

MINUTES OF A MEETING OF THE  
DEVELOPMENT CONTROL  
COMMITTEE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD  
ON WEDNESDAY, 30 MARCH 2005 AT  
7.30 PM

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PRESENT: Councillor R Gilbert (Chairman).  
Councillors W Ashley, K A Barnes, S A Bull,  
R N Copping, A F Dearman, J Demonti,  
M P A McMullen, T Milner, D A A Peek,  
P A Ruffles, S Rutland-Barsby, J J Taylor,  
M J Tindale, A L Warman, M Wood.

ALSO IN ATTENDANCE:

Councillor E J Cain.

OFFICERS IN ATTENDANCE:

Peter Biggs	- Development Control Manager
Lorraine Blackburn	- Committee Secretary
Simon Drinkwater	- Assistant Director (Law and Control)
Harvey Fairbrass	- Development Control Manager
Neal Hodgson	- Assistant Director (Regulatory Services)

690 APOLOGIES

Apologies for absence were submitted on behalf of  
Councillors M R Alexander, N Burdett, G L Francis,  
Mrs M H Goldspink, D Richards and B W J Sapsford.

691 CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that agenda item 7 "Affordable  
Housing Policy and Section 106 Agreements" had been  
withdrawn.

The Chairman announced that the consultation period for new applications before Town and Parish Councils had been extended from 16 to 21 days.

The Chairman commented that the Council had been awarded £315,399.16 under the Planning Delivery Award Scheme for the benefit of the Development Control Section.

The Chairman commented that the Development Control Section had received a letter of support in relation to application 3/05/0148/FP (change of use of land to provide additional car parking for the adjacent garage construction car park at land to rear – Newmarket Motors Ltd). This would be referred to later when the application was considered.

#### 692 DECLARATIONS OF INTEREST

Councillor M Tindale declared a personal and prejudicial interest in respect of applications a) 3/04/2434/FP and b) 3/04/2435/LB which he had personally submitted for planning approval and Listed Building Consent. Councillor M J Tindale left the room prior to consideration of this application.

Councillors W Ashley, J Demonti, R Gilbert, T Milner, D A A Peek, J J Taylor and A Warman all declared personal interests as friends of Councillor M J Tindale in respect of applications a) 3/04/2434/FP and b) 3/04/2435/LB.

Councillor A F Dearman declared a personal interest in applications a) 3/04/2434/FP and b) 3/04/2435/LB in that he was a friend of Councillor M J Tindale. He further declared a personal interest in application 3/05/0148/FP as he belonged to a syndicate (although it was not stated how this related to the application).

Councillor P A Ruffles declared a personal interest in application 3/04/2521/OP in that he was a County

Councillor.

Councillor K A Barnes declared a personal interest in application 3/05/0112/FP in that he was a regular spectator at the football club.

Councillor S A Bull declared a personal interest in applications a) 3/04/2434/FP and b) 3/04/2435/LB as a friend of Councillor M J Tindale. He also declared a personal and prejudicial interest in applications a) 3/03/1209/FP and b) 3/01/2067/LC as he received a pension from the Co-op. Councillor S A Bull left the room prior to consideration of this application.

### RESOLVED ITEMS

### ACTION

#### 693 MINUTES

RESOLVED – that the Minutes of the Development Control Committee meeting held on 2 March 2005 be approved as a correct record of the proceedings and signed by the Chairman.

#### 694 a) 3/04/2434/FP – EXTENSIONS, ALTERATIONS AND IMPROVEMENTS AND b) 3/04/2435/LB – DEMOLITION OF EXISTING BATHROOM, EXTENSIONS, ALTERATIONS AND IMPROVEMENTS AT THATCHED COTTAGE, THE FORD, LITTLE HADHAM FOR MR AND MRS M TINDALE

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The Committee noted that the Assistant Director (Development Control) recommended that applications a) 3/04/2434/FP and b) 3/04/2435/LB be granted planning permission and listed building consent.

The Assistant Director (Development Control) commented that an amendment should be made to Directive 2 in that this should refer to giving “advice”.

The Committee supported the recommendation of the Assistant Director (Development Control) that application 3/04/2434/FP be granted planning permission and that

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application 3/04/2435/LB be granted Listed Building Consent as detailed below.

