

MINUTES OF A MEETING OF THE  
DEVELOPMENT CONTROL COMMITTEE  
HELD IN THE WAYTEMORE ROOM, THE  
COUNCIL OFFICES, BISHOP'S STORTFORD  
ON WEDNESDAY 31 MAY 2006 AT 7.30 PM

PRESENT: Councillor R Gilbert (Chairman).  
Councillors M R Alexander, W Ashley,  
K A Barnes, S A Bull, R N Copping,  
A F Dearman, J Demonti, Mrs M H Goldspink,  
L O Haysey, M P A McMullen, D A A Peek,  
P A Ruffles, S Rutland-Barsby, J J Taylor,  
M Wood.

ALSO IN ATTENDANCE:

Councillors H G S Banks, A L Burlton.

OFFICERS IN ATTENDANCE:

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

31 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed the Committee, the press and the public to the first meeting of the new look Development Control Committee.

He advised Members that public speaking would be introduced at the June meeting of the Committee.

## 32 DECLARATIONS OF INTEREST

Councillor M R Alexander declared a personal interest in respect of application 3/05/1869/FP as was a member of a rotary club attended by the applicant.

Councillor S A Bull declared a personal interest in respect of application 3/06/0526/FP as a fellow Councillor owned the company that was the applicant.

Councillor J Cain declared a personal and prejudicial interest in respect of application 3/06/0597/FP as she was the applicant. Councillor Cain left the room prior to consideration of this application.

Councillors W Ashley and R N Copping declared personal interests in respect of application 3/06/1869/FP as they were acquaintances of the applicant.

Councillor A F Dearman declared a personal and prejudicial interest in respect of application 3/06/0526/FP as he was the owner of KX Howard Ltd. Councillor Dearman left the room prior to consideration of this application.

Councillors A F Dearman and J J Taylor declared personal interests in respect of application 3/06/0597/FP as they were acquaintances of the applicant.

Councillor J Demonti declared personal interests in respect of applications 3/06/0526/FP, 3/05/1869/FP and 3/06/0597/FP as she was an acquaintance of the applicants.

Councillor J J Taylor declared a personal and prejudicial interest in respect of application 3/06/0526/FP as a member of her family lived near to the site. Councillor Taylor left the room prior to consideration of this application.

Councillor M P A McMullen declared a personal and prejudicial interest in respect of application 3/06/0629/CM as he was an acquaintance of the applicant and would be affected by the development. Councillor McMullen left the room prior to consideration of this application.

Councillor A L Burlton declared a personal interest in respect of application 3/06/0597/FP, although the nature of this interest was not stated.

Councillor D A A Peek declared a personal and prejudicial interest in respect of application 3/06/0629/CM as he was a Member of the Development Control Committee at Hertfordshire County Council and this application was being heard at that Committee. Councillor Peek left the room prior to consideration of this application.

Councillor L O Haysey declared a personal interest in respect of application 3/06/0629/CM as she was a member of Hertford Civic Society.

### RESOLVED ITEMS

### ACTION

#### 33 MINUTES

RESOLVED - that the minutes of the meeting held on 3 May 2006 be confirmed as a correct record and signed by the Chairman.

#### 34 3/06/0552/FP – DEMOLITION OF TWO EXISTING DWELLINGS AND ERECTION OF ONE BLOCK OF 19 X 2 BED FLATS WITH ASSOCIATED ACCESS AND PARKING AT 133A-135\_HADHAM ROAD, BISHOPS STORTFORD FOR MICHAEL SHANLY HOMES

The Director of Regulatory Services submitted a report proposing that application 3/06/0552/FP be refused for the reasons detailed in the report. He advised Members that an additional letter of objection had been received.

ACTION

A Member expressed concern over the wording in reason 5 and suggested that there was sufficient information for the Local Planning Authority to determine the application.

The Member requested that reason 2 in the report be amended to delete the word “design” and to replace with the words “inappropriate form”.

Further, it was suggested that reason 5 be amended by deleting the words “...properly determine the application” and replacing with “form a judgement on this matter”.

Both of these amendments were approved by the Committee.

A Member supported the Officers’ recommendation and requested that the East Herts Local Plan be consulted in similar future applications.

The Committee supported the recommendation of the Director of Regulatory Services that application 3/06/0132/FP be refused planning permission for the reasons detailed in the report and as now amended.

