no further questions in the Q&A. Thank you very much, Mr Simmons, for you time this evening. That concludes the speakers on this application that are external. I will now open the meeting to all members of the planning committee who wish to speak. If you wish to speak, please indicate via the Q&A function in the normal procedure. I have Councillor Monaghan, first.

F: Thank you, Chair. I've listened to all-, to everybody that spoke in and I've read through all the documentation that we've received. And I, I want to, sort of, go back to, sort of, discussing the stadium and the stadium capacity, and just get a little bit more of an understanding of that. Because we're looking at an application for a stadium with a capacity of 2,000 and I know that Hertfordshire County Council, sort of, had an objection because there's no-, there's no highway safety or capacity assessment that's been done over and above 1,000. And the applicant has accepted that they would look at that, that, that condition of the thousand. But why, if we're looking at a 2,000 capacity stadium, haven't there been any undertaking of any, sort of, highways and impact, and capacity? Do, do you not think that you'll reach the 2,000?

Moderator: So, Councillor Monaghan, was that-, (talking over each other 42.08)

F: I'm not sure whether that's an officer question, I mean, what, what's basically been stated is that the officers feel confident that, you know, the-, that, that we can look at keeping it to the thousand, and I'd like them to, sort of, say how we'd go about that. But the second question is with the application in general, is why we haven't, sort of, taken onboard the Hertfordshire County Council's highways request that if you think you're going to look to 2,000, why haven't we assessed the impact of 2,000? So, it's a-, it's a two part question.

Moderator: Okay. Thank you. Which officer would like to pick that up? I'm not actually sure if Peter's back on the call or not.

M: I was hoping he would because Peter is far better versed to answer this question than Katie and I, but if he's not with us.

Moderator: If you hold on one second, it's showing he is. Peter, are you there?

M: I've literally just (talking over each other 42.58) come back on but I didn't hear the substance of the question, I'm afraid.

F: Okay. Peter, I'm happy to, sort, sort of, explain it again.

M: Thank you.

F: So, so the application, sort of, the, the crux of the very beginning of the application is a new stadium with a capacity of up to 2,000 spectators. So, so we're looking at 2,000 people will eventually, whatever the time frame is, come to visit this, this, this stadium. And Hertfordshire County Council, the Highways have said, you know, that there's been no impact or assessment status over or above a thousand. The applicant has said they'll stick to the thousand, the officers feel that we're able to put a condition into that-, to that thousand, and you're quite confident at enforcing it but I need to understand what that confidence is in that enforcement. But also, more importantly, why an assessment of the higher figure was never undertaken or requested to be undertaken? So, it's a two-part-, two-part question, thank you.

Moderator: Peter?

M: Sorry, I-, can you hear me okay, now?

Moderator: Yes, we can, thank you. Peter, we can hear you fine.

F: Peter, could I just suggest you turn your camera off as well?

M: Can you hear me

Moderator: Yes, Peter, we can hear you.

M: Sorry, my understanding was (talking over each other 44.32)-,

Moderator: Carry on, Peter.

M: I'll turn-, I'll keep my camera off and that might help the-, is that clearer now?

Moderator: That's much better, carry on.

M: Okay, yeah, I'll, I'll keep away from the camera. My understanding was that the scheme was originally modelled for 2,000 spectators but the, the point I'd also make is that the, the, the stadium currently has capacity-, it's a bit complicated. It has a physical capacity for 3,000 spectators but it's only classified as having the ability to take 2,000 because of FA rules about how deep people can stand and still be able to see the pitch on a-, on a-, on a bank-, if it's not embanked or stacked in a stand. So, the, the essence is that the, the, the stadium can currently hold 2,000 spectators. If they-, if they were to go up into the next level than they would need to-, they would put-, they'd need to have 2,000 spectators which would be the (audio cuts out 45.33) i.e. they'd have to put in more seating facilities. So, that's, that's the, the, the-, I suppose, the, the confusion between the 2,000 as is and 2,000 as would be. And I, I don't believe the county council has raised objection in respect of this scheme against the, the traffic generation which is proposed by the (audio cuts out 45.55) existing current proposal, whatever the historic precedence may be. So, that, that was the basis on which this-, it has been reported.

F: Well, then I'm-, then I'm confused. Because part of the documentation that I've got, sort of, says that, that it can-, that, that Hertfordshire County Council said that, you know, it's assessed up to a thousand. That the applicant has accepted that thousand, as a capacity, and that we will ensure that they keep to that capacity. So, how is that in the report but it's not right, I'm, I'm confused.

M: In, in the most recent update from the, the County Council, they have not made any comments about

the capacity of, of the ground-, or sorry, about the capacity of the roads or-, and, and any other issue in terms of that. So, as far as I'm concerned, that-, they're not raising that as an issue. It's, it's the more sustainable transport or the, the change in policies which they're-, which they're highlighting.