RESOLVED – that (A) 3/04/2434/FP be granted planning permission subject to the following conditions:

ADC

1. Five year time limit (1T01)
2. Samples of materials (2E12)
3. Materials arising from demolition (2E32)

Directives:

1. Other Legislation (010L)
2. You are advised that in order to reduce the risk of flooding, floor levels should be no lower than existing property levels, and that flood proofing should be incorporated where appropriate. Alternatively, floor levels should be set above river flood levels. For further advice please contact the Environment Agency.

Summary of Reasons for Decision

The proposal has been considered with regard to policies of the Development plan (East Herts Local Plan and the Local Plan Review Re-Deposit Version November 2004), and in particular policies RA3, BE6, BE16 and BE18 and Re-Deposit policies GBC5, ENV11, BH8 and BH13. The balance of the considerations having regard to those policies is that permission should be granted.

(B) that Listed Building Consent be granted in respect of application 3/04/2435/LB, subject to the

ADC

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following conditions:

1. Listed Building (Five Year Time Limit) (1T05)
2. Listed Building (Timber Construction) (8L01)
3. Listed Building (New Windows) (8L03)
4. Listed Building (New Doors) (8L04)
5. Listed Building (New Plasterwork) (8L05)
6. Listed Building (New Brickwork) (8L06)
7. Listed Building (New External Rendering) (8L08)
8. Listed Building (New Rainwater Goods) (8L09)
9. Listed Building (Making Good) (8L10)

- Directives:
1. Other Legislation (01OL)
  2. Listed Building Advice (25LB)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East Herts Local Plan and the Local Plan Review, Re-Deposit Version, November 2004), and in particular policies RA3, BE6, BE16 and BE18 and Re-Deposit policies GBC5, ENV11, BH8 and BH13. The balance of the considerations having regard to those policies in that permission should be granted.

ACTION

695 3/05/0178/FP – DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 4 NO. DETACHED DWELLINGS AT A10 AUTOWORLD, FORMER A10, HIGH CROSS FOR ADRIATIC LTD

The Assistant Director (Development Control) submitted a report recommending that application 3/05/0178/FP should be granted planning permission subject to the conditions now detailed. A Member referred to complaints about cooking smells from a local restaurant and questioned whether these had been taken into account. The Assistant Director (Development Control) commented that there had been no adverse comments received in respect of the application.

RESOLVED – that subject to no objections being raised by the Secretary of State following referral to him as an application involving a departure from the Development Plan, that application 3/05/0178/FP be granted planning permission subject to the following conditions:

ADC

1. Five year time limit (1T01)
2. Boundary walls and fences (2E07)
3. Samples of materials (2E12)
4. No further windows (2E17)
5. Withdrawal of P.D. (Part 1 Class A) (2E20)
6. Withdrawal of P.D. (Part 2 Class A) (2E21)
7. Withdrawal of P.D. (Part 1 Class E) (2E22)
8. Withdrawal of P.D. (Part 1 Class B) (2E23)
9. Refuse disposal facilities (2E24)

ACTION

10. Lighting details (2E27)
11. Materials arising from demolition (2E32)
12. Contaminated land survey and remediation (2E33)
13. Approved accesses only (3V04)
14. Existing access closure (3V05) (insert 'Northern')
15. Sight lines (3V08) (2.4m x 60m)
16. Pedestrian visibility splays (3V10) (insert 2m x 2m)
17. Hard surfacing (3V21)
18. Construction parking and storage (3V22)
19. Wheel washing facilities (3V25)
20. Landscape design proposals (4P12) (b, d, e, f, i, j, k, l)
21. Landscape works implementation (4P13)
22. Screen planting (4P14) (delete 'advance') (insert 'along the southern boundary') and under Reason 'and to mitigate against any complaints from future residents of the development with regards to odour and noise from the adjoining site').
23. Tree planting (4P15)
24. Landscape maintenance (4P17)

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25. Retention of landscaping (4P21)
26. Vehicular use of garage (5U10)
27. In connection with all site preparation, demolition and construction works no plant or machinery shall be operated on the premises before 0730 hrs on Monday to Saturday, nor after 1830 hrs on weekdays and 1330 hrs on Saturdays, nor at any time on Sundays or bank holidays.

Reason: To safeguard the amenities of residents of nearby properties, in accordance with policy BE10 of the East Herts Local Plan.

