

MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 10 JUNE 2015, AT 7.00 PM

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

ALSO PRESENT:

Councillors E Buckmaster, S Bull,
J Cartwright, J Goodeve, L Haysey and
S Rutland-Barsby.

OFFICERS IN ATTENDANCE:

Liz Aston	- Development Team Manager (East)
Paul Dean	- Principle Planning Enforcement Officer
Simon Drinkwater	- Director of Neighbourhood Services
Peter Mannings	- Democratic Services Officer
Kevin Steptoe	- Head of Planning and Building Control Services

75 APPOINTMENT OF VICE-CHAIRMAN

It was proposed by Councillor K Brush and seconded by Councillor A McNeece that Councillor P Ruffles be appointed Vice-Chairman of the Development Management Committee for the 2015/16 civic year.

After being put to the meeting and a vote taken, Councillor P Ruffles was appointed Vice–Chairman of the Development Management Committee for the 2015/16 civic year.

RESOLVED – that Councillor P Ruffles be appointed Vice–Chairman of the Development Management Committee for the 2015/16 civic year.

76 APOLOGY

An apology for absence was submitted on behalf of Councillor J Kaye.

77 MINUTES – 27 MAY 2015

RESOLVED – that the Minutes of the meeting held on 27 May 2015 be confirmed as a correct record and signed by the Chairman.

78 3/14/0924/FP – ARTIFICIAL GRASS PITCH WITH ASSOCIATED FENCING, 6 X14 METRE HIGH FLOODLIGHT COLUMNS AND STORAGE CONTAINER. CREATION OF 3 BUNDS AND AMENDMENTS TO PARKING PROVISION TO PROVIDE 34 PARKING SPACES AT RICHARD HALE SCHOOL, HALE ROAD, HERTFORD, SG13 8AU FOR RICHARD HALE SCHOOL

Mr Williams addressed the Committee in objection to the application. Mr Botheras spoke for the application.

The Director of Neighbourhood Services recommended that in respect of application 3/14/0924/FP, planning permission be granted subject to the conditions detailed in the report now submitted. He set out the nature of the application and detailed the key issues that Members should consider. The Director acknowledged the impact of the additional use and advised that there were sufficient safeguards for Members to approve the application.

Councillor S Rutland-Barsby, as the local ward Member, highlighted the prominent position of the site and its proximity to proposed residential development at Sovereign House, the care home at Bentley House and the immediate neighbours in Highfield and Queens Road. She set out her concerns over noise, light pollution and the carcinogenic dust from the pitch surface. She referred to the lack of objection from Hertfordshire Ecology and whether there was a need for a specific bat survey. She concluded that the scheme would be a wonderful facility for the school and the community, but it had been proposed in a totally unsuitable location that would be detrimental to neighbouring amenity.

Councillor P Ruffles stated that, on balance, he was supportive of the recommendation for approval. He referred to the substantial benefits of education and sports provision in light of the shortage of pitch provision at Richard Hale School. He concluded that whilst he did not deny any of the concerns of the public speaker or the local ward Member, he was confident that there were sufficient safeguards in the form of modern management to mitigate the impacts of the application.

Councillor K Warnell sought and was given clarification regarding the mitigation of noise pollution for the residents of Highfield Road in that an acoustic fence was proposed for the whole southern side of the pitch as well as three additional landscaped bunds.

Councillor A McNeece stated that the acoustic levels detailed in the report caused him great concern as they were very close to World Health Organisation (WHO) guidelines for maximum noise levels. He concluded that the views of the local neighbours had to be given priority consideration over the wider views in favour of the application.

Councillor M Casey asked for clarification regarding the concern that had been raised relating to health concerns

and the pitch surface. Councillor K Brush asked for clarification in respect of the proposed hours of use for the artificial pitch. The Director confirmed that noise decibel readings were exponential in nature and a 1 decibel (dB) difference between the actual reading and a limit was a significant difference.

Members were advised that the Committee should not concern itself with the volume of representations as the issues that had been raised were of greater relevance. The Director advised that the time limits on the hours of use meant that all use of the pitch and the floodlighting should have ceased by the terminal hours.

The Director assured Members that the pitch surface and the concern over health was not an issue for the Committee as it was for the operator to take responsibility in ensuring the safety of the users and this was covered by other legislation. Regarding the ecological impact and bats, the Director stated that Officers had no data to indicate any concerns and there was no need to restrict the use on that basis.

The Director assured Councillor McNeece that the lighting was in form of slim and modest poles with a modest T Bar arrangement with down lighters that would be visible but would not be unduly harmful to the character and appearance of the area.

The Director advised that there might be some flexibility in the hours of use in that during the summer months the applicant would accept some modest earlier closing times as referred to in the additional representations summary.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services as now submitted subject to the amendment of condition 6 to reflect the modest reduction in hours of use offered by the applicant.

RESOLVED – that in respect of application

3/14/0924/FP, planning permission be granted subject to the conditions detailed in the report now submitted and subject to the following amended condition:

6. The use of the artificial grass pitch and the floodlighting hereby permitted shall be restricted solely to the following hours – between 1st September – 31st May, Monday – Thursday 08.00 – 22.00; Friday 08.00 – 21.00; Saturday and Sunday 09.00 – 20.00; Bank Holidays 09.00 – 18.00 and, between 1st June – 31st August, Monday – Thursday 08.00 – 21.00; Friday 08.00 – 20.00; Saturday and Sunday 09.00 – 19.00; Bank Holidays 09.00 – 18.00.