F: No, no, I appreciate that because that's the-, their objection for the-, for, for the most recent. But I, I'm just saying so, the fact that they haven't mentioned it now, you're, you're assuming that they're-, that it doesn't exist anymore? That restriction doesn't exist anymore?

M: Well, my, my understanding is that the application is for, for 2,000 and that's how, how it's been reported.

F: Okay.

Moderator: Thank you. Councillor Issat?

M: Thank you, Mr Chairman. Peter, you seem to know quite a bit about these football stadium capacities. The way I read it is that the-, currently, the capacity's that's perfectly suited to the vision it's in. So, what I need is, I need assurance that under this scheme which has a capacity of 2,000, to remain in the division they are, it's got to have a potential of increasing the capacity to 3,000, so can you show me on that drawing you have on your screen there, where the additional capacity is planned to be if the club does gain the promotion and acquire it? Or does it preclude it, because if it's precluded, I, I, I'm at a loss to find out how this can work?

M: My understanding is that having done a bit of research and spoken to the applicant, that the-, if they are to get a promotion, then they will need to increase the, the capacity, but the capacity, as I was saying, is to do with the, the line of sight. So, the sense of ability for people to actually view the, the football. So, they would need to go to 3,000, but that would then-, that would entail putting in more seating. So, what they're doing, putting in a carcass of a stadium with seating now to allow the capacity to be 2,000, that would then need a further application if they were to move up to put in the additional seating capacity. So, they would do it in, in stages if they are successful in, in moving through the leagues. But they need this (talking over each other 49.00).

F: (inaudible 49.00).

M: They need the carcass of the stadium to enable them to do that and to build the flaps, and to sort of set the, the base camp for potential future expansion.

M: Coming back on that quickly, I mean, I'm looking at staying in the division they are currently occupying. So, if the stadium is built, it's gotta show that, that it has a potential of, of, of accommodating the 3,000, and that's to remain in the division they're currently occupying.

M: That, that's not my understanding of the situation. I mean, it, it would then beg the question of how they were allowed to gain promotion and be allowed to stay up if they don't have that capacity at the moment, which they don't under FA rules.

M: Well, they do. They have 3,000. They (talking over each other 49.48).

M: They're 3,000, but not under FA rules because they don't have line of sight, so they don't qualify as 3,000. They only have 2,000.

M: But it's a potential of the three, (talking over each other 49.58) .

M: The physical capacity is different from the FA-, sorry, yeah. I'm just saying the physical capacity is different from the FA-assessed capacity. That's, that's a simple fact.

Moderator: Okay. Can you answer the simple question, then? If we are mindful of grant permission of a 2,000-capacity stadium, is there a possible-, is it-, where would the capacity of the additional 1,000, to enable them to remain in the current division they currently occupy, where would that be located? Do we know?

M: They don't need an additional capacity to remain in, in their current league. They need 2,000, as I understand it, or 1,950, I think. And that's, that's what they would have.

M: Mr Chairman, I wonder if I could make a brief comment, please?

Moderator: If it's in relation to this, then yes, Doug.

M: It, it is. The, the original scheme was for the stadium to have a capacity of 5,192 spectators and, thereby, to potentially achieve league status, ultimately. It's, it's optimistic but that, that is the ultimate-, was the ultimate intention. And the super-structure that you see before you on the drawing now was designed for that ultimate eventually. So, the four sides of the stadium will be-, each have their own stanchions and super-structure, and that super-structure could ultimately accommodate the 5,000 seats if the club gets that far. So, within that super-structure, the club will put in the number of seats that are

required to reach the particular level that they are at or they aspire to get to. The current application is for, as has been stated, is for 2,000. If the club wishes to get planning permission for a higher capacity than that, and particularly for the original 5,000, as was previously acknowledged by the committee, they will have to come in with a new planning application to attain that level. But just to clarify, the scheme before you is for 2,000.

Moderator: Thank you, Doug, and the I-, the councillor has indicated that has answered his question. So, thank you. Next up, I have Councillor Crump.

F: Thank you, Chairman. I'm looking at point 8.18, just-, 8.18, yes. And it states that the, the impact on amenities enjoyed by existing residents in terms of light and privacy would not be disrupted. Whilst there is-, the land has been elevated over the whole site. Further, by a couple of metres in some places, the, the-, it-, your slide clearly showed that, from the first-floor windows on some of the houses closest to Montayne Road, they were equal to the ridge on some of the houses. Now, this-, these houses have got balconies to them and windows, which would clearly have a, a view into the gardens and the houses, the back windows, of most of those properties along that side. Now, if you don't think that that would be an infringement on anyone's privacy, well, I really, really cannot understand your thinking. Because if I lived there, I'd be having to have my curtains closed the whole time so that people weren't looking at me. I agree that in the summer it would not be such a problem, because the trees there would provide a barrier, but in the winter, as your slide clearly showed the trees with no leaves on them, then the privacy would be completely and utterly lost to all of these properties, and I cannot see how that can be acceptable.

