

MINUTES OF A MEETING OF THE
DEVELOPMENT CONTROL
COMMITTEE HELD IN THE
WAYTEMORE ROOM, THE COUNCIL
OFFICES, THE CAUSEWAY, BISHOP'S
STORTFORD, ON WEDNESDAY 26
AUGUST 2009, AT 7.30 PM

PRESENT: Councillor W Ashley (Chairman).
Councillors M R Alexander, K A Barnes, S A Bull,
A L Burlton, Mrs R F Cheswright, A F Dearman,
J Demonti, R Gilbert, Mrs M H Goldspink,
G E Lawrence, D A A Peek, S Rutland-Barsby,
J J Taylor and R I Taylor.

ALSO PRESENT:

Councillors D Andrews, R H Beeching,
M G Carver, R N Copping, P A Ruffles
and J O Ranger.

OFFICERS IN ATTENDANCE:

Glyn Day	- Principal Planning Enforcement Officer
Simon Drinkwater	- Director of Neighbourhood Services
Liz Humby	- Development Control Team Leader
Peter Mannings	- Democratic Services Assistant
Kevin Steptoe	- Head of Planning and Building Control
Alison Young	- Development Control Manager

189 APOLOGIES

Apologies for absence were submitted on behalf of
Councillor B M Wrangles.

190 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed the press and public to the meeting.

The Chairman reminded the Committee of the Planning Tour of the District on 4 September 2009. He reminded Members who had not put their names forward to inform the Head of Planning and Building Control tonight or first thing tomorrow if they wished to participate in the tour.

The Chairman reminded Members that a training session would be held in the Council Chamber, Wallfields, Hertford at 6.00 pm before the Development Control Committee meeting on 23 September 2009.

191 DECLARATIONS OF INTEREST

Councillor S Rutland-Barsby declared a personal and prejudicial interest in application 3/09/0939/FP in that her house overlooked the site and she was a customer of the garden centre. She left the room whilst this matter was considered.

Councillor A L Burlton declared a personal interest in application 3/09/0882/FP, in that his wife was a Member of Great Hadham Golf and Country Club.

Councillor A L Burlton declared a personal interest in application 3/09/0492/FP, in that he used to be a Member of the Baptist Church.

Councillor S A Bull declared a personal interest in application 3/09/0352/FP, in that his eldest daughter worked with the Hormead Hares Football Club manager's wife and he was an acquaintance of the parish councillor who was also a Member of Hormead Hares Football Club. He was also an acquaintance of a parish councillor who had links with the football club.

RESOLVED ITEMS

192 MINUTES

RESOLVED - that the Minutes of the Development Control Committee meeting held on 29 July 2009 be confirmed as a correct record and signed by the Chairman, subject to the following amendment:

Councillor A L Burlton be added to the list of Members present at the meeting.

193 3/09/0352/FP – CHANGE OF USE OF 1 HECTARE OF FIELD 2769 FROM AGRICULTURAL TO RECREATIONAL USE FOR A FOOTBALL PITCH AND CAR PARKING AT HARE STREET, SG9 0AE FOR HORMEAD HARES F.C.

Mr Winkworth addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/09/0352/FP, planning permission be refused for the reasons now detailed.

The Director advised that a supporting letter had been received from the football club. 6 additional letters of objection had also been received raising concerns similar to those detailed in the report. Members were advised that additional concerns related to the lack of local need for additional pitches and the potential for the deterrence of dog walkers.

Councillor S A Bull commented that there was a need for more pitches in the area and young people urgently needed more sports facilities. Councillor A F Dearman spoke in support of the application. Councillor K A Barnes commented that greenbelt policy was not an issue as the application would enhance the green belt.

Councillor Mrs R F Cheswright, as the local ward Member,

expressed disappointment that the Parish Council had objected to the application. She stated that there was a local need for the football pitch and the applicant had tried very hard to satisfy Officers that the application was acceptable.

