

MINUTES OF A MEETING OF THE
DEVELOPMENT CONTROL
COMMITTEE HELD IN THE
WAYTEMORE ROOM, THE COUNCIL
OFFICES, BISHOP'S STORTFORD ON
WEDNESDAY 8 FEBRUARY 2006 AT
7.30 PM

PRESENT: Councillor R Gilbert (Chairman).
Councillors M R Alexander, W Ashley,
A L Burlton, R N Copping, A F Dearman,
J Demonti, Mrs M H Goldspink, L O Haysey,
M P A McMullen, D A A Peek, D Richards,
P A Ruffles, J J Taylor, M J Tindale, A L Warman,
M Wood.

ALSO IN ATTENDANCE:

Councillor P R Ballam.

OFFICERS IN ATTENDANCE:

Peter Biggs	- Development Control Manager
Simon Drinkwater	- Director of Corporate Governance
Andrea Gilmour	- Development Control Manager
Neal Hodgson	- Director of Regulatory Services
Jeff Hughes	- Head of Democratic Services
Peter Mannings	- Democratic Services Assistant
Alison Young	- Enforcement Manager

595 APOLOGIES

Apologies for absence were submitted on behalf of
Councillors K A Barnes, S A Bull, S Rutland-Barsby,
B W J Sapsford and G D Scrivener.

596 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed the press and public to the meeting.

He put forward the Committee's condolences in respect of Councillor Bull's recent bereavement and advised Members that a condolence card had been sent.

The Chairman advised that the item relating to application 3/05/2187/FP – Erection of two detached dwellings, associated parking turning and garages, including replacement garage for No. 41 Fordwich Hill, Hertford – had been withdrawn.

597 DECLARATIONS OF INTEREST

Councillors M R Alexander, P R Ballam and J J Taylor declared personal and prejudicial interests in respect of application 3/05/2440/FP as they were members of Ware Town Council. Councillor Alexander left the room prior to consideration of this application.

Councillor D A A Peek declared a personal and prejudicial interest in respect of applications 3/05/2442/FP and 3/05/2441/FP as he was a Member of the Authority's CCTV Steering Group. Councillor Peek left the room prior to the consideration of these applications.

Councillor D Richards declared a personal and prejudicial interest in respect of application 3/05/0351/OP, although the nature of this interest was not stated. Councillor Richards left the room prior to consideration of this application.

RESOLVED ITEMSACTION598 MINUTES

RESOLVED - that the minutes of the meeting held on 11 January 2006 be confirmed as a correct record and signed by the Chairman.

599 a) 3/05/2307/FP – CONSTRUCTION OF A PART ONE, THREE AND FOUR STOREY DEVELOPMENT FOR RETAIL (CLASSES A1, A2, AND A3), PLUS 20 FLATS AT 3A SOUTH STREET FOR PEARLCROWN LIMITED.

The Director of Regulatory Services advised Members that no further comments had been received from the Environment Agency; that another letter had been received from English Heritage raising further concerns with the scheme; and the Architectural Liaison Officer raised concerns about the design with regard to antisocial behaviour.

The Committee supported the recommendation of the Director of Regulatory Services that application 3/05/2307/FP be refused planning permission for the reasons detailed in the report now submitted.

RESOLVED – that application 3/05/2307/FP be refused planning permission for the following reasons:

DRS

1. The proposed development fails to achieve the high standards of design quality that are sought for new development particularly within prominent public locations. The proposal is therefore contrary to Policy BE2 of the adopted and national planning guidance in PPS1.
2. The proposed development due to its height, massing and roof designs would be an incongruous element within the townscape setting of South Street and detrimental to the

ACTION

appearance and character of this part of the Bishop's Stortford Conservation Area. The proposal is thereby contrary to Policies BS6 and BE18 of the adopted local plan.

3. The proposed development would result in poor and inadequate outlook and daylighting for residents of some of the proposed flats facing Jackson Square and some of the flats within the internal area, in particular Plots 2, 5, 6, 7, 9, 12, 13, 14. The proposal is therefore contrary to Policy BE2 of the East Herts Local Plan.
4. The application lacks sufficient information regarding the issue of flooding to enable the local planning authority to properly consider the planning merits of the application.

Summary of Reasons for Decision

The proposal has been considered with regard to policies BS6 and BE18 of the adopted local plan and policy BE2 of the East Herts Local Plan. The balance of the considerations having regard to these policies and the other material considerations in this case is that planning permission should be refused.

600 3/05/2319/LC – DEMOLITION OF ALL EXISTING BUILDINGS AT 3A SOUTH STREET FOR PEARLCROWN LIMITED.

The Committee supported the recommendation of the Director of Regulatory Services that application 3/05/2319/LC be granted planning permission subject to the conditions detailed in the report now submitted.

RESOLVED - that application 3/05/2319/LC be granted planning permission subject to the following conditions:

DRS

1. 1T12 – Three year time limit.

ACTION

2. 8L12 – Conservation Area (demolition).

Summary of Reasons for Decision

The proposal has been considered with regard to policies BS6, BS9, BE9, BE16, BE18 and SH13 of the adopted East Herts Local Plan 1999. 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.

- 601 3/05/2321/RP – MINOR AMENDMENTS TO PREVIOUSLY AGREED SCHEMES 3/05/1052/RP (ERECTION OF 95 DWELLINGS, ACCESS ROADS, GARAGES, PARKING AREAS, OPEN SPACES, PATHS AND ANCILLARY WORKS) – LAND AT FORMER TRINITY CENTRE, FANHAMS HALL ROAD, WARE FOR DAVID WILSON HOMES.

The Committee supported the recommendation of the Director of Regulatory Services that application 3/05/2321/RP be affirmed subject to the conditions detailed in the report now submitted.

RESOLVED - that application 3/05/2321/RP be affirmed subject to the following conditions:

DRS

1. Materials of construction (2E11).
2. Boundary walls and fences (2E07).
3. Hard surfacing (3V21).
4. Retention of existing trees (4P05).
5. Retention of existing hedgerows (4P06).
6. Landscape design proposals (4P12).
7. Landscape works, Implementation (4P13).

