

Public Document Pack



Chairman and Members of the Council

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cc. All other recipients of the Council agenda

Dear Councillor,

COUNCIL - 24 JULY 2024

Please find attached the responses to Public and Members' questions submitted to the meeting above:

7. Public Questions (Page 3)

To receive any public questions.

8. Members' Questions (Pages 4 - 9)

To receive any Members' questions.

Agenda Item 7

COUNCIL – 24 JULY 2024

PUBLIC QUESTIONS

Question 1	Carl Warnell to ask Cllr Vicky Glover-Ward, the Executive Member for Planning and Growth
Given the incoming government's reallocation of 10 hectares of Green Belt in East Herts as "grey belt" what are the parcels of land in East Herts affected and how does this affect planning policy?	
Response from Councillor Vicky Glover-Ward	
<p>The Government has not yet formally defined 'Grey Belt'. It is anticipated that this definition will be set out in a revised National Planning Policy Framework (NPPF) which is expected to be published for consultation by the end of July.</p> <p>Only once a definition has been agreed will the Council be in a position to review whether or not it can accommodate any development on 'Grey Belt' land.</p>	

COUNCIL – 24 JULY 2024

MEMBERS' QUESTIONS

Question 1	Cllr Eric Buckmaster to ask Cllr Vicky Glover-Ward, the Executive Member for Planning and Growth
<p>As a council that has declared a Climate Emergency and nominally in favour of energy efficiency, are East Herts policies in relation to residents installing Air Source Heat Pumps fit for purpose given that so many applications are declined?</p>	
Response from Councillor Vicky Glover-Ward	
<p>This is a developing area with more residents looking to install air source heat pumps. The Council welcomes residents looking at alternative heat sources for their homes.</p> <p>In simple terms air source heat pumps count as a development and all forms of development require planning permission. In certain circumstances, the General Permitted Development Order (GDPO) will grant permission for air source heat pumps subject to them meeting certain criteria.</p> <p>If, however, these criteria are not satisfied, the proposal for a heat pump will require a planning application. All planning applications are assessed against the District Plan and relevant Neighbourhood Plans and, where those policies are satisfied, the Council will grant planning permission. Of course, it needs to be remembered that the impact of an air source heat pump on the living conditions and amenity of neighbours, including noise and visual impact, is a material consideration that the Council has a duty to consider when determining if an application is acceptable. This means that, unfortunately, on occasion some applications will not be acceptable.</p> <p>To assist residents who are looking at switching to an air source heat pump, we have a new information page on our website and we</p>	

encourage people to seek advice from the Council at the early stages of developing proposals.

The review of the District Plan will provide an opportunity for Members and residents to explore whether relevant policies need to be updated including whether there is a need for a specific policy relating to air source heat pumps.

Supplementary question from Councillor Eric Buckmaster

Councillor Buckmaster said that he would like to see a full review of the policies decided by Members as he believed they were currently officer determined policies. He referred to applications in his ward that had been declined.

Response from Councillor Vicky Glover-Ward

Councillor Glover-Ward asked Councillor Buckmaster to forward the specific planning references to her so she could investigate the circumstances. She said there was a visioning meeting being held the next day and suggested that councillors could lobby for this to be included in the District Plan.

Question 2

Cllr Ian Devonshire to ask Cllr Vicky Glover-Ward, the Executive Member for Planning and Growth

Since June 2023, seven Development Management Committee meetings (out of a total of fourteen meetings) have been cancelled. Development Management Committees are an important part of the democratic process, as they enable residents to attend and observe the planning decisions being made and also allow them to approve or object to these applications.

Please can you explain why so many DMC meetings (50%) are being cancelled?

Response from Councillor Vicky Glover-Ward

Thank you for your question Cllr Devonshire. I note that you raised this at the Council meeting in December 2023. As noted in my

response to your question in December 2023, the Council has a very busy planning department and receiving around 2,500 planning applications a year. The majority of these applications are minor householder related applications and are determined under delegated authority by officers. We receive around 50 major planning applications a year, although this can vary. Not all of these applications are considered by DMC but we do currently have a number of important planning applications in the system such as Birchall Garden Suburb, Ware 2, and Hert 4 which will be considered by DMC at the appropriate time.

