

MINUTES OF A MEETING OF THE  
DEVELOPMENT MANAGEMENT  
COMMITTEE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
WEDNESDAY 27 APRIL 2016, AT 7.00 PM

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

ALSO PRESENT:

Councillors P Ballam, L Haysey, G Jones,  
P Moore, M Pope, S Reed, S Rutland-  
Barsby, R Standley and N Symonds.

OFFICERS IN ATTENDANCE:

|                   |  |
|-------------------|--|
| Liz Aston         | - Development<br>Team Manager<br>(East)                |
| Paul Dean         | - Principal Planning<br>Enforcement<br>Officer         |
| Nurainatta Katevu | - Property and<br>Planning Lawyer                      |
| Peter Mannings    | - Democratic<br>Services Officer                       |
| Kevin Steptoe     | - Head of Planning<br>and Building<br>Control Services |
| Alison Young      | - Development<br>Manager                               |

683 APOLOGY

An apology for absence was submitted on behalf of Councillor K Brush. It was noted that Councillor R Brunton was substituting for Councillor K Brush.

684 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that as there were a very significant group of public present for application 3/15/1957/FUL, the rest of the public were in another room and he would briefly adjourn the meeting after this application was determined to allow the first group to leave and the remainder to enter the Council Chamber.

Councillor P Ruffles thanked Councillor D Andrews for his chairmanship of the Development Management Committee during the 2015/16 civic year. The Chairman thanked Members and Officers for their support.

685 MINUTES – 23 MARCH 2016

RESOLVED – that the Minutes of the meeting held on 23 March 2016 be confirmed as a correct record and signed by the Chairman.

686 3/15/1957/FUL – CREATION OF TWO NEW HOCKEY PITCHES, ASSOCIATED FENCING AND FLOODLIGHTING. ENLARGEMENT TO CAR PARK AT BISHOP'S STORTFORD SPORTS TRUST, CRICKETFIELD LANE, BISHOP'S STORTFORD, CM23 2SZ FOR BISHOP'S STORTFORD SPORTS TRUST

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Mrs Mills addressed the Committee in objection to the application. Mr Murdock spoke for the application.

The Head of Planning and Building Control recommended that in respect of application 3/15/1957/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head of Planning and Building Control referred to a balance of considerations for a site that was located in the Green Belt. He stated that development for sports and leisure provision would be inappropriate and should normally not be permitted unless there were benefits of the proposals to which such weight could be assigned

such that very special circumstances were demonstrated.

The Head explained that few modern outdoor sports facilities with floodlighting and pre-construction levelling would be judged as appropriate. He commented that a loss of openness had been given less weight by Officers due to the backdrop of existing trees and other planting around the site. Members were reminded that some mature trees would be lost if this development were permitted.

Members were reminded that the key policies stipulated that a balanced decision had to be reached. The Head referred to the benefits of the provision of new sport and leisure facilities in a convenient location with further benefits in terms of a cohesive use of the facilities that helped to meet the demand in Bishop's Stortford.

The Head referred Members to the matters detailed in the additional representations summary. Councillor T Page stated that Members had a simple task of judging whether the open space known as Ash Grove should be enclosed. He stated that he was unaware of any special circumstances whereby the benefits of the scheme clearly outweighed the harm.

Councillor T Page commented that the need did not clearly outweigh the benefits and he was concerned regarding the impact of the proposed fencing and floodlighting. He felt that keeping Ash Grove open and accessible would benefit the significant numbers of new residents who would live close to this site in future.

The Head stated that there had been a good articulation of the issues by the speakers and in the submissions Members had received and there had to be a balance between the appreciation of openness and the needs of those who wished to play formalised competitive sport.

Members were advised that there was an identified need for hockey pitches and the facilities might very well be

used into the evenings and at weekends. The Head stressed that although the facilities would be seen, they were located in amongst a range of other facilities and structures on the site.

Councillor K Warnell referred to a number of substantive points. He felt that the identified need could not outweigh the fact that the application was contrary to a total of 19 policies from the National Planning Policy Framework (NPPF), the East Herts Local Plan Second Review April 2007 and the Silverleys and Meads Neighbourhood Plan.

Councillor J Kaye commented on his concern over the harmful impacts to openness and whether the multi-use games area (MUGA) would be available to the wider community. Councillor P Ruffles expressed concerns regarding the loss of Green Belt and although he supported the provision of sports facilities, he was inclined to vote against this application.

Councillor D Oldridge stated that he felt that the application would further enhance facilities to the wider benefit of the whole community of Bishop's Stortford. He felt there would be more benefit than loss and facilities were needed for the health, enjoyment and community spirit for the future new residents of the town at Bishop's Stortford North.