ACTION

8. Vehicular use of garages (5U10).
9. Withdrawal of permitted development rights (Part 1 Class A – extensions) (2E20).
10. Hours of working – plant and machinery (6N05).
11. Withdrawal of permitted development rights (roof alterations and dormer windows) (2E23).
12. Lighting details (2E27).
13. Sight splays 2.4m x 70m (west) and 2.4m x max (east) shall be provided at the junction of the access to plots 90-101 with Tower Road.

Reason: In the interests of highway safety.

14. Completion of roads (3V13).
15. The footpath/cycle link, the two children's play areas and the public open space shall be provided prior to the first occupation of any of the dwellings hereby approved.

Reason: To ensure a timely provision of amenities in relation to the residential development.

16. Details of the means of management and maintenance of all communal areas within the site, shall be submitted to and approved in writing by the Local Planning Authority, prior to the first occupation of any dwellings.

Reason: To ensure an appropriate long term regime of maintenance in the interests of visual amenity.

ACTIONDirectives:

1. The developer is reminded of the need to comply with all of the requirements of the conditions attached to the grant of outline planning permission 3/02/1725/OP granted 23 February 2005, and its accompanying Section 106 Agreement, of the same date.
2. Street naming and numbering (19SN).

The applicant is referred to CIRIA Publication C532 "Control of water pollution from construction – guidance for consultants and contractors".

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 in particular policies BE2 and BE8. The balance of the considerations having regard to those policies, together with planning permissions 3/02/1725/OP, 3/05/1052/RP and 3/05/1331/RP is that permission should be granted.

602 3/05/2242/RP – ERECTION OF 28 RESIDENTIAL UNITS AND ASSOCIATED WORKS AT HAVERS INFANT SCHOOL, ELIZABETH ROAD, BISHOPS' STORTFORD FOR CROUDACE HOMES LTD.

The Director of Regulatory Services advised Members that the applicant had been notified of the recommendation for refusal. A pre application discussion had taken place with the applicant and detailed comments given in relation to necessary amendments. However, officers were concerned that some but not all amendments had been made.

ACTION

A Member supported the Director's recommendation for refusal but praised the plans for the inclusion of trees on the frontage of the property and hoped to see this included on any amended plans.

The Committee supported the recommendation of the Director of Regulatory Services that application 3/05/2242/RP be refused planning permission for the reasons detailed in the report now submitted.

RESOLVED - that application 3/05/2242/RP be refused planning permission for the following reason:

DRS

The proposal would result in over development of the site by virtue of the cramped and congested layout which would result in inadequate space for any landscaping within the site, poor outlook from plot 2 and inadequate amenity space for plots 13 and 14. It would therefore be contrary to Policy BE2 and Appendix 1 of the East Herts Local Plan.

603 3/05/2155/FP – NEW PATH AND CAR PARK AT RYE MEADS VISITOR CENTRE, RYE ROAD, STANSTEAD ABBOTTS FOR JOAN CHILDS (RSBP).

Members were advised that the application had the support of the Lea Valley Regional Park Authority and the Landscape Officer, who requested that an additional condition be added regarding landscape maintenance.

A Member expressed concerned with the overspill of cars onto the road from the car park, which was often full. Further concern was expressed over the presence of rubbish at the site.

A Member welcomed the plans, in particular the expansion of the car park.

ACTION

Members were reminded of the comments of the Landscape Officer, namely that the application would be of no detriment to wildlife.

The Committee supported the recommendation of the Director of Regulatory Services that application 3/05/2155/FP be granted planning permission subject to the conditions detailed in the report now submitted and a further condition relating to landscape maintenance.

RESOLVED - that application 3/05/2155/FP be granted planning permission subject to the following conditions:

DRS

1. Three year time limit (1T12).
2. The car park shall not be brought into use until the proposed footpath has been constructed in accordance with further details to be first agreed in writing with the Local Planning Authority. Thereafter such approved details shall be implemented, retained and maintained unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenity of the locality and to ensure that the openness of the Green Belt is maintained in accordance with policy RA2 of the Adopted East Herts Local Plan, and policies GBC2 and GBC3 of the East Herts Local Plan Second Review Re-Deposit Version November 2004.

3. Samples of materials (2E12).
4. Lighting details (2E27).
5. Parking space (3V20).

ACTION

6. Retention of parking space (3V20).
7. Hard Surfacing (3V21).
8. Landscape design proposals (4P12).
(b), (c), (f), (i), (j), (k) and (l)
9. Landscape works implementation (4P13).
10. Landscape maintenance (4P17).

Directives:

1. Other legislation (01OL).
2. Should the presence of protected species, as defined by Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats, etc.) Regulations 1994, be found present on the development site, a license should be obtained from English Nature.

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 PPG2, PPG9 and policies RA2, RA13A-E, RA14, BE1, BE2 & appendix 1, BE8, L3 and M8 of the East Herts Local Plan 1999 and policies GBC2, GBC3, ENV1a, ENV3, ENV5, ENV19, ENV20, ENV21, ENV22, ENV23, ENV24, LRC6 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.

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- 604 3/05/0351/OP – RESIDENTIAL DEVELOPMENT TO PROVIDE 47 DWELLINGS , AMENITY SPACE, PARKING, ACCESS AND FLOOD ALLEVIATION WORKS AT ITALSTYLE INDUSTRIAL ESTATE, HARLOW ROAD, SAWBRIDGEWORTH FOR MAVRASTAR LTD.

The Director of Regulatory Services advised Members that application 3/05/0351/OP had been refused planning permission in April 2005 and would be subject to a public inquiry later this year, due to an appeal having being lodged.

The Director reminded Members of the reasons for refusal. He explained that one of the reasons, as now detailed, should be withdrawn and he explained for the reasons therefor.

The Committee supported the recommendation of the Director of Regulatory Services as now detailed.