RESOLVED – that in respect of application 3/06/0552/FP, planning permission be refused for the following reasons: -

DRS

1. 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. It would therefore be contrary to Policy BE2 and Appendix 1 of the East Herts Local Plan.
2. The proposed building, by virtue of its size, scale, siting and inappropriate form would be out of keeping with and detrimental to the character and appearance of Hadham Road and the adjoining developments, the street scene and general locality,

ACTION

contrary to Policy BE2 of the East Herts Local Plan.

3. The proposal would be likely to result in an unacceptable degree of overlooking of and loss of privacy to residents of adjoining properties in Stort Lodge and Dane House, contrary to Policy BE2 and Appendix 1 of the East Herts Local Plan.

4. The proposal would be detrimental to the amenities of neighbouring residential properties in Stort Lodge and Dane Acres by reason of increased noise and disturbance from the proposed parking area and associated vehicular access. It would therefore be contrary to Policy BE2 and Appendix 1 of the East Herts Local Plan.

5. Insufficient information regarding existing landscaping within the site has been submitted to enable the Local Planning Authority to form a judgement on this matter.

35 3/06/0725/RP – ERECTION OF 27 RESIDENTIAL UNITS AND ASSOCIATED WORKS AT HAVERS INFANT SCHOOL, ELIZABETH ROAD, BISHOP'S STORTFORD FOR CROUDACE HOMES LTD

The Director of Regulatory Services advised Members that plots 10 and 11 were to be the affordable housing units with 3 bedrooms and that no representation had been received from the Environment Agency. The Director further advised that Environmental Health had requested that a land survey be conducted prior to any work at the site.

A Member sought and was given clarification as to whether the application for 27 units exceeded the threshold for the provision of more than two affordable housing units for key workers under the wording of the section 106 agreement.

The Director of Corporate Governance advised Members that the Committee could refuse the application but would

ACTION

need planning grounds for refusal.

Councillor Goldspink moved and Councillor Barnes seconded, a motion that application 3/06/0725/RP be refused as the application had a cramped and congested design and would result in over development.

After being put to the meeting and a vote taken, there being an equality of votes, the Committee rejected the recommendation of the Director of Regulatory Services that application 3/06/0253/FP be granted planning permission and agreed that planning permission be refused on the grounds now detailed on the basis of the Chairman's casting vote.

In response to a Member's query, the Director of Regulatory Services assured the Committee that Officers would speak to the Headteacher of Firs School to seek assurance that the Kelly Bayford Memorial would be relocated to the entrance of the school where a new planting scheme was to be provided.

Councillors M R Alexander, W Ashley, S A Bull, A F Dearman and S Rutland-Barsby requested that their votes in support of the Director's recommendation be recorded in respect of application 3/06/0725/RP.

RESOLVED – that in respect of application 3/06/0725/RP, planning permission be refused for the following reason:

DRS

1. The proposal would result in over development of the site by virtue of the cramped and congested layout. It would therefore be contrary to Policy BE2 and Appendix 1 of the East Herts Local Plan.

ACTION

36 3/06/0526/FP - ERECTION OF 4NO. DETACHED HOUSES WITH PARKING AND DRIVEWAY AT STORTFORD PARK COTTAGES, THORLEY, BISHOPS STORTFORD FOR KX HOWARD LTD

The Director of Corporate Governance advised that permitted development rights could be removed on individual dwellings, but not for the site as a whole.

Some Members expressed concern over the proposed access to the site, the increases in size of the properties and the proximity of the proposed development to Hillmead Primary School.

A Member spoke in favour of the application being approved, on the grounds that had been put forward in a letter of representation from the developer, which stated that the development was not overbearing in appearance, had adequate access and made the best use of the land.

A Member put forward concerns in relation to approving such developments on Metropolitan Green Belt, as this was only allowed under very specific purposes according to Policy RA2 of the East Hertfordshire Local Plan.

Councillor Bull moved and Councillor Peek seconded, a motion that application 3/06/0526/FP be granted for the reasons put forward in a representation from the developer, which had stated that the application was not overbearing, and the proposed development made the best use of the site, which had a history of residential use.

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

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Regulatory Services that application 3/06/0526/FP be refused planning permission for the reason detailed in the report now submitted.