Councillor Mrs M H Goldspink expressed her support for the application and commented that there was ample justification for approving this scheme due to the community need for sporting facilities.

The Director advised the Committee to carefully consider whether the value of the community use was greater than the policy restraints in rural areas. He commented that Officers could attach appropriate conditions if the Committee was minded to approve the application.

Councillor S A Bull proposed and Councillor Mrs R F Cheswright seconded, a motion that application 3/09/0352/FP be approved on the grounds that there was a community need for more sporting facilities.

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

The Committee rejected the recommendation of the Director of Neighbourhood Services that application 3/09/0352/FP be refused planning permission for the reasons now detailed.

RESOLVED – that in respect of application 3/09/0352/FP, planning permission be granted subject to the following conditions:

DNS

1. Three Year Time Limit (1T12).
2. Prior to the commencement of the development, plans detailing the junction of the proposed vehicular access to the site with the highway shall be submitted to and approved in writing by the Local Planning Authority, and thereafter shall

be implemented in accordance with the approved plans.

Reason: To ensure that the access to the site would safeguard the interests of highway and public safety and convenience.

3. Hard surfacing (3V21).
4. No external lighting (2E26).
5. Details of all boundary fences or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development, and thereafter implemented in accordance with the approved details.

Reason: In the interests of visual amenity, in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

6. Landscape Design Proposals (4P12).

delete (b) (c) (d) (e) (f) (g) (h)

7. Landscape works implementation (4P13).

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular policies SD2, GBC2, GBC3, GBC12, GBC14, TR2, TR4, TR7, TR13, TR20, ENV1, ENV2, ENV18 and ENV19. The balance of the considerations having regard to those policies, community need and in the interests of encouraging sport and recreation, is that permission should be

granted.

- 194 3/09/0868/FP - ALTERATIONS TO FRONT FAÇADE OF MULTI-STOREY CAR PARK INVOLVING THE REMOVAL OF A SOLID TIMBER PANEL TO BE REPLACED BY AN 'OPEN' METAL SCREEN AT THE NORTH EAST ELEVATION, AT THE MULTI-STOREY CAR PARK, JACKSON SQUARE, BISHOP'S STORTFORD FOR EAST HERTS COUNCIL
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The Director of Neighbourhood Services recommended that, in respect of application 3/09/0868/FP, planning permission be granted subject to the conditions now detailed.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/09/0868/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/09/0868/FP, planning permission be granted subject to the following conditions:

DNS

1. Three year time limit (1T121).
2. Carried out in accordance (2E92).

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular policies ENV1 and BH5. The balance of the considerations having regard to those policies is that permission should be granted.

195 3/09/0882/FP - ERECTION OF SINGLE STOREY EXTENSION TO RECEPTION AREA. EXTENSION TO EXISTING MAINTENANCE WORKSHOP AND EXISTING CRÈCHE FACILITY. NEW INDOOR SWIMMING POOL. NEW BASEMENT FOR PLANT AND CHANGING FACILITIES AT GREAT HADHAM GOLF AND COUNTRY CLUB, GREAT HADHAM ROAD, MUCH HADHAM, SG10 9JE FOR GREAT HADHAM GOLF AND COUNTRY CLUB.

Mr Keymer addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/09/0882/FP, planning permission be refused for the reasons now detailed.

The Director reported that 8 additional letters of support had been received. An additional letter of objection had also been received stating that the application would have a detrimental impact on the character of the area. The Committee was also advised that Environmental Health had no objections subject to appropriate conditions being applied if the Committee approved the application.

Councillor R Gilbert stated that the proposed extensions sat comfortably with the existing configuration of the site. He commented that the facility currently did not comply with the provisions of the Disability Discrimination Act (DDA) and this application would make the buildings DDA compliant. Councillor Gilbert also commented that there was a need for additional leisure facilities in the area.