RESOLVED - that the objection to the loss of a sports facility raised to the planning application reference 3/05/0351/OP stated within reason for refusal number 6 on the decision notice, be withdrawn, and that the Planning Inspectorate and appellant be informed of the Council resolution.

DRS

- 605 3/05/2128/FP – ERECTION OF 20 SHELTERED RESIDENTIAL APPLICATIONS WITH ACCESS, PARKING AND LANDSCAPING AT 1 – 3 LONDON ROAD, WARE FOR ST JOHN SPENCER ESTATES

Councillor P R Ballam, as the local ward Member addressed the Committee, voicing her concern on the grounds of inadequate parking provision; the dangers of increased vehicle traffic; and that Ware had no shortage of sheltered accommodation. Councillor Ballam requested that, should the committee be minded to support the officers recommendation a condition be applied to this application, namely that the development should be that

ACTION

managed by a housing association.

A Member supported Councillor Ballam's request and raised further concerns in relation to the flood risk.

Members sought and were given clarification on the definition of sheltered accommodation by the Director of Corporate Governance.

Members were advised that English Heritage and the Environment Agency, subject to high quality building materials being used, had raised no objections.

After being put to the meeting and a vote taken, the Committee rejected Councillor Ballam's request that application 3/05/2128/FP be subject to a condition of being managed by a housing association.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Regulatory Services that application 3/05/2128/FP be granted planning permission subject to the conditions now detailed.

RESOLVED - that application 3/05/2128/FP be granted planning permission subject to the following conditions:

DRS

1. Three year time limit (1T12).
2. Levels (2E05).
3. Boundary walls and fences (2E07).
4. Samples of materials (2E12).
5. Refuse disposal facilities (2E24).
6. Lighting details (2E27).

ACTION

7. Communal TV facilities (2E28).
8. Materials arising from demolition (2E32).
9. New doors and windows- unlisted buildings (2E34) insert '... including dormer windows...' '...and BE18...'
10. Sample brickwork panel- unlisted buildings (2E35) insert '...and BE18...'
11. Piling works (2E39).
12. Hard surfacing (3V21).
13. Construction Parking and Storage (3V22).
14. Provision and Retention of Parking Spaces (3V23).
15. Wheel washing facilities (3V25).
16. Tree retention and protection (4P05).
17. Landscape design proposals (4P12).
18. Landscape works (4P13).
19. Hours of Working – Plant and Machinery (6N05) (during all demolition and construction works).
20. Prior to the commencement of development detailed drawings of the entrance gates at a scale of not less than 1:20 shall be submitted to and approved in writing by the Local Planning Authority and shall be carried out in accordance with the approved plans and specification.

ACTION

Reason: In the interests of the appearance of the development and in accordance with Policy BE2 and BE18 of the East Hertfordshire Local Plan.

21. The hard surfacing of the pedestrian entrances to the approved building shall be Yorkstone paving with granite sets unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the development and in accordance with Policy BE2 and BE16 of the East Hertfordshire Local Plan.

22. Prior to the commencement of development detailed sections of the eaves at a scale of not less than 1:20 shall be submitted to and approved in writing by the Local Planning Authority and shall be carried out in accordance with the approved plans and specification.

Reason: In the interests of the appearance of the development and in accordance with Policy BE2 and BE16 of the East Hertfordshire Local Plan.

23. Prior to the commencement of development the access shall be signalled as shown on Boreham Drawing No. 204084 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the safe flow of traffic to and from the site.

24. The building shall be used for warden control sheltered accommodation for persons over

ACTION

55 years in age and for no other purposes including any other purpose in Class C3 of the Schedule of the Town and Country Planning (Use Classes) Order 2005.

Reason: To ensure that that no alternative use is made of the building which would be likely to result in an increase in the number of parking spaces required for residents or improved access arrangements.

Directives:

1. Other Legislation (01OL).
2. Ownership (02OW).
3. Street Numbering (19SN).

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, East Herts Local Plan and East Herts Local Plan, Second Review, Re-Deposit Version), and in particular policies BE1, BE2, BE8, BE9, BE16, BE18 and M8 and Re-Deposit policies ENV1a, ENV3, ENV5, ENV18, ENV26, BH6, BH8, BH15 and TR6. The balance of the considerations having regard to those policies and advice contained in PPG 3 'Housing' and PPG13 'Transport' is that permission should be granted.

606 3/05/2378/FO – VARIATION OF S106 PLANNING OBLIGATION AND CONDITION 17 OF PLANNING PERMISSION 3/04/0544/FP TO ALLOW THE OCCUPATION OF NO MORE THAN 60 DWELLINGS AT FORMER JOHN DYDE TRAINING COLLEGE, ANCHOR STREET, BISHOP'S STORTFORD FOR FURLONG

ACTIONHOMES LTD.

The Director of Regulatory Services advised that Bishop's Stortford Town Council had raised objections to occupation of the site before highways had been consulted. Members were further advised that British Waterways had raised no objection and that two third party letters of support had been received.

Members were advised that the applicant was seeking to sign a Section 278 agreement and officers were working with Highways to resolve this.

The Committee supported the recommendation of the Director of Regulatory Services that application 3/05/2378/FO be approved as detailed in the report now submitted.

RESOLVED - that (A) subject to no further representations being received raising new material or substantial issues following the Notification Under Article 6 to Network Rail and British Waterways by 10 February 2006, the Director of Regulatory Services be authorised to grant the following recommendations:

DRS

Paragraph 6 of Schedule 1, of the Section 106 agreement dated 25 October 2004 pursuant to planning application 3/04/0544/FP be varied as follows:

- Not to permit the occupation of any dwellings until the application has entered into a Section 278 Agreement with the County Council for the construction of highway works unless otherwise agreed in writing by the Local Planning Authority
- Not to permit the occupation of more than sixty dwellings within the application site until the applicant has obtained a Certificate of

ACTION

Completion which shall be issued by the County Council's Director of Environment in respect of such highway works.

