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Chairman and Members of the  
Council

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Date: 30 July 2014

cc. All other recipients of the Council  
agenda

Dear Councillor

## **COUNCIL - 30 JULY 2014: SUPPLEMENTARY AGENDA NO 2**

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

18. Development Management Committee: Minutes - 23 July 2014 (Pages 3 - 16)

*Chairman: Councillor Mrs R Cheswright*

Please bring these papers with you to the meeting next Wednesday

Yours faithfully

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**MEETING** : COUNCIL  
**VENUE** : COUNCIL CHAMBER, WALLFIELDS, HERTFORD  
**DATE** : WEDNESDAY 30 JULY 2014  
**TIME** : 7.00 PM

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MINUTES OF A MEETING OF THE  
DEVELOPMENT MANAGEMENT  
COMMITTEE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
WEDNESDAY 23 JULY 2014, AT 7.00 PM

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PRESENT: Councillor Mrs R Cheswright (Chairman).  
Councillors M Alexander, D Andrews,  
E Bedford, S Bull, K Crofton, G Jones,  
P Moore, P Ruffles, N Symonds,  
G Williamson and M Wood.

ALSO PRESENT:

Councillors P Ballam, M Pope, S Rutland-  
Barsby and K Warnell.

OFFICERS IN ATTENDANCE:

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

124 APOLOGIES

Apologies for absence were submitted on behalf of Councillors J Jones and M Newman. It was noted that Councillors S Bull and M Wood were substituting for

Councillors J Jones and M Newman respectively.

125 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that the Planning Tour of the District had been arranged for Thursday 2 October 2014. Members were advised that fewer sites were to be included in the 2014 tour and Members should inform the Head of Planning and Building Control of any further sites and he would endeavour to fit these in if possible.

126 MINUTES – 25 JUNE 2014

RESOLVED – that the Minutes of the meeting held on 25 June 2014 be confirmed as a correct record and signed by the Chairman.

127 3/14/0590/FP – DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF THE SITE TO PROVIDE 107 RESIDENTIAL UNITS, 100 SQM OF RETAIL FLOORSPACE, PROVISION OF A LINK ROAD BETWEEN MILL ROAD AND MEAD LANE AND PASSENGER INTERCHANGE, ASSOCIATED CAR PARKING, LANDSCAPING AND GROUND WORKS AT LAND JUNCTION OF MILL ROAD/MEAD LANE, HERTFORD FOR REDROW HOMES LTD AND LONDON CONTINENTAL RAILWAY

Mr Ellis addressed the Committee in objection to the application. Miss Duff spoke for the application.

The Director of Neighbourhood Services recommended that, subject to the applicant or successor in title entering into a legal obligation pursuant to Section 106 of the Town and Country Planning Act 1990, in respect of application 3/14/0590/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director stated that this was a resubmitted application and the report included a summary of the changes to this application.

Councillor P Moore emphasised that this site absolutely needed something doing to it in terms of development. She reiterated that all of the previous reasons for refusal had been addressed by the developer and praised the developer for the 40% affordable housing and 100% lifetime homes. She concluded that she would be supporting this application.

Councillor D Andrews commented on how refreshing it was that a developer had taken on board previous concerns and had worked hard to ensure this revised application was one that Officers were able to support.

Councillor P Ruffles stated that the initial brave decision of the Committee to refuse permission had been vindicated by the willingness of the developer to take steps to address the two main reasons for refusal.

Councillor Ruffles stated that his chief concern was the impact of the application on the Victorian houses and the wider impact of the traffic on the frontages of these large family homes. He stated that the 40% provision of the affordable housing was an excellent feature of this application.

In response to a query from Councillor Ruffles regarding the adoption of a road within the highway network and the prevention of a one way circulatory road system, the Director stated that East Herts Council would have a clear role to play in putting forward views regarding the operation of the link road. Members were reminded that the Authority was ultimately reliant on Hertfordshire Highways for the safe operation of the road network.

In response to a comment from the Chairman, the Director confirmed that the applicant had opted to meet building regulation standards without providing lifts by ensuring that the building allowed unhindered disabled access to all ground floor areas.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that, subject to the applicant or successor in title entering into a legal obligation pursuant to Section 106 of the Town and Country Planning Act 1990, in respect of application 3/14/0590/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

- 128 3/14/0607/FP – 2 AND 3 STOREY HOTEL WITH RESTAURANT, PARKING, REPLACEMENT HERTS CC YOUTH CONNEXIONS CENTRE, WORKSHOP AND FENCED RECREATIONAL AREAS WITH REVISED ACCESS FROM MARSH LANE AT LAND AT THE JUNCTION OF VIADUCT ROAD AND MARSH LANE, WARE, HERTS FOR PREMIER INN HOTELS LTD

Mr Owen addressed the Committee in objection to the application. Mr Brooker spoke for the application.

The Director of Neighbourhood Services recommended that, subject to the applicant or successor in title entering into a legal obligation pursuant to Section 106 of the Town and Country Planning Act 1990, in respect of application 3/14/0607/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor M Pope, as the local ward Member, stated that whilst Ware generally welcomed the Premier Inn development, there was some disappointment regarding the design of the hotel building.

Councillor Pope commented that, whilst the site was located in an industrial area, it was also located at the entrance to an historic market town and it was disappointing that the architect had not been encouraged to design a scheme more in keeping with Ware's historic

town centre, such as one that included less render, a pitched roof and a greater emphasis on aesthetics rather than functionality.

The Director advised Members that, as the number of parking spaces had been reduced from 113 to 111 and the sustainability contribution was based on £500 per parking space to be provided, Officers had felt that the sum requested towards enhanced pedestrian links and other sustainable transport measures should be amended from £56,500 to £55,500.