Councillor R I Taylor stated that Bishop's Stortford was a growing town and any application for leisure facilities in the surrounding area should be supported. Councillor M G Carver, as the local ward Member, supported the sentiments of the Committee over the need for additional leisure facilities. He stated that with appropriate conditions this could be a sustainable site.

The Director commented that the application represented a recreational use in the rural area. He also stated that the proposed scheme was unlike that previously considered (application 3/09/0352/FP for Hornead Hares Football Club) in that it comprised additional buildings rather than open land uses.

The Director commented that Officers were concerned about the sustainability of the site. He stated that Officers felt that such extensive facilities would be more appropriate in a town centre location. The Committee was advised that the application was contrary to policy.

Councillor A L Burlton commented that there was a local need for sports facilities and the application should be approved to improve sports provision and provide jobs. The Director advised that the application was contrary to sustainability policy and local plan policies which sought to group leisure and other facilities in the towns and more developed areas.

Councillor A L Burlton proposed and Councillor R Gilbert seconded, a motion that application 3/09/0882/FP be approved on the grounds that there was a community need for more leisure facilities and the application would enhance the sporting facilities on the site.

After being put to the meeting and vote taken, this motion was declared LOST on the Chairman's casting vote.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that application 3/09/0882/FP be refused planning permission for the reasons now detailed.

RESOLVED – that in respect of application 3/09/0882/FP, planning permission be refused for the following reasons:

DNS

1. The application site lies within the Rural Area as defined in the East Herts Local Plan where development will only be allowed for certain specific purposes. There is insufficient justification for the proposed development and it would result in an inappropriate and unsustainable form of development in the Rural Area Beyond the Green Belt. It would therefore be contrary to policies GBC3, SD1 and SD2 of the East Herts Local Plan Second Review April 2007.

196 3/07/2531/FP – VARIATION TO THE WORDING OF THE SECTION 106 AGREEMENT IN RESPECT OF THE ERECTION OF 18. NO. DWELLINGS INCLUDING 7 NO. AFFORDABLE UNITS, ASSOCIATED PARKING AND CYCLE STORAGE FACILITIES, THE FORMATION OF NEW ROAD JUNCTIONS, INTERNAL ROADS, LANDSCAPING AND ASSOCIATED WORKS AT SEVEN ACRES, 49 UPPER GREEN ROAD, TEWIN FOR BRENTSTYLE PROPERTIES LTD

The Director of Neighbourhood Services recommended that provision (e) of the resolution on the Section 106 agreement pursuant to planning application 3/07/2531/FP be amended as now detailed.

The Director advised that the second sentence of paragraph 1.2 on page 27 of the report now submitted be amended to include the words ‘tenure of the’ prior to 25% shared ownership.

The Committee supported the recommendation of the Director of Neighbourhood Services that provision (e) of the resolution on the Section 106 agreement pursuant to planning application 3/07/2531/FP be amended as now detailed.

RESOLVED – that the Director of Neighbourhood Services be authorised to approve the re-wording of provision (e) of the Section 106 agreement pursuant

DNS

to planning application 3/07/2531/FP as follows:

- (e) Provision of 7.no. affordable dwellings to meet the following requirements:
 - i. 75% (5 units) rented accommodation.
 - ii. 25% (2 units) tenure to be agreed in writing by the Council prior to the commencement of the development.

197 3/09/0939/FP - REPLACEMENT GARDEN CENTRE, RETAIL AND RESTAURANT BUILDING AND NEW SEWAGE TREATMENT PLANT AT THE RIVERSIDE GARDEN CENTRE, LOWER HATFIELD ROAD, BAYFORD, HERTFORD, SG13 8XX FOR MR JEFFERY

Jane Orsborn addressed the Committee in opposition to the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/09/0939/FP, planning permission be granted subject to the conditions now detailed.

The Director reported that the landscape officer had commented that the application should be approved. He stated that a number of letters of objection had been received.