- Not to permit the provision of more than 35 car parking spaces on the site until the applicant has obtained a Certificate of Completion, which shall be issued by the County Council's Director of Environment in respect of such highway works.

(B) The variation of Condition 17 of planning application 3/04/0544/FP be granted subject to the following conditions:

DRS

1. Prior to occupation of the 61st dwelling of the development the existing Station/Anchor Street priority junction shall be signalised, including the necessary bus priority measures, as shown in principle on Boreham Consulting Engineers drawing no. 200105/03 Rev. E and constructed to the satisfaction of the Highway Authority.

Reason: In the interests of free and safe flow of traffic.

2. No more than 35 car parking spaces shall be provided on the site until the existing Station/Anchor Street priority junction is signalised, including the necessary bus priority measures, as shown in principle on Boreham Consulting Engineers drawing no. 200105/03 Rev. E and constructed to the satisfaction of the Highway Authority.

Reason: In the interests of free and safe flow of traffic.

3. Prior to the occupation of any dwellings within the application site a temporary lighted

ACTION

pedestrian footpath shall be provided from the application site to Station Road via the towpath, as shown in principle on Drawing No. PA100, and in accordance with detailed plans of the route identifying lighting columns, which shall first be submitted to and approved in writing by the Local Planning Authority. On completion of the approved junction works at Anchor Street/Station Road junction the temporary lighted pedestrian footpath within the application site shall be reinstated within an agreed timescale to soft landscaping, details of which shall first have been agreed in writing by the Local Planning Authority.

Reason: In the interests of providing safe pedestrian access to and from the site.

4. Prior to the occupation of any dwellings within the application site, temporary signs advising that vehicular speed along Anchor Street should be limited to 20mph as a safety precaution, shall be erected in a location to be first agreed in writing by the Local Planning Authority in consultation with the Highway Authority, and should remain in situ until the permanent approved junction works at Anchor Street/Station Road junction have been completed to the satisfaction of the Local Planning authority. Details of the signage shall be first agreed in writing by the Local Planning Authority prior to erecting the approved signs.

Reason: In the interests of providing safe pedestrian access to and from the site.

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 Second Review Re-Deposit Version, November 2004), and in particular policies BE3, M6 and M12 and Re-Deposit policies BIS14, BIS15, TR19, TR20 and IMP1. The balance of the considerations having regard to these policies is that planning permission should be granted.

607 3/05/2397/FP – RELOCATION AND REPLACEMENT OF DWELLING, REVISED APPLICATION AT LITTLE THELE, HERTFORD ROAD, GREAT AMWELL, WARE BY MR G DILETTO.

The Director of Regulatory Services advised that officers felt an additional condition was necessary, in respect of disposal of basement spoil.

The Committee supported the recommendation of the Director of Regulatory Services that application 3/05/2397/FP be granted planning permission subject to the conditions detailed in the report now submitted and a further condition relating to the disposal of excavated spoil.

RESOLVED - that application 3/05/2397/FP be granted planning permission subject to the following conditions:

DRS

1. Three Year Time Limit (1T12).
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).

ACTION

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).
10. Prior to the first occupation of the dwelling hereby permitted, the existing dwelling and outbuildings, shown for demolition on as detailed on plans accompanying planning application number 3/04/1887/FP, reference numbers 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).
12. Prior to the first occupation of the development hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority of the location for deposit of the excavated spoil from the

ACTION

formation of the basement.

Reason: In the interest of the rural character of the area, in accordance with Policy RA2 of the East Herts Local Plan

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 Local Plan Review Re-Deposit Version November 2004 including Pre-Inquiry changes GBC2, GBC3, HSG13, ENV1a, ENV5 and ENV28. The balance of the considerations having regard to those policies is that permission should be granted.

608 3/05/2250 – ERECTION OF HOUSE AND GARAGE – BLUE HILL FARM, HIGH ELMS LANE, WATTON AT STONE BY MRS P GLOVER.

The Committee supported the recommendation of the Director of Regulatory Services that application 3/05/2250/FP be granted planning permission subject to the conditions detailed in the report now submitted.

RESOLVED - that application 3/05/2250/FP be granted planning permission subject to the following conditions:

DRS

1. Three Year Time Limit (1T12).
2. Samples of Materials (2E12).

ACTION

3. External Timberwork (2E16).
4. Boundary Walls and Fences (2E07).
5. Vehicular Use of Garage (5U10).
6. The first floor of the garage hereby permitted shall only be used for a purpose incidental to the enjoyment of the dwelling house within the application site and for no other purpose.

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

7. Withdrawal of P.D. (Part 1 Class A) (2E20).
8. Withdrawal of P.D. (Part 1 Class B) (2E23).
9. Retention and Protection (Trees) (4P05).
10. Landscape Design Proposals (4P12).
Delete a, b, c, d, f, g, and h
11. Landscape Works Implementation (4P13).
12. Construction Parking and Storage (3V23).
13. Wheel Washing Facilities (3V25).
14. Gates/carriageway (3V14).
15. Protection of Bats (2E19).
Insert... "in accordance with details submitted to the Local Planning Authority on 4 June 2003".
16. Prior to the first occupation of the dwelling hereby permitted, the existing buildings as

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shown in green as being removed on drawing number 'BUILDINGS REMOVED', 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 10 of this permission.

Reason: In the interests of the character and appearance of the area, in accordance with policy RA2 and RA11 of the East Herts Local Plan.

Directives:

1. Other legislation (01OL).
2. Advice should be sought from the Health and Safety Executive so as to ensure the asbestos wall and roofing are removed safely and in accordance with the Control of Asbestos at Work Regulations 2002. This may require the use of licensed contractors and disposal at a licensed waste site.

Please note that prior to the building of the storeroom, plans should be submitted to, and approved in writing by the Local Planning Authority.

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 policies RA2, RA11, BE2, BE7, BE8 and RA13E and Local Plan Review Re-Deposit Version November 2004 including Pre-Inquiry changes, GBC2, GBC3, GBC16b, HSG13, ENV1a, ENV5, ENV14 and ENV23. The development does not comply with the

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Council's in principle Green Belt policy, however taking into account the Council's previous decision to grant planning permission for a replacement dwelling, and the balance of the considerations having regard to those policies is that permission should be granted.

