

MINUTES OF A MEETING OF
THE DEVELOPMENT CONTROL
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD
ON WEDNESDAY 9 APRIL 2008 AT
7.30 PM

PRESENT: Councillor R Gilbert (Chairman).
Councillors M R Alexander, W Ashley,
K A Barnes, S A Bull, Mrs R F Cheswright,
R N Copping, J Demonti, Mrs M H Goldspink,
G E Lawrence, D A A Peek, S Rutland-Barsby,
J J Taylor, A L Warman, B M Wrangles.

ALSO IN ATTENDANCE:

Councillors D Andrews, M G Carver, D Clark, N P Clark
and J P Warren.

OFFICERS IN ATTENDANCE:

Glyn Day	- Principal Planning Enforcement Officer
Peter Mannings	- Democratic Services Assistant
Kevin Steptoe	- Head of Planning and Building Control
Alison Young	- Development Control Manager

610 APOLOGIES

Apologies for absence were submitted on behalf of
Councillor P A Ruffles.

611 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed the press and public to the
meeting.

The Chairman advised that the following items had been
withdrawn:

ACTION

3/08/0098/FP – Mixed use redevelopment of part of the McMullen's Brewery site, comprising a food store and conversion of the former brewery building to provide elements of the food store including the cafe, offices and commercial space, community space, associated car parking and landscaping, wind turbine, riverside walk, bridge link to town centre, rerouting of Hartham Lane and associated provision of new access and servicing points.

3/08/0099/LB – Alterations to listed building to accommodate ancillary elements of the proposed foodstore, offices, community space, artisan studios and gallery space as well as open air community courtyard.

3/08/0100/LC – Demolition of buildings including lager building, former derelict public house and former cottages and truncation of warehouse in conservation area to allow for comprehensive redevelopment of former McMullen's brewery site.

The Chairman extended the Committee's appreciation to Tim Hagyard for the quality of his comprehensive report in respect of applications 3/08/0098/FP, 3/08/0099/LB and 3/08/0100/LC.

The Chairman stated that, in respect of the withdrawn applications, Officers had submitted three alternative development scenarios for Members to consider at pages 43 and 44 of the report now submitted. The Chairman requested that Members contact the Director outside of the meeting with any thoughts on the presented scenarios.

RESOLVED ITEMS612 MINUTES

RESOLVED – that the Minutes of the meeting held on 12 March 2008 be confirmed as a correct record

ACTION

and signed by the Chairman, subject to the amendment of Minutes 570, 574 and 584 as follows:

Delete in first sentence, 3rd paragraph of Minute 570 – ‘.....3/07/2718/FP.’

Replace with – ‘3/07/2710/FP’

Delete in first sentence, 8th paragraph of Minute 574 – ‘.....study.’

Replace with – ‘traffic assessment’

Delete in first sentence, 8th paragraph of Minute 574 – ‘.....site’

Replace with – ‘nature of the previous B8’

Delete in first sentence, 7th paragraph of Minute 584 – ‘.....After being put to the meeting and a vote taken.’

Insert after 6th paragraph of Minute 584 – ‘Councillor S Rutland-Barsby proposed and S A Bull seconded, a motion that the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to commence prosecution proceedings for the unauthorised demolition work.’

Insert as paragraph 8 of Minute 584 – ‘After being put to the meeting and a vote taken, this motion was declared CARRIED.’

ACTION

613 3/07/2197/FP – CONSTRUCTION OF TWO STOREY EXTENSION TO EXISTING FACTORY UNIT WITH TENSILE FABRIC CANOPY TO EXISTING OFFICES ENTRANCE – PLUS SINGLE STOREY LOADING BAY TO NORTH ELEVATION WITH NEW SECONDARY VEHICULAR ACCESS FOR SMALL VAN DELIVERIES AT MARTIN HOUSE, 7 FOUNTAIN DRIVE, HERTFORD, SG13 7UD FOR MR GARY MARSHALL

The Director of Neighbourhood Services recommended that, in respect of application 3/07/2197/FP, planning permission be granted subject to the conditions now detailed.

Councillor R N Copping expressed concern in respect of the section 106 contribution being allocated to the County Council rather than for the benefit of the local area. He requested that the financial contribution of £24,000 be amended to ensure it was allocated locally.

