

MINUTES OF A MEETING OF THE
DEVELOPMENT CONTROL
COMMITTEE HELD IN THE
WAYTEMORE ROOM, COUNCIL
OFFICES, BISHOP'S STORTFORD ON
WEDNESDAY, 12 OCTOBER 2005 AT
7.30 PM

PRESENT: Councillor R Gilbert (Chairman).
Councillors M R Alexander, W Ashley, S A Bull,
N Burdett, A F Dearman, Mrs M H Goldspink,
J Hedley, M P A McMullen, T Milner, D A A Peek,
D Richards, S Rutland-Barsby, J J Taylor,
A L Warman, M Wood.

OFFICERS IN ATTENDANCE:

Peter Biggs	- Development Control Manager
Simon Drinkwater	- Director of Corporate Governance
Andrea Gilmour	- Development Control Manager
Francesca Hill	- Principal Planning Officer
Neal Hodgson	- Director of Regulatory Services
Jeff Hughes	- Head of Democratic Services
Alison Young	- Enforcement Manager

352 APOLOGIES

Apologies for absence were submitted on behalf of
Councillors K A Barnes, A L Burlton, R N Copping,
P A Ruffles, M Tindale.

353 CHAIRMAN'S ANNOUNCEMENT

The Chairman advised that a Development Control

Training Session would be held on 17 November 2005. Members would be circulated with full details of the training event in the near future.

354 DECLARATIONS OF INTEREST

Councillor N Burdett declared a personal and prejudicial interest in respect of applications 3/05/1663/FP, 3/05/1665/FP, 3/05/1666/FP, 3/05/1667/FP, 3/05/1668/FP, 3/05/1669/FP, 3/05/1670/FP, 3/05/1671/FP, 3/05/1672/FP, 3/05/1653/FP, 3/05/1655/FP, 3/05/1656/FP, 3/05/1657/FP, 3/05/1658/FP, 3/05/1659/FP, 3/05/1660/FP, 3/05/1673/FP as she was the Executive Portfolio Holder with responsibility for implementing CCTV schemes for the Authority. Councillor Burdett left the room prior to the consideration of these applications.

Councillors M R Alexander and D A A Peek declared personal and prejudicial interests in respect of applications 3/05/1665/FP, 3/05/1666/FP, 3/05/1667/FP, 3/05/1668/FP, 3/05/1669/FP, 3/05/1670/FP, 3/05/1671/FP, 3/05/1672/FP, 3/05/1653/FP, 3/05/1655/FP, 3/05/1656/FP, 3/05/1657/FP, 3/05/1658/FP, 3/05/1659/FP, 3/05/1660/FP, 3/05/1673/FP as they were Members of the Authority's CCTV Steering Group. Councillors Alexander and Peek left the room prior to the consideration of these applications.

RESOLVED ITEMS

ACTION

355 MINUTES

In relation to Minute 322 - Various Applications relating to land at former Trinity Centre, Fanhams Hall Road, Ware - the Committee noted that the word "descriptive" in the fourth paragraph of the narrative should be deleted and replaced by the word "prescriptive".

RESOLVED - that the minutes of the meeting held on 14 September 2005 be confirmed as a correct record and signed by the Chairman subject to the following amendment to Minute 322:

ACTION

substitute the word “prescriptive” for the word “descriptive” in the fourth paragraph of the narrative.

356 3/05/1477/FP – CONSTRUCTION OF 2.5 STOREY BLOCK AND REAR 2 STOREY BLOCK TO PROVIDE 21 NO. TWO AND ONE BED FLATS WITH BASEMENT CAR PARK AT 20 – 22 HADHAM ROAD, BISHOP’S STORTFORD FOR STEPHEN HOWARD HOMES

The Director of Regulatory Services submitted a report recommending that application 3/05/1477/FP be granted planning permission subject to the conditions now detailed.

The Committee noted the Director’s recommendation but considered that the application should be refused planning permission for reason now detailed.

RESOLVED - that application 3/05/1477/FP be refused planning permission for the following reason:

DRS

1. The proposed additional flat within the roof of the development will be provided with an inadequate level of natural daylighting and amenity due to the limited window openings in relation to the size of accommodation. The proposal is thereby contrary to the provisions of Appendix 1 and Policy BE2 of the adopted East Herts Local Plan.

357 3/05/1416/FP – PUBLIC SERVICE & HEAVY GOODS/COMMERCIAL VEHICLES TO USE EXISTING PARK AND RIDE FACILITY BETWEEN THE HOURS OF 7PM UNTIL 7AM AT PARK & RIDE CAR PARK, WOODSIDE, DUNMOW ROAD, BISHOPS STORTFORD FOR DAVID HARRIS, M&D DEVELOPMENTS LTD

The Director of Regulatory Services reported that Uttlesford District Council had written to advise that it had

ACTION

no objection to the proposed development of application 3/05/1416/FP.

The Committee supported the recommendation of the Director of Regulatory Services that application 3/05/1416/FP should be refused planning permission for the reasons now detailed subject to an amendment to indicate that the proposed use of the site would not only be harmful to the amenities of the occupiers of Woodlands Lodge but also the occupiers of properties in Shortcroft, Woodlands.

RESOLVED - that application 3/05/1416/FP be refused planning permission for the following reasons:

DRS

1. The application site lies within the Metropolitan Green Belt, as defined in the East Hertfordshire Local Plan where development will only be allowed for certain specific purposes and provided sufficient justification has been submitted establishing the appropriateness for the proposed use of the site. No such special circumstances are apparent in this case, and the proposal represents inappropriate development within the Metropolitan Green Belt, contrary to the aims and objectives of policy RA2 and M9 of the Adopted East Herts Local Plan, Policy 5 of the Hertfordshire County Structure Plan 1991-2011, and guidance contained in PPG 2 "Green Belts".
2. The proposed use of the site would be harmful to the amenities of the occupiers of Woodlands Lodge, Shortcroft and Woodlands contrary to policies BE10 and M9 of the Adopted East Herts Local Plan.

ACTION

358 3/05/1556/FP – DEMOLITION OF TWO DETACHED HOUSES AND ERECTION OF TEN DETACHED HOUSES WITH GARAGES AT LOEN AND OLD HILLS, WENGEO LANE, WARE FOR GRANGE BUILDERS

The Director of Regulatory Services reported that a letter of objection had been received from a local resident raising similar objections to those previously received in respect of application 3/05/1556/FP as detailed in the report now submitted.

A motion to refuse the application on the basis that the development proposed was an over-intensification of the site due to the size of the properties and because of traffic problems and site lines was proposed and seconded.

The Committee noted that the Highways Authority had raised no objection to the application subject to provisions as now detailed.