The Director advised that concerns had been raised relating to the hours of use and the restaurant being a separate use that was not ancillary to the garden centre. Concerns had also been raised that the development would be visually damaging to the area.

The Director reported that the Hertford Civic Society had no objections, in principle, to the application, but had been concerned about parking provision. Bayford Parish Council had raised concerns relating to noise and smells being emitted from the sewage treatment plant. The Parish

Council had also been concerned about the retrospective nature of the application.

The Director stated that the Environment Agency had suggested a number of conditions based on the results of the flood risk assessment. He commented that Environmental Health had been in direct contact with the manufacturer of the Sewage Treatment Plant. Officers had been advised that noise was minimal and noise screens could be installed to prevent disturbance.

Councillor D A A Peek commented on whether Officers felt the need to change the recommendation in light of the additional information reported to the Committee. The Director stated that Officers were happy with the recommendation for approval.

Councillor Mrs R F Cheswright stated that concerns relating to the sewage treatment plant should be addressed. She also commented on whether evergreen trees could be planted to provide year round screening of the plant.

Councillor J Demonti expressed concerns relating to the impact of the sewage plant on nearby residents. A neighbour had commented that the plant could be heard at night and she had experienced an unpleasant taste in her mouth on occasion.

Councillor Mrs M H Goldspink stated that the sewage plant could not be located underground due to the risk of pollution should the site be subjected to further flooding. She commented that some leylandii trees had been planted so improved screening would be in place once these had grown. Councillor Goldspink also commented that the sewage plant was not yet connected.

Councillor R Gilbert expressed concern relating to the retrospective nature of parts of the application. He commented that the proposed hours of use were too late. The Director commented that a previous application for a bistro had no restrictions in December 2005. Officers had

felt that restrictions for the opening hours were necessary on this application due to the increase in size of the restaurant over the bistro and the change in location within the building.

Councillor M R Alexander commented that no external lighting could result in conflict with vehicles and people using the entrance to the site. The Director commented that the condition proposed would enable appropriate lighting to be implemented.

Councillor J Demonti expressed concerns relating to 10 storage containers on the site. She commented on whether enforcement action was appropriate to ensure these were removed. The Director advised that Officers that these would require separate investigation and that they could attach directives to any planning permission to indicate that these do not receive consent by virtue of this application, if granted.

Councillor M R Alexander proposed and Councillor K A Barnes seconded, a motion that application 3/09/0939/FP be deferred to allow Officers to enter into further consultation in relation to the details of development on the site.

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

The Committee rejected the recommendation of the Director of Neighbourhood Services that application 3/09/0939/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/09/0939/FP, the application be deferred to allow Officers to enter into further consultation in relation to the details of development on the site.

DNS

198 3/09/0919/RP – NEW SPORTS HALL, CLASSROOM BUILDING, ALL WEATHER PITCH, REPLACEMENT TENNIS COURTS, EXTENDED HARD PLAY AREA, CAR PARKING AND ACCESS WORKS AT LEVENTHORPE SCHOOL, CAMBRIDGE ROAD, SAWBRIDGEWORTH FOR THE LEVENTHORPE SCHOOL

The Director of Neighbourhood Services recommended that, in respect of application 3/09/0919/RP, planning permission be granted subject to the conditions now detailed.

The Director advised that condition 8 on page 41 of the report submitted, should be amended to permit the use of floodlighting until 21:30 hours. The Committee was also advised that the same would apply on condition 9 for application 3/09/0918/FP below (see Minute 199).

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/09/0919/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/09/0919/RP, planning permission be granted subject to the following conditions:

DNS

1. Three Year Time Limit (1T12).
2. Materials of Construction (2E11).
3. Cycle Parking Facilities (2E29).
4. Landscaping Design Proposals (4P12).
Delete f, g, h.
5. Landscape Works Implementation (4P13).
6. Prior to the commencement of development, detailed drawings and specifications of the

proposed fencing to the all weather pitch and the tennis courts, including the colour of the fencing, shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details.

