

MINUTES OF A MEETING OF
THE DEVELOPMENT CONTROL
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD
ON WEDNESDAY 4 JUNE 2008 AT
7.30 PM

PRESENT: Councillor R Gilbert (Chairman).
Councillors M R Alexander, W Ashley,
K A Barnes, Mrs R F Cheswright,
R N Copping, A F Dearman (substitute for S A Bull)
Mrs M H Goldspink, G E Lawrence, D A A Peek,
S Rutland-Barsby, W Quince, G D Scrivener
(substitute for J Demonti), J J Taylor, A L Warman
(substitute for A L Burlton), B M Wrangles.

ALSO IN ATTENDANCE:

Councillor P A Ruffles.

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Committee Secretary
Glyn Day	- Principal Planning Enforcement Officer
Kevin Steptoe	- Head of Planning and Building Control
Alison Young	- Development Control Manager

43 APOLOGIES

Apologies for absence were submitted on behalf of Councillors S A Bull, A L Burlton and J Demonti. It was noted that Councillors A F Dearman, G D Scrivener and A L Warman were in attendance as substitutes for Councillors S A Bull, J Demonti and A L Burlton respectively.

44 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed the press and public to the meeting.

ACTION

The Chairman advised that the following items had been withdrawn:

3/07/1967/FP – Demolition of existing commercial building and erection of 11 no. two bedroom terraced houses at The Spinney, Hoddesdon Road, Stanstead Abbots, for Mr. D P Carter.

3/08/0170/FP – Demolition of existing buildings including foundations and the erection of a residential development of 18no. self-contained 2 bedroom flats and 2no. self contained 1 bedroom flats with associated soft landscaping and parking for 23 cars (5 disabled) and 6 motorcycles together with storage for 20 bicycles at Oxford House, London Road, Bishop's Stortford for GQ properties Ltd.

The Chairman commented that whilst application 3/07/1967/FP had been withdrawn there was still the issue of the Conservation Area Consent to determine.

The Chairman advised that Section 106 training for Members was being held on 11 June 2008 at 4.30 pm at Wallfields.

The Chairman commented that a trip to the City of London would take place on 10 June 2008.

45 DECLARATIONS OF INTEREST

Councillor Mrs M H Goldspink declared a personal interest in respect of application 3/8/0526/FP, as she was an acquaintance of one of the objectors.

Councillor R N Copping declared a personal interest in respect of application 3/08/0498/FP, as he was a Trustee of Vale House, which was next door to the application site.

ACTIONRESOLVED ITEMS46 APPOINTMENT OF VICE CHAIRMAN

It was moved by Councillor D A A Peek and seconded by Councillor M R Alexander that Councillor W Ashley be appointed as Vice Chairman for the Civic Year.

RESOLVED – that Councillor W Ashley be appointed Vice Chairman for the Civic Year.

47 MINUTES

RESOLVED – that the Minutes of the meeting held on 7 May 2008 be confirmed as a correct record and signed by the Chairman.

48 3/08/0425/FP – CONSTRUCTION OF NEW BUILDING FOR THE STORAGE OF GRAIN AND AGRICULTURAL MACHINERY AT THE SITE OPPOSITE NEW BARN COTTAGES, FLINT HALL, HORMEAD ROAD ANSTEY FOR NHP (UK) LTD

Mr Davidson addressed the Committee in opposition to the application. Mr Bennett spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/08/0425/FP, planning permission be refused for the reasons now detailed.

The Director commented that the applicant had submitted further information to the Highways Authority but as yet, no further information had been received as to whether this new information would overcome their formal objections. The Section 106 agreement referred to in paragraph 1.5 of the report now submitted, in relation to a separate application, had now been signed. The Director commented that the applicant would be asked to make a financial contribution to improvements to Hormead Road. The Director commented that Members could either make

ACTION

a decision on the information presented in the report and if permission was refused the applicant could resubmit an application, or they could take a decision to defer the item. His recommendation had been based on objections from the Highways Authority. The Director explained that the original barns had been sold by a previous owner.

Councillor Mrs M H Goldspink commented that the application should be deferred and that the Council should be encouraging farming enterprises.

Councillor D A A Peek stated that taking a decision now would be unfair to the application. He supported a suggestion to defer the application.

Councillor K A Barnes sought and was given clarification in respect of the movement of vehicles.