The motion to refuse the application planning permission, upon being put to the meeting, was declared lost.

The Committee supported the recommendation of the Director of Regulatory Services that application 3/05/1556/FP should be granted planning permission subject to the conditions detailed in the report now submitted.

RESOLVED - that application 3/05/1556/FP be granted planning permission subject to the following conditions:-

DRS

1. Five Year Time Limit (1T01).
2. Levels (2E05).
3. Boundary Walls and Fences (2E07).

ACTION

4. Samples of Materials (2E12).
5. No further windows (2E17).
6. Obscured Glazing (2E18).
Insert "in the east facing elevation of plot 1,
in the north facing elevation of plot 4 and the
east facing elevation of plot 9"
7. Withdrawal of P.D. (Part 1, Class A) (2E20).
8. Withdrawal of P.D. (Part 1, Class E) (2E22).
9. Withdrawal of P.D. (unspecified) (2E23).
Insert "Part 1, Class B" (The enlargement of
a dwellinghouse consisting of an addition or
alteration to its roof)
10. Sight Lines (3V08).
Insert "2.4 m x 60 m"
11. Hard Surfacing (3V21).
12. Construction parking and storage (3V22).
13. Provision and Retention of parking spaces
(3V23).
14. Wheel washing facilities (3V25).
15. Prior to the commencement of the
development, the vehicular access hereby
approved shall be marked out and within
14 days of that marking out, it shall be
constructed to base course level for a
distance of 10 metres from the highway
boundary.

ACTION

Reason: To provide a satisfactory access into the site for construction traffic, in the interests of highway safety

16. Tree Retention and Protection (4P05).
17. Hedge Retention and Protection (4P06).
18. Tree/natural feature protection: fencing (4P07).
19. Landscape Design Proposals (4P12).
Delete a, b, e, f, g and h
20. Landscape works Implementation (4P13).
21. Trees: Protection from foundations (4P20).
Insert *details of the foundations* "of plot 3"
22. Vehicular Use of Garages (5U10).

Directives:

1. Other Legislations (01OL).
2. Ownership (02OW).
3. Highway Works (05FC).
4. The construction of the access and footpath onto Page Hill cannot be carried out until the completion of a Section 278 agreement (Highway Act 1980)
5. Street Numbering (19SN).

ACTIONSummary 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 BE1, BE2, BE7, BE8, M8 and DP1 and Re-Deposit policies GBC16a, TR6, ENV1a, ENV3, ENV5, ENV14, ENV18. The balance of the considerations having regard to those policies is that permission should be granted.

- 359 3/05/1394/FO – VARIATION OF S106 AGREEMENT AND CONDITION 17 OF PLANNING PERMISSION 3/04/0544/FP TO ALLOW OCCUPATION PRIOR TO THE COMPLETION OF THE HIGHWAY WORKS AT FORMER JOHN DYDE TRAINING COLLEGE, ANCHOR STREET, BISHOP’S STORTFORD FOR FURLONG HOMES LTD

The Committee considered a report by the Director of Regulatory Services on application 3/05/1394/FO which sought a variation to a Section 106 Agreement and Condition 17 of Planning Permission 3/04/0544/FP to allow occupation of the units at the development of the former John Dyde Training College, Bishop’s Stortford.

The Committee noted that Hertfordshire County Council’s Transportation Planning and Policy Unit had agreed, in principle, that it would be acceptable, from its point of view, for a number of residential units to be occupied at this development provided that the traffic generation was no greater than the previous usage in either peak hour. Having compared the generation trip figures for the previous use of the site by the Training College and the proposed use, the Director recommended that it was acceptable to allow a maximum of 60 units to be occupied prior to the construction of the signal improvement works.

The Committee noted the Director’s recommendation. It, however, considered that the reason for imposing the condition on granting the original planning application (and

ACTION

associated Section 106 Agreement) was still relevant. Accordingly the argument now put forward by the applicant for an amendment to the planning condition and the Section 106 Agreement was not considered to be valid. Accordingly, the Committee agreed to refuse application 3/05/1394/FO for the reasons now detailed.

RESOLVED - that (A) the variation proposed in Paragraph 6 of Schedule 1, of the extant Section 106 Agreement dated 25 October 2004 pursuant to planning application 3/04/0544/FP be refused for the following reason:

DRS

The occupation of any dwellings in the approved scheme (3/04/0544/FP) before the appropriate junction works have been undertaken would result in adverse highway safety problems and would be a danger to pedestrians contrary to Policy BE2 of the adopted East Herts Local Plan, and

(B) the variation of Condition 17 of planning application 3/04/0544/FP be refused for the following reason:

DRS

The occupation of any dwellings in the approved scheme (3/04/0544/FP) before the appropriate junction works have been undertaken would result in adverse highway safety problems and would be a danger to pedestrians contrary to Policy BE2 of the adopted East Herts Local Plan.

360 3/05/0820/FP – ERECTION OF EXTENSION (SINGLE STOREY) AT CHRISTIAN OUTREACH CENTRE, PORTLAND ROAD, BISHOP'S STORTFORD, FOR MR A HICKMAN

The Committee supported the recommendation of the Director of Regulatory Services that application 3/05/0820/FP be granted planning permission subject to

ACTION

the conditions detailed in the report now submitted.

RESOLVED - that application 3/05/0820/FP be granted planning permission subject to the following conditions:-

DRS

1. Five year time limit (1T01).
2. Samples of materials (2E12).
3. Boundary wall and fences (2E07).
4. No further windows (2E17).
Delete to “the flank elevations” Insert “any elevation or the roof form”
5. Prior to the first occupation of the development hereby permitted, a dedicated vehicular drop off point shall be provided within the application site, in accordance with a detailed block plan (scale 1:500), which shall be submitted to and approved in writing by the Local Planning Authority. Thereafter this drop off point shall be retained for such use in accordance with the approved details.

Reason: In the interests of highway safety in accordance with policy M8 of the East Herts Local Plan.

6. Prior to the commencement of works, a schedule of the means of access to the site for construction traffic shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include the point of access for construction traffic, details of the times of use of the access, the routing of construction traffic to and from the site,

ACTION

construction workers parking facilities, methods for the delivery and storage of materials and the provision, use and retention of adequate wheel washing arrangements within the site. Unless otherwise agreed in writing by the Local Planning Authority all construction arrangements shall be carried out in accordance with the approved schedule throughout the period of construction.

Reason: In the interests of the amenities of adjoining properties, in accordance with Appendix 1 (B) of the East Herts Local Plan.