Reason: In the interests of the appearance of the development and its impact on the adjacent Metropolitan Green Belt in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

7. Prior to the commencement of the development, detailed drawings of the floodlighting columns including lighting specifications shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details.

Reason: In the interest of the impact of the floodlights and light spillage on the surrounding rural area and nearby residential properties, in accordance with policy ENV24 of the East Herts Local Plan Second Review April 2007.

8. The floodlights hereby permitted shall not be used before 08:00 or after 21:30 on any day of the week unless previously agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity of rural character of the surrounding area and the nearby neighbouring properties, in accordance with ENV23 of the East Herts Local Plan Second Review April 2007.

9. Prior to the commencement of the development, a plan outlining the summer and winter outdoor playing pitch layouts shall be submitted to and approved in writing by the Local Planning

Authority in consultation with Sport England, and thereafter implemented in accordance with the approved plan.

Reason: To ensure that the approved development does not impact upon the number and size of outdoor playing pitches that can be accommodated on the playing field.

Directive:

1. Outline permission relationship (07OP)
Insert '24 November 2008' '3/07/1569/OP'.

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular GBC1, GBC4, TR7, TR13, ENV1, ENV2, ENV4, ENV23, LRC1 and LRC2. The balance of the considerations having regard to those policies is that permission should be granted.

199 3/09/0918/FP – FLOODLIT ALL WEATHER PITCH, 3 FLOODLIT REPLACEMENT TENNIS COURTS AND 2 TENNIS COURTS (NOT FLOODLIT) AT THE LEVENTHORPE SCHOOL, CAMBRIDGE ROAD, SAWBRIDGEWORTH FOR THE LEVENTHORPE SCHOOL

The Director of Neighbourhood Services recommended that, in respect of application 3/09/0918/FP, planning permission be granted subject to the conditions now detailed.

The Director advised that condition 9 on page 52 of the report now submitted, should be amended to permit the use

of floodlighting until 21:30 hours.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/09/0918/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/09/0918/FP, planning permission be granted subject to the following conditions:

DNS

1. Three Year Time Limit (1T12).
2. Programme of archaeological work (2E02).
3. Cycle Parking Facilities (2E29).
4. Wheel Washing Facilities (3V25).
5. Landscaping Design Proposals (4P12).
Delete f, g, h.
6. Landscape Works Implementation (4P13).
7. Prior to the commencement of development, detailed drawing and specifications of the proposed fencing to the all weather pitch and the tennis courts, including the colour of the fencing, shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details.

Reason: In the interests of the appearance of the development and its impact on the adjacent Metropolitan Green Belt in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

8. Prior to the commencement of the development, detailed drawings of the floodlighting columns

including lighting specifications shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details.

Reason: In the interest of the impact of the floodlights and light spillage on the surrounding rural area and nearby residential properties, in accordance with policy ENV24 of the East Herts Local Plan Second Review April 2007.

9. The floodlights hereby permitted shall not be used before 08:00 or after 21:30 on any day of the week unless previously agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity of rural character of the surrounding area and the nearby neighbouring properties, in accordance with ENV23 of the East Herts Local Plan Second Review April 2007.

10. Prior to the commencement of the development, details of a scheme to make the all weather pitch and tennis courts hereby approved available for public and community use, shall be submitted to and approved in writing by the Local Planning Authority, and the facilities shall thereafter be made available in accordance with the approved scheme.

Reason: To ensure that dual use is made of educational facilities in accordance with policy LRC2 of the East Herts Local Plan Second Review April 2007.

11. Prior to the commencement of development, a surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved scheme.

Reason: To prevent the increased risk of flooding, to improve and protect water quality and to improve habitat and amenity in accordance with policy ENV21 of the East Herts Local Plan Second Review April 2007.