Moderator: Thank you, Councillor Crump. Would one of the officers like to come back on any of the points raised by Councillor Crump? I'm not hearing that they are, so thank you very much.

M: was rather hoping-, rather hoping that Peter would be able to respond. Is Peter with us?

Moderator: Peter? No, it appears not. Sir, did you want to come back, then?

M: Yes. The, the section shown in front of you shows the relationship that has been addressed, and you'll see an orange line halfway up the house to the house at the bottom. Now, the, the house-, the council has guidelines of-, for a three-storey development, and this may be akin to a three-storey development, in that relationship of 30 metres' distance between houses facing one another. I don't (audio distorts 56.02) immediately what that distance is. Peter might be able to answer that question. I, I-, I'll need to check in the report. Katie, are you able to help in terms of that particular distance? My understanding is that it's significantly exceeds the council's guideline distance of 30 metres.

F: I'm reading off the plan, and it's, it's, it's small and it's blurry, and I will check the report, but from what I can see, the first cross-section, I think, is 33 and the bottom one is a number that starts with a four. So, I

think it's, it's forty-something, but I will check through the report now.

F: Can I-, can I come back on that, Chairman? I'm not disputing-

Moderator: You can, but one second, if I may, Councillor Crump, because I've got the report section in front of me that Doug is trying to find. So, for the help of members, I'm just gonna read the relevant bit. 'The red lines on the inset plan, which is the slide currently on our screen, indicate where the cross-sections are taken and these indicate that the distances from the end wall of the new houses to the main façade of the bungalows would be 31 metres and 51 metres/49 metres to the houses further south, along Montayne Road.' Doug, is that the figure that you were trying to find?

M: It is, thank you. Thank you.

Moderator: That's okay. Councillor Crump, sorry, did you now want to come back?

F: Yes, please. I'm not disputing the distance, I am just trying to explain that, if people are out on those balconies, they can look straight into those gardens and into those windows. Thank you.

Moderator: Thank you, Councillor Crump, that is noted. Next up, I have Councillor Bowman.

F: Thank you, Chair. I, I fully appreciate Councillor Crump's remarks but all I want to say is, once again, we are being asked to approve a planning application which is totally and utterly detrimental to the surrounding area and the lives of the residents already living there. Regarding housing, there is a vast difference in affordable and social housing and, at this moment in time, in our borough, it is social housing that is urgently needed. We need to take awareness of our residents. Surely, that's what we are elected for. Let's listen to our residents, please. Thank you, Chair.

Moderator: Thank you, Councillor Bowman. I didn't detect anything there for Officers to necessarily come back on.

F: No, you're very right, Chair.

Moderator: No, that's fine. In which case, I'll move on. I've got Councillor Monaghan.

F: Thank you, Chair. I just wanted to continue on the, the, the side of the Hertfordshire County Council

and the Highways and their objections. So, obviously, when we looked at this and it was deferred because it wanted-, because of the time lapse and we wanted to go back to consult all of the, the, the, you know, the residents and the regulatory bodies, etc. We received back the letter on the 8th of October from Highways, where they had mentioned that there were a number of changes and, sort of, movement forward in policies, and guidelines and recommendations, etc. And so, you know, the, the overarching comments in here is that, you know, the, the applicant needs to update and take into account a lot of the latest Highway policies and recommendations. The document they received today uses the word-, words 'fundamentally flawed'. That's quite-, that's not, sort of, slightly tweaking. So, you know, the-, you know, for something as, as, as-, stated as high as that, I appreciate that the applicant has, has tried to go back and mitigate some of those things, but 'fundamentally flawed' worries me greatly. Thank you, Chair.

Moderator: Thank you, Councillor Monaghan. I appreciate-, and, and one of my potential future questions was in a similar vein. So, I would appreciate if an Officer is able to go into more detail on some of the wording used in Hertfordshire County Council's most recent documentation and why they feel that the recommendation as is still stands.