609 3/05/2440/FP – CCTV MICI CAMERA ATTACHED TO 1 METRE BRACKET. POSITIONED ON THE SIDE OF THE BUILDING 6 METRES UP AT PEACOCKS, 41/47 HIGH STREET, WARE BY P. GRIFFIN, EAST HERTS COUNCIL

The Committee supported the recommendation of the Director of Regulatory Services that application 3/05/2440/FP be granted planning permission subject to the conditions detailed in the report now submitted.

RESOLVED - that application 3/05/2440/FP be granted planning permission subject to the following conditions:

DRS

1. Three Year Time Limit (1T12).
2. Materials of Construction. (2E11)
3. The CCTV camera permitted under planning permission 3/05/1659/FP shall not be constructed following implementation of the permission hereby granted. The CCTV camera hereby permitted shall not be carried out if the CCTV camera permitted under planning permission 3/05/1659/FP is implemented.

Reason: In the interests of the appearance of the area in accordance with policy BE18 of the East Herts Local Plan.

4. Prior to the commencement of the development hereby permitted, plans

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showing the details of the cabinet and its siting shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the area in accordance with policy BE18 of the East Herts Local Plan.

Directives:

1. Other legislation (01OL).
2. Ownership (02OW).

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 and Local Plan Review Re-Deposit Version November 2004 including Pre-Inquiry changes ENV1(a), BH8, BH10, BH15 and ENV7. The balance of the considerations having regard to those policies is that permission should be granted.

610 3/05/2442/FP – ERECTION OF CCTV CAMERA ATTACHED TO 1 METRE BRACKET, AND ASSOCIATED CABINET TO MARK'S AND SPENCER'S 13-15 SOUTH STREET, BISHOP'S STORTFORD, BOTH APPLICATIONS FOR EAST HERTS COUNCIL.

The Committee supported the recommendation of the Director of Regulatory Services that application 3/05/2442/FP be granted planning permission subject to the conditions detailed in the report now submitted.

ACTION

RESOLVED - that application 3/05/2442/FP be granted planning permission subject to the following conditions:

DRS

1. 3 Year time limit (1T12).
2. Materials of construction (2E11).
3. The CCTV camera permitted under planning permission 3/05/1666/FP shall not be constructed following implementation of the permission hereby granted. The CCTV camera hereby permitted shall not be carried out if the CCTV camera permitted under planning permission 3/05/1666/FP is implemented.

Reason: In the interests of the appearance of the area in accordance with Policy BE18 of the East Herts Local Plan.

4. Prior to the commencement of the development hereby permitted, plans showing the elevations and details of the cabinet and its siting shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the area 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

ACTION

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.

- 611 3/05/2441/FP – ERECTION OF CCTV CAMERA ATTACHED TO 1 METRE BRACKET, AND ASSOCIATED CABINET TO BOOTS THE CHEMIST, 16-18 POTTER STREET, BISHOP'S STORTFORD, EAST HERTS COUNCIL.

The Committee supported the recommendation of the Director of Regulatory Services that application 3/05/2441/FP be granted planning permission subject to the conditions detailed in the report now submitted.

RESOLVED - that application 3/05/2441/FP be granted planning permission subject to the following conditions:

DRS

1. 3 Year time limit (1T12).
2. Materials of construction (2E11).
3. The CCTV camera permitted under planning permission 3/05/1667/FP shall not be constructed following implementation of the permission hereby granted. The CCTV camera hereby permitted shall not be carried out if the CCTV camera permitted under planning permission 3/05/1667/FP is implemented.

Reason: In the interests of the appearance of the area in accordance with Policy BE18 of

ACTION

the East Herts Local Plan.

4. Prior to the commencement of the development hereby permitted, plans showing the details of the cabinet and its siting shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the area 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.

612 3/05/2201/FP – REPLACEMENT HOUSE AT THE PLOUGH, GREAT MUNDEN FOR M. McCARTHY.

The Director of Regulatory Services advised that officers felt an additional condition was necessary, in respect of the recycling of metal materials from the demolition.

The Committee supported the recommendation of the Director of Regulatory Services that application

DRS

ACTION

Director of Regulatory Services that application 3/05/2201/FP be granted planning permission subject to the conditions detailed in the report now submitted and the further condition now identified.

RESOLVED - that application 3/05/2201/FP be granted planning permission subject to the following conditions:

1. Three Year Time Limit (1T12).
2. Samples of Materials (2E12).
3. No Further Windows (2E17).
Amend policy BE5 to Appendix 1(D)
4. Obscured Glazing (2E18).
Insert...to dormer windows
5. External Timberwork (2E16).
6. The boundary fences to both flank elevations shall be 1.8 metre high and shall be retained at this height at all times, unless otherwise agrees in writing by the Local Planning Authority.

Reason: To safeguard the privacy of occupiers of the adjoining properties, in accordance with Appendix 1 (D) of the East Herts Local Plan.
7. Withdrawal of P.D. (Part 1 Class A) (2E20).
8. Withdrawal of P.D. (Part 2 Class A) (2E21).
9. Visibility splays of not less than 2.4m x 18m to the northeast and 2.4m x 6m to the southwest shall be provided, and thereafter maintained, from the proposed crossover,

ACTION

within which there shall be no obstruction to visibility between a height of 600mm and 2.0m above the carriageway.

Reason: In the interests of highway safety, and in accordance with Appendix 1(D) of the East Herts Local Plan.

10. Construction parking and storage (3V22).
11. Wheel washing facilities (3V25).
12. Landscape design proposals (4P12).
(e), (i), (j), (k) and (l)
13. Landscape works implementation (4P13).
14. Vehicular use of garage (5U10).
15. Prior to the first occupation of the dwelling hereby permitted, the existing car park to the south of the pub and on the opposite side of the C16 shall be reinstated to grass in accordance with details pursuant to condition 12 of this permission.