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular GBC1, GBC4, TR7, TR13, ENV1, ENV2, ENV4, ENV23, LRC1 and LRC2. The balance of the considerations having regard to those policies and the grant of outline planning permission in November 2008 (ref. 3/07/1569/OP) is that permission should be granted.

200 3/09/0492/FP – MIXED USE DEVELOPMENT
 COMPRISING B1 OFFICE BUILDING AND BAPTIST
 CHURCH AND ASSOCIATED PARKING AT MINERAL
 WATER SITE, TWYFORD ROAD BUSINESS CENTRE,
 TWYFORD ROAD, BISHOP'S STORTFORD FOR MR
 MARK VAN HEES

Heather Clark addressed the Committee in opposition to the application. Mr Douglas and Mr Walford spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/09/0492/FP, planning permission be refused for the reasons now detailed.

The Director reported that the Council's Planning and Partnership Manager had stated that the church had engaged with the Polish community and is represented on the Local Strategic Partnership (LSP) through Churches together in Bishop's Stortford. The Committee was also advised that a marketing exercise had taken place for this

site.

Councillor R Gilbert expressed concerns relating to the design of the proposed development and in respect of the loss of employment land. He commented on whether British Waterways could be persuaded to improve a nearby footpath so that access to the site could be improved.

Councillor A L Burlton commented that there was no provision for land for church use in the East Herts Local Plan Second Review April 2007. Councillor Mrs M H Goldspink stated that the Committee should support the application if possible. She expressed satisfaction that there had been a marketing exercise on the site.

The Director stated that the site was in need of investment. He commented that if the Committee was minded to either approve or defer the application, this would imply that Members accepted the loss of employment land.

Councillor M R Alexander commented that he would like Officers to expand on paragraph 7.8 of the report now submitted in relation to options for the retention of the land for employment purposes. Councillor J Demonti expressed her support for the church but stated that she had concerns in respect of car parking.

Councillor R Gilbert proposed and Councillor K A Barnes seconded, a motion that application 3/09/0492/FP be deferred to allow Officers to enter into further consultation in relation to the details of development on the site.

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

The Committee rejected the recommendation of the Director of Neighbourhood Services that application 3/09/0492/FP be refused planning permission for the reasons now detailed.

RESOLVED – that in respect of application 3/09/0492/FP, the application be deferred to allow Officers to enter into further consultation in relation to the details of development on the site.

DNS

201 3/09/0928/FP – PROPOSED DEMOLITION OF EXISTING STORAGE BUILDINGS AND WORKSHOP ON LAND ADJACENT TO CHESTNUTS AND ERECTION OF NEW STORAGE FACILITIES WITH ASSOCIATED LANDSCAPING, PARKING AND TURNING AREAS AT DANE TREE HOUSE, PERRY GREEN, MUCH HADHAM, HERTS, SG10 6EE FOR THE HENRY MOORE FOUNDATION.

Mr Calvocaressi addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/09/0928/FP, planning permission be granted subject to the conditions now detailed.

Councillor S A Bull commented that the situation in respect of bats should continue to be monitored on the site. Councillor M G Carver, as the local ward Member, expressed his support for the scheme, subject to conditions to ensure adequate drainage was provided to mitigate any risk of flooding.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/09/0928/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/09/0928/FP, planning permission be granted subject to the following conditions:

DNS

1. Three year time limit (1T121).

2. Sample of materials (2E123).
3. Lighting details (2E272).
4. Demolition of buildings (2E382).
Insert, 146/E-00 Revision P1.
5. Hard surfacing (3V213).
6. Wheel washing facilities (3V251).
7. Landscape design proposals (4P124).
Delete (9) (h).
8. Landscape works implementation (4P133).