Councillor Mrs M H Goldspink proposed and Councillor K A Barnes seconded a motion that application 3/08/0425/FP be deferred to enable Officers to further investigate highways issues.

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

The Committee rejected the recommendation of the Director of Neighbourhood Services that application 3/08/0425/FP be refused planning permission, for the reason now detailed.

RESOLVED – that application 3/08/0425/FP be deferred to enable Officers to further investigate highways issues.

DNS

ACTION

- 49 3/08/0543/FP– ERECTION OF DETACHED STABLE BUILDING, INCORPORATING 6 STABLES AND ASSOCIATED FACILITIES: THE CHANGE OF USE OF LAND AND BUILDINGS FOR USES BOTH INCIDENTAL TO THE DWELLING AND MOLES FARM AND ALSO FOR COMMERCIAL USE FOR THE TRAINING OF HORSES AND LIVERY PURPOSES – RETROSPECTIVE AT MOLES FARM, MOLES LANE, WYDDIAL, SG9 0EX FOR MR MARK SQUIRES
-

Mr Thomas addressed the Committee in opposition to the application. Mrs Squires spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/08/0543/FP, planning permission be refused for the reasons now detailed.

Councillor G D Scrivener addressed the Committee in support of the application.

Councillor R N Copping commented on the scale of the development for just one rider.

Councillor W Quince empathised with the owners but stated that the Council had policies for a reason and that these should to be adhered to.

Councillor J J Taylor commented that this was a large scale development – there were 18 stables and a caravan issue subject to appeal.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that application 3/08/0543/FP be refused planning permission for the reasons now detailed

RESOLVED – that (A) in respect of application 3/08/0543/FP, planning permission be refused for the following reasons:

DNS

ACTION

1. Within Rural Area (R031).
2. The proposal is not considered to be small scale development and by reason of its size and scale is likely to have an adverse impact upon the character and appearance of the surrounding rural area. The proposal is thereby contrary to Policies GBC3 and GBC11 of the East Herts Local Plan Second Review April 2007 and Planning Policy Statement 7.

(B) the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to take enforcement action under Section 172 of the Town and Country Planning Act 1990 and any such further steps as may be necessary to secure the cessation of the unauthorised use of the land for the training of horses and associated livery.

DNS/DIS

Period for compliance: 3 months.

Reason why it is considered expedient to issue an Enforcement Notice:

1. Within Rural Area (R031)
2. The livery and equestrian training use is not considered to be small scale development and by reason of its size and scale, has an adverse impact upon the character and appearance of the surrounding rural area, by reason of additional traffic generation and disturbance. The proposal is thereby contrary to Policies GBC3 and GBC 11 of the East Herts Local Plan Second Review April 2007 and Planning Policy Statement 7.

ACTION

50 3/08/0278/LC DEMOLITION OF ALL EXISTING COMMERCIAL BUILDINGS AT THE SPINNEY, HODDESDON ROAD, STANSTEAD ABBOTTS FOR MR D P CARTER

The Director of Neighbourhood Services recommended that, in respect of application 3/08/0278/LC, Conservation Area Consent be granted subject to the conditions now detailed.

The Director assured Members that the applicant would be advised via a condition that no work should take place until an appropriate redevelopment had been submitted to and agreed by the Local Planning Authority.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/08/0278/LC be granted Conservation Area Consent, subject to the conditions now detailed.

RESOLVED – that in respect of application 3/08/0278/LC, Conservation Area Consent be granted subject to the following conditions:

DNS

1. Three year time limit (1T12)
2. Construction hours of working-plant & machinery (6N07)
3. Conservation Area (demolition) (8L12)
4. Conservation Area (clearance of site) (8L13)

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 Second Review April 2007) and in particular Policy BH4.

ACTION

The balance of the considerations having regard to that policy is that permission should be granted.

- 51 3/06/0539/FP – ERECTION OF 2NO. B1 OFFICE / WORKSHOPS AND 3/08/0538/FP - ERECTION OF 5NO. B1 OFFICES / WORKSHOPS AT WATERMILL INDUSTRIAL ESTATE, ASPENDEN ROAD, BUNTINGFORD, HERTS SG8 9JS FOR MR GREENWOLD
-

The Director of Neighbourhood Services recommended that, in respect of application 3/08/0539/FP and 3/08/0538/FP planning permission be granted subject to the conditions now detailed.

