

MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 28 MARCH 2018, AT 7.00 PM

PRESENT: Councillor T Page (Chairman)
Councillors M Allen, D Andrews, P Ballam,
P Boylan, R Brunton, M Casey, B Deering,
J Goodeve, P Ruffles, R Standley and
T Stowe.

ALSO PRESENT:

Councillors S Bull and S Rutland-Barsby.

OFFICERS IN ATTENDANCE:

Simon Aley	-	Interim Legal Services Manager
Thomas Howe	-	Planning Student
Peter Mannings	-	Democratic Services Officer
Paul Mumford	-	Service Manager Quality Places
Lisa Page	-	Principal Planning Officer

416 APOLOGIES

Apologies for absence were submitted on behalf of
Councillors J Jones and K Warnell. It was noted that

Councillors P Boylan and P Ruffles were substituting for Councillors J Jones and K Warnell respectively.

417 CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that the following applications had been withdrawn:

- 3/17/2897/OUT - Outline planning application for up to 105 residential dwellings, with associated landscaping, amenity space, vehicle and pedestrian access from High Street, and associated works. All matters reserved except for access at Land west of High Street and south of Dovehouse Lane, Walkern, SG2 7PF for Welbeck Strategic Land II LLP c/o agent.
- 3/17/2216/OUT - Outline application for 27 no. dwellings at Land west of High Road, High Cross for Caddick or c/o agent.
- 3/18/0105/OUT - Outline planning application for the erection of up to ten dwellings (all matters reserved) at Blind Lane, Ardeley for Mr Owen York c/o agent.

418 DECLARATIONS OF INTEREST

Councillor P Ruffles declared an interest in application 3/17/1867/FUL, on the grounds that a similar application had been determined by Hertfordshire County Council. He stated that as this was not a disclosable pecuniary interest, he would remain in the room but would take no part in the debate or vote.

Councillor D Andrews declared interests in applications 3/17/0414/REM and 3/17/0424/REM, on the grounds that he knew personally a senior Officer in the company that was the applicant in both applications. He confirmed that although these were not disclosable pecuniary interests, he would leave the room for both items and would take no part in the debate or vote.

- 419 3/17/1867/FUL - CHANGE OF USE FROM AGRICULTURAL LAND TO GOLF COURSE; ERECTION OF GOLF CLUB HOUSE WITH BAR, RESTAURANT, CHANGING AND PRO SHOP FACILITIES; INCORPORATION OF A WATER HARVESTING SCHEME FOR SUSTAINABLE IRRIGATION AND AN IMPROVED DRAINAGE SYSTEM THROUGH THE IMPORTATION OF RECOVERED SOILS; UPGRADED PRACTICE FACILITY INCLUDING COVERED PRACTICE BAYS; AND ENHANCED LANDSCAPING AT HERTFORD GOLF CLUB, LONDON ROAD, HERTFORD FOR MR A RUBINO, BELVIEW GOLD LTD
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The Head of Planning and Building Control recommended that in respect of application 3/17/1867/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head summarised the application and detailed the relevant planning history. Members were referred to the additional commentary in the late representations summary as well as the comments of Hertford Town Council circulated by email. The Head advised that none of the additional comments had altered the recommendation.

The Head advised that, in green belt terms, the engineering operation was appropriate and significant weight has been applied to the extant permission. Hertfordshire Highways were content that the highway network could cope with the additional loads and Officers were satisfied that the landscape impact would be acceptable and had therefore recommended the application for approval.

Mr Wansell addressed the Committee in objection to the application. Ms Osborn spoke for the application. Councillor S Rutland-Barsby addressed the Committee as a local ward Member.

The Interim Legal Services Manager commented on a decision taken by Basildon District Council that had been quashed on the basis that an Environmental Impact Assessment (EIA) must be carried out due to the scale of the waste due to be deposited. Members were advised that guidance was now much clearer in terms of what waste could be deposited on a site for the purposes of a golf course.

Members were advised that an EIA would not assist with the issue of vehicle movements as that matter would be addressed via a transport assessment and Highways Officers had indicated they were content to abide by the 3 year old assessment. The Interim Legal Services Manager concluded that Members must determine what they hoped to achieve by any further assessment.

The Head confirmed that Officers had assessed the

proposals and were of the view that whilst there would be environmental affects these were not significant enough to justify an EIA. Councillor J Goodeve commented that much of the transport assessment dated from 2010 and a significant number of new properties had been built, including a new primary school at Simon Balle and on that basis, the traffic study was deficient and needed to be repeated.