Reason: In the interests of neighbouring amenity and protected species, in accordance with policies ENV16 and ENV24 of the East Herts Local Plan Second Review April 2007.

- 79 A) 3/15/0231/FUL – CONVERSION OF EXISTING MALTINGS BUILDINGS TO COMPRISE 16 DWELLINGS. DEMOLITION OF EXISTING 20C WING. ERECTION OF 7 NEW DWELLINGS TOGETHER WITH ASSOCIATED ACCESS, CAR PARKING, LANDSCAPING AND RELATED WORKS; AND B) 3/15/0232/LBC – CHANGE OF USE AND ALTERATIONS TO EXISTING MALTINGS BUILDINGS TO CREATE 16 NO. DWELLINGS AND DEMOLITION OF EXISTING 20C WING AT BREWERY YARD, WATTON ROAD, WARE, SG12 0AB FOR BREWERY YARD PROPERTIES LTD
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Judith Sims and Janet Shaddock addressed the Committee in objection to the applications.

The Director of Neighbourhood Services recommended that subject to the applicant or successor in title entering into a legal obligation pursuant to Section 106 of the Town and Country Planning Act 1990, in respect of

application 3/15/0231/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director also recommended that in respect of application 3/15/0232/LB, listed building consent be granted subject to the conditions detailed in the report now submitted. The Director set out the nature of the application as well as the details of the existing buildings on the site.

Members were advised of the key issues they should consider when determining the application. The Director stated that the use of the buildings as well as the delivery of housing outweighed any harmful impacts of the proposed development.

In response to Councillor T Page, the Director confirmed that condition 18 was to ensure that the risk of flooding was minimal to an acceptable degree and this condition was a risk based approach in line with the technical standards used by the Environment Agency. He also confirmed that the Council's standards for garage size allowed for some flexibility in that they had to be either 5.6 metres in length and 2.6 metres wide or 3.2 metres wide and 5 metres in length.

Councillor K Brush sought and was given clarification as to the viability of the application with regard to social housing. The Director confirmed that the Section 106 figure for infrastructure was very modest and the amounts needed to be six figure sums to have a meaningful impact in terms of affordable housing. Councillor Page also raised a number of reservations regarding the viability of both applications.

Councillor McNeece commented on why there was a proposed southern access route alongside the existing northern route. He had some sympathy with the residents of Black Swan Court and he emphasised that the provision for bins was inadequate and the bins might be

too large to be manoeuvred down the access way. The Director advised that it was most likely an issue of flexibility. Members were advised that the issue of what could be achieved with a single access would have to be explored with the applicant and Hertfordshire Highways.

The Director responded to a point from Councillor M Freeman by stating that the emerging car parking standards were minimum standards and Officers acknowledged that more sustainable locations might result in reductions in car ownership. The Director also pointed out that many garages were used for household storage and there were limited opportunities for parking close to this site.

Councillor T Page proposed and Councillor K Brush seconded, a motion that applications 3/15/0231/FUL and 3/15/0232/LB be deferred to enable Officers to enter into further discussions with the applicant in relation to the level of affordable housing provision and associated viability issues, the potential deletion of the southern access, parking and detailed construction management arrangements and arrangements for refuse disposal.

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 as now submitted.

RESOLVED – that in respect of applications 3/15/0231/FUL and 3/15/0232/LB, planning permission and listed building consent be deferred to enable Officers to enter into further discussions with the applicant in relation to the level of affordable housing provision and associated viability issues, the potential deletion of the southern access, parking and detailed construction management arrangements and arrangements for refuse disposal.

80 3/15/0412/VAR – VARIATION OF CONDITION 3 OF LPA REFERENCE 3/13/0527/FP (APPROVED PLANS) TO ALLOW MINOR AMENDMENTS TO THE APPROVED SCHEME FOR RESIDENTIAL DEVELOPMENT AT PEARSE HOUSE, PARSONAGE LANE, BISHOP'S STORTFORD, CM23 5BQ FOR MARDEN HOMES LTD

Mr Clews addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that subject to the applicant entering into a variation of the existing Section 106 agreement to refer to the amended plans, in respect of application 3/15/0412/VAR, planning application be granted subject to the conditions detailed in the report now submitted.

The Director set out the details of the application and referred Members to page 46 of the report for the amendments for which permission was being sought. Officers had assessed the impact of the application on the character and appearance of the buildings and the surrounding area as well as the impact on neighbours and were of the view that these impacts were acceptable.

Councillor K Warnell referred to concerns from residents of Friars Wood in respect of overlooking and he sought Officers' reasons for disregarding this point. The Director referred to the concerns of residents regarding the south west facing elevation of the building.

Members were assured that the roof light windows were at such a height that it would be very difficult for overlooking to occur and Officers felt that there would be no significant harm to neighbour amenity. 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 subject to the applicant entering into a variation of the existing Section 106

agreement to refer to the amended plans, in respect of application 3/15/0412/VAR, planning application be granted subject to the conditions detailed in the report now submitted.

81 3/15/0252/FUL – ERECTION OF AGRICULTURAL GRAINSTORE AND MACHINERY STORE AT GREAT HORMEAD HALL, HALL LANE, GREAT HORMEAD FOR MR J WYLD

The Director of Neighbourhood Services recommended that in respect of application 3/15/0252/FUL, 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 3/15/0252/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

82 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 8.55 pm