The Director commented that Officers had spoken with the Highways Authority about Aspenden Road in relation to improvements to strengthen and improve the access. The Director commented that he would ask that the Highways Authority to consider traffic calming measures for vehicles exiting the estate. He commented that this would be the appropriate method of bringing the concern of Members to the attention of the Highway Authority.

The Chairman commented that vehicles leaving the industrial estate left at high speeds.

The Committee supported the recommendation of the Director of Neighbourhood Services that applications 3/08/0539/FP and 3/08/0538/FP be granted planning permission subject to the conditions now detailed. and

RESOLVED – that subject to the applicant entering into a legal obligation pursuant to Section 106 of the Town and Country Planning Act 1990 to cover the following matters:

DNS/DIS

1. The provision of a financial contribution of £17,000 , in respect of application 3/08/0539/FP towards the investigation and implementation of off – site highway

ACTION

improvements to Aspenden Road; and

2. The provision of a financial contribution of £38,000 in respect of application 3/04/0538/FP towards the investigation and implementation of off site highway improvements to Aspenden Road.

in respect of applications 3/08/0539/FP and 3/08/0538/FP, planning permission be granted subject to the following conditions:

1. Three Year Time Limit (1T12)
2. Samples of materials (2E12)
3. Contaminated land survey and remediation (2E33)
4. Tree retention and protection (4P05)
5. Tree/natural feature protection:fencing (4P07)
6. Tree protection: restrictions on burning (4P08)
7. Tree protection: excavations (4P09)
8. Tree surgery (4P11)
9. Landscape design proposals (4P12)
10. Landscape works implementation (4P13)
11. Construction hours of working- plant & machinery (6N07)
12. The construction of the surface water drainage system and surface water source control measures shall be carried out in accordance with details submitted to and approved in

ACTION

writing by the Local Planning Authority before development commences on site.

Reason: To prevent increased risk of flooding and the pollution of the water environment in accordance with policies ENV18 and ENV19 of the East Herts local Plan Second Review April 2007.

13. The development hereby permitted shall not be occupied until such time as improvements to the industrial estate access road and Aspenden Road junction shown on drawing number 6013/T5 (or such alternative drawing agreed in writing by the local planning authority) have been implemented to the satisfaction of the Local Planning Authority.

Reason: To secure a satisfactory access appropriate to the development, in the interest of public safety and convenience.

14. Prior to the commencement of the development hereby permitted, detailed plans shall be submitted to and approved by the local planning authority of improvements to be made to public footpath 26. Occupation of any part of the development shall not occur until the agreed improvements have been implemented to the satisfaction of the Local Planning Authority.

Reason: To ensure the provision of a safe and convenient means of pedestrian access to the site in the interests of highway safety and to ensure that the site is accessible to all to promote alternative modes of transport to the development.

15. Before the premises are occupied all on site vehicular areas shall be laid out and surfaced in a manner to the Local Planning Authority's

ACTION

approval so as to ensure satisfactory parking and turning of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.

16. The development shall not be brought in to use until a Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority. Such Green Travel Plan shall contain proposals for minimising the use of private cars to the development, including provisions for setting targets for modal split for journeys and the monitoring of the achievement of such targets, together with fallback measures to rectify any failure to achieve the said targets.

Reason: To promote sustainable transport measures to the development.

Directives:

1. All works to be undertaken on the adjoining highway shall be constructed to the satisfaction of the Highway Authority and in accordance with Hertfordshire County Council publication "Roads in Hertfordshire - A Guide for New Developments". Before proceeding with the proposed development, the applicant should contact the East Herts Highways Area Office (01992 526900) to obtain their permission and requirements.
2. Under the Water Resources Act 1991 and the Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required

ACTION

for any works in, over, under or within 8m of a main river such as the River Rib. This is irrespective of any planning permission granted.

3. Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is required for the dewatering from any excavation or development to a surface watercourse. Contact Jane Brown on 01707 632428 for further details.
4. Public Rights of Way - (18FD)
5. The development hereby permitted will require the approval of the Environmental Health Unit in terms of regulations surrounding air and noise pollution. Early consultation in respect of the discharge of planning conditions, in particular no 3 is advised. For free advice, please contact Environmental Health, East Herts District Council, Wallfields, Pegs Lane, Hertford SG13 8EQ or telephone (01279) 655261.

