

MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 14 SEPTEMBER 2016, AT
7.00 PM

PRESENT: Councillor T Page (Chairman)
Councillors M Allen, D Andrews, R Brunton,
M Casey, B Deering, M Freeman, J Jones,
D Oldridge, S Reed, R Standley and
K Warnell.

ALSO PRESENT:

Councillors P Ballam, S Bull, S Cousins,
M Pope and S Rutland-Barsby.

OFFICERS IN ATTENDANCE:

Paul Dean	- Principal Planning Enforcement Officer
Nurainatta Katevu	- Property and Planning Lawyer
Peter Mannings	- Democratic Services Officer
Kevin Steptoe	- Head of Planning and Building Control Services
Alison Young	- Development Manager

268 APOLOGIES

Apologies for absence were submitted on behalf of
Councillors J Goodeve and J Kaye. It was noted that
Councillors D Andrews and S Reed were substituting for
Councillors J Kaye and J Goodeve respectively.

269 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed all to the meeting and outlined the process to be followed. He outlined general housekeeping issues and reminded those in attendance that the meeting would be webcasted. He advised that a legal update briefing had been arranged for 12 October 2016 at 6 pm in the Council Chamber for Members of the Development Management Committee and Licensing Committee.

270 MINUTES – 20 JULY 2016

RESOLVED – that the Minutes of the meeting held on 20 July 2016 be confirmed as a correct record and signed by the Chairman.

271 3/16/1164/FUL – ERECTION OF 1NO 5 BEDROOMED DWELLING, 5NO 4 BEDROOMED DWELLINGS, 5NO 3 BEDROOMED DWELLINGS, 5NO 2 BEDROOMED DWELLINGS AND 2NO 1 BEDROOMED DWELLINGS. WIDENING OF VEHICULAR AND PEDESTRIAN ACCESS FROM HUNSDON ROAD, LANDSCAPING, SURFACE WATER DRAINAGE, AND CAR PARKING AT LAND SOUTH OF MARTLETS, HUNSDON ROAD, WIDFORD, SG12 8SE FOR STONEBOND PROPERTIES LTD

Mr Calder addressed the Committee in support of the application.

The Head of Planning and Building Control recommended that in respect of application 3/16/1164/FUL, subject to a legal obligation 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 Head summarised the application and highlighted a number of relevant issues that were detailed in the report. He also referred to the information included in the additional representations summary. The Planning and

Property Lawyer advised that Councillors M Casey and K Warnell should not participate in the debate or vote as they had arrived after the meeting had started and had not heard the full debate.

The Committee debated the application and Officers responded to a number of queries from Members. Councillor R Brunton referred in particular to limited leisure facilities in Widford. Members were given advice regarding powered speed limit warning signs following comments from Councillor R Brunton.

Councillors D Andrews and B Deering suggested that wording regarding the protection of trees should be added to the conditions detailed in the report. This was supported. 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 3/16/1164/FUL, subject to a legal obligation 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 and the following amended condition:

6. Prior to the commencement of the development above ground level, full details of both hard and soft landscape proposals, including tree planting, shall be submitted to and approved in writing by the Local Planning Authority. These details shall include, as appropriate: (a) Proposed finished levels or contours (b) Means of enclosure (c) Hard surfacing materials (d) Planting plans (e) Written specifications (including cultivation and other operations associated with plant and grass establishment) (f) Schedules of plants, noting species, planting sizes and proposed numbers/densities where

appropriate (e) Implementation timetables.
Thereafter the development shall proceed in accordance with the approved details.

Reason: To ensure the provision of amenity afforded by appropriate landscape design, in accordance with policies ENV1, ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

272 3/16/0404/FUL – DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF A 'RETIREMENT LIVING' BLOCK OF 33 RESIDENTIAL UNITS (CATEGORY II SHELTERED HOUSING) FOR THE ELDERLY WITH ASSOCIATED COMMUNAL FACILITIES, CAR PARKING AND LANDSCAPING AT GATES OF HERTFORD, GASCOYNE WAY, HERTFORD, SG13 8EL FOR MCCARTHY AND STONE RETIREMENT LIFESTYLES LTD

Mr Margetts addressed the Committee in objection to the application.