Councillor D Andrews expressed concerns regarding detritus and mud that had previously obscured road markings and signage on Ware Road. He was concerned for the pedestrians and school children using footpaths near Hertford Heath to access Simon Balle School and other schools. He concluded that his primary concerns centred on the issue of the greenbelt, buildings and openness. He queried why 400,000 tonnes of material was required for the construction of a golf course.

Councillor M Casey commented on whether Officers had any evidence to suggest that the intention of the applicant was to build a golf course or whether this was a front for a waste disposal operation. Councillor B Deering commented on the likely number of lorry movements per day to this site. He emphasised the policy position in that very special circumstances did not exist unless it could be demonstrated that the harm to the Green Belt was clearly outweighed by other considerations.

Councillor P Boylan stated that he considered that 240 lorry movements over a 12 hour day or a movement every 3 minutes was a little heavy. He referred to the

comments of HCC Minerals and Waste as detailed in paragraph 5.7 of the report submitted. The Committee debated the conditions detailed in the report in respect of lorry movements. Officers responded to Members' comments by referring in detail to a number of conditions in the report as well as the comments of the Highway Authority and the Landscape Officer.

Councillor D Andrews proposed and Councillor J Goodeve seconded, a motion that application 3/17/1867/FUL be refused on the grounds that the proposed development would be detrimental to the openness and the visual amenity of the Metropolitan Green Belt and was therefore contrary to national planning guidance in section 8 of the National Planning Policy Framework. The proposal development would also give rise to significant additional traffic movements and would thereby be prejudicial to highway safety and a potential danger to other road users and pedestrians.

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 3/17/1867/FUL, planning permission be refused for the following reasons:

1. The proposed development by reason of the amount of importation and associated land level changes, would be detrimental to

the openness and the visual amenity of the Metropolitan Green Belt contrary to national planning guidance in section 8 of the National Planning Policy Framework

2. The proposal development would give rise to significant additional traffic movements, and would thereby be prejudicial to highway safety and a potential danger to other road users and pedestrians.

420 A) 3/17/1491/FUL AND B) 3/17/1492/LBC - A) ALTERATIONS, EXTENSIONS AND CONVERSION OF EXISTING PUBLIC HOUSE TO CREATE 2NO X 2-BED UNITS AND 1NO MICRO-PUB WITH ASSOCIATED CELLAR, UPPER FLOOR ACCOMMODATION, FACILITIES AND PUB GARDEN WITH ASSOCIATED ACCESS, PARKING AND REFUSE. CONVERSION OF DETACHED REAR BARN TO CREATE 1NO 2-BED UNIT WITH ASSOCIATED ACCESS, PARKING, REFUSE AND PRIVATE AMENITY SPACE. ERECTION OF 5.NO DWELLINGS ON THE EXISTING PH CAR PARK AND GARDEN WITH ASSOCIATED ACCESS, PARKING, REFUSE AND PRIVATE AMENITY SPACE; AND B) CONVERSION OF THE EXISTING, LISTED PUBLIC HOUSE TO CREATE 2NO X 2-BED UNITS AND 1NO MICRO-PUB WITH ASSOCIATED CELLAR, UPPER FLOOR ACCOMMODATION, FACILITIES AND PUB GARDEN INCORPORATING ALTERATIONS AND PARTIAL DEMOLITION OF AREAS OF THE EXISTING FLAT ROOF REAR EXTENSION AREA. CONVERSION OF THE LISTED BARN TO THE REAR OF THE PUBLIC HOUSE TO CREATE A 2-BED UNIT WITH ALTERATIONS TO THE LISTED BUILDING AND PARTIAL DEMOLITION OF AREAS OF THE EXISTING CAT SIDE AISLE

The Head of Planning and Building Control

recommended that in respect of applications 3/17/1491/FUL and 3/17/1492/LBC, planning permission and listed building consent be granted subject to the conditions detailed in the report now submitted.

The Head summarised the application and detailed the relevant planning history. Members were advised of representations from Aston Parish Council and the applicant regarding the designation of the building as a community asset and this was summarised in the additional representations summary.

The Head advised that the layout, scale and detailed design of the development would be sympathetic to the character of the area and would provide wider enhancement to the setting of the listed building and the conservation area and would also secure the long term viability of the listed barn.

Members were advised that local concern over the reduction in size of the public house was outweighed by the evidence of the unviability of the pub over a period of time. A retained facility on the site would be of benefit to the village which had other similar facilities.

