

# Public Document Pack



Chairman and Members of the  
Development Control Committee.

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Our ref: PM  
Date: 12 September  
2011

cc. All other recipients of the  
Development Control Committee  
agenda.

Dear Councillor,

## **DEVELOPMENT CONTROL COMMITTEE - 14 SEPTEMBER 2011**

Please find attached the following reports which were marked "to follow" on the agenda for the above meeting:

4. Minutes (Pages 3 - 30).

To confirm the Minutes of the meeting of the Committee held on Thursday 25 August 2011.

7. Items for Reporting and Noting (Pages 31 - 60).

(A) Appeals against refusal of Planning Permission/ non-determination.

(B) Planning Appeals Lodged.

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

(D) Planning Statistics.

Please bring these papers with you to the meeting next Wednesday.

Yours faithfully

Peter Mannings  
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**MEETING** : DEVELOPMENT CONTROL COMMITTEE  
**VENUE** : COUNCIL CHAMBER, WALLFIELDS, HERTFORD  
**DATE** : WEDNESDAY 14 SEPTEMBER 2011  
**TIME** : 7.00 PM

MINUTES OF A MEETING OF THE  
DEVELOPMENT CONTROL COMMITTEE  
HELD IN THE MAIN HALL, CHARIS  
CENTRE, WATER LANE, BISHOP'S  
STORTFORD - DUE TO TECHNICAL  
PROBLEMS THE WEBCAST OF THE  
DEVELOPMENT CONTROL MEETING  
HELD ON 25TH AUGUST WILL NOT BE  
AVAILABLE UNTIL MID SEPTEMBER ON  
THURSDAY 25 AUGUST 2011, AT 7.00 PM

PRESENT: Councillor W Ashley (Chairman)  
Councillors M Alexander, E Bedford,  
E Buckmaster, S Bull, J Demonti, G Jones,  
T Page, S Rutland-Barsby, J Taylor and  
B Wrangles.

ALSO PRESENT:

Councillors P Gray, P Ruffles, N Symonds,  
M Tindale, M Wood and C Woodward.

OFFICERS IN ATTENDANCE:

Liz Aston	- Development Control Team Leader
Fiona Brown	- Planning Technician
John Careford	- Senior Planning Officer
Glyn Day	- Principal Planning Enforcement Officer
Simon Drinkwater	- Director of Neighbourhood Services
Annie Freestone	- Senior Planning Technician
Peter Mannings	- Democratic Services Assistant

Martin Plummer	- Assistant Planning Officer
Kevin Steptoe	- Head of Planning and Building Control

249 APOLOGIES

Apologies for absence were submitted on behalf of Councillors A Burlton, Mrs R Cheswright, G Lawrence and M Newman. It was noted that Councillors E Bedford, T Page and E Buckmaster were substituting for Councillors Mrs R Cheswright, A Burlton and M Newman respectively.

250 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed the press and public to the meeting. He stated that the meeting was being videoed and the subsequent recording would be posted on the Council's website.

In respect of Minute 252, the Chairman advised that, as a higher than anticipated number of people had registered to speak, he had agreed that all registered speakers should be allowed to address the Committee. He sought and received the consent of the Committee in respect of all registered speakers addressing the Committee.

251 DECLARATIONS OF INTEREST

Councillor T Page declared a personal interest in applications 3/10/1964/FP and 3/10/1965/LC in that he was a Member of the Bishop's Stortford Town Council Planning Committee.

- 252 (A) 3/10/1964/OP - OUTLINE PLANNING APPLICATION FOR A MIXED USE DEVELOPMENT COMPRISING RETAIL, LEISURE HOTEL, FOOD AND DRINK, RESIDENTIAL, COMMUNITY USES, CAR PARKING, SERVICING AND ACCESS ARRANGEMENTS TOGETHER WITH ALTERATIONS TO THE PUBLIC HIGHWAY AND/OR PUBLIC REALM WORKS AND FLOOD MITIGATION MEASURES ON LAND NORTH OF LINK ROAD; AND (B) 3/10/1965/LC - DEMOLITION OF 1 THE CAUSEWAY; 1, 2 AND 3 OLD RIVER LANE; CHURCH HALL WATER LANE; BOUNDARY WALL NORTH OF CHURCH HALL AND SUBSTATION AT OLD RIVER LANE, BISHOP'S STORTFORD FOR HENDERSONS GLOBAL INVESTORS COMPANY
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The Director of Neighbourhood Services recommended that, in respect of applications 3/10/1964/OP and 3/10/1965/LC, planning permission and conservation area consent be granted subject to the conditions now detailed.

The Director referred to the additional representations schedule, as well as the Section 106 legal obligation agreement and the conditions. The Committee was advised that these documents had been distributed to Members separately as they had not been finalised prior to the distribution of the Agenda.

Members were referred to the additional representations summary for the latest position in respect of the comments of the Environment Agency. The Director stressed that the Environment Agency had considered that a weir to the north of the site was no longer required for flood risk mitigation.

The Committee was advised that Officers felt they had insufficient information to advise on whether the weir should be removed.

Members could defer the applications for this issue to be

investigated. Members were reminded that the applications would have to be referred to the Secretary of State if the Committee resolved to grant outline planning permission and conservation area consent.

The Director referred to the comments of the Council's retail advisors in respect of the position of Waitrose's objections to the application, given that Waitrose had control of some of the land that was the subject of these applications.

The Director advised that the Council's Solicitor felt that there remained some tension with regard to a number of issues, particularly flooding and the impact on heritage assets close to the site.

The following people addressed the Committee in objection to the applications:

- Mr Hurford, Chairman of the Bishop's Stortford Civic Federation;
- Mr Edwards on behalf of the Chantry Residents' Association;
- Mr Cooper on behalf of Coopers Bishop's Stortford;
- Karen Burton;
- Jackie Colman;
- Mr Elmer;
- Mr Hare; on behalf of the Water Lane Table Tennis Club;
- Mr George on behalf of Yew Tree Place residents;
- Mr Harrison on behalf of Waitrose, Bishop's Stortford;
- Mr Moys, Solicitor for Mr and Mrs Hagon and a number of other residents.

The following people addressed the Committee in support of the applications:

- Mr Fraser and Mr Perry on behalf of Hendersons

- Global Investors Company;
- Mr Disney;
- Mr Lawson; and
- Sarah Stevens.

Councillor N Symonds addressed the Committee by reading out a statement on behalf of Councillor A Burlton. Councillor Burlton's concerns related to overdevelopment of the site in terms of the massing and height of the proposed development.

Councillor Burlton was also concerned that the merits of the application did not justify 3 to 4 storey buildings on this site. He had commented that buildings should be restricted to 2 to 3 stories and the residential elements of the scheme should be withdrawn.

Councillor Symonds referred to Councillor Burlton's concerns that the application would result in traffic problems, particularly in respect of the proposed 'T' junction. He was also concerned in relation to the loss of natural vegetation to make way for the flood compensation area (FCA). He had stated that the application should be refused until all outstanding issues had been resolved.

Councillor Symonds and Councillor M Wood addressed the Committee as local ward Members in respect of their concerns on both applications. Councillor Wood was concerned in respect of the loss of valuable site lines in Bishop's Stortford. He expressed concerns in relation to highways congestion and the inadequacy of the proposed temporary parking provision.

Councillor Wood queried the need for a hotel in this location given the proliferation of hotels at Stansted Airport. He also strongly questioned whether the town needed more flats and a second cinema. He was particularly concerned that the application would result in the decline of town centre businesses.

Councillor M Tindale addressed the Committee in support of the applications in his capacity as Executive Member for Finance. He referred to the decisions taken by Full Council in relation to the Causeway Offices in that the principle of development on this site had been established.

Councillor Tindale stated that the views expressed on the applications were not fully representative of the population of East Herts. He referred to the difficulty of the decision facing the Members of the Committee.

Councillor G Jones expressed concerns that high rise development was proposed with such a narrow access route being provided to the site and between the blocks of development.

He referred to the challenging balance of judgement faced by the Committee. He stated that he was minded to vote against both applications as the scale of the proposed buildings was insensitive to the conservation area of Bishop's Stortford.

Councillor Jones stated that the application would result in traffic chaos as the town's road network was already operating at full capacity and there was insufficient car parking to support such development. He expressed concerns over the loss of the United Reformed Church Hall and the likely impact on Heritage Assets.

Councillor Jones stressed that the proposed Cinema and Hotel were poorly sited in that the site was remote from the train station. He was also concerned that the development would match and exceed the nearest tallest buildings.

Councillor J Taylor stressed that the scheme must be determined on the merits of the applications and any previous decisions must be disregarded. She reminded Members that this was an outline application and all matters were reserved. Councillor Taylor stated that



Bishop's Stortford did not need an enhanced retail offer and a new cinema and hotel as the town already had sufficient shops and a cinema.