7. Landscape design proposals (4P12).
(a), (e), (g), (i), (k), (l)
8. Landscape works implementation (4P13).
9. New doors and windows – unlisted buildings (2E34).
10. No external lighting (2E26).
11. No external loudspeakers (2E25).
12. The building shall be used for purposes ancillary to the use of the Christian Outreach Centre and for no other purposes including any other purpose in Class D1 of the Schedule to the Town and Country Planning General Permitted Development (Amendment) Order 2005.

Reason: To ensure that no alternative use is made of the premises, which would be likely to be a nuisance or annoyance to the occupants of adjoining premises in

ACTION

accordance with policy BE10 of the East Herts Local Plan.

Directives:

1. Other legislation (01OL).
2. Disabled access (09DA).
3. You are advised as the application site falls within the groundwater protection zone of the Causeway pumping station, the construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices. For further information on these matters, please refer to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

Summary of Reason for Decision

The proposal has been considered with regard to policies of the Development Plan (Hertfordshire County Structure, Minerals Local Plan, Waste Local Plan and East Herts Local Plan) and in particular policies BE1, BE2 & Appendix I, BE10, BE18, M8 and DP1 of the Adopted East Herts Local Plan 1999 and policies ENV1a, ENV3, ENV28, BH7 and TR6 of the East Herts Local Plan Second Review Re-Deposit Version (November 2004). The balance of consideration having regard to these policies is that permission should be granted.

ACTION

361 3/05/1412/FP – RECONSTRUCTION OF BUNGALOW TO FORM TWO STOREY DWELLING HOUSE AND BASEMENT, Highbank, Station Road, Much Hadham, for Mr and Mrs R Westrip

The Director of Regulatory Services reported on comments received from Thames Water in respect of application 3/05/1412/FP. As a consequence of the comments, as now detailed, the Director proposed that, should the Committee be minded to grant the application planning permission, a further directive be added relating to ground water risk.

The Director also reported that letters of support from local residents had been received in respect of the application and that the Authority's Building Control Section had raised no objection in principle to the proposed development.

The Committee noted also that confirmation had been received from the Authority's Engineer that a new by-colvert would not be affected by the proposed development.

The Committee supported the recommendation of the Director of Regulatory Services that application 3/05/1412/FP should be granted planning permission subject to the conditions detailed in the report now submitted and a further directive relating to ground water risk.

RESOLVED - that application 3/05/1412/FP be granted planning permission subject to the following conditions:-

DRS

1. Five Year Time Limit (1T01)
2. Complete Accordance add "unless otherwise agreed in writing by the Local Planning Authority" (2E10)

ACTION

3. Samples of Materials (2E12)
4. No Further Windows (2E17)
5. Obscure Glazing (2E18)
6. Materials arising from demolition (2E32)
7. Construction Parking and Storage (3V22)
8. Hedge Retention and Protection (4P06)
9. Hours of Working – Plant and Machinery (6N05)
10. Within 1 month of the granting of this permission a further scaled west elevation drawing showing the half-hipped roof profiles shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of appearance of the development in accordance with Policy BE18 and for the avoidance of doubt as to the doubt as to the scope of this permission.
11. Within 1 month of the granting of this permission, a further scaled first floor plan drawing showing the first floor windows shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of appearance of the development in accordance with Policy BE18 and for the avoidance of doubt as to the doubt as to the scope of this permission.
12. Prior to the first occupation of the development hereby permitted, parking space shall be provided in accordance with a detailed block plan (scale 1:500) showing on-site parking

ACTION

provision, which shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all parking shall be retained for such use in accordance with the approved details.

Reason: In the interest of highway safety and in accordance with M8 of the Adopted East Herts Local Plan.

Directive

1. Other Legislation (01OL)
2. Groundwater Protection Zone (28GP)

insert "Hadham Mill"

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 the Local Plan Review Re-Deposit Version November 2004), and in particular Adopted Local Plan policies RA3, RA10, BE2, BE6, BE18 and Re-Deposit policies GBC5, GBC16b, ENV1a, ENV11, BH8, OSV1, and HSG12. The application is a departure from Adopted Rural Area Policy RA3 regarding replacement dwellings. However, the other material considerations in this case, namely the previous planning permission granted for extensions to the pre-existing bungalow, the sympathetic character and appearance of the proposed dwelling in relation to the Rural Area and Conservation Area Policy, and the compliance with infill development under Policy OSV1 of the East Herts Local Plan Second Review indicate that permission should be granted.

ACTION

362 3/05/1520/OP - DEMOLITION OF EXISTING HOUSE AND
ERECTION OF 1 NO NEW DETACHED DWELLING AT
HAZELWOOD, BROMLEY LANE, WELLPOND GREEN
FOR MR AND MRS A PLUME

The Committee supported the recommendation of the Director of Regulatory Services that application 3/05/1520/OP should be granted planning permission subject to the conditions detailed in the report now submitted.

RESOLVED - that application 3/05/1520/OP be granted planning permission subject to the following conditions:

DRS

1. Outline Permission Time Limit (1T03)
2. The development hereby permitted shall not be carried out otherwise than in accordance with detailed plans and drawings showing the design and external appearance of the building, and landscaping of the site, which shall have been approved in writing by the Local Planning Authority before any development is commenced.

Reason: To comply with the provisions of Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

3. Levels (2E05)
4. Boundary walls and fences (2E07)
5. The dwelling hereby permitted shall not exceed a 2 storey property, unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of the character and openness of the Rural Area, in accordance with

ACTION

Policy RA3 of the East Herts Local Plan.

6. Notwithstanding the provisions of Article 3 of the Town and Country (General Permitted Development Order), 1995, no development as specified in Schedule 2, Part 1, Class A and E shall be undertaken without the prior consent, in writing, of the Local Planning Authority.

Reason: The specific circumstances of this site warrant the Local Planning Authority having control over any further development.

7. Materials arising from demolition (2E32)
8. Bats (2E41)
9. Programme of archaeological work (2E02)
10. Approved access only (3V04)
11. Hard surfacing (3V21)
12. Wheel washing facilities (3V25)
13. Tree retention and protection (4P05)
14. Hedge retention and protection (4P06)
15. Landscaping design proposals (4P12)
16. Landscape works implementation (4P13)
17. Vehicular use of garage (5U10)
18. Construction hours of working – plant and machinery (6N07)

ACTIONDirectives

1. Other legislation (01OL)
2. Archaeological Interest (04A1)
3. All works, including vehicle movements, materials and waste, shall be kept strictly within the curtilage of the proposed development site.
4. You are advised to contact Graham Goodall at the Hertfordshire Biological Records Centre at c/o Environment, County Hall, Pegs Lane, Hertford, SG13 8DN or on 01992 555220 regarding the management of the adjacent field to the east of the application site, which is part of a Wildlife Site (WS33/027).