Directive:

1. It is considered that there is a reasonable likelihood of bats being present on the site. If bats are known to be present or bat roosts are found during work; all work should cease immediately and Natural England be informed. Bats are a protected species under the Wildlife and Countryside Act 1981 as amended and the Habitats Regulations 1994.

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular GBC3, ENV1, ENV2, TR7. The balance of the considerations having regard to those policies and the outlined need for the building is that permission should be granted.

202 3/09/0914/FP – TWO STOREY REAR EXTENSION,
RAISE ROOF AND CONVERT LOFT SPACE TO FORM 2
NO. BEDROOMS AT 70 WHEMPSTEAD ROAD,
BENINGTON, SG2 7DE FOR MR AND MRS FULLER.

The Director of Neighbourhood Services recommended that, in respect of application 3/09/0914/FP, planning permission be granted subject to the conditions now detailed.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/09/0914/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/09/0914/FP, planning permission be granted subject to the following conditions:

DNS

1. Three year time limit (1T12).
2. Matching materials (2E13).
3. The proposed window openings to the ensuite and bathroom in the north elevation shall be fitted with obscured glass, and shall be permanently retained in that condition.

Reason: To safeguard the privacy of occupiers of the adjoining property, in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

Directive:

1. Other legislation.

Summary of Reasons for Decision

The proposal has been considered with regard to the

policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular SD2, GBC3, TR7, ENV1, ENV5 and ENV6. The balance of the considerations having regard to those policies, and extant permission 3/06/1783/FP is that permission should be granted.

- 203 (A) 3/09/0829/FP – REPLACE ROOF AND INSERT 8 NO. ROOFLIGHTS (4 PER SIDE), 1 NO. NORTH ELEVATION WINDOW, 2 NO. SOUTH ELEVATION WINDOWS AND INSTALLATION OF NEW WOOD BURNER AND FLUE AT LOWER FARM, COTTERED, SG9 9PS FOR MR SNELL; AND (B) 3/09/0830/LB – REPLACE ROOF AND INSERT 8 NO. ROOFLIGHTS (4 PER SIDE), 1 NO. NORTH ELEVATION WINDOW, 2 NO. SOUTH ELEVATION WINDOWS AND INSTALLATION OF NEW WOOD BURNER AND FLUE AT LOWER FARM, COTTERED, SG9 9PS FOR MR SNELL.
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Mrs Snell addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/09/0829/FP and 3/09/0830/LB, planning permission and listed building consent be refused for the reasons now detailed.

The Director advised that no objections had been received from Cottered Parish Council. An e-mail from the applicant had referred to similar barn conversions and had stated that symmetrical roof lights were required to provide additional light into the barn.

Councillor S Rutland-Barsby commented that the roof lights would not be harmful to the curtilage listed barn. Councillor R I Taylor stated that the roof lights could only enhance the character of the barn.

Councillor J O Ranger, as the local ward Member,

commented that the barn was in need of improved lighting. He commented that there was no evidence of bats on the site.

Councillor S Rutland-Barsby proposed and Councillor M R Alexander seconded, a motion that applications 3/09/0829/FP and 3/09/0830/LB be approved on the grounds that the applications were not detrimental to the character of the curtilage listed barn.

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

The Committee rejected the recommendations of the Director of Neighbourhood Services that applications 3/09/0829/FP and 3/09/0830/LB be refused planning permission and listed building consent for the reasons now detailed.

RESOLVED – that (A) in respect of application 3/09/0829/FP, planning permission be granted subject to the following condition:

DNS

1. Three Year Time Limit (1T12).

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular policies GBC3, ENV1, ENV5, and BH12. The balance of the considerations having regard to those policies and the minimal extent of change to the building, is that permission should be granted.

(B) in respect of application 3/09/0830/LB, listed building consent be granted subject to the following conditions:

DNS

1. Listed Building three year time limit (1T14).
2. Prior to any building works being first commenced, detailed drawings of the new windows and rooflights including a section of the glazing bars and frame moulding (if applicable), which it is proposed to install, clearly showing the position of the window frame in relation to the face of the wall, depth of reveal, arch and sill detail, and the position of the rooflights within the roof, shall be submitted to, and approved 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 BH10 of the East Herts Local Plan Second Review April 2007.