The Director acknowledged that given the identified need for a traffic study locally the Member's request was not unreasonable. He stated that a request would be made to the County Council to suitably amend the section 106 obligation.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/07/2197/FP be granted planning permission, subject to the conditions now detailed.

RESOLVED – that subject to the applicant entering into a legal obligation pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) to cover the following matters:

DNS

A financial contribution of £24,000 towards sustainable transport initiatives and area transport study.

ACTION

in respect of application 3/07/2197/FP, planning permission be granted subject to the following conditions:

1. Three Year Time Limit (1T12)
2. Materials as on plan (2E42)
3. Landscape design proposals (4P12)
4. Landscape works implementation (4P13)
5. Retention of landscaping (4P21)
6. Lighting details (2E27)
7. Provision & retention of parking spaces (3V23)
8. Cycle Parking Facilities (2E29)
9. Cyclists washing facilities (2E30)
10. Prior to the commencement of development, details for sustainable surface water drainage, including permeable paving, in accordance with The Environment Agency's Best Management Practices shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To minimise surface water run-off in accordance with policy ENV21 of the East Herts Local Plan Second Review April 2007.

Directives:

1. Other Legislation (01OL)
2. Planning Obligation (08PO)

ACTIONSummary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular policies SD1, TR1, TR2, TR7, TR13, EDE1, ENV1, ENV2, ENV10, ENV11, ENV23 and HE8. The balance of the considerations having regard to those policies and the other material considerations relevant in this case is that permission should be granted.

- 614 3/07/2553/FP – CONVERSION OF 3 BEDROOMED SEMI-DETACHED DWELLING INTO TWO, 2 BEDROOMED FLATS, WITH A SINGLE AND TWO STOREY REAR EXTENSION, TWO STOREY SIDE EXTENSION AND A FRONT AND SIDE CANOPY AT 30 BENHOOKS AVENUE, BISHOP'S STORTFORD FOR MR J DOYLE

Miss Fox addressed the Committee in opposition to the application. Mr Doyle spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/07/2553/FP, planning permission be granted subject to the conditions now detailed.

Councillor Mrs M H Goldspink, as the local ward Member, addressed the Committee in opposition to the application. Councillor K A Barnes also addressed the Committee in opposition to the application. He welcomed the Officer's comments in the report in respect of landscaping.

Councillors Goldspink and Barnes' concerns related to the detrimental impact of the application on the street scene, overdevelopment, inadequate parking and amenity space and also to the application being out of keeping with the estate. Councillor Barnes also raised concern in respect of

ACTION

the application setting a precedent in the area.

Councillor J Demonti expressed concerns in respect of overdevelopment. She also raised concerns in respect of the application being detrimental to quality of life.

The Director referred to the fundamental issues raised by Members. He advised caution in respect of a precedent as each application was considered on its own merits. He also advised caution in respect of the weight of Members' concerns in respect of parking. The Committee was advised that Officers considered the amount of amenity space acceptable.

Councillor Mrs M H Goldspink proposed and Councillor K A Barnes seconded, a motion that application 3/07/2553/FP be refused on the grounds that the proposal would provide inadequate car parking and would set a precedent for similar development nearby, detrimental to the appearance of the area.

After being put to the meeting and a vote taken, this motion was declared CARRIED.

The Committee rejected the recommendation of the Director of Neighbourhood Services that application 3/07/2553/FP be granted planning permission, subject to the conditions now detailed.

RESOLVED – that in respect of application 3/07/2553/FP, planning permission be refused for the following reasons:

DNS

1. MO81 add at end “and therefore would exacerbate the existing shortage of parking provision in the area.
2. Because of the existence of a significant number of properties of similar design in this part of Benhooks Avenue allowing the proposal would set an undesirable precedent potentially

ACTION

leading to a harmful impact on the character and appearance of the area and particularly in relation to inadequate parking provision in the area contrary to policies ENV1 and TR7 of the East Herts Local Plan Second Review April 2007.

615 3/07/1988/FP – ERECTION OF DWELLING WITH GARAGE AND UNDERGROUND LINK, AT LAND TO THE REAR OF THE COTTAGE, 3 HADHAM ROAD, STANDON FOR MR AND MRS D CROWDER

Mr Crowder addressed the Committee in support of the application. Mr Brown addressed the Committee to request that an additional condition be attached to the planning permission.