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 Adopted Local Plan policies RA3, RA11, BE2, BE6, BE8, BE15 and M8 and Re-Deposit Local Plan policies GBC5, GBC6, GBC16b, TR6, ENV1(a), ENV12, ENV14, BH2 and HSG13. The development is a departure to the Council's Adopted Rural Area policy in that it results in a building larger in size than the existing dwelling, and an extension to the properties curtilage. However, the proposed building would result in an improvement to the site, with a dwelling located in a less prominent location viewed from the road. Furthermore, the increase in size is not considered to be on such a scale that it would be harmful to the rural character of the area. The balance of considerations having regard to the above properties and other materials considerations is

ACTION

that permission should be granted.

363 3/05/1280/FP - ERECTION OF TWO BED BUNGALOW
ON LAND ADJACENT TO 9 WIDFORD ROAD,
HUNSDON FOR MR S TROUP

The Committee supported the recommendation of the Director of Regulatory Services that application 3/05/1280/FP should be granted planning permission subject to the conditions detailed in the report now submitted.

RESOLVED - that application 3/05/1280/FP be granted planning permission subject to the following conditions:

DRS

1. Five year time limit (1T01)
2. Samples of materials (2E12)
3. Materials arising from demolition (2E32)
4. Construction workers vehicles (3V22)
5. Hours of working (6N05)
6. Wheel washing facilities (3V25)
7. Withdrawal of PD Part 2 Class A (means of enclosure) (2E21)
8. Withdrawal of PD Part 1 Class A (extensions or alterations) (2E20)
9. Withdrawal of PD Part 1 Class E (incidental structures) (2E22)
10. Withdrawal of PD Part 1 Class B (roof extensions) (2E23)

ACTION

11. No further windows (2E17)
12. Obscure glazing (2E18) (insert 'in the proposed southern flank en-suite bathroom window as shown on the approved plans')
13. Vehicular sight lines (3V08) (insert '2.4m x 7.0m')
14. Landscape design proposals (4P12) for a), b), c), d), e), i), j), l)
15. Landscape works implementation (4P13)
16. Retention of parking space (3V20) (delete 'areas shown', insert 'areas to be agreed')

Directives:

1. Other legislation (01OL)
2. Highway Works (05FC)

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, BE1, BE2, BE4, BE8, RA3, M8 and Appendix I and IV of the Adopted East Hertfordshire Local Plan, and policies OSV1, HSG11 and HSG12 of the Re-Deposit Local Plan. The proposal is a departure from Adopted Local Plan policy RA3. However, the balance of the considerations having regard to other material considerations relating to the development constituting infill development within a settlement in compliance with policy OSV1 of the Re-Deposit Local Plan, and the development not being harmful to the character and appearance of the locality, is that

ACTION

permission should be granted.

364 3/05/1434/FP - CONVERSION OF REDUNDANT AGRICULTURAL BUILDINGS TO FOUR RESIDENTIAL UNITS, DEMOLITION OF UTILITARIAN FARM BUILDINGS AND ERECTION OF TWO NEW DWELLINGS AND GARAGES AT WIDFORDBURY FARM, WIDFORD FOR HENRY AND VICTORIA BUXTON 2004 DISCRETIONARY SETTLEMENT

The Committee noted a correction to a typographical error in the narrative of the Director of Regulatory Services' report on application 3/05/1434/FP.

The Director of Regulatory Services reported that a bridleway was currently obstructed by existing buildings at the development site. The new development proposed would also lead to the obstruction of this bridleway. Accordingly, the Director recommended that a further condition be imposed, should the Committee be minded to grant the application planning permission, requiring the applicant to obtain a legal diversion of the right of way prior to commencement of building works.

Members expressed concern that the special circumstances that needed to be satisfied under the Authority's policy RA6 to allow the construction of new dwellings in the rural area had not been met.

The Committee received clarification that the special circumstances that applied related to the prominent nature of the site, the number of buildings to be removed, and that the development proposed would improve the setting up to the adjoining listed buildings.

The Committee noted the Director's suggestion that application 3/05/1434/FP should be granted planning permission subject to the conditions detailed in the report now submitted.

ACTION

The Committee, however, considered that the development contravened the Authority's policy RA6 and, accordingly, should be refused planning permission.

RESOLVED - that application 3/05/1434/FP be refused planning permission for the following reasons:

DRS

1. The application site lies within the Rural Area as defined in the East Hertfordshire Local Plan wherein there is presumption against development other than required for agriculture, forestry, small scale local community facilities or other uses appropriate to a rural area. The 2 new dwellings would be prejudicial to this policy, set out at RA3 within the Local Plan.
2. The application site lies within the Rural Area, as defined in the East Hertfordshire Local Plan where development will only be allowed for certain specific purposes. There is insufficient justification for the 2 new dwellings and their erection would be contrary to the aims and objectives of policy RA3 of the East Hertfordshire Local Plan.

365 3/05/1392/FP - DEMOLITION OF EXISTING GARAGE, NEW FENCE BOUNDARIES TO NOS 64 & 66 ROCHFORD ROAD, CONSTRUCTION OF MOBILITY HOME AND ACCESS TO 64 & 66 ROCHFORD ROAD, BISHOP'S STORTFORD FOR MRS FOGLIA

The Director of Regulatory Services reported the content of a further two letters received in respect of application 3/05/1392/FP from the agent acting for the applicant.

The Committee noted the agent's detailed definition of what was meant by a "mobility home".

ACTION

A local Ward Member reported that he had received a number of letters of objection to the proposed development. The Member outlined the reasons given by the objectors for recommending that the application be refused planning permission. The Committee noted the Director's recommendation that application 3/05/1392/FP should be granted planning permission subject to the conditions detailed in the report now submitted.

The Committee, however, considered that the proposed development was out of keeping with the locality and would represent an overdevelopment of the site. For these reasons, the Committee agreed to refuse application 3/05/1392/FP planning permission.

RESOLVED - that application 3/05/1392/FP be refused planning permission for the following reasons:

DRS

1. Five year time limit (1T01)
2. Samples of materials (2E12)
3. Boundary wall and fences (2E07)
4. No further windows (2E17)

Delete to "the flank elevations" Insert "any elevation or the roof form"
5. Withdrawal of permitted development (Part 1 Class A) (2E20)
6. Withdrawal of permitted development (Part 1 Class E) (2E22)
7. Hard surfacing (3V21)
8. Retention of parking space (3V20)

ACTION

9. Prior to any site works being commenced sight lines of 2.4m x 30m metres shall be provided and maintained each side of the means of access within which there shall be no obstruction to visibility between 0.6 metres & 2.0 metres in height above adjoining carriageway level.

Reason: To provide visibility for drivers of vehicles entering and leaving the site.