28. The construction of the surface and foul drainage system shall be carried out in accordance with details submitted to and approved in writing by the Local Planning Authority before the development commences.

Reason: To prevent pollution of the water environment.

29. No soakaways shall be constructed in contaminated land.

Reason: To prevent pollution of groundwater.

Directives: 1. Other legislation (01OL)

Summary of Reason for Decision

The proposal has been considered with regard to the policies of the Development Plan (Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan and the Local Plan Second Review Re-Deposit Version, November 2004), and in particular

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policies RA3, M8 and BE10, and Re-Deposit policies GBC5, GBC6, ENV28 and EDE9. The development proposed does not comply with the above Structure or Local Plan policies. However, other material considerations exist in this case relating to the existing intrusive appearance of the site. The proposed development will not result in an incursion into the countryside nor will it be harmful to the rural character of the area and therefore on the balance of consideration permission should be granted.

696 3/05/0112/FP – ADDITIONAL SPECTATOR SEATING AND TOILET FACILITIES AT BISHOP’S STORTFORD FOOTBALL CLUB, WOODSIDE, BISHOP’S STORTFORD FOR BISHOP’S STORTFORD FOOTBALL CLUB

The Committee noted that the Assistant Director (Development Control) recommended that application 3/05/0112/FP should be granted planning permission subject to no objections being raised by the Secretary of State following a referral to him as an application involving a departure to the Development Plan.

The Assistant Director (Development Control) confirmed that the current proposal was for a new 218 seat covered stand and not 210 as contained in the report now submitted.

The Committee supported the Assistant Director’s recommendation.

RESOLVED – that subject to no objections being raised by the Secretary of State following a referral to him as an application involving a departure from the Development Plan that application 3/05/0112/FP be granted planning permission subject to the following conditions:

ADC

1. Five year time limit (1T01)
2. Complete accordancy (2E10)

ACTION

Directives: 1. Other legislation 01OL)

Summary of Reason for Decision

The proposal has been considered with regard to the policies of the Development Plan (Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan), and in particular policy RA2 and L1 of the Adopted East Herts Local Plan (December 1999) and policies GBC2, GBC3 and LRC1 of East Herts Local Plan Second Review Re-Deposit Version – Draft Version (November 2004). The proposed football stand is a departure to the Council's Local Plan's in principle Green Belt policy. However, taking into account the existing use of the site, the need that has been justified in order for the football club to comply with safety standards, and that the development will not be harmful to the open character of the area taking account of its siting and size, the balance of consideration is that permission be granted for the development proposed.

697 3/05/0115/FP – VARIATION TO PLANNING PERMISSION 3/02/2405/FP TO REPLACE THE OFFICE SPACE WITH A RESIDENTIAL UNIT. LAND AT BLUE HILL FARM, HIGH ELMS LANE, WATTON-AT-STONE FOR MRS P GLOVER

The Committee supported the recommendation of the Assistant Director (Development Control) that application 3/05/0115/FP be granted planning permission subject to the conditions now detailed.

That planning permission be granted subject to the following conditions:

1. Five year time limit (1T01)
2. Boundary walls and fences (2E07)
3. Complete accordance (2E10)

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4. Samples of materials (2E12)
5. No further windows (2E17)
6. Obscured glazing (2E18)  
Insert 'western elevation'.
7. Protection of bats (2E19)  
Insert..."in accordance with details submitted to the Local Planning Authority".
8. Withdrawal of P.D. (Part 1 Class A) (2E20)
9. Lighting details (2E27)
10. Retention of parking space (3V20)
11. Tree retention and protection (4P05)
12. Hedge retention and protection (4P06)
13. Landscape design proposals (4P12) (e, i, j, k, l)
14. Landscape works implementation (4P13)

Directives:

1. Other legislation (01OL)
2. Street numbering (19SN)
3. Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is required for any discharge of sewage or trade effluent into controlled waters (e.g. watercourses and underground waters), and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant into or onto ground or into waters which are not

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controlled waters. Such contact may be withheld. Contact Ruth Shaw on 01707 632462 for further details.

4. Surface water from roads and car parks should discharge via deep seal trapped gullies incorporating a minimum water seal of 85mm or similar.

5. Roof water downpipes should be connected to the drainage system either directly, or by means of back inlet gullies provided with sealing plates instead of open gratings.