The Director of Neighbourhood Services recommended that, in respect of application 3/07/1988/FP, planning permission be granted subject to the conditions now detailed.

The Director advised that Officers had received correspondence in relation to an extra condition on the planning permission. He suggested an additional condition be added as follows:

The dwelling hereby permitted shall not be occupied until the pitched roof over the garage, as shown on drawing nos. D4072 009D and D4072 101G, has been fully completed in accordance with those approved drawings and is thereafter retained as such.

The Director reported that an additional letter of objection had been received raising concerns relation to fenestration and materials. Members were advised that Officers had been satisfied with the details of fenestration and materials on this application.

ACTION

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/07/1988/FP be granted planning permission, subject to the conditions now detailed.

RESOLVED – that in respect of application 3/07/1988/FP, planning permission be granted subject to the following conditions:

DNS

1. Three year time limit (1T12)
2. Levels (2E05) Alter wording at start of condition to state 'within 1 month of the grant of permission'
3. Boundary walls & fences (2E07) Alter wording at start of condition to state 'within 1 month of the grant of permission'
4. Complete accordance (2E10)
5. Sample of materials (2E12) Alter wording at start of condition to state 'within 1 month of the grant of permission'
6. No further windows (2E17) Insert 'in any elevations or the roof'
7. Withdrawal of P.D (Part 1 Class A)
8. Retention of parking spaces (3V20)
9. Hard surfacing (3V21) Alter wording at start of condition to state "Within one month of the grant of permission.."
10. Construction parking and storage (3V22)
11. Tree retention and protection (4P05)

ACTION

12. Hedge retention and protection (4P06)
13. Tree/natural feature protection: fencing (4P07)
14. Tree protection: restrictions on burning (4P08)
15. Tree protection: Earthworks (4P10)
16. Landscape design proposals (4P12) (f, g, h, i, j, k, l) and alter wording at start of condition to state 'within 1 month of the grant of permission'
17. Landscape works implementation (4P13)
18. Details of earthworks/mounding (4P16) Alter wording at start of condition to state 'within 1 month of the grant of permission'
19. Vehicular use of garage (5U10)
20. The dwelling hereby permitted shall not be occupied until the pitched roof over the garage, as shown on drawing nos. D4072 009D and D4072 101G, has been fully completed in accordance with those approved drawings and is thereafter retained as such.

Reason: In the interests of appearance of the development and to prevent any overlooking of the properties fronting Hadham Road from the proposed north facing dining room window.

Directives:

1. Other legislation (01OL)
2. Street name and numbering (19SN)

Summary of Reasons for Decision:

ACTION

The proposal has been considered with regard to the policies of the Development Plan (Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007, and in particular policies GBC3, ENV1, ENV2, ENV3, ENV9, ENV11, ENV19, BH1, BH6, BH12 and TR7. The balance of the considerations having regard to those policies and the previous extant permission LPA 3/06/0883/FP is that permission should be granted.

616 3/08/0022/FP TWO STOREY SIDE EXTENSION AT SWISS COTTAGE, WIDFORD ROAD, MUCH HADHAM, SG10 6EZ FOR MR RICHARD KEY

Mrs Lisa Key addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/08/0022/FP, planning permission be refused for the reasons now detailed.

Councillor B M Wrangles commented that Swiss Cottage could not be compared to the neighbouring property at Wychwood as Swiss Cottage was set back from the road and was a smaller property.

Councillor M G Carver, as the local ward Member, addressed the Committee in respect of the consistent application of policy on this application and on other surrounding developments. Councillor Carver sought and was given clarification in respect of the location of a neighbouring garage at Wychwood on the ordnance survey map extract.

Councillor Carver emphasised the importance of ensuring policies for the determination of planning applications had been consistently applied. He stated that Swiss Cottage was set back from the road and was visually less intrusive than the nearby property at Wychwood.

ACTION

The Director reported that Officers felt the proposed development was out of keeping with the existing building and surrounding area. Councillor R N Copping stated that the proposed gable element of the roof was out of character with the existing street scene.

The Director advised Members that each application should be considered on its merits. Members were advised that Officers had met with the applicant to liaise on a way forward for the application.