10. Prior to any site works being commenced pedestrian sight lines of 2m x 2m metres shall be provided and maintained each side of the means of access within which there shall be no obstruction to visibility between 0.6 metres & 2.0 metres in height above adjoining carriageway level.

Reason: To provide visibility for drivers of vehicles entering and leaving the site.

11. Prior to the first occupation of the development hereby permitted, the existing vehicular access onto Blackbushe shall be permanently closed and the kerbs and footway reinstated to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety and amenity.

12. Landscape design proposals (4P12)
(a), (e), (g), (i), (k), (l)
13. Landscape works implementation (4P13)
14. Materials arising from demolition (2E32)

ACTION

15. Refuse disposal facilities (2E24)

ACTIONDirectives

1. Other legislation (01OL)
2. Ownership (02OW)
3. Highway Works (05FC)
4. Street numbering (19SN)

Summary of Reason for Decision

The proposal has been considered with regard to policies of the Development Plan (Hertfordshire County Structure, Minerals Local Plan, Waste Local Plan and East Herts Local Plan) and in particular PPS1, PPG3 and policies BE1, BE2 & Appendix I, BE8, M8 and DP1 of the Adopted East Herts Local Plan 1999 and policies ENV1a, ENV3, ENV5 and TR6 of the East Herts Local Plan Second Review Re- Deposit Version (November 2004). The balance of consideration having regard to these policies is that planning permission should be granted.

- 366 (A) 3/05/1663/FP - ERECTION OF 6M CCTV COLUMN AND DOME CAMERA ON BRACKET, OUTSIDE LEISURE CENTRE, ANCHOR STREET, BISHOP'S STORTFORD (B) 3/05/1665/FP - ERECTION OF JOINT 8M CCTV AND LIGHTING COLUMN AND DOME CAMERA, AT TRAFFIC ISLAND ON JUNCTION OF SOUTH STREET, NEWTOWN ROAD AND STATION ROAD, (C) 3/05/1666/FP - ERECTION OF 6M CCTV COLUMN AND DOME CAMERA, BETWEEN 9 AND 11 SOUTH STREET, BISHOP'S STORTFORD (D) 3/05/1667/FP - ERECTION OF 6M CCTV COLUMN AND DOME CAMERA, OUTSIDE 15 MARKET SQUARE/PALMERS LANE, BISHOP'S STORTFORD (E) 3/05/1668/FP - ERECTION OF 6M CCTV COLUMN AND DOME CAMERA, OUTSIDE 15 MARKET SQUARE/PALMERS LANE, BISHOP'S STORTFORD (F) 3/05/1670/FP - ERECTION OF 6M CCTV COLUMN AND DOME CAMERA, JUNCTION OF

ACTION

NORTH STREET/MARKET STREET/BRIDGE STREET,
WINDHILL, BISHOP'S STORTFORD (G) 3/05/1670/FP -
ERECTION OF 6M CCTV COLUMN AND DOME
CAMERA IN LIGHT FITTING OUTSIDE 17 NORTH
STREET, BISHOP'S STORTFORD (H) 3/05/1671/FP -
ERECTION OF 6M CCTV COLUMN AND DOME
CAMERA IN LIGHT FITTING OUTSIDE 8-10 THE
CHANCERY, HADHAM ROAD, BISHOP'S STORTFORD (I)
3/05/1672/FP - ERECTION OF 6M CCTV COLUMN AND
DOME CAMERA IN LIGHT FITTING OUTSIDE
11 BRIDGE STREET, BISHOP'S STORTFORD

The Director drew Members attention to a revised summary sheet now tabled detailing the descriptions of the applications to erect CCTV columns at various locations in Bishop's Stortford.

The Director advised that Bishop's Stortford Town Council had raised no objections to the applications but had suggested that existing street furniture should be used to locate CCTVs where possible.

RESOLVED - that applications 3/05/1663/FP, 3/05/1665/FP, 3/05/1666/FP, 3/05/1667/FP, 3/05/1668/FP, 3/05/1669/FP, 3/05/1670/FP, 3/05/1671/FP and 3/05/1672/FP each be granted planning permission subject to the following conditions:

DRS

1. 3 Year time limit (1T12)
2. Materials of construction (2E11)
3. Following completion of the operations for which consent is hereby granted, all 'making good' of the existing footpath shall be carried out in materials, which closely match those used in the existing footpath to the satisfaction of the Local Planning Authority.

Reason: To ensure the historic and

ACTION

architectural character of the locality is properly maintained, in accordance with policy BE18 of the East Herts Local Plan.

Directives:

1. Other legislation (01OL)
2. Highway Works – 05FC

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 Adopted Local Plan policies BE2, BE16, BE18, BE21 and BE27 and Re-Deposit Local Plan policies ENV1(a), BH8, BH10, BH15 and ENV7. The balance of the considerations having regard to those policies is that permission should be granted.

- 367 (A) 3/05/1653/FP - ERECTION OF 6M CCTV COLUMN AND CCTV CAMERA, ON GRASS AREA, FLEMING CRESCENT, HERTFORD (B) 3/05/1655/FP - ERECTION OF 10M BLACK JOINT CCTV AND LIGHTING COLUMN IN A HERITAGE STYLE. CAMERA TO BE ENCLOSED IN LIGHT FITTING ON BRACKET, AT TRAFFIC ISLAND, AT CORNER OF RAILWAY STREET/MILL ROAD, HERTFORD
-

The Committee supported the recommendation of the Director of Regulatory Services that applications 3/05/1653/FP and 3/05/1655/FP be granted planning permission subject to the conditions detailed in the report now submitted.

RESOLVED - that (A) application 3/05/1653/FP be granted planning permission subject to the following

DRS

ACTION

conditions:

1. Three Year Time Limit (1T12)
2. Materials of Construction (2E11)
3. Following completion of the operations for which consent is hereby granted, all 'making good' of the existing grassed area shall be carried out to the satisfaction of the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and in accordance with Appendix 1(D) of the East Herts Local Plan.

Directives

1. Other legislation (01OL)
2. Highway Works – 05FC

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 Adopted Local Plan policies BE2 and BE27 and Re-Deposit Local Plan policies ENV1(a) and ENV7. The balance of the considerations having regard to those policies is that permission should be granted.

(B) application 3/05/1655/FP be granted planning permission subject to the following conditions:

DRS

1. Three Year Time Limit (1T12)
2. Materials of Construction (2E11)

ACTION

3. Following completion of the operations for which consent is hereby granted, all 'making good' of the existing footpath shall be carried out in materials, which closely match those used in the existing footpath to the satisfaction of the Local Planning Authority.

Reason: To ensure the historic and architectural character of the locality is properly maintained, in accordance with policy BE18 of the East Herts Local Plan.