Councillor Taylor commented that such a scheme should be supported by 1043 parking spaces as opposed to the proposed 600. She expressed concerns in relation to the loss of trees on the site. She also commented that elements of the high street could resemble a ghost town if this scheme was approved.

Councillor Taylor referred to her concerns in relation to highways issues, in particular the ageing population who were unable to use public transport for legitimate reasons. She was also concerned regarding pedestrian safety at the proposed 'T' junction.

Councillors Taylor and Jones were both concerned that the site was located in the flood zone of the River Stort. Councillor Taylor was concerned as to whether flood water could be contained within the FCA. She referred to the Environment Agency's objections and stated that the application did not comply with policy ENV25 of the East Herts Local Plan Second Review April 2007.

Councillor E Buckmaster commented that there was no guarantee from Officers or from the consultation responses that the flood risk issue could be fully mitigated. He stressed that the Bishop's Stortford Town Plan and the 2020 vision document did not include a development of this nature on this site.

The Director advised that the basis for the whole proposal was what the future held for Bishop's Stortford. He referred to there being a different situation now compared to when a Districtwide retail assessment had been carried out for the towns in East Herts. He stressed that the Authority could not time when any given scheme was submitted.

The Director advised that the applicant had undertaken to

maintain the current levels of parking during the implementation phase of this application. He further advised that the applicant had given some sound and forthcoming assurances that every effort would be made to minimise disruption.

Members were advised that, as always, the Committee must make a judgement as to whether the impact of the proposals could be justified in relation to the potential benefits to Bishop's Stortford in terms of a retail led proposal with new modern facilities.

The Director reminded Members that the Authority was obliged to deliver in terms of future housing supply in East Herts. He stated the Government Policy was very much in support of delivering that supply. He stressed that the Authority had not objected to the housing numbers that East Herts had been asked to deliver.

Members were advised that East Herts had performed poorly to date in terms of future housing supply in the District. The Director stated that, in terms of the flood risk mitigation measures, the Council's Drainage Engineer had stated that although the application complied with regulations in technical terms, the risk mitigation measures were very much at the lower end of the scale of acceptability.

The Director stated that the traffic issue was to a degree intractable in that Bishop's Stortford was an historic market town with very little that could be done to improve road capacity without fundamentally altering the town's character. He commented that there was insufficient space in the town for a development that provided 1000 plus car parking spaces.

Members were advised that due to the constrained nature of the town's highway network, the only realistic solutions were improving the flow on the existing roads, such as using the SCOOT system publicised by Hertfordshire Highways. Solutions were also available that gave

priority to certain types of vehicles at junctions.

The Committee was reminded that due to the geography of the East Herts area, for many people, the only solution for getting around was the private vehicle. The Director stressed that although there were concerns in respect of 4 blocks of development on this site, Officers had felt that the impact of the proposals was not so fundamental as to outweigh the potential benefits of the scheme. Members would have to make that judgement when determining these applications.

Councillor S Bull commented that he was an experienced retired retailer and it was widely accepted that big developments of this nature increased the prosperity of the surrounding town area. He stressed that this development close to the town centre should reduce the leakage to surrounding settlements such as Cambridge and Harlow.

Councillor Bull stated that this application would encourage people to continue to visit Bishop's Stortford and ensure the town was heading in the right direction.

Councillor T Page stressed that he was not satisfied that the issue of flood prevention had been satisfactorily addressed. He stated that a competently planned infrastructure had to be installed before this scheme was implemented.

Councillor Page expressed concerns that Bishop's Stortford South was the most economically challenged ward in the town and this application would further accelerate the loss of vitality of South Street. He concluded that these applications did not stand up to the provisions of ENV19 and ST1 and ST1a of the East Herts Local Plan Second Review April 2007.

Councillor M Alexander stated that Bishop's Stortford was a well respected town that was suffering due to the leaching of trade to surrounding settlements. He stressed

that the applicant was a serious company that was not about to walk away from the town should this scheme be implemented.

The Director advised Members that the parking provision standards were set out in terms of maximum rather than minimum provision. He also stressed that Hertfordshire Highways had not objected to the proposals so Members should be cautious when putting forward reasons for rejecting the applications. The Committee was advised that the fact that the scheme was not included in the local plan was not sufficient as a reason for refusal.

The Director emphasised that Members could advance an argument that the scheme would have a detrimental impact on the conservation area of Bishop's Stortford. He reminded the Committee that there would be no net loss of trees as a consequence of the proposals. Members were advised that the County Archaeologist was satisfied that the investigations that had taken place were sufficient.

Members continued to debate possible reasons for refusal following the continued advice of the Director.

Councillor J Taylor proposed and Councillor J Demonti seconded , a motion that applications 3/10/1964/FP and 3/11/1965/LC be refused on the grounds that archaeological remains had not been sufficiently investigated, the flood risk issue had not been resolved, the impact on traffic in general terms was not acceptable and was contrary to policy TR1 of the East Herts Local Plan Second Review April 2007 and the scale and height of the development would have an unacceptable impact on the character of the conservation area of Bishop's Stortford.

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 accepted the recommendations of the Director of Neighbourhood Services that applications 3/10/1964/OP and 3/10/1965/LC be granted subject to the conditions now detailed.

RESOLVED – that (A) in respect of application 3/10/1964/OP, subject to the referral of the application to the Secretary of State in relation to the Town and Country Planning (Flooding) (England) Direction 2007, and subject to the applicant entering into an agreement under section 106 of the Town and Country Planning Act 1990 as amended covering the following matters:

1. The provision of up to 40% affordable housing either as direct provision or through a commuted sum, or an element of both, the amount of which is to be determined;
2. Prior to demolition of the URC Church hall, the provision of replacement facilities of equal or greater quality to those currently provided in the hall in a location in close proximity to the existing URC Church hall to the satisfaction of the Council in consultation with the URC;
3. The provision of £307,916 financial contribution towards enhancing bus services that access the town centre and related infrastructure;
4. The provision of a financial contribution of up to £50,000 to enable the implementation of selective vehicle detection equipment at Adderley Road / The Causeway; Station Road (next to the bus interchange); South Street / Station Road; Riverside / Adderley Road; New access junction on Link Road (to serve the proposed development) within the town centre in order to mitigate for delays caused to bus service 510.

5. The agreement of appropriate timescales and criteria against which the operation of the Bridge Street/Link Road junction can be monitored and, if agreed operational criteria are breached, the provision of additional improvements including signalisation at that junction;
6. The provision of an enhancement to the existing VMS (Variable Messaging Signs), (as set out within the WSP document 'Parking Guidance Signage Review' April (2011)) within the Town Centre to provide enhanced information in relation to the availability of parking and other traffic information;
7. Prior to the loss of any of the current parking provision on the site, the provision of temporary and alternative public parking to be made during the construction of the development to ensure that overall level of public parking provision currently provided on the main site is maintained throughout the construction phase;
8. The provision of a car park management plan to ensure that the parking facilities within the development site follow the overall parking strategy for the Town Centre;
9. The provision of financial contributions towards nursery and secondary education, childcare, youth and libraries in accordance with the residential type and mix as approved in any subsequent planning application and the Planning Obligations Supplementary Planning Guidance 2008;
10. Bridge – prior to the occupation of the first Class A1 or A2 or A3 or A4 or A5 unit to

investigate the feasibility of the provision of a bridge and submit to the Local Planning Authority an application for planning permission to construct a pedestrian bridge over the watercourse between Link Road and Castle Gardens and, if permission is secured, to construct the bridge within 12 months of the granting of permission. Details of maintenance liability are to be agreed with the Council.

11. The provision of fire hydrants;
12. All reasonable legal and monitoring fees are to be paid by the applicant.

planning permission be granted subject to the following conditions:

1. Application for approval in respect of all matters reserved in this permission shall be made to the Local Planning Authority within a period of 3 years commencing on the date of this notice. (b) The development to which this permission relates shall be begun by not later than the expiration of a period of 2 years commencing on the date upon which final approval is given by the Local Planning Authority or by the Secretary of State, or in the case of approval given on different dates, the final approval of the last such matter to be approved by the Local Planning Authority or by the Secretary of State.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall not be carried out otherwise than in accordance with detailed plans and drawings showing the siting, design and external appearance of the

building(s) and landscaping of the site, which shall have been approved in writing by the Local Planning Authority before any development is commenced.

Reason: To comply with the provisions of Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

3. No demolition or development shall take place within the proposed development site until the applicant, or their agents, or their successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to the planning authority and approved in writing. No use or occupation shall take place until the approved written scheme of investigation for archaeological works has been implemented in full, and the Local Planning Authority has received and approved an archaeological report of all the required works, and provision has been made for analysis and publication where appropriate.

Reason: To ensure the protection of and proper provision for any archaeological remains in accordance with Policy BH2 of the East Herts Local Plan April 2007 and Planning Policy Statement 5: Planning and the Historic Environment.