M: Certainly. If Peter's still not with us, I will endeavour to answer your questions. I think the words 'fundamentally flawed' relate to the county council's perceived approach to the development and the-, that, essentially, the large amount of parking associated with it and there's commentary within the report on, on the parking, and a view that some of that parking may be put over to what they perceive to be more sustainable uses and, also, that some of the travel planning measures associated with this development could be revisited and updated. And, on that latter point, yes, they could be, the travel plans can be revisited and the applicant has asserted their intention to do so. That can be addressed by condition. As opposed to parking-, comments made in relation to parking, it is a football stadium and a balance has been struck between the use of the stadium, the use of the club itself and all its associated offshoots, the commercial block and the housing. That balance was struck in the original report and can-, and if those were all added together, it was still slightly below the overall guidelines. The applicant has now made some changes to the scheme, which essentially involved taking out further parking spaces. I think that (audio distorts 01.02.29) parking spaces to include-, to improve pedestrian circulation within and around the car park and between the club and stadium and the hinterland. The other changes that have been put forward are to take tails off each of the cul-de-sac spurs associated with the housing, to join those up with Albany Walk.

So, the applicant has gone some way to meeting the county council's concerns. The other thing I would say about the county council's objection is, it has caused officers some considerable concerns because, when this application was last heard, LTP, or Local Transport Plan, or the much more sustainable approach to travel, had already been published. I think the county council's original objection had suggested that wasn't previously published. So, the county council's original comments on this have, have changed without, so far as we can see, a considerable change in material circumstances. That being said, they do make some points and those points have been, in part, addressed by the applicant and can be further addressed through the travel planning measures associated with the travel plan, which can be conditioned through this application if it's approved. Thank you, Chair.

Moderator: Thank you, Doug. Councillor Monaghan, does that answer your question?

F: Yes, it does, Chair. Thank you.

Moderator: Thank you. Councillor Iszatt?

M: Thank you very much, Mr Chairman. I'm gonna express my disappointment that there are no drawings of, of what the stadium or what, what it's gonna look like. I don't think that this has been sold very well. I mean, it's, it's an exciting development, with a new football stadium with-, I've read the text. With restaurants and all sorts of razzmatazz, and it should excite the residents. But what we've got is we've got a lot of-, a lot of residents that seem all very upset and not looking forward to this. So, it's very disappointing for me. The border, the borderline, very translucent. I mean, I, I think they've planted-, Peter will know all about this. He's a tree fan. It looks like deciduous tress. All the leaves drop off. I mean, surely that border should be, because it's such a high level and it's so overpowering, the neighbouring properties, surely that should almost be like a, a little forest on the border there. At least, three tress thick. I, I don't think that that-, the borderline's suitable. Mr Chairman, it disappoints me, but I'm gonna-, I'm gonna move that we refuse this application. Thank you very much, Mr Chairman.

Moderator: Thank you, Councillor. Is that-, I didn't detect anything in particular that you wanted Officers to come back on on that. Am I correct?

M: No, no. It's just disappointment with it, I'm afraid, Mr Chairman. Thank you very much.

Moderator: Thank you. I, I-, that was the gist I got. I note-, I note your proposal of a motion. Councillor Hart?

F: Thank you, Chairman. I would like to second Councillor (01.05.52), and I'm quite happy to give reasons for refusal, if so be. Would you like to give me-

Moderator: I think-

F: Would you like to-,

Moderator: If you'd like to go into that now, Councillor Hart, you're more than welcome to.

F: Yes, absolutely. I would like to give the following reasons for refusal. Number one, a loss of the 40% affordable housing, I find unacceptable. Number two, enabling aspect in the local plan is excessive amounts of money being spent on an amateur, private football club. Number three, a £65 million investment for the proposal and an £8 million by the developer just for the football club facilities is a huge financial loss for this council and our residents of the borough. Four, £1.8 million underground parking, as on page eleven of the viability assessment, as no underground parking is being shown. Number five, legal and management and interest fees at £10.4 million, to me seems rather excessive. Number six, the fact the applicant states the complete site is only worth £1.4 million, I think is rather debatable. Number seven, the loss of eight five-a-side football pitches, approved by Broxbourne Council in 2013. Number eight, now, Hertfordshire County Council Highways are recommending refusal on sustainability, travel and accident information. The latest amended technical side of the scheme makes the site too busy around the residential aspect. Number seven, the **design of the houses** are still not in keeping with the adjacent area, which would result in a development which is contrary to the Borough of Broxbourne Local Plan and section 7 of the NPPF requiring good design. Number eight, Chairman, the scale and density of the development would now result in over-development. As a result of the detrimental impact on amenities for residents adjoining the application site, mainly to the east and the site as a whole. Number nine. We're nearly towards the end of my list, Chairman. Please bear with me. Number nine, I agree it cannot be determined that the local highway network is capable of supporting the proposed development with the stadium operating at full capacity of 2,082, on and off the main highway and, also, number ten, poor air quality issues. Thank you, Chairman.