Directives:

1. Other legislation (01OL)
2. Highway Works – 05FC

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 Adopted Local Plan policies BE2, BE16, BE18, BE21 and BE27 and Re-Deposit Local Plan policies ENV1(a), BH8, BH10, BH15 and ENV7. The balance of the considerations having regard to those policies is that permission should be granted.

- 368 (A) 3/05/1656/FP - BLACK 6 METRE HERITAGE COLUMN & CCTV CAMERA (DOME STYLE), ADJACENT TO ROUNDABOUT, WATTON ROAD/WADESMILL ROAD/BALDOCK STREET, WARE (B) 3/05/1657/FP - BLACK 6 METRE HERITAGE COLUMN AND DOME CCTV CAMERA, OUTSIDE MUSEUM, HIGH STREET, BALDOCK STREET, WARE (C) 3/05/1658/FP - 6 METRE BLACK HERITAGE COLUMN AND DOME CCTV CAMERA. CAMERA ENCLOSED IN LIGHTING FITTING

ACTION

PLACED ON BRACKET, OPPOSITE TUDOR SQUARE, WEST STREET, WARE (D) 3/05/1659/FP - 6 METRE BLACK HERITAGE COLUMN AND DOME CCTV CAMERA. CAMERA ENCLOSED IN LIGHTING FITTING PLACED ON BRACKET, OUTSIDE GREGGS, 47 HIGH STREET, WARE (E) 3/05/1660/FP - 6 METRE BLACK HERITAGE COLUMN AND DOME CCTV CAMERA. CAMERA ENCLOSED IN LIGHTING FITTING PLACED ON BRACKET, OUTSIDE 14 HIGH STREET, WARE (F) 3/05/1673/FP - 6 METRE BLACK HERITAGE COLUMN AND DOME CCTV CAMERA, AT TRAFFIC ISLAND, JUNCTION OF VIADUCT ROAD/BRIDGEFOOT, WARE

The Committee supported the recommendations of the Director of Regulatory Services that applications 3/05/1656/FP, 3/05/1657/FP, 3/05/1658/FP, 3/05/1659/FP, 3/05/1660/FP and 3/05/1673/FP be granted planning permission subject to the conditions detailed in the report now submitted.

RESOLVED - that (A) applications 3/05/1656/FP, 3/05/1660/FP AND 3/05/1673/FP be granted planning permission subject to the following conditions:

DRS

1. Three Year Time Limit (1T12)
2. Materials of Construction (2E11)
3. Following completion of the operations for which consent is hereby granted, all 'making good' of the existing landscaped area shall be carried out to the satisfaction of the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and in accordance with BE18 of the East Herts Local Plan.

ACTIONDirectives

1. Other legislation (01OL)
2. Highway Works – 05FC

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 Adopted Local Plan policies BE2, BE16, BE18, BE21 and BE27 and Re-Deposit Local Plan policies ENV1(a), BH8, BH10, BH15 and ENV7. The balance of the considerations having regard to those policies is that permission should be granted.

(B) planning permission in respect of applications 3/05/1657/FP and 3/05/1659/FP be granted subject to the following conditions:-

DRS

1. Three Year Time Limit (1T12)
2. Materials of Construction (2E11)
3. Following completion of the operations for which consent is hereby granted, all 'making good' of the existing footpath shall be carried out in materials, which closely match those used in the existing footpath to the satisfaction of the Local Planning Authority.

Reason: To ensure the historic and architectural character of the locality is properly maintained, in accordance with policy BE18 of the East Herts Local Plan.

ACTIONDirectives

1. Other legislation (01OL)
2. Highway Works – 05FC
3. Ware Town Council and Hertfordshire Highways should be contacted regarding the relocation of the litter bin

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 Adopted Local Plan policies BE2, BE16, BE18, BE21 and BE27 and Re-Deposit Local Plan policies ENV1(a), BH8, BH10, BH15 and ENV7. The balance of the considerations having regard to those policies is that permission should be granted.

(C) planning permission in respect of application 3/05/1658/FP be granted subject to the following conditions:-

DRS

1. Three Year Time Limit (1T12)
2. Materials of Construction (2E11)
3. Following completion of the operations for which consent is hereby granted, all 'making good' of the existing footpath shall be carried out in materials, which closely match those used in the existing footpath to the satisfaction of the Local Planning Authority.

Reason: To ensure the historic and architectural character of the locality is properly maintained, in

ACTION

accordance with policy BE18 of the East Herts Local Plan.

Directives

1. Other legislation (01OL)
2. Highway Works – 05FC

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 Adopted Local Plan policies BE2, BE16, BE18, BE21 and BE27 and Re-Deposit Local Plan policies ENV1(a), BH8, BH10, BH15 and ENV7. The balance of the considerations having regard to those policies is that permission should be granted.

369 3/05/1396/FP - CHANGE OF USE FROM A1 RETAIL TO MIXED USE (A1 RETAIL AND A5 TAKEAWAY) AT THE BUTCHERY, 77 THE AVENUE, HERTFORD FOR BRIAN TIMPERLEY

The Committee supported the recommendation of the Director of Regulatory Services that application 3/05/1396/FP should be refused planning permission for the reason detailed in the report now submitted.

RESOLVED - that application 3/05/1369/FP be refused planning permission for the following reason:

DRS

1. The proposed use of part of the premises as a hot takeaway operating up to 2200hrs in the evening is likely to cause unacceptable levels of noise and disturbance due to the

ACTION

levels of night time activity associated with such uses, which would be detrimental to the amenities of the occupiers of nearby properties in particular to those living above the parade, contrary to policy SH5 and BE10 of the East Herts Local Plan.

370 3/05/1182/FP - RETENTION OF A GARAGE (RETROSPECTIVE) AT 12 WESTFIELD ROAD, BISHOP'S STORTFORD FOR MR & MRS SMITH

The Committee supported the recommendation of the Director of Regulatory Services that application 3/05/1182/FP be granted planning permission.

RESOLVED - that application 3/05/1182/FP be granted planning permission.

DRS

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 in particular Adopted Local Plan policies BE2, BE18 and BS17. The balance of considerations having regard to these policies is that permission should be granted.

371 E/05/0270/B - UNAUTHORISED ERECTION OF A CONSERVATORY AT THE REAR OF 97/101 FORE STREET, HERTFORD

The Committee supported the recommendation of the Director of Regulatory Services that enforcement action be pursued, together with any such other steps as may be required, to secure the removal of an unauthorised conservatory from the rear of 97/101 Fore Street, Hertford.