4. No development shall take place until detailed plans, showing the existing and proposed ground levels of the site relative to adjoining land and buildings, together with the slab levels of the proposed buildings have been submitted to, and approved in writing by the Local Planning Authority. The development



shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the development is properly related to the levels of adjoining development in the interests of amenity.

5. Prior to or concurrently with the submission of the first of any reserved matters applications for the site, a Design Guide shall be formulated and submitted to the Local Planning Authority for approval. The Design Guide shall be prepared in accordance with the principles and parameters established in the outline application and shall include more detailed information in relation to the following:
  1. the approach to be followed in relation to the design and external appearance of the buildings, including the ratio of glazing to other elements of the buildings, external materials to be used and colour treatments to be applied;
  2. the approach to be followed in relation to the surface treatment to be applied in any areas of the site outside of buildings, street furniture, lighting, public art and any other structures to be placed in these areas;
  3. the approach to be followed in relation to advertising to be applied to the external façade of any of the buildings or otherwise within the site;

Reason: To ensure high quality design and coordinated development in accordance with policy ENV1 and BH6 of the East Herts Local Plan Second Review April 2007

6. No development above ground level shall take place until all materials to be used for hard surfacing within the site including roads, driveways and car parking areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not detract from the appearance of the locality in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

7. Prior to the first occupation of any of the A1, A2, A3, A4, A5 units (retail units), a plan showing the uses designated for each unit shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with that plan and any change in use of the units within the approved plan shall be agreed in writing by the Local Planning Authority.

Reason: To ensure that there is an appropriate mix of retail and other uses to sustain the vitality and viability of the Town Centre in accordance with policies STC1 and STC2 of the East Herts Local Plan Second Review April 2007.

8. Within 12 months of commencement of the development hereby approved, details of the management and availability of any D1 community facility space have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the community facility is properly provided for within the site for the local community in accordance with policy LRC11 of the East Herts Local Plan second Review April 2007.

9. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  1. Drawings and full details of any temporary highway works and the phasing of any highway works;
  2. Methods for accessing the site;
  3. The parking of vehicles of site operatives and visitors;
  4. Loading and unloading of plant and materials;
  5. Storage of plant and materials used in constructing the development;
  6. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  7. Wheel washing facilities;
  8. Measures to control the emission of dust and dirt during construction;
  9. A scheme for recycling/disposing of waste resulting from demolition and construction works;
  10. The management of any crossings of the public highway and/or other public rights of way.

Reason: To ensure that the construction works and associated activity are acceptable

in terms of amenity of the area and highway safety.

10. No development shall take place until details of the phasing of construction of development on the application site have been submitted to and approved in writing by the Local Planning Authority. Those details shall include:
  1. the details of access to be provided to buildings located on the site which are to remain in use during construction;
  2. detail of the timing of the provision of vehicular and foot access to new buildings which are to be constructed;
  3. detail of the timing of the provision of the public area of the site located between proposed block A and the western perimeter of the site (adjacent to the extent of Coopers, as proposed) as shown on plan references T04 10 and T12 09.

Reason: The development shall be carried out in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

11. Prior to first occupation of any part of the development hereby approved, the Green Travel Plan as set out in Chapter 9 of the Transport Assessment shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To promote the use of non car modes of transport in accordance with national guidance in PPG13 and policy TR4 of the East Herts Local Plan Second Review

April 2007.

12. No development shall take place until details of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. Once agreed, those facilities shall thereafter be implemented in accordance with the approved details, made available for use prior to the first occupation of the site and thereafter retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To encourage the use of sustainable means of transport in accordance with policies TR13 and TR14 of the East Herts Local Plan Second Review April 2007.

13. The development shall be carried out in accordance with the Flood Risk Assessment (WSP, October 2011 Revision 1) and the Flood Risk Addendum (WSP, March 2011) and the mitigation measures detailed within those documents.

Reason: In the interests of flood risk in accordance with policies ENV19 and ENV21 of the East Herts Local Plan Second Review April 2007 and Planning Policy Statement 25: Development and Flood Risk.

14. Prior to the first occupation of the development hereby permitted, details shall be submitted to and agreed in writing by the Local Planning Authority of a specification of works to open up and naturalise the current culverted route of the watercourse within the flood compensation area and as identified in the WSP report 'Justification for not de-culverting Old River Lane culvert' 29 July 2011. Once agreed, the works shall be implemented as such and shall be completed

prior to the first occupation of the development hereby agreed. The timing and specification of the works may be further varied and agreed in writing by the Local Planning Authority.

Reason: To ensure that the development maximises its ecological and biodiversity potential. In accordance with policy ENV18 of the East Herts Local Plan Second Review April 2007

15. Prior to first occupation of any part of the development a management plan for the flood compensation area and any drainage system used on the application site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To prevent flooding by ensuring that the flood compensation area and any other drainage system is satisfactorily maintained and managed by the responsible party, in accordance with policies ENV19 and ENV21 of the East Herts Local Plan Second Review April 2007 and Planning Policy Statement 25: Development and Flood Risk.

16. No development shall take place until the following components to deal with the risks associated with contamination of the site have been submitted to and approved in writing by the Local Planning Authority:-
  1. A preliminary risk assessment which has identified: all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; potentially unacceptable risks arising from

contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason: In the interests of groundwater protection, in accordance with policy ENV20 of the East Herts Local Plan Second Review April 2007 and Planning Policy Statement 23: Planning and Pollution Control.

17. Prior to first occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and

maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: To ensure the site no longer poses a potential risk to groundwater in accordance with policy ENV20 of the East Herts Local Plan Second Review April 2007 and Planning Policy Statement 23: Planning and Pollution Control.

18. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. If piling is found to be necessary the development shall be carried out in accordance with the approved details.

Reason: In the interests of groundwater protection, in accordance with policy ENV20 of the East Herts Local Plan Second Review April 2007 and Planning Policy Statement 23: Planning and Pollution Control.

19. No development above ground level shall take place until details of facilities to be provided for the storage and removal of refuse from the Main site during the operational phase have been submitted to and approved in writing by the Local Planning Authority. The facilities shall thereafter be provided and retained in accordance with those approved details.

Reason: In the interests of amenity, in



accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

20. No trees located on land within the Bishop's Stortford Memorial Gardens or the beech tree T72 (all shown on plan reference 42806L/topo 1 of 3; 2 of 3 and 3 of 3 within Chapter 12.1 of the EIA) shall be removed, unless otherwise agreed in writing by the Local Planning Authority. Those trees shall be protected from damage as a result of works on the site, to the satisfaction of the Local Planning Authority in accordance with relevant British Standards, for the duration of the works on site and until at least five years following contractual practical completion of the approved development. In the event that trees become damaged or otherwise defective during such period, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented. In the event that any tree dies or is removed without the prior consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Authority.

Reason: To ensure the continuity of amenity afforded by existing trees, in accordance with policies ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

21. Within 12 months of commencement of the development hereby approved, a management plan for all open spaces and routes within the site which are outside of buildings has been submitted to and approved in writing by the Local Planning Authority. The

development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that outside spaces and routes are properly managed in the interests of the amenity of the site and the surroundings.

22. Details of replacement bat foraging, commuting and habitat to replace that lost as part of the development and the timescale for provision shall be submitted to, and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plans.

Reason: To ensure that appropriate levels of replacement bat foraging, commuting and habitat space are provided for, in accordance with policy ENV16 and ENV17 of the East Herts Local Plan Second Review April 2007 and Planning Policy Statement 9: Biodiversity and Geological Conservation.

23. No development shall take place until a scheme setting out the measures to be taken to ensure the creation of new habitats within the FCA and the timing of that provision has been submitted to and agreed in writing by the local planning authority. Once agreed, the scheme shall be implemented in accordance with those agreed details.

Reason: To ensure that the development mitigates for the potential loss of existing habitats and biodiversity in accordance with policy ENV17 of the East Herts Local Plan Second Review April 2007 and Planning Policy Statement 9: Biodiversity and

Geological Conservation.

24. Details of CCTV provision on the site together with a management plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of ensuring that the development provides adequate means to protect against crime, in accordance with policy ENV3 of the East Herts Local Plan Second Review April 2007.

25. No development shall take place until a scheme for the implementation of energy efficiency measures within the development to secure at least 10% of the energy supply of the development from decentralized and renewable or low-carbon sources, shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development assists in reducing climate change emissions in accordance with policy ENG1 of the East of England Plan May 2008 and policy SD1 of the East Herts Local Plan Second Review April 2007.

26. The development shall, except to the extent that the Local Planning Authority otherwise agrees in writing, be carried out in accordance with the details submitted with the application.

Reason: To comply with the requirements of the Town and Country Planning (General Permitted Development) Order 1995.

27. The development hereby approved shall be carried out in accordance with the following approved plans: T03A 07, T03B 08, T04 10, T05 09, T06 08, T07 08, T08 10, T09 10, T10 10, T11 10, T12 09, T13 09, 0721/GA/010 D, 0721/GA/009 D.