6. No soakaways shall be constructed to a depth exceeding 3 metres below existing ground level, and under no circumstances shall the water table be intersected.

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (Hertfordshire County Structure, Minerals Local Plan, Waste Local Plan, East Herts Local Plan and East Herts Local Plan Second Review Re-Deposit Version) and in particular policies RA2, RA6 and RA11 of the East Herts Local Plan and policies GBC2, GBC3 and GBC3 of the East Herts Local Plan Second Review Re-Deposit Version. The balance of the considerations having regard to these policies and the other material considerations in this case is that planning permission should be granted.

ACTION

698 3/04/0657/OP – ERECTION OF 130 NO. APARTMENT DWELLINGS, ERECTION OF 2 NO. COMMERCIAL (B1) OFFICE BUILDINGS, UNDERCROFT CAR PARK, SUBSTATION AND DOMESTIC REFUSE ENCLOSURE AT ATKINS & CRIPPS LTD, 95-97 LONDON ROAD, BISHOP'S STORTFORD FOR ALLIED PROPERTY AND LEISURE LTD

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The Committee supported the recommendation of the Assistant Director (Development Control) that Members' re-affirm the resolution previously reached, in respect of planning application 3/04/0657/FP with regard to the percentage of affordable housing to be provided, as part of the development as set out in the previous resolution and that the applicant be allowed an extension of six months for the completion of planning obligations pursuant to Section 106 of the Town and Country Planning Act 1990 . In the event that the obligation is completed, the Assistant Director (Development Control) be authorised to grant permission in respect of planning application reference 3/04/0657/FP.

RESOLVED – that (A) Members re-affirm the resolution previously reached in respect of planning application reference 3/04/0657/FP, with regard to the percentage of affordable housing to be provided as part of the development as set out in the previous resolution, and

(B) that an extension of six months from the date of this meeting be granted for the completion of planning obligations pursuant to Section 106 of the Town and Country Planning Act 1990, and if an obligation is completed, the Assistant Director (Development Control) be authorised to grant permission in respect of planning application reference 3/04/0657/FP.

ADC

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699 3/04/2433/FP – CHANGE OF USE FROM RESIDENTIAL TO SHORT-TERM LETTINGS AT NUMBER 15 SKINNERS STREET, WITH ASSOCIATED CAR PARKING AT NUMBER 17 SKINNERS STREET: RETROSPECTIVE APPLICATION AT 15 AND 17 SKINNERS STREET, BISHOP'S STORTFORD FOR MRS ANSELL

The Assistant Director (Development Control) reported that following confirmation with the Assistant Director (Law and Control) it was not necessary to impose conditions 1 and 2 and that these should now be deleted from the recommendation contained in the report.

The Committee supported the recommendation that application 3/04/2433/FP be granted planning permission subject to the following conditions now detailed.

RESOLVED – that application 3/04/2433 be granted planning permission subject to the following conditions:

1. Notwithstanding any of the provisions of the Town and Country Planning (General Permitted Development) Order 1995, the areas shown for parking shall be retained for such use.

Reason: To ensure that adequate parking provision is retained at all times, in accordance with policy M8 and Appendix IV of the East Herts Local Plan.

2. This permission will inure solely for the benefit of the applicant, Mrs Alexis Ansell, and for no other person or persons.

Reason: To ensure the Local Planning Authority retains control over future proposals for similar developments.

Directive:

1. This permission does not convey any consent which may be required under any legislation other than the

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Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body eg. Fire Officer, Health and Safety Executive, Environment Agency (Water Interest) etc. Neither does this permission negate or override any private covenants which may affect the land.

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan and the Local Plan Review Re-Deposit Version November 2004), and in particular policies H4, BE4, M8 and Appendix I and IV of the Adopted East Hertfordshire Local Plan and policy HSG11 of the Re-Deposit Local Plan. The balance of the considerations having regard to those policies is that permission should be granted.

700 3/05/0148/FP – CHANGE OF USE OF LAND TO PROVIDE ADDITIONAL CAR PARKING FOR THE ADJACENT GARAGE CONSTRUCTING CAR PARK AT LAND TO REAR OF M J WARNER (NEWMARKET MOTORS) LTD, HARE STREET, NR BUNTINGFORD FOR M J WARNER (NEWMARKET MOTORS) LTD

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The Assistant Director (Development Control) reported that a further letter had been received from a local Member in support of the application. A petition with 87 signatures supporting the application had also been submitted.