Moderator: Thank you, Councillor Hart. Mr Cooper, I know, wants to just come back on some of those reasons, which I, I think will be to perhaps clarify some of them. However, how I have it here, and I'm sure Mr Cooper will do a better job summing this up than I will, there were a few that were sort of lumped together, as it were, in terms of what might be considered official reasons for refusal, a large number of which probably would, would be clumped in under Section 106 contributions. But Mr Cooper, I'm assuming this is why you want to comment. I'll bring you in at this point.

M: I, I was-, yes, I wasn't anticipating ten reasons so, sorry, I didn't have a pen to hand when they were being read out. The reasons-, the-

F: I'm happy-, I'm happy to read them out again to you, Mr Chairman.

M: The, the, the-

Moderator: Not at this point, thank you, Councillor Hart. I just want to let Mr Cooper summarise, as he heard it from you, and if we then need to go a bit further, we can.

M: Yeah. I think-

Moderator: So, Mr Cooper?

M: Sorry, I beg your pardon. I think it was-, if, if there's a move to refuse this on the reasons that those need to be rehearsed towards the-, towards the vote and for me to comment further. Generally, the reasons given relating to the financial matters would not be sound reasons for refusal. The reasons given in relation to affordable housing would be, potentially, a sound reason. The reason given in terms of design would be a sound reason, also. Could you just rehearse some of the other reasons that were (talking over each other 01.11.07)?

Moderator: I think-, I think, Mr Cooper, that in, in terms of-, what I have here is affordable housing and 'design in keeping', which was what you've put down. Then, the way I had the others was in regard to the Section 106 contributions, which I appreciate are, are still outstanding, however, I believe that a number of Councillor Hart's reasons ultimately stemmed through to that. And then, the other one I had was in terms of Highways.

M: I think, the Highways issues, we would need to revisit towards the end, if that is a common concern of the members as to exactly what the issue was in relation to this development. Impact was mentioned, but as far as I'm aware the impact of this development was found to be acceptable on the local highway network. Sustainability and how sustainable the development is in overall transportation terms could be a reason for refusal, but that needs to be expanded on in terms of exactly what the committee's concerned of-, is in relation to that. The planning application issue is really in relation to this development. Whether it does or is perceived to be the impacts brought about by it, that would include affordable housing. So, if the committee ultimately found that this application was not addressing those impacts, then that would be a sound reason for refusal.

Moderator: So, would-, so, are you saying, then, that you're-, when you summarise, you, you go for the first potential sound reason as affordable housing, could the rest of Councillor Hart's concerns be brought in to flesh that point out as a wider financial contributions point?

M: It could in relation to financial contributions.

Moderator: Okay, we-

M: (inaudible 01.13.10) saw in respect of, of, of transport, education and other matters.

Moderator: Okay. I, I'll take a note of your fact that, as-, towards the end of the meeting, we may need to flesh these out further and I note that Mrs Smith says she's noted down Councillor Hart's comments. And if we need to, we'll come back to that towards the end. I'm also noting that Councillor Bowman has reiterated one of the points that I've said, in terms of general financial contributions, that would link in with that. And Councillor Hart will put it to a vote that, at the end, once we've concluded the general members' discussion. So, that's dealing with those points in turn. I'm not going to use this opportunity to speak, which I put myself up forward. So, I just want to continue to take a few more notes on this, and I may exercise my prerogative to speak later on in this meeting. Which means I've then got Councillor Crump next, on the speaking list. Councillor Crump?

F: Thank you, Chairman. Several-, well, lots of points that I had been going to speak on have already been spoken about by Councillor Iszatt and Councillor Hart. But I would just like to say that Cheshunt Football Club is a private business and, again, are asking the Council to remove 50% of approved pitches for housing. We've heard one planning-, one planning application from them, asking us to raise levels to make the pitches sound and safe for the players, mainly youngsters. We allowed them to do this. We allowed them to raise the level across the site for pitches, not for housing, and they are back again, asking for housing. But now, they don't want to give us the 40%. It goes against the Council's Planning Policy. 40% of affordable housing go-, and the obligation these houses would go to our local residents. Under the Officer's conclusion it states, 'The development of the stadium football club facilities and commercial block are not inherently viable in their own right. The conclusion drawn from the viability assessment is that the development is to proceed, but affordable housing and other obligations cannot be afforded. If the application is to be approved and those obligations foregone, members should be satisfied that the overall benefits to the community would justify approval.' Well, as far as I'm concerned, I am not satisfied and I know that most of my residents within the Theobalds Ward would also not be satisfied. And if it had not already been put forward for refusal, then I would be doing that now.

Moderator: Thank you, Councillor Crump. I didn't detect anything that required an Officer response on that.

F: No, no.

Moderator: So, I will move onto Councillor Monaghan.