Reason: To ensure the development is carried out in accordance with the approved plans, drawings and specifications.

Directives:

1. Other legislation (01OL1)
2. Under the terms of the Water Resources Act (1992) and the Land Drainage Byelaws(1981) the prior written consent of the Environment Agency is required for certain works in over, under or with 8 metres of a Main River (or as otherwise agreed by the Environment Agency).
3. Planning obligation (08PO1)
4. Street name and numbering (19SN4)

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 the 'saved' policies of the East Herts Local Plan Second Review April 2007), and in particular policies SD1, SD2, SD3, HSG1, HSG3, HSG4, HSG6, TR1, TR2, TR3, TR4, TR7, TR8, STC1, ENV1, ENV2, ENV3, ENV11, ENV16, ENV18, ENV19, ENV21, ENV23, ENV25, LRC11, BH1, BH2, BH3, IMP1 and PPS1 Delivering

Sustainable Development, PPS3 Housing, PPS4 Planning for Sustainable Economic Growth, PPS5 Planning for the Historic Environment, PPG13 Transport, PPG17 Open Space, Sport and Recreation, PPG24 Planning and Noise, PPS25 Development and Flood Risk. The balance of the considerations having regard to those policies and the significant investment of the proposed into the town is that permission should be granted.

(B) in respect of application 3/10/1965/LC, conservation area consent be granted subject to the following condition:

1. Listed Building three year time limit (1T14)

The meeting closed at 11.05 pm

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

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# Agenda Item 7

## EAST HERTFORDSHIRE DISTRICT COUNCIL DEVELOPMENT CONTROL COMMITTEE – 14 SEPTEMBER 2011 ITEMS FOR REPORT AND NOTING

### (A) APPEALS

#### Director of Neighbourhood Services (Development Control)

Application number: 3/10/1545/FP  
Recommendation: Permission refuse  
Level of Decision: Delegated - 19-Oct-2010  
Site: 119, Hadham Road, Bishops Stortford, Herts, CM23 2QG  
Appellant: Mr Brian McArthur-Muscroft  
Prop. Development: Replacement garage with annexe over and storage below  
Appeal Decision: Allowed

Application number: 3/10/1980/AD  
Recommendation: Advert consent refuse  
Level of Decision: Delegated - 12-Jan-2011  
Site: 17-21, Fore Street, Hertford, Herts, SG14 1DH  
Appellant: Mr K Sehmi  
Prop. Development: 2 Sets of face illuminated text reading PREZZO. 1 x Internally illuminated projection sign.  
Appeal Decision: Dismissed

Application number: 3/10/2032/FP  
Recommendation: Permission refuse  
Level of Decision: Delegated - 03-Mar-2011  
Site: Old Clay Pit, St Marys Lane, Hertingfordbury, Herts  
Appellant: Mr Daniel Green  
Prop. Development: Construction of new service road from existing access to livestock areas and store and associated levelling work. (Retrospective)  
Appeal Decision: Part Allowed/Part Dismissed

Application number: 3/11/0288/FP  
Recommendation: Permission refuse  
Level of Decision: Delegated - 05-May-2011  
Site: 35, Station Road, Sawbridgeworth, Herts, CM21 9JY  
Appellant: Ms Pauline Doyle  
Prop. Development: Vehicle crossover and new hardstanding  
Appeal Decision: Dismissed

Application number: 3/11/0371/FP  
Recommendation: Permission refuse  
Level of Decision: Delegated - 04-May-2011  
Site: 19, The Forebury, Sawbridgeworth, Herts, CM21 9BD  
Appellant: Mr S Robson  
Prop. Development: Demolition of existing two storey rear projections and erection of two storey rear extension  
Appeal Decision: Allowed

Application number: 3/11/0403/FP  
Recommendation: Permission refuse  
Level of Decision: Delegated - 09-May-2011  
Site: 325, Ware Road, Hertford, Herts, SG13 7EL  
Appellant: Mr and Mrs Clark and Whiting  
Prop. Development: Erection of 1no. dwelling - amended scheme  
Appeal Decision: Allowed

Application number: 3/11/0508/FP  
Recommendation: Permission refuse  
Level of Decision: Delegated - 18-May-2011  
Site: 22, Rivershill, Watton At Stone, Hertford, Herts, SG14 3SD  
Appellant: Timothy Percival  
Prop. Development: Single-storey and two-storey side and rear extensions, replacing existing garage and conservatory  
Appeal Decision Dismissed

Application number: 3/11/0587/FP  
Recommendation: Permission refuse  
Level of Decision: Delegated - 09-Jun-2011  
Site: 1, Town Farm Crescent, Standon, Ware, Herts, SG11 1NA  
Appellant: Mr Peter Mumford  
Prop. Development: Single storey front/side extension  
Appeal Decision Dismissed

### Background Papers

Correspondence at Essential Reference Paper A.

### Contact Officers

Kevin Steptoe, Head of Planning and Building Control – Extn: 1407  
Alison Young, Development Control Manager – Extn: 1553





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## Appeal Decision

Site visit made on 4 August 2011

by **P G Horridge BSc(Hons) DipTP FRICS MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 August 2011

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**Appeal Ref: APP/J1915/A/10/2141656**

**119 Hadham Road, Bishop's Stortford CM23 2QG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr & Mrs B McArthur-Muscroft against the decision of East Herts Council.
  - The application Ref 3/10/1545/FP, dated 25 August 2010, was refused by notice dated 19 October 2010.
  - The development proposed is replacement of the existing garage with new and an annexe over and storage below.
- 

### Decision

1. The appeal is allowed and planning permission is granted for the replacement of the existing garage with a new garage with annexe over and storage below at 119 Hadham Road, Bishop's Stortford in accordance with the terms of the application, Ref 3/10/1545/FP, dated 25 August 2010, subject to the following conditions:
  1. The development hereby permitted shall begin not later than three years from the date of this decision.
  2. The development hereby permitted shall be carried out in accordance with the following approved plans: 119Had-Plan-001A, 119Had-Plan-002B, 119Had-Plan-003, 119Had-Plan-004, 119Had-Plan-005, 119Had-Plan-006 and 119Had-Plan-007.
  3. Samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The development shall be carried out in accordance with the approved details.
  4. All existing trees, shrubs and natural and historic features not scheduled for removal shall be fully safeguarded during the course of the site works and building operations. No work shall commence on site until all trees, shrubs or features to be protected are fenced along a line and in accordance with fencing details to be agreed with the local planning authority. Such fencing shall be maintained during the course of the works. No unauthorised access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced area. In the event that any tree dies or is removed

without the prior consent of the local planning authority, it shall be replaced as soon as practicable and in any case by not later than the end of the next available planting season, with trees of such number, size and species, and in such positions, as has been agreed by the local planning authority.

### **Main issue**

2. At issue is the effect of the proposal on the appearance of the streetscene, having particular regard to its location within the Bishop's Stortford Conservation Area.

### **Reasons**

3. The Bishop's Stortford Conservation Area embraces the historic centre of the town together with some of the approaches, particularly to the east and north-west. The latter along Hadham Road encompasses the appeal site. It is characterised by properties of varying size and age, but largely in spacious settings surrounded by trees and other vegetation. Saved policy BH6 of the East Herts Local Plan Second Review (2007) sets out the development plan policy for new developments in conservation areas. It reflects the statutory duty contained in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special regard to the desirability of preserving or enhancing the character or appearance of the area.
4. The proposed garage/annexe building would replace an existing double garage building. It would be a larger structure, both in terms of its footprint and its overall height and mass. It would be more noticeable in the streetscene than the present building. However, in its relationship to its surroundings it would maintain the present balance between built development and natural environment which is the characteristic of this part of the conservation area. It would be sympathetic in terms of its scale and other elements such that the criteria of policy BH6, as well as those of policy ENV1 relating to design and environmental quality, would be met. The appellant has drawn attention to other examples of recent development within the conservation area in the vicinity of the site. Having regard to those and to the overall scale and design of the appeal proposal, the development would preserve the character and enhance the appearance of the streetscene and the wider conservation area. It would accord with Local Plan policies ENV1 and BH6.
5. The planning permission is granted subject to the conditions suggested by the local planning authority. These are necessary to secure a satisfactory appearance to the completed development, albeit the wording has been changed in some instances in the interests of clarity.
6. In reaching this decision, regard has been had to the Draft National Planning Policy Framework document, issued for consultation on 25 July, but as this document is still in draft form and subject to change, I have accorded little weight to its policies.

*Peter Horridge*

INSPECTOR



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# Appeal Decision

Site visit made on 1 August 2011

**by Vincent Maher MA (Cantab) MCD MBA MRTPI**

Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 August 2011

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**Appeal Ref: APP/J1915/H/11/2148838**

**Prezzo, 17-21 Fore Street, Hertford SG14 1DH**

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
  - The appeal is made by Prezzo PLC against the decision of East Hertfordshire District Council.
  - The application Ref 3/10/1980/AD, dated 16 November 2010, was refused by notice dated 12 January 2011.
  - The advertisements proposed are two sets of face illuminated text reading PREZZO and one internally illuminated projection sign.
- 

## Preliminary matter

1. The advertisements that are the subject of this appeal are already in position.

## Decision

2. I dismiss the appeal.

## Main issue

3. The main issue in this case is the impact of the advertisements on the amenity of the area and, in particular, whether they would preserve or enhance the character or appearance of the Hertford Conservation Area.