Major planning applications are generally more complex, with a huge number of comments from statutory consultees, interested parties and residents coupled with needing to resolve technical planning matters. The process to review and resolve takes time and, in most cases, they can't be determined within the statutory timeframes. To manage this, we have Planning Performance Agreements (known as PPAs) in place with the applicants to guide them through the process and provide more realistic timeframes.

Officers will only present applications to DMC for consideration when they consider that all the planning issues have been resolved and officers are able to recommend a robust planning decision.

Occasionally this means that applications won't quite be ready to be considered by DMC and meetings will have to be cancelled.

Having looked back at DMC agendas since May 2019, I can see that this approach is not uncommon, with between 4 – 6 meetings having been cancelled per year previously.

I note that this calendar year we have held 4 meetings with 3 having been cancelled because applications are not ready to be considered by DMC. As I have highlighted previously this can change for reasons outside of our control and it is important to ensure that we encourage quality applications to be presented and considered by DMC.

Notifications are provided to DMC when the meetings have been cancelled and officers are happy to provide a training session to DMC members as to reasons why an application which is planned to be considered at a particular session might need to be postponed at the last minute given that this appears to be a topic of particular interest.

Supplementary question from Councillor Ian Devonshire

Councillor Devonshire asked if the criteria for applications being presented to the Development Management Committee could be changed. He said that the criteria was currently 10 houses or more and asked if this could be lowered to four houses or more. He said that the public needed to see planning decisions being made and that the process is transparent.

Response from Councillor Vicky Glover-Ward

Councillor Glover-Ward said that she would take the point away and explore the resource implications. She said if the number of applications coming to DMC increased, this could delay the strategic sites. She said that having chaired the Community Forums, there was still a perception from the public that there were problems with the process.

Question 3

Cllr John Wyllie to ask Cllr Ben Crystall, Leader of the Council

It's now over 12 months since the last District Council elections and the change of administration that followed. In that time there appears to have been very little progress in relation to the Old River Lane project. Please may we have an update of progress, if any, to date and of the anticipated timeline going forward.

Response from Councillor Ben Crystall

Thank you for your question Councillor Wyllie. There has been progress since May 2023, but we have had to review the Arts Centre to accommodate inherited budget challenges which I think we all know

about. I'm not going to run through all progress to date – only the most recent activities.

In June, at the ORL Board meeting we received a briefing from our development consultants (Montague Evans) and legal advisors (Weightmans) on the content of the Development Agreement which includes preconditions on Cityheart for the development to proceed. The Board had a good discussion and gave authority for the agreement to be signed.

This agreement includes an adjustment to the site boundary, meaning Water Lane Hall and 1,2,3 Old River Lane are no longer part of the scheme. We were keen to try to adjust the boundary as amongst other things, it gave us an opportunity to save Water Lane Hall from demolition as we had hoped we could do. But as you can imagine adjusting the red line boundary on what is a very complex site has taken much to-ing and fro-ing, and detailed negotiations with a number of partners. That inevitably takes time. But this is a key site for BS, so we are doing our very best to get it right.

Last week we also began the process of talking to stakeholders about the public square part of the scheme, to make best use of the site at the southern end until funds are available to build the Arts Centre there. We held 2 workshops with a number of partner organisations to consider the overall design and layout of the square, alongside potential uses. Feedback from these sessions has been very helpful and we will be launching a public consultation very soon. Once that closes and we have public feedback we will finalise the design for Cityheart so they can include it as part of their planning application

In terms of timelines, once the DA is signed we expect Cityheart to begin a collaborative master planning process before they can submit a full planning application, which we would expect to see probably later next year.

Based on your question, John, if you feel that there has been little progress to date or that you haven't been kept in the loop, apologies.

We do want to support you and if there is something that you are unsure about, feel free to ask at any time.

More importantly, a set of detailed FAQs and other information is on our website, plus the minutes of the monthly Board meetings have been and will continue to be published there. If you're not sure about finding it all, open the East Herts Council website, type Old River Lane into the search bar at the top and you'll get to that page.

Supplementary question from Councillor John Wyllie

Councillor Wyllie asked what the total cost of saving the Water Lane Hall was. He also asked what public consultation would be carried out to ensure it was inclusive of everyone in Bishop's Stortford.

Response from Councillor Ben Crystall

Councillor Crystall said that he did not know the cost but a survey was being carried out to determine the final cost. He said that there was a consultation starting next week through to September and there would be an online presence and events within Bishop's Stortford to encourage people to respond. He said there would be stalls in the town and paper questionnaires for those who could not go online.