Reason: In the interests of the character and appearance of the area, in accordance with policy RA3 of the East Herts Local Plan.

16. Materials arising from demolition (2E32).

ACTIONSummary 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 RA3, RA11, BE2, BE8 and BE7 and Local Plan Review Re-Deposit Version November 2004 including Pre-Inquiry changes GBC5, GBC6, HSG13, ENV1a, GBC16b, ENV5, ENV14. The development does not comply with the Council's in principle Rural Area beyond Green Belt policy, however taking into account the Inspector's decision to grant permission for conversion of The Plough Public House into 3 dwellings and no in principle objection to the demolition of the pub and replacement with a dwelling, the balance of the considerations having regard to those policies is that permission should be granted.

613 3/05/2268/FP – THREE BED RESIDENTIAL DWELLING ON LAND ADJACENT TO 9 WIDFORD ROAD, HUNSDON, FOR MR S TROUP.

The Director of Regulatory Services advised the Committee that a representation had been received from the Parish Council, objecting on the grounds of over development.

The Committee supported the recommendation of the Director of Regulatory Services that application 3/05/2268/FP be granted planning permission subject to the recommendations detailed in the report now submitted.

RESOLVED - that application 3/05/2268/FP be granted planning permission subject to the following conditions:

DRS

1. Five year time limit (1T01).

ACTION

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)
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').

ACTIONDirectives:

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 RA3, BE6, 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 permission should be granted.

ACTION

- 614 3/05/1758/LB – SHOPFITTING COMPRISING FINISHES, BAR, LIGHTING, WC'S AND STORAGE TO FORM 'CAFFE NERO' TOGETHER WITH NEW TIMBER SHOPFRONT, DOORS AND DECORATION (RETROSPECTIVE) AND 3/05/1890/FP INSTALLATION OF NEW MAHOGANY HARDWOOD SHOPFRONT (RETROSPECTIVE) AND 3/05/1891/AD AND 3/05/1892/LB FASCIA SIGNAGE 'CAFFE NERO', BEAN LOGO & PROJECTING SIGN (RETROSPECTIVE) AND 3/05/1952/FP – CHANGE OF USE TO MIXED A1/A3 (SHOPS/RESTAURANTS/CAFE) (RETROSPECTIVE) AT 2-4 SALISBURY SQUARE, HERTFORD, FOR CAFÉ NERO GROUP
-

The Committee Chairman advised that this application should be treated as a new application, irrespective of its status as a retrospective application.

The Director of Regulatory Services advised that a further letter had been received from Hertford Town Partnerships concerning the position and location of seating and the impact on market traders. Also, the Committee was further advised that no representations had been received from Environmental Health.

The Chairman allayed Members concerns as to whether damage had been done to a listed building and Officers confirmed that no such damage had occurred.

The Committee supported the recommendation of the Director of Regulatory Services that applications 3/05/1758/LB, 3/05/1890/FP, 3/05/1891/AD, 3/05/1892/LB and 3/05/1952/FP be granted retrospective planning permission subject to the conditions detailed in the report now submitted.

ACTION

RESOLVED - that (A) subject to no further representations being received raising new material or substantial issues following the expire of the press/site notices advertising application 3/05/1952/FP as a departure to Local Plan policy by 24 February 2006; and,

(B) subject to the applicants entering into legal obligations pursuant to Section 106 of the Town and Country Planning Act 1990 for the provision of £15,000, which shall be used as a contribution towards replacement of seats in Salisbury Square;

The Director of Regulatory Services be authorised to determine the following applications:

DRS

- i) For application 3/05/1758/LB retrospective listed building consent be granted subject to the following conditions:
1. Within two months of the date of this decision notice the entrance doors, and all ground floor window frames and cills, to the premises, shall be painted in a colour to be first agreed in writing by the Local Planning Authority.

Reason: To ensure the historic and architectural character of the building is properly maintained, in accordance with policy BE16 of the East Herts Local Plan.
 2. Within two months of the date of this decision notice the ground floor internal wall to No.6 Railway Street, as marked green on drawing numbered CN213/001/A received on the 12 September 2005, shall be finished in

ACTION

plaster and decorated in accordance with specification details which shall first have been agreed in writing by the Local Planning Authority.

Reason: To ensure the historic and architectural character of the building is properly maintained, in accordance with policy BE16 of the East Herts Local Plan.

3. Within two months of the date of this decision notice the existing ventilation grille at first floor level shall be replaced with a cast iron grille, specification details of which shall first have been agreed in writing by the Local Planning Authority.

Reason: To ensure the historic and architectural character of the building is properly maintained, in accordance with policy BE16 of the East Herts Local Plan.

Directive

1. Listed building advice (25LB).

Summary of Reason for Decision

The proposal has been considered with regard to the Development Plan, including policies in the adopted East Herts Local Plan, in particular Policies BE16. The balance of considerations having regard to this policy is that consent should be granted.

- ii) For application 3/05/1890/FP retrospective planning permission be granted subject to the following condition:

ACTION

1. Within two months of the date of this decision notice the entrance doors, and all ground floor window frames and cills, to the premises, shall be painted in a colour to be first agreed in writing by the Local Planning Authority.

Reason: To ensure the historic and architectural character of the building is properly maintained, in accordance with policy BE16 of the East Herts Local Plan.

Summary of Reason for Decision

The proposal has been considered with regard to the Development Plan, including policies in the adopted East Herts Local Plan, in particular Policies BE16 and BE18. The balance of considerations having regard to these policies is that permission should be granted.

- iii) For application 3/05/1891/AD retrospective express advertisement consent be granted subject to the following conditions:
 1. Standard advertisement (7A01).
 2. Type of illumination (7A07).
- (iv) For application 3/05/1892/LB retrospective listed building consent be granted.

ACTIONSummary of Reason for Decision

The proposal has been considered with regard to the Development Plan, including policies in the adopted East Herts Local Plan, in particular Policies BE16. The balance of considerations having regard to this policy is that consent should be granted.