The Assistant Director (Development Control) clarified the position in relation to the area now covered by the application and confirmed that the officer's recommendation was based on the revised size.

Some Members felt that the application should be deferred in order to negotiate the detail further and to agree an acceptable form of development, in terms of screening,

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hardstanding surface, landscaping and possibly, a further reduction in the use of the land for car parking purposes.

A local Member spoke in support of the application and the valuable contribution which the applicant made to the village generally and as an employer, and a provider of a service.

The Committee agreed that application 3/05/0148/FP should be granted planning permission subject to conditions to be agreed by the Assistant Director (Development Control).

RESOLVED – that subject to referral to the Secretary of State as a departure from the development plan, application 3/05/0148/FP be granted planning permission subject to the following conditions:

ADC

1. Five year time limit (1T01)
2. Prior to the commencement of the development hereby permitted, all materials to be used for surfacing within the site, including access roads and parking areas, shall be approved in writing by the Local Planning Authority, and the development shall be carried out in accordance therewith.

Reason: To ensure that the development does not detract from the appearance of the locality, in accordance with Appendix 1 (D) of the East Herts Local Plan.

3. No external lighting (2E26)
4. Hedge retention and protection (4P06)
5. Landscape design proposals (4P12)  
a, c, i, j, k, l
6. Landscape works implementation (4P13)

ACTION

7. The parking area hereby permitted shall not be used for the parking, storage, or display of vehicles for sale.

Reason: To prevent an overintensive use of the site, which is situated within the Rural Area beyond the Green Belt, contrary to policy RA3 of the Adopted East Herts Local Plan.

8. Development shall not commence until all areas to be used by vehicles have been drained in accordance with a scheme to be agreed in writing by the Local Planning Authority before development commences. The drainage shall thereafter be retained and maintained in accordance with the approved plans.

Reason: To prevent pollution of the water environment.

9. Other than the parking of vehicles hereby permitted, no goods, articles or materials of any kind shall be stored on the site.

Reason: In the interests of visual amenity.

10. No industrial or servicing process, nor the use of any power tools, shall take place anywhere on the site.

Reason: To prevent an overintensive use of the site, which is situated within the Rural Area beyond the Green Belt, contrary to policy RA3 of the Adopted East Herts Local Plan.

ACTION

701 3/04/1887/FP – RELOCATION AND REPLACEMENT OF DWELLING – LITTLE THELE, HERTFORD ROAD, GREAT AMWELL, WARE BY MR G DILETTO

The Assistant Director (Development Control) advised that the size of the application site was 0.57 hectares and not 0.57 acres as contained in the report.

The Committee supported the recommendation of the Assistant Director (Development Control) that application 3/04/1887/FP should be granted planning permission subject to the conditions now detailed.

RESOLVED – that application 3/04/1887/FP be granted ADC planning permission subject to the following conditions:

1. Five Year Time Limit (1TO1)
2. Samples of Materials (2E12)
3. Withdrawal of P.D. (Part 1 Class A) (2E20)
4. Withdrawal of P.D. (Part 1 Class E) (2E22)
5. The existing outbuildings to be retained, shall only be used for a purpose incidental to the enjoyment of the dwellinghouse within the application site and for no other purpose.

Reason: To ensure the Local Planning Authority retains control over any future development.

6. Construction Parking & Storage (3V22)
7. Tree Retention and Protection (4P05)
8. Hedge Retention and Protection (4P06)
9. Landscape Works Implementation (4P13)

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10. Prior to the first occupation of the dwelling hereby permitted, the existing dwelling and outbuildings, shown for demolition on drawing 958/A1, 958/B, 958/C and 958/D, shall be demolished in their entirety, all resultant rubble and debris removed from the site, and the site reinstated where necessary in accordance with details pursuant to condition 9 of this permission.

Reason In the interests of the character and appearance of the area, in accordance with policy RA2 of the East Herts Local Plan.

11. Materials Arising from Demolition (2E32)

Directive: 1. Other legislation (01OL)

Summary of Reason for Decision

The proposal has been considered with regard to the policies of the Development Plan (Hertfordshire County Structure Plan, Minerals Local Plan and East Herts Local Plan and the East Herts Local Plan Second Review), and in particular policies RA2, RA12, BE2, BE8 and BE10 and review policies GBC2, GBC3, ENV1a, ENV5 and ENV28. The balance of the considerations having regard to those policies is that permission should be granted.

