

MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 22 JULY 2015, AT 7.00 PM

PRESENT: Councillor D Andrews (Chairman).
Councillors M Allen, K Brush, S Bull,
M Casey, M Freeman, J Kaye, A McNeece,
D Oldridge, T Page, P Ruffles and K Warnell.

ALSO PRESENT:

Councillors R Brunton, I Devonshire,
L Haysey, P Moore, S Rutland-Barsby and
G Williamson.

OFFICERS IN ATTENDANCE:

Liz Aston	- Development Team Manager (East)
Simon Drinkwater	- Director of Neighbourhood Services
Tim Hagyard	- Development Team Manager (West)
Peter Mannings	- Democratic Services Officer
Martin Plummer	- Senior Planning Officer
Kevin Steptoe	- Head of Planning and Building Control Services

165 APOLOGY

An apology for absence was submitted on behalf of
Councillor J Jones. It was noted that Councillor S Bull
was substituting for Councillor Jones.

166 CHAIRMAN'S ANNOUNCEMENTS

The Chairman reminded Members that there would be an information session regarding primary school provision and site ASR5 at Bishop's Stortford North in the Council Chamber, Wallfields, Hertford at 7.00 pm on Thursday 23 July 2015.

The Chairman also reminded Members of a special meeting of the Committee due to be held at 7.00 pm on Tuesday 18 August 2015. This would be held in the Cedar Room, The Rhodes Arts Complex, 1-3 South Road, Bishop's Stortford, to determine a planning application relating to site ASR5 at Bishop's Stortford North.

The Chairman advised that application 3/15/0149/FP had been withdrawn from the Agenda.

167 MINUTES – 24 JUNE 2015

RESOLVED – that the Minutes of the meeting held on 24 June 2015 be confirmed as a correct record and signed by the Chairman.

168 3/14/0978/FP – DEMOLITION OF BUILDINGS AND GARAGE AND THE ERECTION OF 19NO 1 BEDROOMED DWELLINGS AND 29NO 2 BEDROOMED DWELLINGS TOGETHER WITH ASSOCIATED PARKING, ACCESS AND LANDSCAPING AT 110-114 SOUTH STREET, BISHOP'S STORTFORD, CM23 3BQ

Mr Gilbert addressed the Committee in objection to the application. Mr Slatter spoke for the application.

The Director of Neighbourhood Services recommended that in respect of application 3/14/0978/FP, subject to the applicant or successor in title signing a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990, planning permission be granted

subject to the conditions detailed in the report now submitted.

The Director detailed the location of the site and referred to the planning history and the comments contained in the additional representations summary. Members were advised that this application would bring back into use a site that had been underused and derelict for many years.

The Director advised that the affordable housing issue had been the subject of rigorous scrutiny and the 21% offer of 10 affordable units had come about due to the abnormal cost of developing this site. The Director stated that the Council could not demonstrate a 5 year supply of housing land and windfall sites that were not included in housing projections were beneficial in that respect. Officers believed that although the application would have an impact, it would not be felt over the wider area of the town.

Members were advised that the relationship between the proposed development and properties in Trinity Close was entirely reasonable and the normal privacy issues were less relevant for the nearby public use and commercial buildings. The Director concluded that the National Planning Policy Framework (NPPF) stipulated that developments should be supported unless any harmful impacts were significant and demonstrable.

Councillor K Warnell referred to survey results that indicated that residents were not in favour of more flats in Bishop's Stortford and there was a demand for bungalows and houses. He expressed concerns regarding the 21% affordable housing provision and felt that a higher figure could be achieved. He referred to the proposed parking provision of 44 spaces for 48 flats and the possibility of access and egress issues for emergency services and refuse vehicles.

Councillor J Kaye commented on how close the rear of the development would be to the back gardens of the

properties to the west in Trinity Close. Councillor T Page stated that he was supportive in principle of the reuse of brownfield sites but not at any cost. He expressed concerns over the £125,716 Section 106 contribution for Bishop's Park and he suggested that the Section 106 provisions should be reviewed.

The Director referred to the housing needs identified in the District Plan and the mix of unit types that were being achieved across the town. He also referred to the fact that professional advisors had clearly informed Officers that 21% affordable housing was the best that could be achieved here.

The Director confirmed that a 35 metre separation between the development and Trinity Close was a comfortable distance and as regards parking, Members were advised that figures up to the maximum standard were considered to be acceptable. In reply to comments from the Chairman regarding Sustainable Urban Drainage Solutions (SUDS) and contamination, the Director referred to condition 4 and the full contamination remediation works suggested as part of the low risk approach that had been taken by the Council's engineers.

Following a number of comments from the Committee on the density of the development, refuse collection and congestion, river pollution and site contamination plus car parking, the Director confirmed that Members' concerns could be controlled by conditions and the Committee should consider whether any harm was outweighed by the benefits of the application.