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 Second Review April 2007), and in particular policies SD1, TR1, TR2, TR3, TR4, TR, TR20, EDE1, EDE8, ENV1, ENV2, ENV11, BUN7, IMP1. The balance of the considerations having regard to those policies is that permission should be granted.

ACTION

52 3/08/0565/FP – REPLACEMENT OF FLAT ROOF WITH PITCHED ROOF AT 18 CHANTRY ROAD, BISHOP'S STORTFORD ROAD FOR MR A BROWN

The Director of Neighbourhood Services recommended that, in respect of application 3/08/0565/FP planning permission be granted subject to the conditions now detailed.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/08/0565/FP be granted planning permission subject to the conditions now detailed.

RESOLVED – that in respect of application 3/08/0565/FP, planning permission be granted subject to the following conditions:

DNS

1. Three year time limit (1T121)
2. Matching materials (2E13)

Directives

1. Other legislation (010L1)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (Herefordshire County structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007) and in particular, policies ENV1, ENV5, and ENV6. The balance of the considerations having regard to those policies is that permission should be granted.

ACTION

53 3/08/0498/FP – PROPOSED CHANGE OF USE FROM A1
RETAIL TO A5 TAKE-AWAY AT 39 COWBRIDGE,
HERTFORD FOR MRS DANIELLA CLAYTON

Mrs Hannaby addressed the Committee in opposition to the application. Mrs Clayton spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/08/0498/FP, planning permission be granted subject to the conditions now detailed.

Councillor R N Copping commented on the vulnerable nature of the occupants in Vale House. He commented that Vale House was a success story and that the takeaway would disturb its residents. He recommended that the application be refused.

Councillor W Quince commented that this was an opportunity to turn the shop into a viable business. He felt that the owner was being reasonable in making concessions and commented on the demand in Hertford for fast food. He commented that the takeaway would close at 11.00 pm and that most anti social behaviour occurred between 12.00 midnight and 2.00 am.

Councillor G D Scrivener commented on parking in the area and that this could be a problem.

The Director commented that it was on the periphery of the town centre where it was reasonable to find this type of usage. He accepted that there would be some noise from traffic coming and going. He was confident that no unacceptable additional harm would be caused given the location of the development.

Councillor R N Copping proposed and Councillor A L Warman seconded a motion that application 3/08/0498/FP be refused on the grounds that this would be harmful to the residents of Vale House.

ACTION

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

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/08/0498/FP be granted planning permission subject to the conditions now detailed.

RESOLVED – that in respect of application 3/08/0498/FP, planning permission be granted subject to the following conditions:

DNS

1. Three year time limit (1T12)
2. Before the use hereby permitted is commenced, details of odour neutraliser extract system and flue arrangements shall be submitted and approved in writing by the Local Planning Authority. These systems shall become fully operational upon first occupation of the development and shall thereafter be maintained in that manner unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of nearby residents.

3. Refuse disposal facilities (2E24)
4. The use of the premises shall be restricted to the hours 09.00-23.00 Monday to Saturday and 10.00-22.00 Sundays and Bank Holidays.

Reason: In the interests of the amenities of the occupants of nearby properties.

5. The building shall be used for Class A5 'Hot Food Take-aways' and for no other purposes including any other purpose in Class A of the

ACTION

Schedule to the Town and Country Planning (Use Classes) Order, 1987.

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

Directives

1. Other Legislation (01OL)
2. Food, hygiene and sanitary provisions (06FH)
3. The applicant is encouraged to improve the appearance of the existing shopfront and signage, but is reminded that such alterations may require planning permission and/or advertisement consent.

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 Second Review April 2007) and in particular, policies SD1, TR7, STC8, ENV1, and ENV24. The balance of the considerations having regard to those policies is that permission should be granted.

- 54 3/08/0526/FP – RETENTION OF SIX SOLAR PANELS ON THE FLAT ROOF OF APARTMENT BLOCK AT WHAREATEA COURT, DUNMOW ROAD, BISHOP'S STORTFORD FOR SHANLEY HOMES

The Director of Neighbourhood Services recommended that, in respect of application 3/08/0526/FP, planning permission be granted subject to the conditions now detailed. The Director commented that four letters of objection had been received expressing concern about the

ACTION

levels of the panels despite them being lowered. The Town Council had no objection to the panels as lowered.

Councillor Mrs M H Goldspink commented that the panels should be situated on the south facing slope so that the outline and the visual look of the area was not spoilt.