702 E/03/0360/B – UNAUTHORISED USE OF PART OF THE SITE FOR THE STORAGE OF COMMERCIAL VEHICLES, PLANT, MACHINERY AND BUILDING MATERIALS AT FLINT COTTAGE, BUCKLAND

The Committee supported the recommendation of the Assistant Director (Development Control) that enforcement action under Section 172 of the Town and Country Planning Act 1990, be authorised and any such steps as may be required to secure the cessation of the unauthorised use of the site for the storage of commercial vehicles, plant, machinery and building materials, the removal of hard surfacing and the

ACTION

reinstatement of the garden to its former state.

RESOLVED – that (A) in consultation with the Assistant Director (Development Control), that the Assistant Director (Law & Control) be authorised to take enforcement action under Section 172 of the Town and Country Planning Act 1990 and any such other steps as may be required to secure the cessation of the unauthorised use of the site for the storage of commercial vehicles, plant, machinery and building materials, the removal of hard surfacing and the reinstatement of the garden to its former state.

ALC

Period for compliance: Two months

(B) Reason why it is expedient to issue an Enforcement Notice:

The current use of the site for the purposes of the storage of commercial vehicles, plant, machinery and building materials is inappropriate in this rural area and is contrary to Policy RA3 of the East Herts Local Plan. The use is detrimental to the amenities of nearby residential properties by reason of noise and general disturbance. The use results in a material increase in slowing, stopping and turning movements on a section of the A10 with fast moving traffic and this could endanger the safety and free flow of trunk road traffic.

- 703 a) 3/03/1209/FP – DEVELOPMENT OF APARTMENT BLOCK WITH OFFICES AT GROUND FLOOR, TOGETHER WITH ANCILLARY PARKING AND HARD SURFACING b) 3/01/2067/LC – DEMOLITION OF EXISTING BUILDINGS, ADAMS YARD AND MAIDENHEAD YARD, HERTFORD FOR YELLOW CIRCLE LTD
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The Committee noted the current position in terms of the ownership of the land and the lack of assistance on the part of

ACTION

the Co-op to resolve the on-going difficulties which were hindering the application.

The possibility of purchasing the land under a Compulsory Purchase Order was considered but not felt to be appropriate at this stage.

RESOLVED – that the resolution of 5 November 2003 be affirmed and that it be confirmed that planning permission will not be granted unless public pedestrian access can be provided along the whole length of a properly surfaced and lit Adams Yard, covered by CCTV.

704 3/04/2177/FP – CHANGE OF USE OF LAND FROM GRAZING TO RESIDENTIAL IN TERMS OF CREATION OF NEW VEHICULAR/PEDESTRIAN ACCESS, DRIVEWAY AND PARKING AREA AT BROW COTTAGE, THE WASH, FURNEUX PELHAM FOR MR J LATHAM

The Committee supported the recommendation of the Assistant Director (Development Control) that application 3/04/2177/FP be granted planning permission, including the additional condition, as detailed, subject to the following conditions now detailed.

RESOLVED – that application 3/04/2177/FP be granted planning permission subject to the following conditions:

1. Five year time limit (1T01)
2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, drawings and specifications, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the development is carried out strictly in accordance with the approved plans, drawings and specifications.

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3. Prior to the first occupation of the development hereby permitted, the existing vehicular access shall be permanently closed and the associated land reinstated to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety and the visual amenity of the rural locality, in accordance with policies RA3 & BE2, and Appendix 1 of the East Herts Local Plan.

4. The area within the proposed sight lines as indicated on approved drawing number 204231DWG003 Rev C, shall contain no obstruction to visibility between 0.6 metres and 2.0 metres in height above the adjoining carriageway level.

Reason: In the interests of highway safety.

5. The gradient of the access and driveway shall not be greater than 1 in 10 for the first 5 metres from the highway.

Reason: So that a vehicle may stand approximately level before entering the highway.

6. Prior to the commencement of any works, details of drainage facilities (ie: gulleys and soakaways) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent surface water runoff from draining on to the public highway.