3. The flue hereby approved shall be painted black prior to its installation, and thereafter maintained as such unless otherwise 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 BH10 of the East Herts Local Plan Second Review April 2007.

4. Listed Building (making good) (8L10).

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular policy BH10. The balance of the considerations having regard to those policies and the minimal extent of change to the building, is that

permission should be granted.

204 3/09/0955/FP – TWO STOREY SIDE EXTENSION, SINGLE STOREY FRONT AND REAR EXTENSIONS, FRONT DORMERS AND REAR DORMERS WITH JULIET BALCONIES AND NEW BASEMENT AT 31 CHURCH ROAD, LITTLE BERKHAMSTEAD, HERTFORDSHIRE FOR DAVID HUTCHINSON.

The Director of Neighbourhood Services recommended that, in respect of application 3/09/0955/FP, planning permission be granted subject to the conditions now detailed.

Councillor R Gilbert commented that the application would facilitate a 100% increase in the size of the dwelling. The Director stated that a number of similar sized developments had occurred at neighbouring properties.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/09/0955/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/09/0955/FP, planning permission be granted subject to the following conditions:

DNS

1. Three Year Time Limit (IT12).
2. Matching Materials (2E13).

Directive:

1. Other Legislation (01OL).

205 3/09/0790/FP – PROPOSED TWO-STOREY SIDE
EXTENSION AT 9 HOOKS CROSS, WATTON AT STONE
SG14 3RY FOR STUART SIMPSON

Mr Wood addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/09/0790/FP, planning permission be granted subject to the conditions now detailed.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/09/0790/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/09/0790/FP, planning permission be granted subject to the following conditions:

DNS

1. Three year time limit (1T113).
2. Matching materials (2E133).

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular policies GBC1, ENV1, ENV5 and ENV6. The balance of the considerations having regard to those policies that permission should be granted.

206 E/09/0146/A – UNAUTHORISED ERECTION OF
DETACHED SINGLE GARAGE AT 3 FARRIERS,
LONDON ROAD, SAWBRIDGEWORTH, HERTS, CM21
9EW

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/09/0146/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/08/0146/A on the basis now detailed.

RESOLVED – that, in respect of E/08/0146/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 steps as may be required to secure the removal of the unauthorised garage and concrete base.

DNS/DIS

Period for compliance: 1 Month.

Reasons why it is expedient to issue an enforcement notice:

1. The unauthorised garage is in close proximity to a tree which is the subject of a Tree Preservation Order. Due to the encroachment of tree rootplates the garage would prejudice its long term health and retention. The loss and/or diminishment of the tree will be detrimental to the appearance of the site and surroundings and is therefore contrary to Policies ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

207 E/08/0567/A – UNAUTHORISED ERECTION OF NEW BOUNDARY FENCE AND SHED AT 20 CAMBRIDGE ROAD, THUNDRIDGE, HERTS, SG12 0SU

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/09/0567/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/08/0146/A on the basis now detailed.

RESOLVED – that, in respect of E/08/0567/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 steps as may be required to secure the removal of the unauthorised fence and shed.

DNS/DIS

Period for compliance: 2 Months

Reasons why it is expedient to issue enforcement notice:

1. The fence, by reason of its siting, height and design and the shed by reason of its siting, result in the enclosure of open amenity space and the loss of landscaping which detracts from the character and appearance of the area. The development is thereby contrary to policies ENV1 and ENV7 of the East Herts Local Plan Second Review April 2007.

208 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;

(C) Planning Appeals: Inquiry and Informal Hearing Dates; and

(D) Planning Statistics.

The meeting closed at 9.30 pm

Chairman

Date