The Head of Planning and Building Control recommended that in respect of application 3/16/0404/FUL, planning permission be refused for the reasons detailed in the report now submitted.

The Head summarised the application and highlighted a number of relevant issues for Members to consider including the lack of any affordable housing provision. The applicant had stated that they were unable to increase their offer as regards affordable housing. Members were reminded that the NPPF stated that applications should be approved unless it had been demonstrated that the harm of a scheme significantly outweighed the benefits.

The Committee debated the application and Officers responded to a number of queries from Members. Councillor K Warnell proposed and Councillor B Deering seconded, a motion that an additional reason be added to

the reasons for refusal on the basis that the proposals would result in an unacceptable impact on the amenity of neighbouring properties due to overlooking and loss of privacy.

After being put to the meeting and a vote taken, this motion was declared CARRIED. 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 3/16/0404/FUL, planning permission be refused for the reasons detailed in the report now submitted and for the following additional reason:

5. The proposals, by virtue of the proximity of the new building to the adjacent residential properties on West Street to the North West of the site, would result in an unacceptable impact on the amenity of the occupiers of those properties by reason of overlooking and loss of privacy. The proposed development is thereby contrary to policy ENV1 of the East Herts Local Plan Second Review April 2007 and National Planning policy in the NPPF.

273 3/16/1228/FUL – DEMOLITION OF EXISTING BUILDING AND ERECTION OF 6 STOREY RESIDENTIAL DEVELOPMENT OF 14 APARTMENTS, GROUND FLOOR LICENSED CAFE AND BASEMENT PARKING AT ELBERT WURLINGS, PEGS LANE, HERTFORD. SG13 8EG FOR MR EUGENE FLANNERY / T SHIPTON INVESTMENTS LIMITED

Mr Haines addressed the Committee in support of the application.

The Head of Planning and Building Control recommended that in respect of application 3/16/1228/FUL, planning permission be granted subject to the conditions detailed in the report now submitted. The Head summarised the application on what was a constrained site with limited

scope for redevelopment. Members were advised that the proposal would have a very good relationship in terms of scale and design with the surrounding area and a neighbouring development.

The Head responded to queries from Councillors D Oldridge, B Deering and M Casey regarding a sculpture, the height of the proposed development and the proposed parking for the non-residential element of the application. He referred to the site as being part of a large block of land and there was no design harm and the application complied with parking policy.

The Head concluded that the potential harm was outweighed by the benefits. Councillor D Andrews made a number of observations that were relevant to the proposed development. 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 3/16/1228/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

- 274 3/16/1595/FUL – FIRST FLOOR EXTENSION TO 11-21 POTTER STREET AND ALTERATION OF SHOPFRONT TO CREATE 2NO. SEPARATE UNITS (INCLUDING BRINGING FORWARD SHOPFRONTS ONTO POTTER STREET). REPLACEMENT FRONT ENTRANCE TO JACKSON SQUARE SHOPPING CENTRE ON POTTER STREET AND ALTERATIONS TO THE POTTER STREET FRONTAGE AT 11-21 POTTER STREET, JACKSON SQUARE, BISHOP'S STORTFORD, CM23 3UN FOR LEGAL AND GENERAL ASSURANCE (PENSIONS MANAGEMENT) LTD
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The Head of Planning and Building Control recommended that in respect of application 3/16/1595/FUL, planning permission be granted subject to the conditions detailed in the report now submitted. The Head summarised the

application and advised that it could be viewed in two parts in terms of a first floor extension and alterations to the frontage of Jackson Square onto Potter Street.

Members were advised that the application would positively enhance the retail offer and would enhance the character and appearance of the site. The Head believed that whilst there would be an impact with regard to the residential amenity enjoyed by occupiers located to the south of the site, the benefits of the proposed development outweighed the harm.