F: Thank you, Chair, and really, all I'm-, I mean, it's almost like Councillor Crump, Councillor Bowman and Councillor Hart took the words out of my mouth. I appreciate that it's about enabling but, as Councillor Crump mentioned on 8.40, the viability, as a member, that we are satisfied that this actually covers things in relation to the community. It isn't. To not have 40% affordable housing or, or, or even to negotiate some kind of affordable housing, is not in the spirit of the community, it's not in line with our housing-, with our planning policies and it is not part of our housing strategy. So, if it hadn't already been put down as a refusal, I would be doing so now. Thank you.

Moderator: Thank you, Councillor Monaghan. Again, I didn't detect anything in particular that required an Officer's comeback.

F: No, thank you.

Moderator: Thank you. I will use this opportunity to exercise my right to speak on the application and, in doing so, preface it by saying that we've had this discussion on, on this application now a number of times. And it has always provided a, a, a fruitful, interesting and sometimes lively debate on the various aspects of the application. However, I do feel, on balance, there is still merit in aspect of this application. That being said, I note there are a large number of concerns still outstanding. Now, I don't think those concerns are entirely insurmountable. I think that they could be worked out between the applicant and our Officers, and I do feel that, as I felt at the last meeting, there is more dialogue to be had. And I think the fact that we've come down to this meeting this evening and we've had to have this discussion off the back of a couple of hours-old documents in relation to some of the consultations just hasn't given the ample time to consider some of those aspects in the detail that is required and is expected of us as councillors. So, I am going to move and look for a seconder on deferring this application to allow for that to happen. Are there any other members that wish to speak on this application? If so, please indicate via the Q&A function. Councillor Hart?

F: Thank you, Chairman. This application has been proposed for refusal by Councillor Iszatt . I second the proposal for refusal. May I suggest, Sir, that this now goes to a, a panel vote? Thank you.

Moderator: That is a perfectly valid comment, Councillor Hart. I will, however, allow anyone that further wishes to speak, as I would in any application, to do so. However, after a suitable pause, if no one else indicates they wish to speak, I will deal with the motions that I have in front of me, in the order in which they were proposed and seconded. So, I will keep speaking to allow for that appropriate pause for-, if any member wishes to speak further on this application. However, in my continued ramblings on this subject, I'm seeing that no one else is putting in to speak. We therefore only have one correctly proposed and seconded motion before the committee this evening, there being one partially proposed motion, which was mine. However, it was not seconded. So, that is off the table at this time. Before we get to that vote, Mr Cooper indicated he wanted to clarify the reasons for refusal before the committee, if we got to this point. And I think that's perfectly valid to have that discussion so that members know exactly what they are voting on. So, Mr Cooper, and I would like to bring in Mrs Smith here, because she took notes from Councillor Hart's speech earlier. Would you like to please clarify, prior to having this vote, so the committee is in agreement of what we're voting on?

M: Yes. Perhaps Mrs Smith can come in, on the back of me starting this, this discussion. The first and, I think, the key reason that's been given is the failure of this development to meet its normal planning

obligations and, in particular, affordable housing. That will need to be couched in relation to the policy which, of course, supports the development and in terms of what's being proposed in terms of the clubhouse stadium being supported by the policy. Now, the Council might take the view that the clubhouse and stadium that are being supported through the policy may be of too great a scale and too great a cost, and that there should be a more balanced approach to the obligations from this development. And we, we, we can work on the details of that reason, but-, after the meeting, but I think the nub of that reason is the balance of obligations between the obligations associated with this application and the obligations that would normally be expected of development of this scale, including affordable housing.

Moderator: And to confirm, in terms of balance of obligations, you're making that solely, in this instance, in terms of the provision of affordable housing?

M: No, I wouldn't say that it was solely for affordable housing. It would be, ultimately, a position that would need to be negotiated between the applicant and a planning authority in terms of the way that policy is currently couched within the local plan, which does support a new stadium and a new clubhouse but not-

Moderator: Okay.

M: Necessarily at the expense of those obligations.

Moderator: And, and what about in regard to the other, what I grouped as 'other 106 reasons' that Councillor Hart raised earlier?

M: Well, I, I think that would cover all the 106 reasons, unless Katie has anything to add.

Moderator: Okay.

M: The, the, the other reasons that were raised were around design and Highways. If you-, is there anything else that any members want to add on the question of the Section 106?

Moderator: I believe Councillor Crump wanted to make a comment, because she's indicated it to me privately because she can't do it through the Q&A. So, Councillor Crump, did you want to comment in terms of reasons?

F: Yes, thank you, Chairman. I would like it to be noted that I think that overlooking and loss of privacy

for the residents in Montayne Road should be added to that.

Moderator: Thank you, Councillor Crump.

F: I agree with Councillor Crump.

Moderator: Mr Cooper?