ACTION

RESOLVED - that planning permission be refused for the following reason: -

DRS

The application site lies within the Metropolitan Green Belt as defined in the East Hertfordshire Local Plan, to which Policy RA2 applies. This Policy states that development within the Metropolitan Green Belt will only be allowed for certain specific purposes, including replacement dwellings which do not materially exceed the size of the original in terms of floor space and height. In this case there is insufficient justification for the proposed replacement dwellings, which substantially exceed the size and bulk of the dwellings that previously occupied the site, in terms of floor space and height. As a result of their size, height, bulk and general design, the proposed replacement dwellings would be detrimental to the character and openness of this part of the Metropolitan Green Belt. The proposed development would therefore be contrary to the aims and objectives of Policy RA2 of the East Hertfordshire Local Plan.

37 3/05/1869/FP – DOUBLE STOREY AND SINGLE STOREY EXTENSIONS AND FRONT PORCH AT BIGGIN FARMHOUSE, BARWICK FORD, MUCH HADHAM FOR T. FINDLAY & SONS

Councillor H G S Banks, as the local Member, spoke in support of the application, advising the Committee that the proposed development was smaller than a previously submitted application. Councillor Banks advised that although a bat survey had not been conducted, such a survey could be conducted if required.

A Member expressed support for the application on the grounds that the proposed reason for refusal was insufficiently robust and that if the site would be detrimental to the surrounding area, more representations of objection would have been received.



ACTION

The Director of Regulatory Services advised the Committee that Officers considered the proposals were poor in design terms and that a better distribution of the proposed floorspace around the building could be achieved.

Councillor Copping moved and Councillor Barnes seconded, a motion that application 3/05/1869/FP be granted on the grounds that there were insufficient grounds for refusal and no representations had been received that objected to the proposed development.

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

The Committee rejected the recommendation of the Director of Regulatory Services that application 3/05/1869/FP be refused planning permission and approved the application subject to the conditions now detailed.

RESOLVED – that in respect of application 3/05/1869/FP, planning permission be granted subject to the following conditions: -

DRS

1. Three year time limit (1T12)
2. Matching materials (2E13)

Directives:

1. Other legislation (01OL)

Summary of reasons:

The proposal has been considered with regard to the policies of the East Herts Local Plan and in particular policies RA3, BE2 and BE6; and policies GBC6, ENV1(a), ENV11, ENV10 of the East Herts Local Plan Second Review Re-Deposit Version. The

ACTION

balance of the considerations having regard to these policies and the other material considerations in this case is that planning permission should be granted.

38 3/06/0597/FP – TWO STOREY SIDE EXTENSION, FIRST FLOOR REAR EXTENSION AND FRONT DORMERS, 66 GREEN END, BRAUGHING FOR CLLR MRS CAIN

Councillor H G S Banks, as the adjacent ward Member, spoke in support of the application. he advised the Committee that this was a revised submission of the application that came before the previous meeting of the Committee. Members were advised of the amendments to the application submitted at that meeting.

Councillor Banks reported that a neighbouring property had set a precedent by having large dormer windows, a similar first floor to that proposed in this development and the extension went back a further 8 metres than the applicant's property. Councillor Banks requested that if the Committee was minded to refuse this application, then it be deferred to allow the plans to be amended to detail the extension going back by the same amount as the neighbouring property.

The Director of Regulatory Services advised the Committee that the applicant was prepared to see the size of the dormers reduced to 2 panes. Officers further reported that should the Committee be minded to approve the application, conditions could be attached to control the size of the dormers. Officers advised that more significant changes to the plans, amending the scale of the properties, should be subject to a further period of consultation.

The Director of Regulatory Services advised the Committee that, in respect of the neighbouring property, the extension there had not been for two stories for the depth of the proposals sought at the application site.

Councillor Bull moved and Councillor Dearman seconded, a motion that application 3/06/0597/FP be granted on the grounds that the proposal was for a modest development

ACTION

and the proposed rear extension would bring the property more in line with the neighbouring dwellings and would not be intrusive to the established street scene.

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

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Regulatory Services that application 3/06/0597/FP be refused planning permission for the reasons detailed in the report now submitted.

RESOLVED – that in respect of application 3/06/0597/FP, planning permission be refused for the following reasons: -

DRS

1. The proposed dormer windows and extensions would appear excessive in size and scale, and unsympathetic in design in relation to the appearance of the existing dwelling, and the character and appearance of the surrounding rural area. If permitted the proposal would be contrary to local plan policies RA3, BE2 and BE6.