(v) For applications 3/05/1952/FP retrospective planning permission be granted subject to the following conditions:

1. The permission hereby granted shall ensure only for the benefit of Caffè Nero PLC and wholly owned subsidiaries.

Reason: Permission has only been granted because the applicant's particular Class A3 use does not have any detrimental impact on the vitality and viability of the Town Centre.

2. No primary cooking of unprepared food shall be carried out within the premises, at any time. Only re-heated food that has been prepared elsewhere shall be served within the premises.

Reason: To prevent the emergence of an unrestricted Class A3 use that might have an adverse impact on the vitality and viability of this part of the town centre and which may be detrimental to amenities of the locality.

3. The premises shall remain closed from 20.00 hours until 07.00 hours and no alcoholic drinks shall be

ACTION

displayed or served on the premises.

Reason: To prevent the creation of a Class A3 use that might have an adverse impact on the vitality and viability of the town centre.

Summary of Reason for Decision

The proposal has been considered with regard to the Development Plan, including policies in the adopted East Herts Local Plan, in particular Policy SH12 and BE18; aims and objectives of Planning Policy Statement 6 and particular circumstances of the location of the application site. The balance of considerations having regard to these policies and the recent Central Government Guidance is that permission should be granted.

615 3/05/1701/FP – FIRST FLOOR SIDE AND REAR EXTENSION, 29 SOUTH BROOK, SAWBRIDGEWORTH, FOR MR G NEEDHAM.

A Member advised that this application had been brought to Committee on her request. The Chairman reminded members to only deal with what was written in the application.

Councillor Mrs M H Goldspink moved that the application be refused, in order to allow the Committee to reassess what was known about this application, as the plans did not show an existing extension.

The Chairman advised Members that the motion was not valid as it had not been seconded by another Member.

The Committee supported the recommendation of the Director of Regulatory Services that application 3/05/1701/FP be granted planning permission subject to the conditions detailed in the report now submitted.

ACTION

Councillor Goldspink requested that her dissent from this decision be recorded.

RESOLVED - that application 3/05/1701/FP be granted planning permission subject to the following conditions:

DRS

1. Three year time limit (1T12).
2. Samples of materials (2E12).
3. Complete accordane “unless otherwise agreed in writing by the Local Planning Authority” (2E10).
4. Notwithstanding the provisions of the Town and Country Planning (General permitted Development) Order 1995, no windows, doors or openings of any kind shall be inserted in any elevation of the extension hereby permitted without the written permission of the Local Planning Authority.

Reason: To safeguard the privacy of occupiers of adjoining properties, and in the interests of the appearance of the development in accordance with Policy BE5 and Appendix 1 (D) of the East Herts Local Plan.

5. Tree retention and protection (4P05).

ACTIONSummary 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 adopted policies BE2, BE5 and Appendix I and Second Review Policies ENV1a, ENV9, and ENV10. The balance of the considerations having regard to those policies is that permission should be granted.

616 3/05/2116/FP – CHANGE OF USE FROM AGRICULTURAL TO RESIDENTIAL AT GREENACRES, WARE ROAD, WIDFORD FOR MR AND MRS S MAY.

Members sought and were given guidance on conditions 2, 3, and 4 as detailed in the report submitted.

The Committee supported the recommendation of the Director of Regulatory Services that application 3/05/2116/FP be granted planning permission subject to the conditions detailed in the report now submitted.

RESOLVED - that application 3/05/2116/FP be granted planning permission subject to the following conditions:

DRS

1. Five year time limit (1T01).
2. Withdrawal of PD Sched. 2, Part 2 Class A (means of enclosure) (2E21).
3. Withdrawal of PD Sched. 2 Part 1 Class E (incidental structures) (2E22).
4. Withdrawal of PD Sched. 2 Part 1 Class F (hard surfaces) (2E23).

ACTION

5. Tree retention and protection (4P05).
6. Landscape design proposals:
b), e), f), i), j), k), l) (4P12).
7. Landscape works implementation (4P13).
8. No external lighting (2E26).

Directive/s:

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, 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 RA3, RA11, BE6, BE8 and BE18 of the Adopted East Hertfordshire Local Plan, and policy GBC2, GBC3, BH8, ENV5 and ENV12 of the Re-Deposit Local Plan. The proposal is a departure from Adopted Local Plan policy BE6. However, the balance of the considerations having regard to other material considerations relating to the development substantially according with policy ENV12 of the Re-Deposit Local Plan, and the development would not be harmful to the open rural character of the locality, is that permission should be granted.

ACTION

617 E/05/0152/A – UNAUTHORISED DISPLAY OF A 6.0 METRE HIGH INTERNALLY ILLUMINATED GANTRY SIGN AT ARC CAR WASH, LONDON ROAD, SPELLBROOK, BISHOP'S STORTFORD.

A Member sought and was given clarification that the land was Green Belt.

The Director of Regulatory Services advised Members that this application had been refused previously and that an appeal had been dismissed.

The Committee supported the recommendation of the Director of Regulatory Services that enforcement action be taken to secure the removal of the sign.

RESOLVED - that the Director of Regulatory Services, in consultation with the Director of Corporate Governance be authorised to take legal proceedings under section 224 of the Town and Country Planning Act 1990, and any such other steps as may be required to secure the removal of the unauthorised illuminated advertisement at Arc Car Wash, London Road, Spellbrook, Bishop's Stortford.

DRS

Reason why it is expedient to take legal proceedings

The 6.0 metre high sign, by virtue of its size, siting, materials of construction and illumination, is detrimental to the visual amenities and character of the Metropolitan Green Belt, and is therefore contrary to policies RA2 and BE24 of the East Herts Local Plan.

ACTION

618 E/05/0181/A – ERECTION OF AN UNAUTHORISED ENCLOSURE AND PLAY EQUIPMENT IN THE FRONT GARDEN AT 13 SANDLE ROAD, BISHOPS STORTFORD

The Committee supported the recommendation of the Director of Regulatory Services that enforcement action be taken to secure the removal of unauthorised enclosure and play equipment.