The Head responded to a number of minor further queries and comments from Members. He responded to an earlier query from Councillor T Page by stating that the grant of planning permission would secure the Sport England funding of £500,000 and this issue should not be dismissed entirely in the consideration of the matter. The Head confirmed that this funding came with conditions which sought to encourage youth and disability participation in sport.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Head of Planning and Building Control as now submitted.

Councillors T Page and K Warnell requested that their votes against this decision be recorded.

RESOLVED – that in respect of application 3/15/1957/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

687 3/15/2531/FUL – DEMOLITION OF THE EXISTING HOMES INCLUDING CADMORE COURT, CARRIDEN COURT, CHILTON COURT, CRANFORD COURT AND ELMSWELL COURT (EXCLUDING NOS 15, 16 AND 17) AND REDEVELOPMENT TO DELIVER 120 HOUSES AND APARTMENTS WITH ASSOCIATED CAR PARKING, LANDSCAPING AND AMENITY SPACE AT THE RIDGEWAY, SELE FARM, HERTFORD FOR RIVERSMEAD HOUSING ASSOCIATION

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Mrs Teggart and Mrs Landers addressed the Committee in objection to the application. Mr Tombs spoke for the application.

The Head of Planning and Building Control recommended that in respect of application 3/15/2531/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head of Planning and Building Control detailed the nature of the application and stated that the outcome would be a greater mix of new houses and apartments as well as a significantly improved quality and amount of affordable housing. The Head explained that, overall, the positive impacts in terms of linkage between the two halves of the development and the improvements to environmental quality outweighed any harm that could be caused by the proposed development.

Councillor P Ruffles commented that he was broadly in favour of this application. He acknowledged that there had been an improvement since the previous application in terms of overlooking onto Thieves Lane. He sought

clarification regarding the pedestrian access to Bramfield Road and the loss of car parking for the Aldwick Housing tenants.

The Head explained that the two halves of the site would now be joined by a footpath running through the whole site with a surface level access in the form of a raised table across The Ridgeway and this would replace the poor quality and underused subway.

Councillor P Ruffles emphasised the importance of a pedestrian link onto Bramfield Road so that pedestrians did not end up in an enclosed pedestrian cul-de-sac. Councillor M Casey commented that existing flats were in a poor state of repair. He emphasised that 5 stories were due to be replaced with 7 stories which would increase the overbearing impact of the proposed development on the nearby 2 storey dwellings.

Councillor J Kaye referred to the issue of the blocking out of light as the proposed development was closer to existing residents than the buildings that were due to be demolished. He sought and was given some clarification in respect of landscaping. He referred in particular to the lack of mature trees to protect against overlooking of neighbour plots.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED – that in respect of application 3/15/2532/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

688 3/15/1733/FUL – DEMOLITION OF EXISTING BUILDINGS, ALTERATIONS TO VEHICULAR ACCESSES AND ERECTION OF 70 NO. DWELLINGS (61 NO. FLATS AND 9 NO. HOUSES) WITH ASSOCIATED CAR PARKING, LANDSCAPING, CYCLE STORAGE, REFUSE AND

AMENITY SPACE AT B J ASHPOLE LTD, SOUTHMILL ROAD, BISHOPS STORTFORD FOR WESTON HOMES PLC

Mr Walker addressed the Committee in objection to the application. Mr Poole spoke for the application.

The Head of Planning and Building Control recommended that in respect of application 3/15/1733/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor N Symonds, as a local ward Member, referred to a submission from Councillor G Jones regarding his strong objection to this application. She read out a statement from Councillor G Cutting which supported the concerns of Councillor G Jones in respect of insufficient visitor parking. She referred to the unacceptable impact on the surrounding streets and also to the problems that had been encountered by the nearby bowls club due to insufficient spare parking capacity.

Councillor N Symonds highlighted Councillor G Cutting's concerns regarding the serious and unmanageable impact on the amenity of residents unless the visitor parking element of this scheme was revisited. He had urged the Committee to refuse planning permission on those grounds.

Councillor N Symonds stated that Bishop's Stortford Town Council had objected to the application. She pointed out that her ward contained pockets of deprivation with areas of low and high car ownership. She also referred to the ongoing objection of the Council's engineers regarding the poor quality of the proposed Sustainable Urban Drainage Systems (SuDS).

The Head of Planning and Building Control commented on a number of relevant issues with particular reference to housing land supply, the demand for modern business units and the fact that the proposed hard engineered SuDS drainage solutions were not the most optimal

solution to deal with this matter in the view of the Council's engineers.