2. The proposed two storey side extension, by reason of its size, scale, bulk, form and design would result in a cramped appearance in relation to the adjacent dwelling, to the detriment of the character and appearance of the street scene and surrounding rural area. If permitted the proposal would be contrary to local plan policies RA3, BE2 and BE6.

39 3/06/0145/FP – REPLACEMENT DWELLING WITH BASEMENT AND DETACHED GARAGE AT THE WARREN, ST.MARY’S LANE, HERTINGFORDBURY FOR MR & MRS WEBB

The Director of Regulatory Services reported that a further representation had been received from the applicant, which

ACTION

advised that the left hand wall had been removed for health and safety reasons, as a fracture had occurred at low level due to poor footing of the building.

The Committee supported the recommendation of the Director of Regulatory Services that application 3/06/00145/FP be granted planning permission subject to the conditions detailed in the report now submitted.

RESOLVED – that in respect of application 3/06/0145/FP, planning permission be granted subject to the following conditions: -

DRS

1. Three Year Time Limit (IT12)
  2. Samples of materials (2E12)
  3. Levels (2E05)
- Delete 'site' and insert 'garage'
4. Complete Accordance (2E10)
  5. Hard Surfacing (3V21)
  6. Construction Parking & Storage (3V22)
  7. Wheel washing facilities (3V25)
  8. Tree retention and protection (4P05)
  9. Hedge retention and protection (4P06)
  10. Hours of Working (6NO7)
  11. Withdrawal of permitted development rights (Part 1 Class A, B & E) (2E23)
  12. Tree protection – restrictions on burning

ACTION

## 13. Vehicular use of garage (5U10)

The garage/store shall be used for the housing of private vehicles and for purposes incidental to the enjoyment of the dwelling house and shall not be used as additional living accommodation or for any commercial activity.

Reason: To prevent the further increase in the size of the dwelling, or any use which would be contrary to Policies RA2 and BE6 of the Adopted East Herts Local Plan.

14 The excavated spoil from the foundation of the basement hereby permitted shall be removed from the application site and deposited in a location which shall have been previously approved in writing by the local Planning Authority, prior to the first occupation of the dwelling hereby permitted unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of the appearance of the site and in accordance with Policy RA3 of the East Herts Local Plan.

Directives:

01OL – Other Legislation

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan East Herts Local Plan and the Local Plan Review Re-Deposit Version November 2004), and in particular policies RA2 and BE18 and Re-Deposit policies GBC3 and BH8. The balance of the considerations having regard to those policies is that permission should be granted.

ACTION

40 3/06/0629/CM – SAND AND GRAVEL EXTRACTION & RESTORATION TO AGRICULTURE AND WOODLAND ON LAND AT RICKNEYS QUARRY, HERTFORD BY HANSON AGGREGATES.

The District Council was a consultee on this application, which would be considered by Hertfordshire County Council.

The Director of Regulatory Services updated the Committee of Officers' concerns that this application was of detriment to the environment and would cause traffic problems. Officers also had concerns over the large scale import of material onto the site.

A Member expressed concern over the wording of recommendation (B)1, concerning the impact on local residents. The Director of Regulatory Services undertook to look into the wording.

In response to a Member's query on paragraph 3.5 of the report now submitted, the Director of Regulatory Services reported that no further information on this matter had been received from Hertfordshire County Council.

The Committee supported the recommendation of the Director of Regulatory Services that in respect of application 3/06/0629/CM Hertfordshire County Council be advised that East Herts Council objects to the application on the grounds now detailed.

RESOLVED – that (A) in respect of application 3/06/0629/CM, Hertfordshire County Council be advised that East Herts Council objects to the application for the following reasons:

DRS

1. The development of the site will result in an unacceptable amount of noise and dust disturbance to local residents, users of local footpaths residents

ACTION

and to the detriment of the local environment.

2. The extraction will be detrimental to the rural character of the area and the surrounding landscape.

3. There will be an unacceptable consequential increase of HGV traffic for minerals lorries accessing and egressing the site with a lack of provisions to prevent vehicles traveling towards Hertford.

4. Restoration at above excavation levels may result in infilling material being imported to the site creating additional traffic and requiring landfilling operations.

(B) in the event of the Hertfordshire County Council being minded to grant planning permission, conditions are recommended to cover the following concerns:

DRS

1. The development be subject to comprehensive, phased and progressive working and landscape restoration scheme to a suitable use which minimises the timescale of operations, and the impact on local residents.