Councillor D A A Peek proposed and Councillor M R Alexander seconded, a motion that application 3/08/0022/FP be deferred to enable Officers to negotiate on scale and design.

After being put to the meeting and a vote taken, this motion was declared CARRIED.

The Committee rejected the recommendation of the Director of Neighbourhood Services that, in respect of application 3/08/0022/FP, planning permission be refused for the reasons now detailed.

RESOLVED – that in respect of application 3/08/0022/FP, planning permission be deferred to enable Officers to negotiate on scale and design.

DNS

617 3/08/0338/PT – INSTALLATION OF A 13 METRE STREET FURNITURE TELECOMMUNICATION COLUMN REPLACING LAMP-POST, ALONG WITH 2 NO GROUND BASED EQUIPMENT CABINETS AT LAMP POST 610, GREAT HADHAM ROAD/ORIOLE WAY, BISHOP'S STORTFORD FOR 02

Mrs Pearson addressed the Committee in opposition to the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/08/0338/PT, planning

ACTION

permission be granted subject to the conditions now detailed.

In response to a query from Councillor D A A Peek, the Director reported that 114 letters of objection had been received. Members were advised that this represented a considerable weight of objection.

The Director advised the Committee to only consider material planning considerations. He confirmed that all of the consultation responses would be forwarded to the Planning Inspectorate in the event of an appeal.

Councillor D A A Peek proposed and Councillor K A Barnes seconded, a motion that application 3/08/0338/PT be refused planning permission, as the proposed installation would be unduly prominent, visually intrusive and detrimental to the character and appearance of the street scene and had resulted in significant concern being raised by local residents, in relation to the perceived health risks associated with installations of this nature.

After being put to the meeting and a vote taken, this motion was declared CARRIED.

The Committee rejected the recommendation of the Director of Neighbourhood Services that application 3/08/0338/PT be granted planning permission, subject to the conditions now detailed.

RESOLVED – that in respect of application 3/07/0338/PT, planning permission be refused for the following reasons:

DNS

1. The proposed installation, including cabinets, would be unduly prominent, visually intrusive and detrimental to the character and appearance of the street scene, contrary to policy ENV28 of the East Herts Local Plan Second Review April 2007.

ACTION

2. The proposal has resulted in significant concern being raised by local residents in relation to the perceived health risks associated with installations of this nature.

618 E/06/0486/B – UNTIDY CONDITION OF LAND AT THE REAR OF MOLEWOOD ROAD, HERTFORD, SG14 3AQ

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/06/0486/B, no further action be taken.

The Director reported that following a site inspection and careful consideration, he did not believe that further action was required at the site. Members were advised that this course of action would not prevent the Committee authorising enforcement action at a later date if the condition of the land deteriorated.

In respect of concerns that had been raised relating to the treatment of horses at the site, the Director advised that this was not a material planning issue.

Councillors S Rutland-Barsby and B M Wrangles expressed strong concerns relating to the appalling state of the site in a conservation area. Councillor Wrangles stated that the RSPCA had confirmed that the welfare of the horses on the site was acceptable. Councillor Wrangles stated that the site needed urgent attention.

Councillor G E Lawrence commented that although the site was a mess, it had recently been subjected to a degree of clearing up. The Director acknowledged that Officers had been faced with a difficult judgement in recommending a course of action, due to the intermittent and changing nature of the site.

After being put to the meeting and a vote taken, the Committee supported the Director's recommendation that no further action be taken in respect of the site relating to

ACTION

E/06/0486/B on the basis now detailed.

Councillor S Rutland-Barsby requested that her abstention be recorded.

RESOLVED – that in respect of E/06/0486/B, no further action be taken.

DNS/DIS

619 E/07/0130/B – UNAUTHORISED DEVELOPMENT
COMPRISING A GALVANISED STEEL DUST
EXTRACTING UNIT AT PHOENIX WORKS, 49-51 STAR
STREET, WARE, SG12 7AQ

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/07/0130/B, enforcement action be authorised on the basis now detailed.

The Committee supported the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/07/0130/B on the basis now detailed.

RESOLVED – that in respect of E/07/0130/B, the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to take enforcement action under Section 172 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure the removal of the unauthorised development from the land.