M: Your attention was drawn to the report in the Council's guidance in relation to overlooking. There was a comment made about balconies, I think, earlier, by Councillor Crump. I don't believe there's any balconies directly overlooking Montayne Road, at the back (mw 01.24.17) . So, councillors might want to reflect on that before actually addressing that as a specific reason for refusal.

F: Can I-, can I come back on that, please, Chairman?

Moderator: One, one moment, if you may, Councillor Crump, because what might be the, the solution is that-, could it be-, start that again. Could it be subsumed into part of the general design reasons, 'not in keeping'? So, it's not in keeping to be having balconied housing in this area. I don't know. I'm speculating here.

F: They're two separate matters, really. It, it, it-

Moderator: Right. No, that's fine. I just thought I'd try. Councillor Crump, did you want to come back?

F: As-, I appreciate that they are not directly looking-, the balconies are not directly facing Montayne Road. But if people come onto their balconies and look sideways, they can look straight into those gardens and houses, and I think that that is loss of privacy for the residents.

Moderator: I mean, I think the-

F: I would like it to be noted.

Moderator: I think the view of the committee is probably quite clear on that, so what I'm going to

do is, I'm not going to ask for people to come in confirmation of Councillor Crump's proposal here. It's if anyone wishes to speak to the contrary of that. I'm not hearing anyone wishing to speak to the contrary of that, so Mr Cooper, you might want to note that down, please.

M: Certainly.

F: Sorry, could I (talking over each other 01.26.02)?

Moderator: Yes, Mr Smith, please do come in at this point.

F: There are two, two planning considerations in relation to overlooking, and one is actual overlooking, where there is a direct view into somebody's property, and the other is the perception of overlooking, which might arise when a property has a significant development in close proximity and they can see it from their, their property and they might feel excessively overlooked. And in this station, we do also have the difference in levels between the application site and the houses in Montayne Road. So, I wonder if that's something that the committee might wish to consider. It's whether their concern relates to direct overlooking or whether it's more the perception that those residents in Montayne Road would feel when they're enjoying their property.

F: Can I come back on that, please?

Moderator: I think that sounds like a fair assessment and I think-, Councillor Crump, do you want to comment on that? Would that-, would that work in with your viewpoint?

F: I think that the whole point of the perception, if you would like to say that, is that those houses are on ground which is above the back fences of those houses in Montayne Road. So, they are not just-, how can I put it? They are not just 'maybe a little higher', they are exceedingly higher. And so, I don't think it's just perception. I think it is a lack of privacy.

Moderator: Okay. I think-, I think that's noted and I think the views of the committee are fairly clear on that, seeing as no one wished to indicate to the contrary earlier. So, I will leave that point with Officers in terms of lack of privacy. I do see other comments coming up from members, but if you bear with me one second. Doug or Katie, based off of the earlier discussion, was there anything else that you felt was in the round-up before we get to the other members' comments?

M: Yes, I think-, I think there are two other matters that have been raised. The first is in relation to design and the acceptability of design, particularly in the wider context of the surrounding area.

Moderator: Yes, I've already got that one noted down. And I think the other one was Highways, was it?

M: The, the other is a general concern about Highways, and we will need to manifest that in, in terms of precisely what that concern is in relation to this development.

Moderator: Okay. At which point, I'm gonna bring in the other councillors in the order that I've got them, because this might aid that discussion. Councillor Iszatt, briefly, if you could please, on reasons for refusal?

M: Yes. I did-, I did indicate for someone to comment on Section 106. We've got an £8 million contribution to a stadium and the-, and the-, and the pitch, and there's nothing. There's no drawings, or anything at all. Surely, we need assurance that the quality would be of what we expect, that it would be up to a standard? I mean, you can't just-, you can't just willy-nilly grant £8 million. It might be a load of old rubbish. So, we need to see something. We need to be made excited and happy about it. The border, it's translucent, so of course there's a perception of overlooking. There's-, it's, it's totally inadequate and I think that that-, Katie summed it up excellently when she says it's the perception. Yes, we have the actuality, but of course there's a perception when you can see right the way through it. Thank you very much, Mr Chairman.

Moderator: Thank you. I don't think we need anything specific in regard to (mw 01.29.47) that. I think most of that came under, under 'design in keeping' and in terms of the lack of privacy, which you highlighted. Councillor Hart, if you'd like to go next? I don't-, I don't necessarily intend for you to go through your whole list again, but if you'd like to make some brief comments in terms of reasons for refusal?

F: Thank you, Mr Chairman. I have no intention of going through my whole list again.

Moderator: Thank you.

F: And I hope the committee will bear with me. My main one, as I stated, is a loss of the 40% affordable housing. I find this-

Moderator: Yes, we've got that one noted, Councillor Hart.