2. The delineation of substantial buffer zones particularly on the eastern side to Footpath 14 to protect the amenity of nearby residents, footpath users and avoid harm to established hedgerows.

3. Any infill to be inert waste and the total exclusion of landfill as part of any restoration of the site to protect the amenity of residents and particularly in view of the stated sensitivity of the site and potential pollution of local groundwater and environment.

4. The proposed landscape restoration should

ACTION

take place at the end of each phase rather than at the end of gravel extraction. Established hedgerows should be strengthened with new planting

5. The safeguarding of ancient woodland and wildlife sites. The Council is concerned regarding the condition of surrounding ancient woodlands and believes that these should be subject of woodland management schemes via S106 agreements to secure their long term recovery.

6. A biodiversity action plan is needed to create a wider range of habitats for breeding sites and feeding areas. This should include the creation of wetland areas within the final restored landscape given the opportunity that would exist to do so.

7. A hedge and copse planting along the BOAT22 on the north end of the site would establish a linking wildlife and ecological corridor between other woodlands and should be a part of the restoration landscaping.

8. The 5-year period for replacement of tree planting is too short a time period and there are inadequate provisions for long term after care and management of landscaping. It is suggested that replacement planting should be carried out for a further 4 years.

41 E/05/0402/A – UNAUTHORISED USE OF AGRICULTURAL LAND FOR COMMERCIAL STORAGE AND ANCILLARY WASTE TRANSFER; THE ERECTION OF A 2.8 METRE HIGH CORRUGATED IRON FENCE AND THE SITING OF UNAUTHORISED BUILDINGS ON LAND AT THE REAR OF LAKEVIEW, COLLIERS END

The Committee authorised the Director of Regulatory Services, in consultation with the Director of Corporate Governance, to take enforcement action under s.172 of the Town and Country Planning Act 1990 and any such further



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steps as may be required to secure the removal of all unauthorised development and storage from the land and the cessation of the use of the land for commercial storage and ancillary purposes.

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 removal of all unauthorised development and storage from the land and the cessation of the use of the land for commercial storage and ancillary purposes.

DRS

Period for compliance: 3 months

Reason why it is expedient to issue an enforcement notice:

1. The site lies within the Rural Area as defined in the East Herts Local Plan wherein planning permission will not be granted for changes of use except for certain specified purposes. The use of the land for commercial storage purposes is not one of those specified uses and the overall development is therefore contrary to policy RA3 of the East Herts Local Plan.

2. The unauthorised use and developments are visually intrusive in the surroundings and are out of keeping with, and detrimental to, the rural character and appearance of the surrounding area.

42 E/06/0100/A – UNTIDY CONDITION OF LAND AT 7 CHERRY GARDENS, BISHOP'S STORTFORD

The Committee authorised the Director of Regulatory Services, in consultation with the Director of Corporate Governance, to issue and serve a Notice under Section 215 of the Town and Country Planning Act 1990 and such

ACTION

other steps as may be required to secure the improvement of the site by removing all items of rubbish, electrical equipment, furniture and plastic containers from the front garden of the property and to leave the site in a clean and tidy condition.

RESOLVED – that the Director of Regulatory Services, in consultation with the Director of Corporate Governance, be authorised to issue and 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 by removing all items of rubbish, electrical equipment, furniture and plastic containers from the front garden of the property and to leave the site in a clean and tidy condition.

DRS

Period for compliance: 30 days

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

The condition of the land is detrimental to the amenity of the surrounding area, by reason of the discarded rubbish, electrical equipment, furniture and plastic containers filling the front garden.

43 E/05/0191/A – CHANGE OF USE OF LAND FROM AGRICULTURE TO A MIXED USE OF AGRICULTURE AND COMMERCIAL STORAGE ON LAND OFF B1038, HARE STREET ROAD, BUNTINGFORD

The Committee authorised the Director of Regulatory Services, in consultation with the Director of Corporate Governance, to take enforcement action under s172 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure the removal of all unauthorised storage from the land and the cessation of the use of the land for commercial storage purposes, including timber logs and chippings.

ACTION

DRS

RESOLVED – that the Director of Regulatory Services, in consultation with the Director of Corporate Governance, be authorised to take enforcement action under s172 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure the removal of all unauthorised storage from the land and the cessation of the use of the land for commercial storage purposes, including timber logs and chippings.