RESOLVED - that the Director of Regulatory Services, in consultation with the Director of Corporate Governance be authorised to take

DRS

ACTION

enforcement action under Section 172 of the Town and Country Planning Act 1990 and/or Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and any such other steps as may be required to secure the removal of the unauthorised conservatory from the rear of 97/101 Fore Street, Hertford.

Period of Compliance: 28 days

Reasons why it is expedient to issue an Enforcement Notice

- a. The scale and mass of the conservatory is excessive, bulky and over dominant in relation to the architectural character and setting of this Grade II listed building. It would thereby be contrary to Policy BE16 of the East Herts Local Plan.
- b. The development obscures the view of the ground floor rear elevation of the property and is detrimental to the setting of the listed building. It is thereby contrary to Policy BE16 of East Herts Local Plan.

372 E/04/0251/A - UNAUTHORISED ERECTION OF A NEW FRONT BOUNDARY WALL WITH AN ADDITIONAL ROAD ACCESS AT LILAC COTTAGE, HARE STREET, BUNTINGFORD

The Committee supported the recommendation of the Director of Regulatory Services that enforcement action be undertaken, together with such other steps as may be required, to secure the removal of an unauthorised enclosure and the cessation of the unauthorised access at Lilac Cottage, Hare Street, Buntingford.

RESOLVED - that the Director of Regulatory Services in consultation with the Director of Corporate Governance be authorised to take

DRS

ACTION

enforcement action under Section 172 of the Town and Country Planning Act 1990 and such other steps as may be required to secure the removal of the unauthorised enclosure and the cessation of the unauthorised access at Lilac Cottage, Hare Street, Buntingford.

Period of Compliance: 28 days

Reasons why it is expedient to issue an Enforcement Notice:-

1. The unauthorised wall, by reason of its height, length, siting and materials of construction appears unduly dominant and conspicuous within the street scene and is thereby detrimental to the appearance and character of the street scene and character of the rural area contrary to policy RA3 and BE2 of the adopted East Herts Local Plan.
2. The front boundary wall does not provide the required visibility splays, within the scope of the site, and is thereby prejudicial to highway safety and a potential danger to road users contrary to policy BE2 and Appendix 1 of the Adopted East Herts Local Plan.
3. The second vehicle crossover to the individual property would create no highway safety benefit and is likely to lead to conditions that would interfere with the free flow of traffic and lead to danger and inconvenience to other road users of the highway contrary to policy BE2 and Appendix 1 of the Adopted East Herts Local Plan

ACTION

373 3/04/0358/A - UNAUTHORISED RAISING OF LAND LEVELS TO FORM TRACK FOR THE USE OF MOTORCYCLES AND BICYCLES AT LAND REAR OF BULLS FARM, LITTLE HORMEAD

The Committee supported the recommendation of the Director of Regulatory Services that enforcement action be pursued, together with any other steps as may be required, to secure the cessation of the use of land as a motorcycle track and the removal of the wooden ramp and imported material that had formed into ramps, bunds and berms and to reinstate the land to its former state at Bulls Farm, Little Hormead.

RESOLVED - that the Director of Regulatory Services, in consultation with the Director of Corporate Governance, be authorised to take enforcement action under section 172 of the Town and Country Planning Act 1990 and such other steps as may be required to secure cessation of the use of the land as a motorcycle track, and the removal of the wooden ramp and imported material that has been formed into ramps, bunds, and berms and to reinstate the land to its former state on land rear of Bulls Farm, Little Hormead.

DRS

Period of Compliance: 3 Months

Reasons why it is expedient to take enforcement action

1. Within the Rural Area (R031)
2. The development that has taken place adversely affects the landscape to degree which is significantly out of keeping with the surrounding open rural landscape, to the detriment of the character and appearance of the Rural Area, and is inappropriate development contrary to Policy RA3 of the East Herts Local Plan.

ACTION

3. The changing of the levels that have taken place has formalized the change of use of the land as a motorcycle track, resulting in a substantial loss of amenity to local residents in terms of noise and disturbance, and loss of visual amenity, constituting inappropriate development within the Rural Area contrary to Policy RA3 of the East Herts Local Plan.
4. The siting of the earthworks and part of the motorcycle track crossing the footpath have resulted in the course of the footpath being affected, potentially leading users of the footpath to be diverted through the motorcycle track. The siting of the earthworks and motorcycle track has the potential to bring users of the motorcycle track and users of footpath into conflict to the detriment of the safe use of the footpath.

374 E/05/0110/B - UNAUTHORISED DEVELOPMENT OF A PORTABLE BUILDING AS A SALES OFFICE AND UNAUTHORISED ADVERTISEMENTS ON THAT BUILDING AT TAMWORTH ROAD, HERTFORD

The Committee supported the recommendation of the Director of Regulatory Services that enforcement action be pursued, together with any such further steps as may be required, to secure the removal of the unauthorised building and advertisements at the site now detailed at Tamworth Road, Hertford.

RESOLVED - that the Director of Regulatory Services in consultation with the Director of Corporate Governance be authorised to take enforcement action under s.172 and legal proceedings under s.224 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure the removal of the unauthorised building and advertisements at the site

DRS

ACTION

at Tamworth Road, Hertford.

Period for compliance: 1 month

Reasons why it is expedient to issue enforcement notice:

1. The proposed development, due to its siting, design and its detached position relative to the construction site to which it relates, appears out of keeping with and unduly prominent within the area and is thereby detrimental to the character and appearance of the area and contrary to Policy BE2 of the East Herts Local Plan.

Reasons why it is expedient to take legal proceedings relating to the unauthorised advertisements:-

1. The advertisements are prominent and visually intrusive in this predominately residential location, detracting from the appearance and visual amenities of the area and introducing an urbanising commercial feature contrary to Policy BE24 of the East Herts Local Plan.

375 E/05/0119/A - UNTIDY CONDITION OF LAND AT
57A WEST ROAD, SAWBRIDGEWORTH

The Committee supported the recommendation of the Director of Regulatory Services that a notice be served under the provisions of Section 215 of the Town and Country Planning Act 1990, together with any other such steps as may be required, to secure the improvement of the land, on the basis now detailed, at 57A West Road, Sawbridgeworth.

RESOLVED - that the Director of Regulatory Services, in consultation with the Director of Corporate Governance, be authorised to issue and

DRS

ACTION

serve a Notice under Section 215 of the Town and Country Planning Act 1990 and such other steps as may be required to secure the improvement of the site at 57A West Road, Sawbridgeworth by:

Removing all the abandoned vehicles, the old boat, items of rubbish, waste materials and overgrown vegetation from the front and rear gardens of the property and leaving the site in a clean and tidy condition.