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 enclosure and the removal of the play equipment from the front garden at 13 Sandle Road, Bishop's Stortford.

DRS

Period of Compliance: 1 month

Reasons why it is expedient to issue an Enforcement Notice:

1. The playhouse by reason of its siting, height, design and materials of construction appears unduly prominent within the street scene and is detrimental to the character and appearance of the locality contrary to policy BE18 of the Adopted East Herts local Plan.
2. The unauthorised enclosure, by reason of its siting; height; design; and materials of construction, appears unduly prominent within the street scene, out of keeping with the character of the surrounding development, and detrimental to the character of the Conservation Area contrary to policy BE18 of the Adopted East Herts Local Plan.

ACTION

- 619 E/05/0439/B – UNAUTHORISED DISPLAY OF BANNER ADVERTISEMENT ON THE FIRST FLOOR ELEVATION AT ‘CURSONS’, 13 OLD CROSS, HERTFORD.

The Committee supported the recommendation of the Director of Regulatory Services that enforcement action be taken to secure the removal of the unauthorised banner advertisement.

RESOLVED - that the Director of Regulatory Services, in consultation with the Director of Corporate Governance, be authorised to commence legal proceedings under Section 224 of the Town and Country Planning Act 1990 and any such other steps as may be required to secure the removal of the unauthorised advertisement at ‘Cursons’, 13 old cross, Hertford.

DRS

Reason why it is expedient to take legal action:

The advertisement, by reason of its size, siting and material is visually intrusive in this prominent location within the conservation area of Hertford, and is thereby detrimental to the character and appearance of the surrounding area as a whole, contrary to policy BE25 of the adopted East Herts Local Plan.

- 620 E/04/0380/A – UNAUTHORISED USE OF OUTBUILDINGS FOR BUSINESS PURPOSES AT COPPER BEECHES, HOBBS LANE, DASSELS, BRAUGHING.

The Committee supported the recommendation of the Director of Regulatory Services that enforcement action be taken to secure cessation of unauthorised use of outbuildings for business purposes.

ACTION

RESOLVED - that the Director of Regulatory Services, in consultation with the Director of Corporate Governance, be authorised to take enforcement action under s.172 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure the cessation of the unauthorised business use at Copper Beeches, Hobbs Lane, Dassels, Braughing.

DRS

Period for compliance: 1 month

Reasons why it is expedient to issue an enforcement notice:

The site lies within the Rural Area beyond the Metropolitan Green Belt, as defined in the East Hertfordshire Local Plan, wherein there is a presumption against change of use except in certain specified circumstances. No such circumstances are apparent in this case and the use is thereby contrary to policies RA3 and RA6A of the East Hertfordshire Local Plan.

The unauthorised business use results in a significant increase in traffic generation to and from the site and is out of keeping with, and detrimental to, the character of the surrounding area.

621 E/05/0241/A – UNAUTHORISED USE OF OUTBUILDINGS FOR RESIDENTIAL AND BUSINESS PURPOSES AT OWLETT'S, WOODLANDS ROAD, WIDFORD.

The Committee supported the recommendation of the Director of Regulatory Services that enforcement action be taken to secure cessation of unauthorised use of outbuildings for residential and business purposes.

ACTION

RESOLVED - that subject to the outcome of the two planning applications ref. 3/06/0158/FP and 3/06/0144/FP, the Director of Regulatory Services, in consultation with the Director of Corporate Governance, be authorised to take enforcement action under s.172 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure the cessation of the unauthorised residential and business uses, and the demolition of any unauthorised structures at Owletts, Woodlands, Widford.

DRS

Period for compliance: Building B - 6 months

Building C - 2 months

Reasons why it is expedient to issue enforcement notices:

Building B

- a) The site lies within the Rural Area beyond the Metropolitan Green Belt, as defined in the East Hertfordshire Local Plan, wherein there is a presumption against changes of use except in certain specified circumstances. No such circumstances are apparent in this case and the use is thereby contrary to policies RA3; and RA6A of the East Hertfordshire Local Plan.
- b) The introduction of a residential use in this location results in additional noise and general disturbance to adjoining residential properties and is out of keeping with the rural character of the surrounding area.

Building C

- a) The site lies within the Rural Area beyond the

ACTION

Metropolitan Green Belt, as defined in the East Hertfordshire Local Plan, wherein there is a presumption against changes of use except in certain specified circumstances. No such circumstances are apparent in this case and the use is thereby contrary to policies RA3; and RA6A of the East Hertfordshire Local Plan.

- b) The industrial use of this building is detrimental to the amenities of nearby residents by reason of noise and general disturbance and is thereby contrary to policy RA6A(I) of the Local Plan.

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

The Director of Corporate Governance submitted a report recommending 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, in applications detailed in the report now submitted. If and when an obligation was completed, the Director of Regulatory Services should, it was felt, be authorised to grant permission in respect of the planning applications 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 6 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 planning applications, and if an obligation is completed, the Director of Regulatory Services be authorised to grant permission in respect of the following applications:

DRS

<u>Planning Reference</u>	<u>Site and Proposals</u>
1. 04.06.662	Sawbridgeworth Motor Company. Demolition of existing garage buildings and residential development providing 15 x 1 bedroom flats access road and car parking.
2. 04.06.637	Hole Farm, Old Hall Green, Nr Ware. Demolition of dilapidated farm buildings, erection of six staff/keyworker dwellings.
3. 04.06.655	Former Pines JMI School, Divot Place, Hertford. 26 Dwellings.

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

DCG

623 ITEMS FOR REPORT AND NOTING

In respect of the presentation of Planning Statistics, the Chairman advised that these would be improved for future meetings.

ACTION

RESOLVED - that the following reports be noted:-

- (A) Appeals against refusal of planning permission/non determination,
- (B) Planning Appeals Lodged, and
- (C) Planning Statistics.

The meeting closed at 9.10 pm.

Chairman
Date