Councillor M Freeman stated that Members should heed the views of the local ward Members and of the objection of East Herts Council's parking services. He commented that the application should be deferred at the very least so that a more sustainable parking solution could be secured.

Councillor J Jones stated that whilst it was good that a brownfield site was being developed with 39% affordable housing, he felt it was unacceptable to approve an application where the SuDS solution had been described as poor quality and not as good as it could have been. Councillor K Warnell expressed a number of reservations regarding flooding, drainage, parking and the loss of an employment site.

Councillor M Freeman proposed and Councillor P Ruffles seconded, a motion that application 3/15/1733/FUL be deferred to enable Officers to undertake further negotiations with the applicant to secure improved provision of parking and drainage infrastructure.

After being put to the meeting and a vote taken, this motion was declared CARRIED. The Committee rejected the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED – that in respect of application 3/15/1733/FUL, planning permission be deferred to enable Officers to undertake further negotiations with the applicant to secure improved provision of parking and drainage infrastructure.

689     3/16/0315/FUL – DEMOLITION OF EXISTING BUILDINGS AND PROPOSED RESIDENTIAL DEVELOPMENT OF 10 NEW HOUSES WITH ASSOCIATED LANDSCAPING AND PARKING AT THE JOHN GILPIN, LONDON ROAD, WARE, SG12 9LX FOR REGENTA DEVELOPMENT

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Catherine Mann addressed the Committee in support of the application.

The Head of Planning and Building Control recommended that in respect of application 3/16/0315/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor M Pope, as the local ward Member, referred to inadequate parking provision in an area that already had a chronic parking problem. He challenged the view of Hertfordshire Highways that the proposed access was acceptable and expressed concerns regarding access for emergency services. He stated that he was pleased to see the proposed formal pedestrian link to Grange Gardens and London Road.

Councillor M Pope stated that no one was against the development of the site and concluded that a reduced scale of development would facilitate an increase in parking provision. The Head of Planning and Building Control stated that there was no in principle objection to the proposed development as the site was located within the town boundary.

The Head reminded Members that the application would result in the loss of the John Gilpin pub and the associated employment. The pub had been the subject of a marketing exercise resulting in no interest and the application therefore complied with policy EDE2. The size, layout and design of the proposed development were considered to be acceptable and Members were advised that the proposed parking complied with the adopted supplementary planning document (SPD) and the emerging District Plan.

The Head concluded that a financial contribution had been proposed as part of the legal agreement for the provision of a footpath link to Grange Gardens or the improvement of pedestrian routes to the town centre.

Councillor D Oldridge stated that this was a good location for housing that needed developing as the pub had been closed for a while. He queried whether there would be allocated parking and whether the entrance gates would be set back from the highway.

Councillor J Kaye expressed concerns that there was nowhere locally for residents or visitors to park other than on this site. The Head confirmed that this would be a gated development and Officers anticipated that the parking spaces would be allocated and that the entrance gates would be set back from the highway. Officers acknowledged that the local area had difficulties with parking and there were double yellow lines.

The Head reminded Members that planning applications had to meet their own parking requirements and could not be expected to resolve existing problems. Members were reminded that the application complied with the adopted SPD and the more rigorous standards within the emerging District Plan regarding car parking.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED – that in respect of application 3/15/0315/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

- 690 A) 3/16/0061/FUL AND B) 3/16/0062/LBC – DEMOLITION OF A TWO STOREY ARMOURY BUILDING AND A SINGLE STOREY ELEMENT OF A 6TH FORM BUILDING. REFURBISHMENT OF THE EXISTING SINGLE STOREY, PITCHED ROOF FORMER GRUB SHOP BUILDING. PROVISION OF HARD AND SOFT LANDSCAPING AND A NEW PEDESTRIAN WAY. PROVISION OF EXTERNAL LIGHTING. ERECTION OF A NEW HUMANITIES CENTRE AT HAILEYBURY AND IMPERIAL SERVICE COLLEGE, COLLEGE ROAD, HERTFORD HEATH. SG13 7NU FOR MR

PAUL WATKINSON

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The Head of Planning and Building control recommended that in respect of application 3/16/0061/FUL and 3/16/0062/LBC, planning permission and listed building consent be granted subject to the conditions detailed in the report now submitted.

The Head of Planning and Building Control summarised the applications and advised that the application constituted inappropriate development in the Metropolitan Green Belt as the proposed development was larger than the two listed buildings that would be demolished.

After being put to the meeting and votes taken, the Committee accepted the recommendations of the Head of Planning and Building Control as now submitted.

RESOLVED – that in respect of applications 3/16/0061/FUL and 3/16/0062/LBC, planning permission and listed building consent be granted subject to the conditions detailed in the report now submitted.