Period for compliance: 30 days

Reasons why it is expedient to issue a s.215 Notice:

The condition of the land is seriously detrimental to the amenities of the surrounding area, by reason of the number of abandoned vehicles, accumulation of rubbish, waste materials and overgrown vegetation in the gardens.

376 E/05/0012/A - UNAUTHORISED CHANGE OF USE OF THE LAND FROM RETAIL (CLASS A1) TO A CAR SALES AREA (SUI GENERIS) AT 5 SOUTH ROAD, BISHOP'S STORTFORD

The Director of Regulatory Services reported the content of a letter received from the landowner of 5 South Road, Bishop's Stortford. The Committee noted the landowner's assertion that vehicles were no longer on sale at these premises.

The Committee supported the recommendation of the Director of Regulatory Services that enforcement action be pursued, together with any other steps as may be required, to secure the cessation of the unauthorised change of use of the land at 5 South Road, Bishop's Stortford.

RESOLVED - that the Director of Regulatory Services, in consultation with the Director of Corporate Governance, be authorised to take enforcement action under section 172 of the Town

DRS

ACTION

and Country Planning Act 1990 and any other steps as may be required to secure the cessation of the unauthorised change of use of the land at 5 South Road, Bishop's Stortford.

Period for compliance: 2 months.

Reason why it is expedient to issue an enforcement notice:

The access onto the highway is prejudicial to highway safety and represents a potential danger to road users

377 E/04/0350/A - UNAUTHORISED ERECTION OF A 1.8M FENCE AT 35 STATION ROAD, SAWBRIDGEWORTH

The Director of Regulatory Services reported upon an offer from the applicant, via their agent, to secure a reduction of the height of the unauthorised fence from 1.8m to 1.5m. The Director advised that the proposed reduction in height did not overcome the reasons now submitted for pursuing enforcement action.

The Committee supported the recommendation of the Director of Regulatory Services that enforcement action be pursued, together with such other steps as may be required, to secure the removal of the unauthorised enclosure (fence) at 35 Station Road, Sawbridgeworth.

RESOLVED - that the Director of Regulatory Services in consultation with the Director of Corporate Governance be authorised to take enforcement action under Section 172 of the Town and Country Planning Act 1990 and such other steps as may be required to secure the removal of the unauthorised enclosure at 35 Station Road, Sawbridgeworth.

DRS

Period of Compliance: 28 days

ACTION

Reasons why it is expedient to issue an Enforcement Notice: -

The unauthorised fencing, by reason of its height and inappropriate design, is unduly prominent and visually intrusive to the detriment of the setting of the listed building and the character and appearance of the surrounding Conservation Area as a whole. Furthermore, the fencing restricts visibility for vehicles leaving the shared driveway at the site, to the detriment of highway safety in the area. The development is thereby contrary to policy BE16 of the East Herts Local Plan.

378 3/05/1570/CM - INERT WASTE RECYCLING OPERATION TO PRODUCE SECONDARY AGGREGATES AND SOILS FOR EXPLORATION INCORPORATING RECLAMATION OF EXISTING DERELICT LAND AT COLE GREEN LANE/BIRCHALL LANE, WELWYN GARDEN CITY FOR ECO AGGREGATES LTD

The Director of Regulatory Services reported that the Authority's Environmental Health Service had recommended that any granted planning permission for the development associated with application 3/05/1570/CM should be subject to a condition to preclude adverse noise impact on adjoining residential properties.

The Committee supported the recommendation of the Director of Regulatory Services that this Council should raise no objection to application 3/05/1570/CM provided that there are no objections on highway and ecological grounds and that any granted permission was subject appropriate conditions to ensure the restoration of the site and no adverse noise impact to adjoining residential properties.

RESOLVED - that Hertfordshire County Council be informed that this Council has no objection to application 3/05/1570/CM, provided that there are

DRS

ACTION

no objections on highway, noise and ecological grounds, and that any grant of permission is subject to appropriate conditions to ensure the restoration of the site and no adverse noise impact to adjoining residential properties.

379 FARM DIVERSIFICATION - GUIDANCE NOTE

The Director of Regulatory Services submitted a report on a proposed planning guidance note on farm diversification.

The Committee noted that, subject to its approval, the guidance note would be used for Development Control purposes and would form a material consideration in planning proposals.

The Director reminded the Committee that, in the Authority's Local Plan 1999, proposals for Farm Diversification were considered against the provisions of policies RA2 (Metropolitan Green Belt), RA3 (Rural Area beyond the Green Belt) and RA6 (Adaption and Re-use of Rural Buildings).

In the Local Plan Second Review Re-deposit Version November 2004, a more specific diversification policy was proposed - policy GBC 9a.

The Director explained how the guidance note now submitted for approval linked with that policy.

The Committee noted that the key elements in the guidance were:-

- identification of key planning issues
- examples of successful diversification in the authority's area
- a checklist prior to developing ideas, and

ACTION

- sources of advice and funding.

The Committee noted that the guidance did not relate to residential development proposals which were more strictly regulated and subject to existing guidance notes. The guidance simply sought to provide more supplementary comment in accordance with the Council's practical experience of such development.

The Committee agreed that the farm diversification guidance note now submitted should be approved as a document to be used for Development Control purposes and as a material consideration in determining any future planning applications for farm diversification.

RESOLVED - that the contents of the planning guidance note now submitted, be approved formally as a document to be used for Development Control purposes and as a material consideration in determining any future planning applications for farm diversification.

DRS

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

The Director of Corporate Governance 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 the planning applications detailed in the report now submitted. If and when an obligation was completed, the Director should, it was felt, be authorised to grant permission in respect of the planning application submitted in the report.

The Committee supported the recommendation of the Director that an extension of six months be granted for the conclusion of planning obligations detailed in the report now submitted.

ACTION

RESOLVED - that (A) 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, in respect of the following applications and, if an obligation is completed, the Assistant Director, Development Control be authorised to grant permission in respect of the following planning applications:-

DCG/DRS

<u>Planning Reference</u>	<u>Site and Proposals</u>
1. 04.06.597	Adams Yard, Maidenhead Street, Hertford. Erection of 4 buildings comprising 9 flats and parking spaces.
2. 04.06.627	Broken Green Farm, Broken Green, Standon. Change of use part existing barn to extend existing residential annexe.

(B) the Director of Corporate Governance report back following the grant of planning permission, or on the expiry of the six months period, whichever is the sooner.

DCG

381 ITEMS FOR REPORT AND NOTING

RESOLVED - that the following reports be noted:-

(A) Appeals against refusal of planning permission/ non determination,

(B) Planning Appeals lodged.

(Note: Details of appeal statistics were tabled at the

ACTION

meeting for Members information).

The meeting closed at 8.55 pm

Nps\DevCon\12 October 2005\Minutes 12 October 2005