7. Prior to the commencement of the development hereby permitted all materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas shall be approved in writing by the Local Planning Authority.

Reason: To ensure that the historic and architectural

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setting of the adjacent listed building is properly maintained and to ensure that the development does not detract from the appearance of the rural locality, in accordance with policies RA3, BE2, & BE16, and Appendix 1(D) of the East Herts Local Plan.

8. Tree retention and protection (4P05)
  9. Hedge retention and protection (4P06)
  10. Landscape design proposals (4P12) (e) (f) (i) (j) (k) (l)
  11. Landscape works implementation (4P13)
  12. The vehicular access and parking area hereby permitted shall only be used for purposes incidental to the enjoyment of 'Brow Cottage', as shown on drawing number 204231DWG001 Rev C, and for no other purpose.
- Reason: To ensure that the Local Planning Authority retains control over any future development.
13. Withdrawal of Permitted Development (Part 1 Class E) (2E22).

Directive: 1. Other legislation (01OL)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (Hertfordshire County Structure Plan and East Herts Local Plan), and in particular policies RA3, RA11, BE2, BE6 and BE16 of the Adopted East Herts Local Plan 1999. The development proposed does not comply with the above Adopted Local Plan in principle Rural Area policy RA3. However, there are other material considerations that exist in this case as the development complies with the requirements of policy ENV12 of the East Herts Local Plan Second Review Re-Deposit Version (November 2004), it

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would not be harmful to the rural character and appearance of the locality, and the proposal would benefit highway safety by providing improved visibility for vehicles leaving the adjacent residential property. On the balance of considerations having regard to the above material considerations is that permission should be granted.

705 3/04/2521/OP – DEMOLITION OF EXISTING SCHOOL BUILDINGS AND REDEVELOPMENT OF SITE FOR RESIDENTIAL AND RELATED PURPOSES. FORMER PINES JMI SCHOOL, DIVOT PLACE, HERTFORD FOR HERTFORDSHIRE COUNTY COUNCIL (CHILDREN SCHOOLS AND FAMILIES (CSF) DEPARTMENT

The Committee supported the recommendation of the Assistant Director (Development Control) that subject to the applicant entering into a legal obligation pursuant to Section 106 of the Town and Country Planning Act 1990 application 3/04/2521/OP be granted planning permission as detailed below.

RESOLVED - that subject to the applicant, within six months of the date of this resolution, entering into an agreement in accordance with Section 106 of the Town and Country Planning Act 1990 relating to the following matters:

ADC

- i) The provision of off-site highways improvements, including the provision of an improved access with splitter island onto Divot Place, and improved footpath, both in accordance with plans to be submitted to and approved in writing by the Local Planning Authority.
- ii) The provision of 30% of the total dwellings on the site to be affordable housing through a registered Social Landlord, and with an agreed percentage of shared equity and rented accommodation.
- iii) The provision of a sum of £20,500 towards transport measures within the Lea Valley Area Plan (Hertford

ACTION

Transport Plan).

- iv) The provision of a sum of £6,000 towards the improvement of the bus stop adjacent to the site.
- iv) The provision of an informal play area to the south of the site together with a financial contribution for the future maintenance of the play area.

The Assistant Director Development Control be authorised to grant outline planning permission subject to the following conditions:

1. Outline submission of details (2E01).  
(Delete Access)
2. Outline Time Limit (1T03)
3. Materials arising from demolition (2E32)
4. Provision of wheel washing facilities (3V25)
5. Contractors parking and materials storage compound (3V22)
6. No works in accordance with the permission granted hereby shall be undertaken until such time as the highway works shown in principle on drawing E1651/1/D have been carried out, including the provision of:-
  - a) a new 1.8m wide footpath as shown in mauve on the plan.
  - b) a new splitter island at the access point of sufficient size to allow pedestrians to cross safely over it.
  - c) the relocation of the existing designated parking space in Divot Place.

ACTION

- d) the repositioning of the existing street lighting column in the footway by the old school entrance to the rear of the footway.
- e) the removal of the existing 'keep clear' markings in Divot Place.

Reason: In the interests of highway safety.

- 7. The turning head of the proposed access road shall have a minimum length of 20.8m centrally, about the centre line of the minor access road.

Reason: In the interests of highway safety.

- 8. The demolition and construction contracts shall require all HGV movements associated with demolition or construction to use no routes other than A10, A414 and B1502, and no works shall commence until signage has been provided at all appropriate locations.