## Reasons

4. The appeal site is a prominent building with frontages onto two roads in the historic core of the town within the wider Hertford Conservation Area. Shop signage in the town centre generally comprises carefully designed non illuminated or externally illuminated fascia signs that respect the historic shopfronts and buildings to which they are attached along with modest projecting or hanging signs. These features contribute to the overall high amenity value of the town centre.
5. The contrasting colour scheme of the advertisements relative to the host building, reinforced by the extent of illumination, present as a strongly dramatic sign that stands at odds with the prevailing muted signage locally. As such I find the advertisements represent insensitive additions in a prominent location in the streetscape that harm the amenity of this sensitive location and, in doing so, adversely affect the appearance of the Conservation Area.

## Other matters and conclusions

6. In objecting to the proposal the Council has referred to Policy BH15 from the East Herts Local Plan Second Review. As Section 38(6) of the Planning and

Compulsory Purchase Act 2004 does not apply to applications for advertisement consent, this policy can only carry the weight of a material consideration. Compliance with this policy cannot be a decisive factor in my decision.

7. For the reasons given above I conclude that the appeal should be dismissed.

*Vincent Maher*

INSPECTOR



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## Appeal Decisions

Site visit made on 2 August 2011

**by Chris Hoult BA BPhil MRTPI MIQ**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 August 2011

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### **Appeal Ref: APP/J1915/C/10/2143642 (Appeal A)**

#### **Land off St Mary's Lane, Hertingfordbury, Hertfordshire, SG14 2LE**

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr Daniel Green against an enforcement notice issued by East Hertfordshire District Council.
- The Council's reference is E/10/0367/B.
- The notice was issued on 3 December 2010.
- The breach of planning control as alleged in the notice is the raising of land levels by the deposit of spoil.
- The requirements of the notice are to (a) cease the engineering operation to alter the levels of the land; (b) remove the imported spoil from the site; and (c) restore the land to its former levels.
- The period for compliance with all the requirements is 1 month.
- The appeal is proceeding on the grounds set out in section 174(2)(f) and (g) of the Town and Country Planning Act 1990 as amended ("the 1990 Act"). Since the prescribed fees have not been paid within the specified period, the application for planning permission deemed to have been made under section 177(5) of the 1990 Act does not fall to be considered.

**Summary of Decision: The appeal succeeds in part and the enforcement notice is upheld as varied in the terms set out below in the Decision.**

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### **Appeal Ref: APP/J1915/A/11/2149295 (Appeal B)**

#### **Old Clay Pit, St Mary's Lane, Hertingfordbury, Hertfordshire, SG14 2LE**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Daniel Green against the decision of East Hertfordshire District Council.
- The application Ref 3/10/2032/FP, dated 12 December 2010, was refused by notice dated 3 March 2011.
- The development proposed is the construction of a new service road from the existing access to livestock areas and a store and associated levelling work.

**Summary of Decision: The appeal is dismissed.**

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### **Preliminary matters**

1. The development subject of Appeal B has already taken place. The application is therefore retrospective. The works are the subject of the enforcement notice to which Appeal A refers. I deal with the appeals on that basis.
2. The appellant appealed against the notice on the grounds set out above and submitted the application which is now the subject of Appeal B. The appeal is therefore the equivalent of a ground (a) appeal against the notice. Both

appeals were subsequently linked, to be dealt with together under the same written representations procedure. I therefore deal with them as I would have done had there been a ground (a) appeal. I consider firstly whether to grant retrospective planning permission before going on, in the event that I dismiss that appeal, to consider the appeal on grounds (f) and (g). Accordingly, I deal firstly with Appeal B and then with Appeal A.

## **Appeal B**

### *Background and main issues*

3. The site of the works is an old clay quarry in the Green Belt just outside the village. It appears to have been worked in the late 19th/early 20thC and then tipped with waste, mainly incinerator residues, over an indeterminate period up to 1978. Proposals for a fishing lake in the 1990s were withdrawn or dismissed on appeal. In 2004, retrospective planning permission was refused for an access and car parking area and enforcement action subsequently undertaken. The notice was appealed, the outcome of which was that planning permission was granted for the widening of the access but refused for the car park.
4. The Inspector assessed these engineering operations in relation to national Green Belt policy guidance in PPG2<sup>1</sup>. Though it appeared to me that the tipped material subject of this appeal consisted at least partly of imported waste, the Council refers to it as "spoil" and similarly describes the development as engineering operations. The Courts have accepted that waste disposal constitutes a material change of use rather than operational development. However, the policy test in paragraph 3.12 of PPG2 relates both to engineering operations and to material changes of use alike. Development is considered to be inappropriate unless it maintains openness and does not conflict with the purposes of including land in the Green Belt.
5. I therefore consider the main issues to be:
  - (a) whether the formation of the roadway and associated levelling work amounts to inappropriate development for purposes of PPG2 and development plan policy;
  - (b) the effect of the development on the character and appearance of the open countryside; and
  - (c) whether the harm from inappropriateness and any other harm is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

### *Whether inappropriate development*

6. The roadway broadly bisects the site, running initially east-west from its access on a shallow embankment before heading south-west, where it widens out. The previous and current works have led to two separate open low-lying areas to the north and south of it, which are flanked by steep, tree-lined former quarry sides to the south and east and by a mainly level wooded area which extends to a steep embankment running along the north-western boundary.
7. It has been formed to facilitate the use of the land by the appellant for agriculture, in particular, rearing pigs. It seems to me an unlikely location for

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<sup>1</sup> Planning Policy Guidance Note 2: *Green Belts*.

livestock rearing, the vegetation within the open parts of the site largely consisting of scrub. He explains that it would provide a suitable locality for pigs' habit of rooting and provide much-needed open space for the current pig and cattle rearing operation which largely takes place indoors. Cattle are fed on short food and silage and a water supply can be established. While the lawful use of the site is unclear, and was not a matter before the Inspector in the previous appeal, by virtue of s55(2)(e) of the 1990 Act, its use for agriculture would not amount to development. It could be used in this way irrespective of the roadway without the need for planning permission.

8. While it has clearly provided access for vehicles involved in tipping operations, I have no reason to dispute that its main purpose once formed will be to facilitate access by farm vehicles. I noted that a number of pig arks and equipment for maintaining food and water supply to animals were dotted about the site. Although it crosses the site on an embankment, its sides have been graded to form shallow slopes and similar treatment has occurred to its side slopes as it heads further south-west. On this section, it blends in with the general fall of the land. I accept that it has a large footprint and an untidy, unfinished appearance, with which I deal in more detail below.
9. Viewed purely in terms of Green Belt policy, it has an insignificant effect on openness. It does not read as an urbanising feature and it has only a slight raised profile. It does not amount to development which would encroach on the open countryside, as one of the five purposes of including land in the Green Belt set out in paragraph 1.4 of PPG2. Accordingly, it meets the requirements of paragraph 3.12 of PPG2. Saved Policy GBC1 of the East Herts Local Plan Second Review 2007 applies the same policy test. I therefore conclude that the formation of the roadway and associated levelling work does not amount to inappropriate development for purposes of PPG2 and development plan policy. No harm to the Green Belt from inappropriateness arises.

#### *Character and appearance*

10. The site is accessed via a track along its south-eastern boundary, along which runs a public bridleway, which is accessed from the village along St Mary's Lane and runs through pleasant open countryside, with fields to the north-east and the perimeter trees screening the clay pit to the south-west. Glimpsed views are obtained of houses on the edge of the village in what is otherwise a largely unspoiled rural scene. However, at the site access, wide-ranging views of the site, and of the works which have taken place, open up. Views of both the widened access, the re-graded former car parking area and the roadway as it crosses the site and continues along the far side of it are readily obtained across open land within the site.
11. The roadway is wide and has a recognisably engineered appearance. Levelling works to provide a broad, flat area mid-way along its length add to this impression. Where tipped material has been used to form the side slopes, this has been left uncovered by soils and they have an untidy, unfinished appearance along much of its length, notably on the far side from the access. It is initially flanked by post and rails fencing, which helps to blend with the rural setting, but this stops at a field gate only part-way along its length. No wider landscaping has taken place to soften its visual impact. I accept that the site as a whole still has the appearance of a one-time quarry, despite the degree of re-vegetation, but the works nevertheless appear as a visually intrusive feature, even as development to facilitate agriculture.

