

MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT
COMMITTEE HELD IN THE CEDAR ROOM,
THE RHODES ARTS COMPLEX, 1-3
SOUTH ROAD, BISHOP'S STORTFORD
ON TUESDAY 18 AUGUST 2015, AT 7.00
PM

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

ALSO PRESENT:

Councillors R Brunton, G Cutting,
G McAndrew, N Symonds and C Woodward.

OFFICERS IN ATTENDANCE:

Liz Aston	- Development Team Manager (East)
Simon Drinkwater	- Acting Chief Executive/Director of Neighbourhood Services
Peter Mannings	- Democratic Services Officer
Alasdair McWilliams	- Information and Digital Media Manager
Martin Plummer	- Senior Planning Officer
Kevin Steptoe	- Head of Planning and Building Control Services

222 APOLOGIES

Apologies for absence were submitted on behalf of Councillors K Brush, M Casey and J Kaye. It was noted that Councillor J Cartwright was in attendance as substitute for Councillor Kaye.

223 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed the press and public to the meeting.

224 MINUTES – 22 JULY 2015

RESOLVED – that the Minutes of the meeting held on 22 July 2015 be confirmed as a correct record and signed by the Chairman.

225 3/13/0886/OP – AN URBAN EXTENSION COMPRISING 329 NEW DWELLINGS (OF A RANGE OF SIZES, TYPES AND TENURES, INCLUDING AFFORDABLE HOUSING) INCLUDING A SITE FOR A ONE-FORM ENTRY PRIMARY SCHOOL; PUBLIC OPEN AND AMENITY SPACE; ASSOCIATED LANDSCAPING; ACCESS, HIGHWAYS (INCLUDING FOOTPATHS AND CYCLEWAYS), PARKING; AND DRAINAGE (INCLUDING A FOUL WATER PUMPING STATION), UTILITIES AND SERVICE INFRASTRUCTURE WORKS (ALL MATTERS RESERVED EXCEPT VEHICULAR ACCESS) AT HAZELEND ROAD AND FARNHAM ROAD, BISHOPS STORTFORD, HERTS FOR COUNTRYSIDE PROPERTIES

The following people addressed the Committee in objection to the application:

- John Rhodes (Bishop's Stortford Civic Federation)
- Peter Hough (Chantry Community Association)
- David Royle
- Andy White

The following people addressed the Committee in support

of the application:

- Mike Lambert (Countryside Properties)

In respect of application 3/13/0886/OP, the Director of Neighbourhood Services recommended that:

- (A) in consultation with the Chairman of the Development Management Committee and the Head of Planning and Building Control, the Head of Democratic and Legal Services completes a Section 106 Agreement between the Council, landowner, developer and other parties as appropriate in accordance with the heads of terms detailed in Essential Reference Paper A;
- (B) in consultation with the Chairman of the Development Management Committee plus the Executive Member for Development Management and Council Support as well as any two Members who represent Bishop's Stortford wards and who are members of this Committee and the Head of Democratic and Legal Support Services, the Head of Planning and Building Control be authorised to make amendments to the heads of terms, the scale of financial contributions to be assigned to the various service areas referred to in the heads of terms and the service areas to which financial contributions should be assigned and the Head of Democratic and Legal Support Services be authorised to complete a Section 106 Agreement as maybe amended, in all cases to ensure a satisfactory development;
- (C) on completion of the approved Section 106 Agreement, planning permission be granted subject to the conditions detailed in Essential reference Paper B; and
- (D) in consultation with the Chairman of the Development Management Committee, the Head of

Planning and Building Control be authorised, in advance of the issuing of the planning permission, to add or remove conditions and directives and make such changes to the wording of them as might be necessary to ensure clarity and enforceability and to ensure a satisfactory development.

The Director introduced the application and reminded the Committee that the outline application for ASR sites 1 – 4 had been approved and a previous hybrid scheme for ASR5 had been refused in March 2015. The Director detailed the papers Members should have in front of them and summarised the key details of this application.

Members were reminded that this was an outline application that had been with the Authority since May 2013 and all matters were reserved aside from the proposed access arrangements. The Director summarised the amendments that had been made to the application and advised that the application included 25% affordable housing provision.

The Director advised that Council policy was for up to 40% affordable housing. The Authority had supported schemes with less than 40% provision and appeal decisions had also reached this conclusion. Members were advised that all sites had their own set of circumstances and the National Planning Policy Framework (NPPF) stipulated that Authorities should not seek full affordable housing provision where the cost to a development might prevent it from coming forward.

The Director concluded by referring to the County Council's preferred options for education delivery for ASR sites 1 – 4 and ASR5. He reminded Members that this application would contribute towards the housing needs of the District. He referred to the need to demonstrate a 5 year supply of housing land.

Councillor K Warnell stated that although the site had been earmarked for development since the 1980s, he

was not happy with development at any cost. He expressed concerns regarding the isolation of this site in terms of the inconvenient location of facilities and subsequent trip generation. He welcomed the changes to the shared ownership percentages but was concerned that the additional educational needs would not be met by the developments at Bishop's Stortford North.

Councillor Warnell stated that the application contravened a number of Neighbourhood Plan policies that were fundamental to Bishop's Stortford North and these should not be discarded. Councillor A McNeece also referred to the key issue of primary school provision. He stated that traffic and congestion were issues that would be mitigated to some extent by the Section 106 contributions.

The Director detailed the ways that the Committee might consider the issue of primary school provision and that whilst it was appropriate for Members to consider the wider perspective, the proposal provided adequate capacity for its own need. In that respect the Committee was reminded that this application delivered a site for a 1FE Primary School.

Members were referred to Essential Reference Paper 'B' for the proposed conditions as well as the extensive Section 106 agreement at Essential Reference Paper 'A'. The Director emphasised that the site delivered in terms of mitigating the additional infrastructure demands resulting from this application.

In response to comments from Councillors T Page, D Oldridge and J Cartwright, the Director advised that the Development Management Committee had concluded in March 2015 that all matters were satisfactory apart from primary education provision and affordable housing. He stated that unless significant new evidence had emerged in the interim, the Council might be seen to be acting unreasonably in rejecting the application on the basis that other matters now made the development unsustainable.

The Director emphasised that it was entirely appropriate to carefully consider the primary education and affordable housing issues as the proposals had been revised in respect of these. He provided further explanation to assist Members in their decision making. He set out the steps that Hertfordshire County Council had taken to bring forward education provision.

Councillor M Allen referred to the issue of traffic modelling and the Director responded on the basis that the modelling carried out to date was robust and would be unreasonable to seek further work or to refuse the application on that basis.

Councillor Warnell was assured by the Director that Section 106 funding was in place to accommodate the additional infrastructure demands in terms of pre-school provision. Officers were satisfied that Hertfordshire County Council had an appropriate delivery program in place for the provision of education infrastructure associated with the occupation of the proposed residential dwellings. In terms of Healthcare, the Director confirmed that the relevant authorities do seek funding through new development proposals to go towards future provision on a sum per home basis.

Councillor K Warnell proposed and Councillor T Page seconded a motion that application 3/13/0886/OP be refused on the grounds that the proposals did not provide sufficient primary school provision and the application was contrary to policy EP3 of the Bishop's Stortford Silverleys and Meads Neighbourhood Plan.

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

RESOLVED – that in respect of application 3/13/0886/OP, the recommendations of the

Director of Neighbourhood Services as now detailed be approved.

The meeting closed at 9.00 pm

Chairman

Date