Councillor T Page proposed and Councillor M Casey seconded, a motion that authority be delegated to the Head of Planning and Building Control, in consultation with the Chairman of the Committee and a Bishop's Stortford Member, to further consider the detail of the matters to be secured through a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 covering the matters detailed in the

report, and subject to the conclusion of an agreement, in respect of application 3/14/0978/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

After being put to the meeting and a vote taken, this motion was declared CARRIED. The Committee accepted the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that authority be delegated to the Head of Planning and Building Control, in consultation with the Chairman of the Committee and a Bishop's Stortford Member, to further consider the detail of the matters to be secured through a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 covering the matters detailed in the report, and subject to the conclusion of an agreement, in respect of application 3/14/0978/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

- 169 3/15/0524/FP AND 3/15/0525/LBC – CHANGE OF USE OF PART OF SECOND FLOOR TO CREATE 14NO 1 BEDROOMED FLATS WITH MEZZANINE UPPER FLOOR AT MILLERS 3, SOUTHMILL ROAD, BISHOP'S STORTFORD CM23 3DH

The Director of Neighbourhood Services recommended that in respect of application 3/15/0524/FP, subject to the signing of a Section 106 Legal Agreement, planning permission be granted subject to the conditions detailed in the report now submitted. The Director also recommended that in respect of application 3/15/0525/LBC, listed building consent be granted subject to the conditions detailed in the report now submitted.

The Director detailed the location of the site as well as the current usage and planning history of Millers 3. Members were advised that there would be 5 additional parking

spaces and this application would increase the total number of residential units to 24.

The Director advised that the building was listed and there had been no objections from statutory consultees or from the Council's Conservation Officer. Members were referred to the three additional representations in the summary document as well as comments from Councillor G Cutting.

The Director acknowledged that car parking was an issue for this site and Members were advised that the proposed provision fell short of the Council's maximum standards. The Director confirmed that the existing residential development had not fully utilised the current provision and any overspill car parking would be restricted by existing double yellow lines in many surrounding roads.

Officers were satisfied that there would be no harm in terms of highways safety within the site and that the parking situation was acceptable as the site was one of the most sustainable locations in East Herts.

In response to a number of comments from Councillors K Warnell, M Casey, K Brush and T Page, the Director advised that the National Planning Policy Framework (NPPF) permitted Officers to be supportive of applications in sustainable locations where the proposed car parking provision was below the maximum standards.

Councillor T Page proposed and Councillor M Casey seconded, a motion that authority be delegated to the Head of Planning and Building Control, in consultation with the Chairman of the Committee and a Bishop's Stortford Member, to further consider the detail of the matters to be secured through a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 covering the matters detailed in the report, and subject to the conclusion of an agreement, in respect of 3/15/0524/FP, planning permission be granted subject to the conditions detailed in the report now

submitted.

After being put to the meeting and a vote taken, this motion was declared CARRIED. The Committee accepted the recommendations of the Director of Neighbourhood Services as now submitted.

RESOLVED – that (A) authority be delegated to the Head of Planning and Building Control, in consultation with the Chairman of the Committee and a Bishop’s Stortford Member, to further consider the detail of the matters to be secured through a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 covering the matters detailed in the report, and subject to the conclusion of an agreement, in respect of 3/15/0524/FP, planning permission be granted subject to the conditions detailed in the report now submitted; and

(B) in respect of application 3/15/0525/LBC, listed building consent be granted subject to the conditions detailed in the report now submitted.

170 3/15/0964/FUL – DEMOLITION OF THE EXISTING BUILDINGS AND REDEVELOPMENT TO PROVIDE A CARE HOME (USE CLASS C2), CAR PARKING, LANDSCAPING AND OTHER ASSOCIATED WORKS AT LEASIDE DEPOT, WARE, SG12 7QE FOR GORING ESTATES LTD LEASIDE DEPOT, WIDBURY HILL, WARE, SG12 7QE

Mrs Thornton addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that in respect of application 3/15/0964/FUL, if necessary and appropriate, authority be delegated to the Director of Neighbourhood Services and the Director of Internal Services to conclude an agreement under Section 106 of the Town and Country Planning Act 1990 to secure the provision of funding toward health services serving the

development. On conclusion of such an agreement, or if one proves unnecessary, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director set out the recent planning history of the site and detailed its location outside a conservation area. Members were advised that the site contained a vacant coachworks building and the Director detailed the changes that were proposed by this application. Officers had recommended approval as they were comfortable that the design was acceptable and would enhance the area.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/15/0964/FUL, if necessary and appropriate, authority be delegated to the Director of Neighbourhood Services and the Director of Internal Services to conclude an agreement under Section 106 of the Town and Country Planning Act 1990 to secure the provision of funding toward health services serving the development. On conclusion of such an agreement, or if one proves unnecessary, planning permission be granted subject to the conditions detailed in the report now submitted.

- 171 3/15/0348/HH AND 3/15/0492/LBC – SINGLE STOREY REAR EXTENSION WITH SOLAR PANELS FOLLOWING DEMOLITION OF EXISTING BOILER STORE. ALTERATIONS TO FENESTRATION AND INTERNAL ALTERATIONS AT THATCHED COTTAGE, PATMORE HEATH, ALBURY, SG11 2LX
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The Director of Neighbourhood Services recommended that in respect of applications 3/15/0348/HH and 3/15/0492/LBC, planning permission and listed building

consent be granted subject to the conditions detailed in the report now submitted.