12. While the submitted appeal plans show original and revised contours following the works, they contain no proposals for further re-grading works or for landscaping. Reference is made in the grounds of appeal to landscaping proposals "being drawn up". Since submitting the appeal, the appellant has changed agents. Doubtless aware of this shortcoming, the present agent has, with the appeal statement, submitted further plans. These include a proposed layout incorporating a narrowing of the width of the roadway, re-grading works; topsoiling, grass seeding and tree planting.
13. While the plans plainly seek to address concerns raised by the Council in refusing permission (and by me in dealing with the appeal), they are not plans which have ever been put to it as part of the planning application process. The Council has therefore been unable to consult or notify third parties who have made representations on the application and on the appeal.
14. The appellant says that I could impose a condition on a grant of permission that landscaping and associated works be carried out in accordance with the plans. However, they are insufficiently detailed and a further condition would need to require the Council's approval of such matters as soil depths, planting specifications etc. Moreover, they introduce a further item, a suggested barn, which was not part of the original proposals. For me to deal with them in this way would be to condone an informal procedure for approving proposals which would by-pass the normal planning application process and which I consider are materially different from those originally submitted. For these reasons, I cannot take the plans into account in dealing with the appeal.
15. Given this, I conclude that the development gives rise to harm to the character and appearance of the open countryside. While the Council refers me to local plan Policy GBC1 in this respect, it deals only with the question of the inappropriateness of development in the Green Belt. Nevertheless, the development runs counter to the requirement of paragraph 3.15 of PPG2 in so far as, on account of its siting and materials, it harms the visual amenities of the Green Belt. The weight I attach to the harm to the Green Belt counts as "any other harm" in terms of the main issues I identify.

*Other considerations*

16. Paragraphs 3.1 and 3.2 of PPG2 make clear that considerations amounting to very special circumstances only need to be demonstrated where inappropriate development occurs, which is not the case here. Nevertheless, given that harm does arise, it is incumbent on me to deal with any considerations which might outweigh it and thereby justify a grant of permission. The only considerations raised relate to the benefits associated with allowing more beneficial use to be made of the site for agriculture. While I accept that it is a use which is consistent with the maintenance of openness in the Green Belt and with the character of the area, that merely indicates a lack of weight attaching to harm in these respects – a neutral factor in the balancing exercise.
17. The appeal statement explains in more detail its use in the context of the appellant's wider farming interests but the evidence indicates that the site was not initially acquired by the appellant's father for farming purposes. It does not on the face of it seem a suitable site for livestock, offering little potential for grazing. There is no evidence as to what more suitable sites might have been considered and rejected by him in favour of this one, and why, other than that this is a site which he owns. There are no wider landscaping or other



improvement proposals for the site as a whole. In the light of this, I conclude that the harm arising is not outweighed by other considerations.

### **Conclusions**

18. For the reasons given, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

### **Appeal A**

#### **Ground (f) appeal**

19. The initial appeal was on the basis that a planning condition could reduce the extent of the works, though how that might be achieved in the absence of a ground (a) appeal is not addressed. There is now a linked s78 appeal and I am therefore in a position to consider the planning merits of lesser steps. The purpose of the notice is plainly to remedy the breach by reinstating the land to its condition before it took place. I acknowledge the appellant's concern that that would leave it in the form of an un-restored clay pit, whose potential for beneficial use would be reduced. However, that is the form in which it has slowly re-vegetated and blended into the wider landscape over the years. I accept that there would be some short-term disturbance to bridleway users and local residents from lorry movements involved in removing the material.
20. It follows from my reasoning on the s78 appeal that I consider that, as an alternative, re-grading and landscaping works as shown in the plan submitted with the appeal statement (ref. 232-11.2A) could, as a lesser step, go some way towards addressing any injury to amenity caused by the breach. The appellant suggests that the steps required could be varied so that the width of the roadway is reduced as shown on the plan, with any excess spoil used in re-grading works to reinstate downward slopes to match the original contours.
21. Such a requirement is in my view insufficiently precise without more detailed consideration of resulting contours. However, a more fundamental difficulty relates to the powers available to me under s176(1)(b) of the 1990 Act, in that I could only vary the terms of the notice provided I am satisfied that it will not cause injustice to the local planning authority. In relation to the s78 appeal, I make the point that the Council has not been able to consider the plan through the normal planning application process nor has it been able to consult third parties who have made representations. It follows from this that to base the steps required on the same plan would cause it injustice in so far as it would be similarly deprived of an opportunity to do so.
22. Given this, and in the absence of any other basis on which to require lesser steps, I therefore revert to the purpose of the notice to remedy the breach. The steps required seek to achieve this by requiring the cessation of the engineering operation, removing the spoil deposited on the site and reinstating the land to its former levels. The strict basis of the appeal on this ground is that they exceed what is necessary to achieve this purpose. However, it is plain that they do not. Accordingly, the ground (f) appeal must fail.

#### **Ground (g) appeal**

23. Cessation of any further deposit of spoil could take place in the short term, if not immediately, and has in any event occurred. However, I consider that a period of 1 month is too short to remove the deposited material from the site,

given the need to find a suitable alternative site and make appropriate arrangements. To condense the works into such a period would also increase any risk to bridleway users from lorry movements concentrated over a short period and give insufficient flexibility with regard to weather conditions. An extended period for compliance with those steps involved in the reinstatement of the site is required. I conclude that a reasonable period would be 6 months, as requested, and I shall vary the notice accordingly, prior to upholding it. The appeal under ground (g) therefore succeeds.

### **Decisions**

#### **Appeal Ref: APP/J1915/C/10/2143642 (Appeal A)**

24. The appeal is allowed on ground (g) and the enforcement notice is varied by, in Section 6(b) and 6(c), the deletion of 1 month and the substitution of 6 months as the period for compliance. Subject to this variation, the notice is upheld.

#### **Appeal Ref: APP/J1915/A/11/2149295 (Appeal B)**

25. The appeal is dismissed.

*C M Hoult*

INSPECTOR



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## Appeal Decision

Site visit made on 1 August 2011

by **Vincent Maher MA (Cantab) MCD MBA MRTPI**

Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 August 2011

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**Appeal Ref: APP/J1915/D/11/2152791**

**35 Station Road, Sawbridgeworth, Hertfordshire CM21 9JY**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Ms Pauline Doyle against the decision of East Hertfordshire District Council.
  - The application Ref 3/11/0288/FP, dated 28 February 2011, was refused by notice dated 5 May 2011.
  - The development proposed is a vehicle crossover and new hardstanding.
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### Preliminary matter

1. The Council's description of the development is clearer than that provided by the appellant and I have therefore relied upon it.

### Decision

2. I dismiss the appeal.

### Main issues

3. The two main issues in this case are: (a) whether sufficient detail has been provided to enable the application to be assessed; and (b) whether the proposal would have a detrimental impact on the setting of nearby listed buildings and, more broadly, whether it preserve or enhance the character or appearance of the Sawbridgeworth Conservation Area.

### Reasons

4. The appeal site has one off street car parking space and shares a drive with the adjacent property at 37 Station Road. Exiting the site in a car, especially in reverse gear, is likely to be a difficult manoeuvre for a number of reasons. These include the slope of the drive leading up to the intersection with Station Road; traffic volumes on Station Road; levels of on street parking I observed on the southern side of the street which forced westbound vehicles into the middle of the road; and, finally, the absence of a pavement by the appeal property which means that a car reversing out has to drive directly onto the road. A mirror has been placed at the intersection between the drive and Station Road to aid visibility.
5. In considering the first main issue in this case, Diagrams C and D show the location of the crossover and the dimensions on the hardstanding but do not demonstrate if safe visibility splays could be achieved. This is a pertinent consideration in this case given the absence of a pavement by the appeal property. I accept there is a deficiency in the application drawings submitted.

6. Turning to the second main issue, the current off street parking space is partially hidden from view. The new parking area would be sited on a raised and considerably more exposed part of the front garden. It would require the removal of a length of closeboard timber front fencing. The front garden of the appeal property forms an integral part of the setting of the pair of listed buildings and the extensive hardstanding sought would have a significantly adverse effect on their setting. More broadly, the proposal would adversely affect the appearance and character of the Conservation Area too because of its prominence in the public domain. I observed in the neighbourhood how off street parking has been sited in less visible locations or screened by landscaping. For these reasons, the proposal is at odds with LP Policies BH6 and ENV1.
7. I have carefully reviewed the appellant's concerns about current parking conditions on the site. It does not follow that it is necessary or desirable in planning terms to establish a second parking space in the position shown.
8. For the reasons given above, I conclude that the appeal should be dismissed.