The Head advised that limited parking was a concern but overall Officers considered that the application was in accordance with local and national policies.

Mr Stimpson addressed the Committee in objection to the application. Mr West and Mr Ritter spoke for the application. Councillor S Brown addressed the

Committee as the Chairman of Aston Parish Council.

Councillor T Stowe emphasised that he intended to address the Committee as a local ward Member and not as a Member of the Committee. He addressed the Committee then left the Council Chamber and took no part in the debate or vote.

Councillor D Andrews commented that it was always sad and unappetising to see pubs being shut in the villages Members and residents enjoyed. He referred to this pub as being closed for a very long time.

Councillor D Andrews stated that he was content with the concept of infilling but was troubled by the concept of a micro pub. He sought clarification from Officers as to the viability of a micro pub as there had been doubt expressed in that regard. Following questions from Councillor R Brunton and the Chairman regarding viability and sustainability, the Head referred Members to policy STC8 and the points raised in paragraph 8.4 onwards of the report submitted.

The Head reminded Members that policy STC8 covered the loss of an asset such as a public house and such a loss would not be permitted which would result in a significant reduction in the level of such provision locally. Officers had assessed the availability of similar local provision and whether the pub could come forward as a viable option as well as the length of time it had been vacant when making their recommendation for approval.

Councillor P Boylan commented on the apparent lack

of conditions regarding the concerns raised by East Herts Environmental Services and access for refuse freighters to top and empty bins from the centralised collection point. He also commented on parking standards and the apparent lack of availability of any on-street parking on very narrow lanes.

The Head advised Members that the planning conditions and condition 21 in particular covered the point regarding refuse collections. The matter of parking was covered in paragraph 8.18 of the report submitted and Officers had made a balanced judgement that the provision was acceptable in this location. Members were further advised that Officers had made a judgement that the application was acceptable and further information was not required as to the viability of the unit.

In reply to a comment from Councillor M Allen, the Head confirmed that Highways Officers were content with the application in terms of highways safety.

Councillor M Allen proposed and Councillor D Andrews seconded, a motion that application 3/17/1491/FUL be refused on the grounds that the proposed development would result in a reduction in the size of the existing public house and insufficient information had been submitted to demonstrate the long term viability of the retained facility, contrary to policy STC8 of the East Herts Local Plan Second Review April 2007 and Section 3 of the National Planning Policy Framework. Inadequate provision had been made within the site for the parking of vehicles in accordance with the council's adopted standards for car parking

provision and therefore be contrary to policy TR7 of the East Herts Local Plan Second Review April 2007 and Supplementary Planning Document Vehicle Parking Provision 2008.

After being put to the meeting and a vote taken, this motion was declared CARRIED.

Councillor M Allen proposed and Councillor D Andrews seconded, a motion that application 3/17/1492/LBC be refused on the grounds that the proposed development would result in a reduction in the size of the existing public house and would be harmful to the character, appearance and historic interest of the listed building, contrary to Section 12 of the National Planning Policy Framework.

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

RESOLVED – that (A) in respect of application 3/17/1491/FUL, planning permission be refused for the following reasons:

1. The proposed development would result in a reduction in the size of the existing public house. Insufficient information has been submitted in regards to demonstrating the long term viability of the retained facility, contrary to policy STC8 of the East Herts Local Plan Second Review April 2007 and Section 3 of the National Planning Policy

Framework.

2. Inadequate provision is made within the site for the parking of vehicles in accordance with the council's adopted standards for car parking provision. The proposal would be likely to result in on-street parking, causing obstruction to the free and safe flow of traffic, thereby exacerbating traffic congestion and safety on the nearby road network. The proposal would therefore be contrary to policy TR7 of the East Herts Local Plan Second Review April 2007 and Supplementary Planning Document Vehicle Parking Provision 2008.

(B) in respect of application 3/17/1492/LBC, listed building consent be refused for the following reason:

1. The proposed development would result in a reduction in the size of the existing public house and would be harmful to the character, appearance and historic interest of the listed building, contrary to Section 12 of the National Planning Policy Framework.

421 3/17/2220/FUL - DEVELOPMENT OF THE LAND TO PROVIDE 3NO. COMMERCIAL UNITS AT GROUND FLOOR ALONG WITH 10NO. RESIDENTIAL APARTMENTS (2NO. AT GROUND FLOOR, 5 NO. AT FIRST FLOOR AND 3NO. AT SECOND FLOOR AT 34 - 36 RYE STREET, BISHOPS STORTFORD FOR MR M GROSS

The Head of Planning and Building Control recommended that in respect of application 3/17/2220/FUL, planning permission be refused for the reasons detailed in the report now submitted.