- 691 3/15/2579/VAR – VARIATION OF APPROVED PLANS  
CONDITION 2 (OF LPA REFERENCE 3/14/0978/FP AS  
AMENDED BY LPA REFERENCE 3/15/2282/NMA)  
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 FOR REDROW HOMES LTD
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Lorna Byrne addressed the Committee in support of the application.

The Head of Planning and Building Control recommended that in respect of application 3/15/2579/VAR, subject to a deed of variation of the legal obligation agreed under reference 3/14/0978/FP, planning permission be granted

subject to the conditions detailed in the report now submitted.

The Head of Planning and Building Control summarised the application and detailed the relevant planning history. The Head summarised the reasons for the changes that had been made since the previous approval of planning permission.

Members were advised that there had been no objections from statutory consultees and the Head referred to the deed of variation to tie this planning application in with the Section 106 legal agreement for application 3/14/0978/FP. After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED – that in respect of application 3/15/2579/VAR, subject to a deed of variation of the legal obligation agreed under reference 3/14/0978/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

692 3/15/2575/HH – SINGLE STOREY REAR PORCH EXTENSION TO HOUSE. DETACHED OUTBUILDING TO REAR GARDEN AT 4 CHURCHFIELD ROAD, TEWIN, WELWYN, AL6 0JW FOR MR AND MRS R AND L BIELBY

The Head of Planning and Building Control recommended that in respect of application 3/15/2575/HH, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor L Haysey, as the local ward Member, commented that the application was contrary to policy GBC1 and constituted inappropriate development in the Green Belt. She stated that the 33.9 square metre floor space was at least a 100% increase in the original floor space. She urged Members to refuse the application and

emphasised that permitted development rights should be rigorously applied.

The Head summarised the application on a site that was located within the metropolitan Green Belt. Members were advised that the property had previously benefited from extensions that would take the property to over 100% of its original size when the current proposals were taking into account. The application therefore constituted inappropriate development as there would an impact on the openness of the Green Belt.

The Head advised that the applicant could introduce development across 50% of the plot under permitted development regulations. Members were advised to consider whether the impact of the proposed development was so severe to justify a refusal of planning permission for the development that was in excess of what could be built as permitted development. Officers had recommended approval as the harm was outweighed by special circumstances for development in the metropolitan Green Belt.

At this point (9.49 pm), the Committee passed a resolution that the meeting should continue until the completion of the remaining business on the agenda. Following a number of comments from Members, the Head clarified the circumstances whereby a property could be extended under the permitted development regulations.

The Head confirmed to Councillor J Jones that any introduction of class E outbuildings had to take into account whether they were incidental to the enjoyment of the main dwelling house. After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED – that in respect of application 3/15/2575, planning permission be granted subject

to the conditions detailed in the report, now submitted.

693 E/15/0366/ENF – UNAUTHORISED ERECTION OF MARQUEE AT BRIGGENS HOUSE HOTEL, BRIGGENS PARK ROAD, STANSTEAD ABBOTTS, WARE, SG12 8LD

The Head of Planning and Building Control recommended that in respect of the site relating to E/15/0366/ENF, Members note and confirm their agreement with the enforcement action already taken and authorise the service of any further notices as now detailed.

After being put to the meeting and a vote taken, the Committee accepted the Head of Planning and Building Control's recommendations for enforcement action to be authorised in respect of the site relating to E/15/0366/ENF on the basis now detailed.

RESOLVED – that (A) in respect of E/15/0366/ENF, the enforcement action already taken in respect of the unauthorised marquee be noted and endorsed; and

(B) the Head of Planning and Building Control, in conjunction with the Interim Head of Democratic and Legal Support Services, be authorised to take further enforcement action if required on the basis now detailed.

694 E/15/0282/ENF – UNAUTHORISED INSERTION OF 2 NO. WINDOWS IN REAR ELEVATION OF LAUNDRETTE AND UNAUTHORISED INSTALLATION OF FLUE AT 2-2A RHODES AVENUE BISHOPS STORTFORD CM23 3JL

The Head of Planning and Building Control recommended that in respect of the site relating to E/15/0282/ENF, enforcement action be authorised on the basis now detailed.

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

Committee accepted the Head of Planning and Building Control’s recommendation for enforcement action to be authorised in respect of the site relating to E/15/0282/ENF on the basis now detailed.

RESOLVED – that in respect of E/15/0282/ENF, the Head of Planning and Building Control, in conjunction with the Interim Head of Democratic and Legal Support Services, be authorised to take enforcement action on the basis now detailed.

695 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 9.53 pm

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| Chairman | ..... |
| Date     | ..... |