DNS/DIS

Period for compliance: 3 months

Reason why it is expedient to issue an enforcement notice:

1. The unauthorised development, by virtue of its siting, height, form and materials of construction represents an unduly prominent and visually intrusive element within this small scale employment site, to the detriment of the

ACTION

character and appearance of the area. Accordingly it is contrary to policy ENV1 of the East Hertfordshire Local Plan Second Review April 2007.

2. The unauthorised development is not designed and operated in such a way that minimises the impact of noise nuisance on the environment and neighbouring residential properties. Accordingly it is contrary to policy ENV24 of the East Hertfordshire Local Plan Second Review April 2007.

620 E/07/0184/A – THE CHANGE OF USE OF PART OF THE BUILDING FROM WAREHOUSE/OFFICES TO A RELIGIOUS USE (MOSQUE AND ISLAMIC STUDY CENTRE) AT MILLARS II, SOUTHMILL ROAD, BISHOP'S STORTFORD, CM23 3DH

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/07/0184/A, no further action be taken.

Councillor J Demonti expressed strong concerns that no applications for the change of use had been submitted to the Committee prior to the implementation of the change of use. The Director reported that Officers had sought applications in line with Government guidance. The Committee was advised that applications had been received but all had been withdrawn at varying stages of completion within the planning process.

Councillor Mrs M H Goldspink expressed support for the Officer's recommendation. Councillor K A Barnes commented that it was incorrect to have a change of use without an application being determined in the usual way.

Councillor R Gilbert proposed and Councillor S A Bull seconded, a motion that the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to take enforcement action under

ACTION

Section 172 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure the cessation of the unauthorised use after a period of six months if no application is received seeking planning permission for the use or an application is received and subsequently withdrawn or refused.

After being put to the meeting and a vote taken, this motion was declared CARRIED.

The Director commented that the Committee was under an obligation to allow a period of 28 days for an appeal to be lodged against an Enforcement Notice.

The Committee rejected the Director's recommendation that no further action be taken in respect of the site relating to E/07/0184/A on the basis now detailed.

RESOLVED – that in respect of E/06/0184/A, the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to take enforcement action under Section 172 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure the cessation of the unauthorised use after a period of six months if no application is received seeking planning permission for the use or an application is received and subsequently withdrawn or refused.

DNS/DIS

Period for compliance: 28 days.

Reasons why it is expedient to issue an enforcement notice:

1. The use results in the loss of a potential employment unit contrary to policy EDE2 of the East Herts Local Plan Second Review April 2007.

ACTION

621 E/07/0215/B – THE ERECTION OF UNAUTHORISED SHUTTERS AT STORM BAR, 20 AMWELL END, WARE, SG12 9HW

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/07/0215/B, enforcement action be authorised on the basis now detailed.

The Committee supported the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/07/0215/B on the basis now detailed.

RESOLVED – that in respect of E/07/0215/B, the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to take enforcement action under Section 172 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure the removal of the unauthorised shutters.

DNS/DIS

Period for compliance: 1 month

Reason why it is expedient to issue an enforcement notice:

1. The shutters represent an incongruous and unattractive feature within the Conservation Area which may harm perceptions of the area as a desirable shopping and leisure destination and are detrimental to its appearance and character. Accordingly they are contrary to Policies BH5 and BH6 of the East Herts Local Plan Second Review April 2007.

ACTION

622 E/07/0622/A – THE FAILURE TO INSTALL A JULIET BALCONY AND OBSCURE GLAZING, AS REQUIRED BY PLANNING CONDITIONS, AT 26 THORLEY PARK ROAD, BISHOP’S STORTFORD, CM23 3NG

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/07/0622/A, enforcement action be authorised on the basis now detailed.

The Committee supported the Director’s recommendation for enforcement action to be authorised in respect of the site relating to E/07/0622/A on the basis now detailed.

RESOLVED – that in respect of E/07/0622/A, the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to take enforcement action under Section 172 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure compliance with planning conditions.

DNS/DIS

Period for compliance: 2 months.

Reason why it is expedient to issue an enforcement notice:

1. In the interests of privacy and neighbour amenity, in accordance with Policy ENV1 of the East Herts Local Plan Second Review April 2007.