*Vincent Maher*

INSPECTOR



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# Appeal Decision

Site visit made on 4 August 2011

by **P G Horridge BSc(Hons) DipTP FRICS MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 9 August 2011

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**Appeal Ref: APP/J1915/D/11/2155202**

**19 The Forebury, Sawbridgeworth CM21 9BD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr & Mrs S Robson against the decision of East Herts Council.
  - The application Ref 3/11/0371/FP, dated 3 March 2011, was refused by notice dated 4 May 2011.
  - The development proposed is to demolish existing two storey rear projections and construction of new two storey rear extension.
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## Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing two storey rear projections and the construction of a new two storey rear extension at 19 The Forebury, Sawbridgeworth in accordance with the terms of the application, Ref 3/11/0371/FP, dated 3 March 2011, subject to the following conditions:
  1. The development hereby permitted shall begin not later than three years from the date of this decision.
  2. The development hereby permitted shall be carried out in accordance with the following approved plans: 11/1197/01, 11/1197/02, 11/1197/03 and 11/1197/04.
  3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
  4. The new window openings in the first floor flank elevations shall be glazed in obscure glass and shall be permanently retained as such.

## Main issue

2. At issue is the effect on the character and appearance of the existing dwelling.

## Reasons

3. Saved policy ENV6 of the East Herts Local Plan Second Review (2007) sets out criteria for considering applications for extensions to dwellings. It amplifies the more general considerations in policy ENV5, and the wider criteria relating generally to design and environmental quality set out in policy ENV1. Criterion
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- (a) of policy ENV6 is that the design and materials of extensions should match or be complementary to those of the original building and its setting. The new extension would be of similar materials and exhibit similar design principles, such as the choice of fenestration and the use of roofs of matching pitches, to the original building. The roof plan would be altered by the introduction of a second main ridge parallel to the original one, with a valley between. To the extent that this is a noticeable feature, it would complement the original design and add interest to the overall composition.
4. There is concern about the depth of the extension. However, much of it would replace existing two-storey rear projections. The long flank wall to the western elevation is already a characteristic of the existing building, albeit the rear part of this wall is formed by a flat roof two-storey extension. This is an incongruous feature, detracting from the present appearance of the property. The new extension would resolve this incongruity both in replacing the flat roof with a pitched roof and in achieving a more proportionate fenestration.
  5. Criterion (d) of policy ENV6 says that "flat roofed extensions, except those on the ground floor, will be refused as visually undesirable other than in those exceptional circumstances where the character of the original dwelling allows a flat-roofed design to be appropriately incorporated". The proposed extension incorporates an area of flat roof within the valley between the parallel ridges. However, this is not in itself a "flat-roofed extension", such as that which currently exists at the rear of the house, detracting from its pleasant appearance, and which would be removed in these proposals. The flat roof in the appeal scheme is simply a minor element of the overall design of the extension. As such criterion (d) is not relevant.
  6. Were this part of the design nevertheless contrary to criterion (d), there are material considerations for making an exception to the requirements of the policy in this instance. These include its contribution to the overall design of the proposal, and the fact that it would not be noticeable in any normal views of the property.
  7. While concerns have been raised about the possibility of overlooking of adjacent properties from the new windows to bedrooms 2 and 4, the distances involved are such that no diminution of privacy is likely. The risk of overlooking from the new side windows to ensuite bathrooms can be addressed by the suggested condition requiring obscure glazing.
  8. Overall, the proposals would accord with the requirements of policies ENV1, ENV5 and ENV6. Even if there were conflicts, these are outweighed by the benefits arising from the removal of the existing flat roof two storey extension and achieving a more harmonious design to the overall building. In granting permission, conditions have been imposed along the lines suggested by the council, to ensure a satisfactory appearance to the completed development and to safeguard the privacy of adjoining residents.

*Peter Horridge*

INSPECTOR



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## Appeal Decision

Site visit made on 4 August 2011

by **P G Horridge BSc(Hons) DipTP FRICS MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 August 2011

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**Appeal Ref: APP/J1915/A/11/2153233**

**325 Ware Road, Hertford SG13 7EL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by T Clark and P Whiting against the decision of East Herts Council.
  - The application Ref 3/11/0403/FP, dated 14 March 2011, was refused by notice dated 9 May 2011.
  - The development proposed is the erection of one dwelling.
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### Decision

1. The appeal is allowed and planning permission is granted for the erection of one dwelling at 325 Ware Road, Hertford in accordance with the terms of the application, Ref 3/11/0403/FP, dated 14 March 2011, subject to the following conditions:
  1. The development hereby permitted shall begin not later than three years from the date of this decision.
  2. The development hereby permitted shall be carried out in accordance with the following approved plans: DRS/111/01, DRS/111/02 Rev B, DRS/111/03 Rev B and DRS/111/04 Rev A.
  3. Details of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The development shall be carried out in accordance with the approved details.
  4. No development shall take place until there has been submitted to and approved by the local planning authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.
  5. All planting, seeding and turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the

- next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.
6. The dormer window in the south elevation shall be obscure-glazed and non-opening, unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed.
  7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order), no further windows, doors or openings of any kind shall be inserted in the south roof slope of the dwelling without the prior written permission of the local planning authority.
  8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order), the enlargement, improvement or other alteration of any dwellinghouse as described in Schedule 2, Part 1, Class A of the Order shall not be undertaken without the prior written permission of the local planning authority.

### **Main issues**

2. At issue is the effect of the proposal on the character and appearance of the area and on the living conditions of future residents.

### **Reasons**

3. Number 325 is a detached house fronting onto Ware Road. The appeal site forms the rear part of its back garden, where there is a detached double garage located at the head of an adopted road which provides rear access to a number of properties on Ware Road. The proposal involves the demolition of the garage and the construction of a three bedroom dormer bungalow located at right angles to this road.
4. The rear garden slopes down significantly from Ware Road, so the new bungalow would be cut slightly into the bank and be about 5m below the floor level of 325. To accommodate the change in level, a retaining wall of some 1.4m high, surmounted by a 1m boundary wall, would be constructed between the two sites. It would extend around two sides of the bungalow. The bungalow would have no garage. Instead 2 parking spaces would be provided on a driveway leading from the turning head of the rear access road. The garden would be to the north of the bungalow, where there is a mature oak tree.
5. The scheme follows the dismissal on appeal of an earlier proposal for the erection of a bungalow. The inspector was concerned about the size of the bungalow and its proximity to the southern, eastern and western boundaries. This would leave little space for landscaping to assimilate it into the local environment, and make the proposal appear as an overdevelopment of the site. Additionally he was concerned about elements of the design of the building, and the lack of useable garden space as it would have been dominated and shaded by the oak tree.
6. These considerations continue to be reflected in the council's reasons for refusal of the present scheme, despite the appellants' attempt to address them



by reducing the size of the new building, moving it further from the boundaries and increasing the area of garden. It seems to me that the concerns previously addressed have now been overcome. There is at least 2m between the walls of the new bungalow and the boundaries. This will allow space for some landscaping. The gap would be greater on the western side where it is closest to the nearby public highway. This, coupled with the reduction in its size, means that the bungalow would no longer appear excessive in relation to the size of the plot. Notwithstanding the introduction of a rear dormer to house a shower room, the design of the building has been simplified. It no longer has an awkward appearance that would harm the appearance of the area. The amount of useable garden area has been increased, and is sufficient to meet the needs of a family occupying the dwelling. Overall, the development would not adversely affect the character and appearance of the area, or the living conditions of future residents. As such there would be no conflict with the provisions of saved policy ENV1 of the East Herts Local Plan Second Review (2007).

7. In granting permission, conditions have been imposed along the lines suggested by the council, in the interests of securing a satisfactory appearance to the completed development and of protecting the living conditions of neighbouring residents. As the size of the dwelling has been a material factor in the consideration of this and the earlier dismissed appeal, these interests justify a condition withdrawing permitted development rights for extensions.
8. In reaching this decision, regard has been had to the Draft National Planning Policy Framework document, issued for consultation on 25 July, but as this document is still in draft form and subject to change, I have accorded little weight to its policies.

*Peter Horridge*

INSPECTOR



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## Appeal Decision

Site visit made on 4 August 2011

by **P G Horridge BSc(Hons) DipTP FRICS MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 August 2011

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**Appeal Ref: APP/J1915/D/11/2154792**  
**22 Rivershill, Watton at Stone SG14 3SD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr & Mrs Timothy Percival against the decision of East Herts Council.
  - The application Ref 3/11/0508/FP, dated 24 March 2011, was refused by notice dated 18 May 2011.
  - The development proposed is single storey and two storey side and rear extensions, replacing existing garage and conservatory.
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### Decision

1. The appeal is dismissed.

### Main issue

2. At the issue is the effect of the proposal on the character and appearance of the streetscene.

### Reasons

3. No objection is raised to the rear extensions. The concern is with the side extension, whereby the garage would be moved forward and a two-storey extension constructed behind and partly above the garage. The garage would continue to occupy the full width of the gap between the main house and the side boundary, while the two-storey element would be set in from this boundary.
4. Properties on this side of Rivershill generally exhibit a rhythm in their spacing. The gaps between the houses allow views over the recessed garages to the wooded areas beyond. This gives this side of the road a semi-rural feel appropriate to its location on the edge of the settlement. Earlier two-storey extensions to some of the houses have already had a harmful effect by removing these gaps. This has significantly urbanised the semi-rural appearance, and in some cases has led to a 'terracing' effect. More recently, a proposal for a two-storey side extension right up to the comparable side boundary at the adjoining property (24) was dismissed on appeal in 2002.