The Head summarised the application and detailed the relevant planning history. He referred to the design aspects of the proposed development and commented on the inappropriate design of the new dwellings. He also stated that policy tests in respect of this application had not been met and the proposed amenity space was not acceptable. He referred to the car parking objections as detailed in paragraph 8.10 of the report 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 3/17/2220/FUL, planning permission be refused for the reasons detailed in the report.

- 422 3/17/2959/FUL - REMOVAL OF 4 GRAIN STORE SILOS. PROPOSED INSTALLATION OF AN ENERGY STORAGE DEVELOPMENT CONSISTING OF 4 NO. 2.5MW CONTAINERISED BATTERIES WITH ANCILLARY OPERATIONAL EQUIPMENT, FOR A TEMPORARY PERIOD OF 25 YEARS. SECURITY CLOSE BOARDED TIMBER FENCING 2.4 METRES IN HEIGHT INSTALLED AROUND PERIMETER OF THE PLANT AT LAND AT WICKHAM HALL, HADHAM ROAD, BISHOP'S STORTFORD, CM23 1JG FOR MR D HARVEY
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The Head of Planning and Building Control recommended that in respect of application 3/17/2959/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head responded to a number of minor queries from the Chairman and Councillors D Andrews, T Stowe and P Ballam. 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 3/17/2959/FUL, planning permission be granted subject to the conditions detailed in the report submitted.

423 3/17/2865/REM - APPLICATION FOR RESERVED MATTERS IN RESPECT OF APPEARANCE, LANDSCAPE AND SCALE FOLLOWING OUTLINE PLANNING PERMISSION ALLOWED ON APPEAL REF. 3/15/0206/OP FOR THE DEMOLITION OF 30 WICKLANDS ROAD AND ERECTION OF 14 DWELLINGS - MINOR AMENDMENTS AT HUNSDON LODGE FARM, DRURY LANE, HUNSDON, SG12 8NU FOR MR L MCGRENAGHAN

The Head of Planning and Building Control recommended that in respect of application 3/17/2865/REM, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head summarised the application and detailed the relevant planning history. Members were referred to the information detailed in the additional representations summary. Officers were of the view that this reserved matters scheme was in accordance with the outline application.

The Head referred to paragraph 1.4 of the report for the main issues that Members should consider. Officers were of the view that this scheme was an improvement to previous applications that had been determined in this location. Members were advised that any outstanding matters could be addressed via the Section 106 process or by conditions.

Councillor R Brunton sought and was given some clarity on a number of points and concerns that had been raised by Hunsdon Parish Council. The Committee accepted the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED – that in respect of application 3/17/2865/REM, planning permission be granted subject to the conditions detailed in the report submitted.

- 424 3/17/0414/REM - APPROVAL OF RESERVED MATTERS FOR 3/14/0531/OP IN RESPECT OF APPEARANCE, LAYOUT, SCALE AND LANDSCAPING FOR THE ERECTION OF 81 NO. DWELLINGS, ASSOCIATED GARAGES, PARKING, OPEN SPACE AND LANDSCAPING AT AREA 3 SOUTH HARE STREET ROAD, BUNTINGFORD FOR WHEATLEY HOMES LTD
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The Head of Planning and Building Control recommended that in respect of application 3/17/0414/REM, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head summarised the application and detailed the relevant planning history. Members were advised that the proposed parking provision was in conflict with the BCANP policy in respect of car parking and in particular with the proposed tandem parking in front of garages.

The Head also referred Members to paragraph 9.31 of the report submitted in respect of drainage. 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 3/17/0414/REM, planning permission be granted subject to the conditions detailed in the report.

425 3/17/0424/REM - APPROVAL OF RESERVED MATTERS FOR 3/14/0531/OP IN RESPECT OF APPEARANCE, LAYOUT, SCALE AND LANDSCAPING FOR THE ERECTION OF 75 NO. DWELLINGS AND ASSOCIATED GARAGES, PARKING, OPEN SPACE AND LANDSCAPING AT AREA 3 SOUTH HARE STREET ROAD, BUNTINGFORD FOR WHEATLEY HOMES LTD

The Head of Planning and Building Control recommended that in respect of application 3/17/0424/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 3/17/0424/REM, planning permission be granted subject to the conditions detailed in the report.

The meeting closed at 9.21 pm