Period for compliance: 2 months

Reason why it is expedient to issue an enforcement notice:

1. The site lies within the Rural Area as defined in the East Herts Local Plan wherein planning permission will not be granted for changes of use except for certain specified purposes. The use of the land for commercial storage purposes (including agricultural contractor's storage) is not one of those specified uses and the development is therefore contrary to policy RA3 of the East Herts Local Plan.
2. The unauthorised use is visually intrusive in the surroundings and is out of keeping with, and detrimental to, the rural character and appearance of the surrounding area.

44 E/06/0083/A – UNAUTHORISED DISPLAY OF AN ILLUMINATED ADVERTISEMENT ON THE FRONT ELEVATION AT 'THE CARPHONE WAREHOUSE', 6 SOUTH STREET, BISHOP'S STORTFORD

The Enforcement Manager advised that the sign did not have deemed consent as it was internally illuminated and therefore required planning permission as deemed consent had only applied to signs illuminated by other means aside from inside the actual sign.

ACTION

The Committee authorised the Director of Regulatory Services, in consultation with the Director of Corporate Governance, 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 the site.

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 the site.

DRS

Reason why it is expedient to take legal action:

The fascia and projecting signs, by reason of their size, materials of construction, method of internal illumination and siting in relation to the front elevation have a detrimental effect both on the character and visual amenity of the building and this part of the conservation area of Bishop's Stortford, wherein it is situated. It is, therefore, contrary to policy BE25 of the adopted East Hertfordshire Local Plan.

45 E/04/0495/A – UNAUTHORISED ROLLER SHUTTERS FITTED TO THE FRONT ELEVATION OF 12 STATION ROAD, BISHOP'S STORTFORD

A Member expressed strong concerns that the roller shutters were being enforced against, considering the larger and more visually prominent shutters on an adjoining shop. Members of the Committee also voiced strong concerns over the high levels of vandalism and graffiti in the area, making shutters a necessity to protect shop windows and frontages from damage.

Members of the Committee suggested Officers and

ACTION

Members meet with local residents and the police to agree a solution to meet planning regulations and protect the shops from damage from crime and anti-social behaviour.

The Enforcement Manager reported that a leaflet existed which offered guidance on acceptable forms of shutter. The Committee was advised that there had been difficulty in securing a response from shop owners when Officers had contacted them. The Director of Regulatory Services advised that the Committee approve enforcement action in case further talks with shop owners were inconclusive.

The Committee authorised the Director of Regulatory Services, in consultation with the Director of Corporate Governance, to take enforcement action under section 172 of the Town and Country Planning Act 1990 and any such steps as may be required to secure the removal of the unauthorised shutters and the associated fascia box.

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 any such steps as may be required to secure the removal of the unauthorised shutters and the associated fascia box.

DRS

Period for compliance: 2 months.

Reason why it is expedient to issue an enforcement notice:

The shutters and the associated fascia box are out of keeping with and detrimental to the character and appearance of the surrounding Conservation Area and the perceptions of the locality as a desirable shopping centre.

ACTION

46 E/05/0393/B UNAUTHORISED RESIDENTIAL USE OF  
A CARAVAN AT THE STABLES, DUCK LANE,  
BENINGTON, SG2 7LJ

The Committee authorised the Director of Regulatory Services, in consultation with the Director of Corporate Governance, 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 caravan at The Stables, Duck Lane, Benington.

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 caravan at The Stables, Duck Lane, Benington.

DRS

Period of Compliance: 6 months

Reasons why it is expedient to issue an Enforcement Notice:

1. The site lies within the Rural Area as defined in the East Herts Local Plan wherein there is a presumption against inappropriate development and changes of use, except in certain specified circumstances. The siting and use of this caravan for permanent residential accommodation is contrary to Policy RA3 of the adopted East Hertfordshire Local Plan.

2. The unauthorised development is out of keeping with and detrimental to the rural character and appearance of the area, which lies within a Landscape Conservation Area as defined in the Local Plan, wherein special consideration is given to the landscape implications of developments. The development is thereby also contrary to Policy RA11

ACTION

of the adopted East Hertfordshire Local Plan.

47 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, and
- (C) Planning Statistics.

The meeting closed at 9.30 pm.

Chairman	.....
Date	.....