Councillor K Warnell stated that he was supportive of the proposed development scheme as the application would enhance the retail offer and would tidy up the Potter Street frontage. 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 3/16/1595/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

275 3/16/1067/FUL – CHANGE OF USE FROM B8 (STORAGE AND DISTRIBUTION) TO B2 (FOOD PRODUCTION) WITH ALTERATIONS AND EXTENSION TO THE SOUTH WEST AND SOUTH EAST ELEVATIONS AT BRAKE BROS FOODSERVICE LTD, DUNMOW ROAD, BISHOP'S STORTFORD, CM23 5PA FOR NOBLE FOODS DESSERTS HOLDINGS LTD

The Head of Planning and Building Control recommended that in respect of application 3/16/1067/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head detailed the relevant site history and summarised the application for the change of use from B8 storage and distribution to B2 food production. Members

were advised that the proposal would bring a vacant site back into use resulting in the employment of a similar number of people. The Head concluded that whilst there was a shortfall in parking provision this was mitigated by the proximity of the site to sustainable modes of transport.

Councillor K Warnell believed that the change of use would be welcomed by local residents due to the reduction in vehicle movements. 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 3/16/1067/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

276 3/15/0561/FUL – PART DEMOLITION OF NIGHT CLUB BUILDING (SUI GENERIS USE) TO FACILITATE THE REDEVELOPMENT WITH COMMERCIAL/RETAIL USE ON THE GROUND FLOOR AND 10 RESIDENTIAL UNITS ON THREE UPPER FLOORS AT 20 AMWELL END, WARE FOR AMWELL END LTD, C/O LANES NEW HOMES, 2 MARKET STREET, WARE SG14 1BD

Mr Kirby addressed the Committee in support of the application.

The Head of Planning and Building Control recommended that in respect of application 3/15/0561/FUL, planning permission be granted subject to the conditions detailed in the report now submitted. Councillor M Pope, as the local ward Member, addressed the Committee and stated that whilst he was not in objection, he did have some concerns. He referred in particular to the lack of parking provision for residents and the staff working from the site. He supported the condition regarding the parking provision for service delivery vehicles.

The Head stated that the site had been vacant for a

number of years and was located in a busy commercial area of Ware. He summarised the issues for Members and stated that Members must weigh up any harmful impacts with the beneficial use of the site. He stated condition 6 covered the highways issues referred to by the local ward Member.

Councillor D Andrews referred to the additional pressure on the existing 20 on-street car parking spaces. He referred in particular to times when Ware Drill Hall was in use. The Head advised that the issue of parking on land surrounding the site had been explored with the applicant and this was not currently possible.

Councillor D Oldridge proposed and Councillor B Deering seconded, a motion that application 3/15/0561/FUL be deferred to enable Officers to discuss with the applicant the potential for the provision of parking as part of the development proposals.

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 3/15/0561/FUL, planning permission be deferred to enable Officers to discuss with the applicant the potential for the provision of parking as part of the development proposals.

277 3/14/0209/FO – VARIATION OF SECTION 106 OBLIGATION AT ASDA, WATTON ROAD, WARE FOR ASDA

The Head of Planning and Building Control recommended that in respect of application 3/14/0209/FO, the proposed variation of the Section 106 agreement be approved. Officers advised that better value would result from the reallocation of £80,000 of Section 106 funding for enhanced works on Baldock Street which could include architectural lighting.

The Head advised that pedestrian routes between the Asda store and the Town Centre could also be enhanced along with more flexible pedestrian links. 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 3/14/0209/FO, the proposed variation of the Section 106 agreement be approved.

278 3/16/1562/HH – TWO STOREY SIDE EXTENSION AT 1 BEECHFIELD, SAWBRIDGEWORTH, CM21 9NG FOR MRS L PAGE

The Head of Planning and Building Control recommended that in respect of application 3/16/1562/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 Head of Planning and Building Control as now submitted.

RESOLVED – that in respect of application 3/16/1562/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

279 ITEMS FOR REPORTING AND NOTING

At the invitation of the Chairman, the Head of Planning and Building Control highlighted a number of recent appeal decisions and referred in detail to a number of points of interest in a summary note he had tabled for Members. He responded to a number of comments and queries from the Committee.

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 9.03 pm

Chairman

Date