In response to a question about reflection, the Director commented that the angle of the panels would be such that they were unlikely to reflect downwards towards adjacent properties.

Councillor W Ashley supported a move to provide alternative energy sources and supported the Officer's recommendation to grant planning permission.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/08/0526/FP be granted planning permission subject to the conditions now detailed.

RESOLVED – that in respect of application 3/08/0526/FP, planning permission be granted subject to the following conditions:

DNS

1. The development shall, except to the extent that the local planning authority otherwise agrees in writing, be carried out and maintained in accordance with the details shown on the approved plan numbers 945/14C and 945/15B.

Reason: To comply with the requirements of the Town and country Planning (General Permitted Development) Order 1995 and to ensure that the panels are retained in a position/height that is appropriate to the character of the area in accordance with Policy ENV1 of the East Herts Local Plan Second review April 2007.

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 Second Review 2007) and in particular policies SD3 and ENV1. The balance of the considerations having regard to those policies is that permission should be granted.

55 3/08/0022/FP - TWO STOREY SIDE EXTENSION AT SWISS COTTAGE, WIDFORD ROAD, MUCH HADHAM SG10 6EZ FOR MR RICHARD KEY

Mrs Key addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/08/0022/FP, planning permission be granted subject to the conditions now detailed.

The Director commented that the extension had been reduced in size and now proposed a simple ridge line form.

Councillor R N Copping commented that the applicant had listened to previous comments and that this application should be supported.

Councillor K Barnes commented that he was in favour of the application as previously submitted but that now it was very much improved.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/08/0022/FP be granted planning permission subject to the conditions now detailed.

ACTION

RESOLVED – that in respect of application 3/08/0022/FP, planning permission be granted subject to the following conditions:

DNS

1. Three year time limit (1T121)
2. Matching materials (2E133)

Directives

1. Other legislation (010L)

Summary of Reasons for Decision

The proposal has been considered with regard to the Policies of the Development Plan (Hertfordshire County Structure, Minerals Local Plan, Waste Local Plan and East Herts Local Plan) and in particular policies GBC2, GBC3, ENV1, ENV5 and ENV6 of the East Herts Local Plan. The balance of the considerations having regard to these policies in this case is that planning permission should be granted.

56 E/07/0474/B – UNAUTHORISED EXTENSIONS AND FENCING TO 62 MANGROVE ROAD, HERTFORD, SG13 8AN

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/07/0474/B, enforcement action be authorised on the basis now detailed.

Councillor S Rutland-Barsby supported the Officer's recommendation and commented that the unauthorised development displayed disregard to planning law.

Councillor W Ashley supported the Officer's recommendation and requested that the period of compliance in relation to the fencing be one month. The

ACTION

Committee supported this.

The Committee supported the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/07/0474/B on the basis now detailed.

RESOLVED – that in respect of E/07/0474/B, the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to take enforcement action under Section 172 of the Town and Country Planning Act 1990 and any such further steps as may be required to a) secure the removal of the unauthorised extensions and b) secure the removal of the unauthorised fencing.

DNS/DIS

Period for compliance: a) 3 months
b) 1 month

Reason why it is expedient to issue an enforcement notice:

1. The application site lies within the Metropolitan Green Belt as defined in the East Hertfordshire Local Plan wherein permission will not be given except in very special circumstances for development for purposes other than those required for mineral extraction, agriculture, small scale facilities for participatory sport and recreation, limited extensions to existing dwellings or for other uses appropriate to a rural area. The development represents a disproportionate extension to the existing dwelling and is therefore inappropriate development in the Green Belt. There are no special circumstances apparent in this case to justify the development. The extensions are thereby contrary to policy GBC1 of the East Herts Local Plan Second Review April 2007.
2. The extension, by reason of its scale, siting and design, is of excessive size in relation to the

ACTION

existing dwelling, and out of keeping with its character and appearance and that of the area as a whole. Accordingly it is contrary to policy ENV5 of the East Herts Local Plan Second Review April 2007.

3. The development by reason of its layout, height, scale, massing, materials and detailed appearance is of a poor standard of design, unsympathetic to the context of the site and fails to take the opportunities available for improving the character of the area. The proposal is thereby contrary to Policy ENV1 of the East Herts Local Plan Second Review April 2007 and national planning guidance in PPS1 'Delivering Sustainable Development' para 34.
4. The fencing to the side of the property and to the front of the dwelling fails to respect the character and appearance of the surrounding area. It also creates an obstruction to the view of persons using a highway used by vehicular traffic, so as to be likely to cause danger to such persons. Accordingly it is contrary to Policy ENV1 of the East Herts Local Plan Second Review April 2007.