Reason: In the interests of highway safety

- 9. Parking provision for the development hereby approved, shall be made on the following basis:

1 bedroom dwelling	100%
2 and 3 bedroom dwelling	200%
4 bedroom dwelling	250%

Plus in all other cases 50% provision per dwelling for visitor in communal locations.

Reason: To ensure adequate off street parking in accordance with the Council's adopted parking standards, and policy M8 of the East Herts Local Plan.

ACTIONDirectives:

1. The developer should contact Herts highways at Highways House, 41-45 Broadwater Road, Welwyn Garden City, AI7 3AV, tel 01707 356343, in relation to all highway matters.
  2. The developer should be aware of the need to enter into a Section 278 Agreement under the Highway Act 1980, prior to undertaking any works on the highway.
  3. Internal carriageways, footways and cycleways should conform to the latest version of 'Roads in Hertfordshire- A Guide for New Development'
- b The Assistant Director (Law and Control) to report back following the completion of the S106 Agreements, or upon the expiry of the 6 months period, whichever is the sooner.

Summary of Reasons

The proposal has been considered with regard to the policies of the Development Plan (Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan) and in particular policies BE1, BE8, BE26, RA14, H4, H5, M8, DP1, L1 and L4. The balance of the considerations having regard to these policies and the considerations in East Herts Local Plan Second Review Re-Deposit Version policies ENV3, ENV5, ENV6, HSG6, HSG6a, HSG7, TR6, LRC1, LRC2, LRC3, LRC13 and LRC14 is that planning permission should be granted.

706 HOUSE EXTENSIONS

The Assistant Director (Development Control) submitted a report outlining guidance notes to applicants in relation to House Extensions.

ACTION

The guidance notes aimed to advise households on the issues to be taken into account when determining planning applications for ground floor and two storey extensions, porches, garages and roof extensions and outlined the additional considerations to be taken into account when a property was located in the countryside.

It was noted that there had been a 28% increase in planning applications between the period 2000 to 2004 and that there was a need to determine applications within 8 weeks. It was hoped therefore that the guidance notes would encourage applicants to seek advice from planning officers before formally submitting a planning application.

RESOLVED – that the “House Extensions Guidance Leaflet” giving advice to households on the different types of residential extensions and alterations which comply with the Local Plan Policy be approved, and that this be made publicly available.

ADC

707 PLANNING OBLIGATIONS UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990

The Assistant Director (Law and Control) submitted a report requesting that an extension of six months be granted for the completion of planning obligations pursuant to Section 106 of the Town and Country Planning Act 1990 in respect of planning applications as detailed in the report. If and when an obligation was complete, the Assistant Director (Development Control) should, it was felt, be authorised to grant permission in respect to planning applications submitted in the report.

The Committee supported the recommendation of the Assistant Director (Law and Control) that an extension of six months be granted for the completion of planning obligations pursuant to Section 106 of the Town and Country Planning Act 1990, as detailed in the report submitted.

ACTION

RESOLVED - that (A) an extension of six months from the date of this meeting be granted for the completion of planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990, in respect of the applications detailed in the report and, if an obligation was completed, the Assistant Director (Development Control) be authorised to grant permission in respect of the following planning applications:

ADC

Planning ReferenceSite and Proposals

04.06.637

Hole Farm, Old Hall Green, Nr Ware. Demolition of dilapidated farm buildings, erection of six staff/keyworker dwellings.

04.06.648

Atkins and Cripps Site, 95-97 London Road, Bishop's Stortford. Erection of 130 no. apartment dwellings, erection of 2 no. commercial (B1) office buildings, undercroft car park, substation and domestic refuse enclosure. (Noted that this had been dealt with as an earlier item on the agenda).

04.06.650

Havers School, Elizabeth Road, Bishop's Stortford. Residential and related including new vehicular access off Elizabeth Road.

(B) the Assistant Director (Law and Control) report back following the grant of planning permission or on the expiry of six months period, whichever is sooner.

ALC

708 ITEMS FOR REPORT AND NOTING

RESOLVED – that the following reports be noted:

(1) Appeals against refusal of Planning Permission

ACTION

(2) Planning Appeals lodged

(3) Appeal statistics

The meeting closed at 8.45 pm