F: Alright. Can you also enlighten me about the £1.8 million underground parking? As on page eleven,

the 'Viability Assessment', there's no underground parking that's actually being shown. And I've also mentioned the poor air quality as it stands at the moment, over-development and poor design. So, I'd like that to take-, be taken into consideration please, Chairman. Thank you.

Moderator: So, I think we've got-, I think we've got design and I think Katie has made a note here, that in terms of the wider discussion that I think Doug is looking for, in Highways' air quality, can factor into that as well.

F: Okay.

Moderator: So, I now have in front of me four reasons, which encompass a number of issues. First one being affordable housing, which includes the wider balance of obligations in line with the local plan and, and the stadium. Number two, the design not being in keeping. Number three, the lack of privacy, linking in with the perception of privacy, as raised by Mrs Smith. Then, four is in regard to the objections raised by the Highways Authority, linking in air quality. They're the four that I have down in front of me, that roughly encompass the various points that were raised throughout the debate. Mr Cooper and Mrs Smith, are you-, does that tally with roughly what you need?

M: I, I think the, the air-, the air quality one is a, a tricky one, because the-, this committee has approved applications, or an application, on the other side of the A10, which is much closer I think to the A10, and the air quality issue is being Maxwell's (ph 01.32.12) , albeit that that doesn't include residential. So, there are other applications and schemes that are being supported within the wider A10 corridor, so air quality-

Moderator: I-

M: Should be-

Moderator: I think, playing devil's advocate here, it would be fair to say that the two have quite different schemes, in terms of what they're trying to put, one being a stadium where you're gonna have concentrated traffic and the other being a more general, dispersed traffic model. But that's just off the top of my head, and I see Katie nodding.

F: I would suggest air, air quality can impact in two different ways. One is generating traffic, which then results in worsened air quality in the surrounding area, and I might've misunderstood but I understood that that's the direction that Councillor Hart was proposing the matter, in relation to the additional traffic that would be associated with the development. Rather than suggesting that the air quality within the vicinity of the site might not be adequate for residential use.

Moderator: Councillor Hart, quick 'yes', 'no', is that correct?

F: Yes, I totally agree. Thank you.

Moderator: Right, thank you. I think that is as far as we're going to go in terms of what the committee's views are on the reasons for refusal, and I think, in terms of the exact wording-, these are the general four points. In terms of the exact wording, we can-, I can work that out with Officers if this motion passes once we put it to the vote. I see no other comments in the Q&A. We therefore have a motion in front of us to refuse the application. I apologise for the lengthy discussion we've had to have on, on the reasons but, as you know, whenever we look to go against an Officer's report, we want to make sure we've got the reasons down. So, I, I, I won't recap them again. I think you've heard them all enough. And I'll put the motion to a roll call vote. I also would like to remind the committee that Councillor Moule is not voting on this application. So, to confirm, there is a motion to refuse this planning application for the reasons I have outlined. A vote in favour of the motion is a vote in favour of refusal. A vote against the motion is a vote against refusal. Going through in roll call, Councillor Banks?

M: For, Mr Chairman.

Moderator: Councillor Bowman? Councillor Bowman? Carol? Carol Bowman? I'll come back to her at the end, in case she's having technical difficulties. Councillor Crump?

F: Sorry, Chairman, I'm confused. What-, can you tell me again what-

Moderator: Okay. If you're voting for the motion, you're voting for refusal. If you're voting against the motion, you're voting against refusal.

F: Thank you. I am for.

Moderator: For. Councillor Hart?

F: For.

Moderator: Thank you. Councillor Iszatt?

M: For, Mr Chairman.

Moderator: Thank you. Councillor McDaid?

F: For.

F: Hello?

Moderator: Councillor Crump-, not-, sorry. Councillor Bowman, is that you?

F: Hello, for.

Moderator: For, thank you. Councillor Monaghan?

F: For, Mr Chairman.

Moderator: And then, myself, Councillor Pane, I am going to vote against. So, I make that seven votes for refusal, one against. The motion for refusal carries. Officers, I think we'll pick that up, perhaps tomorrow, in terms of next steps there.

M: Councillor Soteris.

Moderator: Oh, my apologies, Councillor Soteris. Councillor Soteris?

F: Thank you, Mr Chair. Yes, I'm for.

Moderator: My apologies. I make that eight-one, then, rather than seven-one. But either way, the motion still carries. Officers, we'll pick that up, I think, perhaps tomorrow and we'll move on with the agenda. All the speakers that spoke on the first application, thank you for your participation this evening. You are now free to leave the proceedings if you so wish. We'll now move onto the second application, which is the-, to consider the planning application at Whitehouse Farm, Goffs Oak. There is one speaker that has indicated they wish to speak on this-