623 E/08/0115/A - THE ERECTION OF AN UNAUTHORISED WALL, GATES AND PORCH AT 7 SUNNY HILL, BUNTINGFORD, SG9 9HP

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/08/0115/A, enforcement action be authorised on the basis now

ACTION

detailed.

Councillor S A Bull complimented residents and the Town Council for their proactive approach.

In response to queries from Councillor J P Warren, the Director updated Members on the process that would be followed following the Committee's approval of enforcement action.

The Committee supported the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/07/0115/A on the basis now detailed.

RESOLVED – that in respect of E/08/0115/A, the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to take enforcement action under Section 172 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure the removal of the unauthorised walls, gates and porch.

DNS/DIS

Period for compliance: 1 month

Reasons why it is expedient to issue an enforcement notice:

1. The front garden walls and gates, by reason of their scale, materials and detailed appearance, appear unduly prominent in the street scene, and are detrimental to the character and appearance of the area. Accordingly they are contrary to Policy ENV1 of the East Hertfordshire Local Plan Second Review April 2007.
2. The front porch, by reason of its size, design, appearance and materials, is detrimental to the character and appearance of the dwelling, and the surrounding area. Accordingly it is contrary to Policies ENV1 and ENV6 of the East

ACTION

Hertfordshire Local Plan Second Review April 2007.

624 E/07/0601/A – THE UNAUTHORISED CHANGE OF USE OF GARAGE TO BED AND BREAKFAST/HOLIDAY LET ACCOMMODATION AT WELLROSE COTTAGE, BROMLEY LANE, MUCH HADHAM, SG10 6HU

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/07/0601/A, enforcement action be authorised on the basis now detailed.

The Committee supported the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/07/0601/A on the basis now detailed.

RESOLVED – that in respect of E/07/0601/A, the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to take enforcement action under Section 172 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure the cessation of the unauthorised use of the land.

DNS/DIS

Period for compliance: 3 months

Reason why it is expedient to issue an enforcement notice:

1. The use of the garage as bed and breakfast/holiday let accommodation is in breach of condition 6 of planning approval 3/01/2149/FP for a replacement double garage.
2. The application site lies within the Rural Area as defined in the East Hertfordshire Local Plan wherein there is a presumption against development other than required for agriculture, forestry, small scale local community facilities or other uses appropriate to a rural area. The

ACTION

development is prejudicial to policies GBC2 & GBC3 within the East Herts Local Plan Review April 2007.

3. The application site lies within the Rural Area, as defined in the East Hertfordshire Local Plan where development will only be allowed for certain specific purposes. There is insufficient justification for the use which would be contrary to the aims and objectives of policies GBC2 & GBC3 of the East Herts Local Plan Second Review April 2007.

625 PLANNING OBLIGATIONS UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990

The Director of Neighbourhood Services submitted a report recommending that an extension of time of six months from the date of this meeting, be granted for the completion of the planning obligations pursuant to Section 106 of the Town and Country Planning Act 1990, in respect of the following applications and, if an obligation is completed, the Director of Neighbourhood Services be authorised to grant permission in respect of the planning applications submitted in the report.

The Committee supported the recommendation of the Director of Neighbourhood Services that an extension of six months be granted for the conclusion of planning obligations detailed in the report now submitted.

The Committee noted the planning obligations at Appendix B of the report now submitted.

RESOLVED – that (A) an extension of time of six months from the date of this meeting be granted for the completion of the planning obligations pursuant to Section 106 of the Town and Country Planning Act 1990 in respect of the following applications and, if an obligation is completed the Director of Neighbourhood Services be authorised to grant

DNS

ACTION

permission in respect of the following Applications:

<u>Planning Reference</u>	<u>Site and Proposals</u>
04.06.697	Leventhorpe School Sawbridgeworth
04.06.696	Land East Millfields and Lawrence Avenue Sawbridgeworth
04.06.692	Pentlows Farm Braughing

(B) the Director of Neighbourhood Services report back following the grant of planning permission or on 7 May 2008, whichever is the sooner.

DNS

626 ITEMS FOR REPORT AND NOTING

RESOLVED – that the following reports be noted:

- (A) Appeals against refusal of planning permission / non determination,
- (B) Planning appeals lodged, and
- (C) Planning statistics.

The meeting closed at 9.15 pm

Chairman
Date