57 E/07/0591/A – ERECTION OF AN UNAUTHORISED DWELLINGHOUSE AT NORTH COTTAGE, BONNINGTONS, HUNSDON SG12 8PS

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/07/0591/A, enforcement action be authorised on the basis now detailed.

Councillor Mrs M H Goldspink commented that she was not happy with the Officer's recommendation. She commented that she had visited the site, spoken with the resident and referred to a letter which the resident had been given by the Local Planning Authority. She commented that based on

ACTION

that letter, the applicants had adapted the dwellinghouse to habitable accommodation. Councillor Mrs Goldspink felt that it would now be wrong to ask the applicants to demolish the dwelling house. Councillor Goldspink sought and was provided with advice concerning creating an annexe to the main building and the Local Planning Authority's stance on this.

The Director commented that a planning application had not been submitted. Plans for an "outbuilding" showing a gym, cinema, hall, snooker room, garden room, a utility room and games room and which stated that the building was to be of "ancillary use to the main residential house" had been submitted with a request as to whether the proposals were permitted development. On that basis, an Officer had replied that subject to the use being in accordance with the information, the ancillary building appeared to be permitted development. However, this and any subsequent letters were not formal decisions of the Authority on the matter.

Councillor K A Barnes commented that the letter had been taken out of context by the applicant.

Councillor W Quince commented that he was concerned about the implications of not taking action and the message this would send out to the public. He commented that planning law had been ignored.

Councillor D A A Peek expressed his concern that Councillor Mrs M H Goldspink was amenable to the retention of the building. Officers had been provided with the building's particular uses and made a decision on what they were shown. He commented that the site must be protected and that the applicant could appeal any decision taken.

Councillor R N Copping commented that this was originally permitted development and supported Councillor Mrs M H Goldspink's views.

ACTION

Councillor Mrs R F Cheswright commented that the plans referred to a “gym” etc, and what was currently located there was a separate dwellinghouse.

The Director advised Members that a clear decision needed to be taken in relation to this matter. In his view, if Members authorised enforcement action, the action required should be the demolition of the building. There would be a right of appeal.

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

After being put to the meeting and a vote taken, the Committee supported the Director’s recommendation for enforcement action to be authorised in respect of the site relating to E/07/0591/B on the basis now detailed.

RESOLVED – that in respect of E/07/0591/A, the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to take enforcement action under Section 172 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure the demolition of the dwellinghouse.

DNS/DIS

Period for compliance: 6 months

Reason why it is expedient to issue an enforcement notice

1. The application site lies with the Rural Area, as defined in the East Hertfordshire Local Plan, where development will only be allowed for certain specific purposes. There is insufficient justification for the building and its erection is contrary to the aims and objectives of policies GBC2 and GBC3.

(Note - Councillors R N Copping, Mrs M H Goldspink, G D

ACTION

Scrivener and B M Wrangles requested that their dissent from this decision be recorded.)

58 E/08/0008/A – UNAUTHORISED DISPLAY OF TWO INTERNALLY ILLUMINATED FASCIA SIGNS AND OTHER SIGNAGE AT PURE PARTY, 2 BISHOP'S PARK, LANCASTER WAY, BISHOP'S STORTFORD CM23 2EN

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/08/0008/A, enforcement action be authorised on the basis now detailed.

The Committee supported the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/08/0008/A on the basis now detailed.

RESOLVED – that in respect of E/08/0008/A, the Director of Neighbourhood Services, in consultation with the Director of Internal Services be authorised to take action under Section 224 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure the removal of the unauthorised illuminated advertisement.

DNS/DIS

Period for compliance: 6 months

Reason why it is expedient to take legal proceedings:

1. The signs, by reason of their size, siting and type of illumination, are detrimental to the visual amenities and character of the area and are thereby contrary to Policy ENV29 of the East Herts Local Plan Second Review April 2007.

59 ITEMS FOR REPORT AND NOTING

In relation to major, minor and other planning applications, Members noted that local performance targets had exceeded nationally set targets by the Government.

ACTION

Members congratulated the Officers for their hard work.

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 9.40 pm

Chairman
Date