5. The extension proposed in this appeal seeks to address these concerns. It would set back the first floor part of the extension by 1m from the boundary, leaving a gap of around 2m overall between the adjoining two-storey elements. This setback accords with criterion (b) of saved policy ENV6 of the East Herts Local Plan Second Review (2007), which specifically addresses the problem of 'terracing effects'. However, any such positive advantage is outweighed by the fact that the garage would be brought forward to the front building line. In this location, its pitched roof would have a similar effect of filling up the space between the two properties at first floor level. This would curtail the views beyond, and the rhythm of the properties on this side of the road would be lost. The overall effect of the extension would be damaging to the pleasant character and appearance of the streetscene. While the proposal appears to address the specific criteria contained in saved policy ENV6 of the Local Plan, such compliance is outweighed by its conflict with saved policies ENV1 and ENV5.

*Peter Horridge*

INSPECTOR



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# Appeal Decision

Site visit made on 4 August 2011

by **P G Horridge BSc(Hons) DipTP FRICS MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 9 August 2011

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**Appeal Ref: APP/J1915/D/11/2155483**

**1 Town Farm Crescent, Standon SG11 1NA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Peter Mumford against the decision of East Herts Council.
  - The application Ref 3/11/0587/FP, dated 2 April 2011, was refused by notice dated 9 June 2011.
  - The development proposed is removal of existing garden room, new garden room and new garage.
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## Decision

1. The appeal is dismissed.

## Main issue

2. At issue is the effect of the proposal on the appearance of the streetscene.

## Reasons

3. Town Farm Crescent is a cul-de-sac of detached and semi-detached houses on the north side of the A120 Stortford Road. Number 1 is on the left-hand side of the entrance to the cul-de-sac. Town Farm Crescent rises up from Stortford Road such that number 1 is elevated above the carriageway of the adjoining main road, from which it is separated by a bank and verge. Along the boundary between its curtilage and the highway is a timber fence, supplemented by vegetation particularly to the front of the property. There is also a large silver birch tree in the highway verge. The vegetation along the boundary at the front of the property is mirrored by similar vegetation on the opposite side of Town Farm Crescent. Together, these frame the entrance of, and screen views into, the cul-de-sac.
  4. The garden room would replace an existing garden room between the side elevation of the house and the site boundary. The garage part of the extension would project in front of the garden room. It is said that the existing vegetation would be retained and supplemented. However, it is difficult to see how the extension could be constructed without the removal of much of this vegetation, or that there would be adequate space between the new garage and the site boundary for replacement planting to soften the impact of the new building. As a result, the proposal would change the present character of the
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entrance to Town Farm Crescent. It would give it a harder built edge and remove the pleasant symmetry whereby the entrance is framed by the vegetation to each side.

5. While there are other extensions in Town Farm Crescent, none are in as prominent a location as this proposed extension at the entrance to the cul-de-sac. The proposal would harm the appearance of the streetscene, and would be contrary to saved Policy ENV1(I) of the East Herts Local Plan Second Review (2007), in particular criteria (a) and (g).

*Peter Horridge*

INSPECTOR

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**(B) PLANNING APPEALS LODGED**

Director of Neighbourhood Services

(Development Control):

<b>Application No:</b>	<b>Description Location</b>	<b>Decision</b>	<b>Appeal Start Date</b>	<b>Appeal Mode</b>
3/11/0385/FP	Two storey side extension to number 123 (sited within existing curtilage of number 125) <b>123-125, Bengo Street, Bengo, Hertford, Herts, SG14 3EX</b>	Refused  Delegated	10-Aug-2011	Written Evidence
3/11/0442/FP	Extension to roof and subdivision to create 1no. 4-bed and 1no. 2-bed dwelling with basement, detached carport, and alterations to access and parking <b>The Bramleys, Goldens Way, Hertford, Herts, SG14 2PX</b>	Refused  Delegated	03-Aug-2011	Written Evidence
3/11/0443/LB	Extension to roof and subdivision to create 1no. 4-bed and 1no. 2-bed dwelling with basement.  <b>The Bramleys, Goldens Way, Hertford, Herts, SG14 2PX</b>	Refused  Delegated	03-Aug-2011	Written Evidence
3/11/0485/CL	Proposed use of premises for Class A1, A2, A3 or A4 purposes. <b>82, South Street, Bishops Stortford, Herts, CM23 3BG</b>	Refused  Delegated	31-Aug-2011	Written Evidence
3/11/0556/FP	Replacement dwelling and triple garage with new driveway <b>The Homestead, Chipping, Buntingford, Herts, SG9 0PQ</b>	Refused  Delegated	04-Aug-2011	Written Evidence
3/11/0550/FP	Loft conversion with rear dormer window <b>34, Lower Clabdens, Ware, Herts, SG12 7EU</b>	Refused  Delegated	16-Aug-2011	Written Evidence

3/11/0579/FP	First floor rear extension <b>Mere Park, 150, London Road, Bishops Stortford, Herts, CM23 3LQ</b>	Refused Delegated	10-Aug-2011	Written Evidence
3/11/0648/FP	Two storey side and rear extensions <b>46, Brickendon Lane, Brickendon, Herts, SG13 8NU</b>	Refused Delegated	06-Sep-2011	Written Evidence
3/11/0848/FP	Conversion of workshop to form 2no. two bed residential units <b>Land rear of, 4-6, High Street, Buntingford, HERTS, SG9 9AG</b>	Refused Delegated	09-Aug-2011	Written Evidence

NOTE: This report shows only appeals lodged since the last Development Control Committee agenda deadline.

Background Papers

None

Contact Officers

Kevin Steptoe, Head of Planning and Building Control – Extn: 1407

Alison Young, Development Control Manager – Extn: 1553



## Planning Appeals: Inquiry and Informal Hearing Dates

### Public Inquiries:

Application Number	Location	Proposal	Inquiry Date
3/10/1009/OP	Land south of Hadham Road, Bishop's Stortford	Residential	Commencing 20 Sept 11 – sitting for 16 days
3/10/1012/OP	Land at Whittington Way, Bishop's Stortford	Schools Relocation proposals	
3/10/1013/OP	Bishop's Stortford High School, London Road, Bishop's Stortford	Residential redevelopment	
3/10/1014/OP	Herts and Essex High School playing field, Beldams Lane, Bishop's Stortford	Residential redevelopment	
3/10/1015/OP	Herts and Essex High School, Warwick Road, Bishop's Stortford	Residential redevelopment	
3/10/1044/FO	Jobbers Wood playing field, Great Hadham Road, Bishop's Stortford	Vary condition restricting use	

### Informal Hearings:

Application Number	Location	Proposal	Hearing Date
3/09/1728/FP	Former Police Station Site, Ware Road, Hertford	Mixed	11 Aug 11
3/10/1688/CL 3/10/1691/CL 3/10/1692/FP	The White Cottage, Latchford, Standon	Proposed residential extensions	26 Oct 11
3/10/1786/CL	The Abbots, 1 Warrax Park, Stanstead Abbots	Claimed curtilage	18 Oct 11

### Enforcement Appeals (where the matter does not relate to an associated planning or similar application which are set out above):

Ref number	Location	Development	Date
E/06/0155/A	Esbies Estate, Station Road, Sawbridgeworth	Various unauthorised developments and changes of use of land	Nov 2011

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DEVELOPMENT CONTROL

Major, Minor and Other Planning Applications

Cumulative Performance for

August 2011

(calculated from April 2011)

	Apr-11	May-11	Jun-11	Jul-11	Aug-11	Sep-11	Oct-11	Nov-11	Dec-11	Jan-12	Feb-12	Mar-12
Total Applications Received	191	397	612	790	970							

Percentage achieved against Local and National Targets	Apr-11	May-11	Jun-11	Jul-11	Aug-11	Sep-11	Oct-11	Nov-11	Dec-11	Jan-12	Feb-12	Mar-12	Targets for Local Performance (set by East Herts)	National Targets (set by Government)	
Major %	0%	50%	33%	45%	42%								Major %	69%	60%
Minor %	96%	87%	86%	86%	84%								Minor %	80%	65%
Other %	97%	95%	94%	93%	94%								Other %	92%	80%

Appeals	Apr-11	May-11	Jun-11	Jul-11	Aug-11	Sep-11	Oct-11	Nov-11	Dec-11	Jan-12	Feb-12	Mar-12
Total number of appeal decisions (Monthly)	6	7	8	3	8							
Number Allowed against our refusal (Monthly)	2	4	5	0	4							

Total number of appeal decisions (Cumulative)	6	13	21	24	32							
Number Allowed against our refusal (Cumulative)	2	6	11	11	15							

AGENDA ITEM NO. 7D

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