After being put to the meeting and votes taken, the Committee accepted the recommendations of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of applications 3/15/0348/HH and 3/15/0492/LBC, planning permission and listed building consent be granted subject to the conditions detailed in the report now submitted.

172 3/15/0960/HH – DEMOLITION OF OUTBUILDING AND CONSTRUCTION OF SINGLE STOREY SIDE EXTENSION AT PENRHYN, LONDON ROAD, SPELLBROOK, BISHOP'S STORTFORD, CM23 4BA

The Director of Neighbourhood Services recommended that in respect of application 3/15/0960/HH, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director detailed the nature of the application and the planning history of the site. Members were advised that the dwelling had benefited from increases in size equivalent to 130% of the original floor space. The Director advised that this constituted inappropriate development as the site was located in the Green Belt.

The Director acknowledged that the replacement of the garage outbuilding and single storey side extension would impact on the openness of the Green Belt. Members were advised however, that a similar 3.3 square metre extension could be implemented as permitted development.

The Director concluded by advising that a neighbour had raised a concern regarding the loss of landscaping and loss of privacy. Officers were content however, that there would be no loss of privacy or overlooking and if any

boundary landscaping was to be lost then Officers were not concerned as this landscaping had limited amenity value.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/15/0960/HH, planning permission be granted subject to the conditions detailed in the report now submitted.

173 3/15/1133/HH – REMOVAL OF BOUNDARY FENCE AND ERECTION OF 2M HIGH BRICK WALL. ERECTION OF SHED/SUMMER HOUSE AT 69 THE HYDE, WARE, SG12 0ER

The Director of Neighbourhood Services recommended that in respect of application 3/15/1133/HH, planning permission be granted subject to the conditions detailed in the report now submitted.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/15/1133/HH, planning permission be granted subject to the conditions detailed in the report now submitted.

174 3/15/0766/HH – SINGLE STOREY SIDE EXTENSION AT 60 QUEENS ROAD, HERTFORD SG13 8BJ

The Director of Neighbourhood Services recommended that in respect of application 3/15/0766/HH, planning permission be granted subject to the conditions detailed in the report now submitted.

After being put to the meeting and a vote taken, the

Committee accepted the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/15/0766/HH, planning permission be granted subject to the conditions detailed in the report now submitted.

175 3/15/0908/HH – PROPOSED SINGLE STOREY EXTENSION ON WESTERN SIDE WITH EXTENSION TO CONSERVATORY ON SOUTHERN ELEVATION AT 1 THE VINEYARD, ST LEONARDS ROAD, BENGEO

The Director of Neighbourhood Services recommended that subject to the applicant entering into a Section 106 obligation as detailed in the report, in respect of application 3/15/0908/HH, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director advised that the proposed Section 106 obligation would remove the applicant's ability to build a 3 storey rear extension. Members were reminded that although the site was subject to more restrictive Green Belt policy, a single storey side extension would be acceptable.

After being put to the meeting and votes taken, the Committee accepted the recommendations of the Director of Neighbourhood Services as now submitted.

RESOLVED – that subject to the applicant entering into a Section 106 obligation as detailed in the report, in respect of application 3/15/0908/HH, planning permission be granted subject to the conditions detailed in the report now submitted.

176 E/14/0294/A – NON-COMPLIANCE WITH CONDITIONS 14 AND 15 OF PLANNING PERMISSION REF: 3/11/2209/FP RELATING TO THE PROVISION OF LANDSCAPING PENTLOWS FARM, BRAUGHING

The Director of Neighbourhood Services recommended that in respect of the site relating to E/14/0294/A, enforcement action be authorised on the basis now detailed. The Director set out the planning history of the site and explained that there were a number of landscaping proposals for the meadow to the west of the site that were covered by planning conditions.

Members were advised that Officers had some misgivings as to the extent of the landscaping that had actually taken place. The Director referred the Committee to page 168 of the report for a full list of Officers' concerns.

The Director also referred Members to the additional representations summary for some assurances that had been given by the landscaping contractor acting on behalf of the developer. The developer, Linden Homes, had also advised that the pathway between the private and affordable housing elements of the site was to be opened up.

The Director requested that Members authorise formal action in case Officers needed to take further steps to ensure compliance with the planning conditions. After being put to the meeting and a vote taken, the Committee accepted the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/14/0294/A on the basis now detailed.

RESOLVED – that in respect of E/14/0294/A, the Director of Neighbourhood Services, in conjunction with the Director of Finance and Support Services, be authorised to take enforcement action on the basis now detailed.

177 ITEMS FOR REPORTING AND NOTING

RESOLVED – that the following reports be noted:

(A) Appeals against refusal of planning

permission / non-determination;

(B) Planning Appeals lodged;

(C) Planning Appeals: Inquiry and Informal Hearing dates; and

(D) Planning Statistics.

The meeting closed at 8.47 pm

Chairman

Date