Councillor E Bedford stated that, whilst he had sympathy with the views of the local ward Member, Marsh Lane had been an eyesore for many years and, as stated by the supporting speaker, no one had shown any interest in a site that was located on the main southern approach to Ware.

Councillor Bedford referred to the loss of the Roebuck Hotel and the lack of affordable hotels in Ware. He commented that this application might encourage the whole Marsh Lane industrial area to become less of an eyesore. He concluded that, as this site was over the viaduct and not in the actual historic Ware town centre, the impact on the town centre would be limited and he would be supporting this application.

Councillor N Symonds stated that she agreed with the comments of Councillor E Bedford regarding the industrial areas. She also agreed with the comment from the local ward Member on the building's design and concluded that she would have preferred to see a pitched roof as the proposed flat option did nothing for the entrance to Ware.

Councillor G Williamson referred to concerns of the Council's engineers in that they had advised that the proposed drainage scheme for the site would not constitute sustainable development. He commented that Officers were right to pursue the issue of the green roof that had been resisted so hard by the developer.

Councillor M Alexander sought and was given clarification that the hotel would have 60 bedrooms. The Director advised Councillor Alexander that conditions 9 and 11 in the report covered how the development would operate in terms of access and Hertfordshire Highways had confirmed that they were happy with the proposed development.

The Director also advised that the sustainable transport contribution was solely to improve the pedestrian links from the site to the town centre, as well as widening the footpath on the northern side of Viaduct Road along with a number of other measures.

In response to a query from the Chairman, Officers had been of the view that, although further enhancements had been pursued, a flat roof design was acceptable in terms of the choice of high quality materials and detailing in the design on the edge of the Ware conservation area.

The Director confirmed that the developer had discounted the request from Officers for a pitched roof for the hotel on the grounds of cost. Officers were unable to justify refusal reasons on this issue as there were other flat roofed structures in Ware. The applicant had agreed however, to include a pitched roof for the Beefeater restaurant that would be located adjacent to the hotel.

The Director stated that a pitched roof would add a considerable additional bulk to the hotel building, which was already a wide span building. The further additional bulk of a wide span pitched roof might not necessarily be in keeping with the other pitched roofs in Ware.

Councillor M Alexander stated that, for a 2% increase in cost, the extra cost of a green roof was a missed opportunity. The Director stated that, if Members were seeking design improvements, Members could defer the application to allow further discussions to take place with the applicant.



Councillor M Alexander proposed and Councillor G Williamson seconded, a motion that application 3/14/0607/FP be deferred to enable Officers to discuss improvements to the façade and roofscape of the proposed hotel building with the applicant.

After being put to the meeting and a vote taken, this motion was declared CARRIED. The Committee rejected the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that, in respect of application 3/14/0607/FP, planning permission be deferred to enable Officers to discuss improvements to the façade and roofscape of the proposed hotel building with the applicant.

- 129 3/14/0707/FP – DEMOLITION OF OUTBUILDINGS AND COVERED YARD ADJOINING THE RIVER, ERECTION OF A SINGLE HOUSE, ALTERATIONS AND EXTENSIONS TO CONVERT FORMER SORTING OFFICE TO 11 HOUSES, REFURBISHMENT OF OFFICE BUILDING, EXTERNAL WORKS AND APPROPRIATE HARDSCAPING AT LAND TO REAR OF, 57, HIGH STREET, WARE, HERTS, SG12 9AD FOR KEITH ASHMAN, WHITE HART DEVELOPMENTS

Mr Mills addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, subject to the applicant or successor in title entering into a legal obligation pursuant to Section 106 of the Town and Country Planning Act 1990, in respect of application 3/14/0707/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor M Alexander stated that the application represented a big improvement that would enhance what was a derelict site that stood out when one looked across

the river. He emphasised that that he would be supporting this application.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that, subject to the applicant or successor in title entering into a legal obligation pursuant to Section 106 of the Town and Country Planning Act 1990, in respect of application 3/14/0707/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

- 130 (A) 3/14/0694/FP AND (B) 3/14/0695/LB – CHANGE OF USE OF HAMELS MANSION, CURRENTLY USED AS OFFICES FOR THE APPLICANT'S BUSINESS, TO 10 NO. RESIDENTIAL APARTMENTS AND STORAGE TO THE BASEMENT. NEW LANDSCAPING TO REDUCE CAR PARKING, PROVISION OF AMENITY SPACE TO GROUND FLOOR APARTMENTS AND EXTENSION OF EXISTING BIN STORE AT HAMELS MANSION, HAMELS PARK, BUNTINGFORD, SG9 9NA FOR HUBERT C LEACH LTD
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The Director of Neighbourhood Services recommended that, subject to the applicant or successor in title entering into a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 in respect of application 3/14/0694/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director of Neighbourhood Services also recommended that, in respect of application 3/14/0695/LB, listed building consent be granted subject to the conditions detailed in the report now submitted.

Councillor S Bull welcomed this application as a fantastic change where there would be a tremendous outlook for the proposed apartments and he welcomed the

application. The Chairman also welcomed the application as these apartments were needed.

After being put to the meeting and votes taken, the Committee supported the recommendations of the Director of Neighbourhood Services as now submitted.

RESOLVED – that (A) subject to the applicant or successor in title entering into a legal obligation pursuant to Section 106 of the Town and Country Planning Act 1990, in respect of application 3/14/0694/FP, planning permission be granted subject to the conditions detailed in the report now submitted; and

(B) in respect of application 3/14/0695/LB, listed building consent be granted subject to the conditions detailed in the report now submitted.

- 131 A) 3/14/0488/FP – USE OF BUILDINGS FOR EVENTS AND FUNCTIONS (INCLUDING WEDDINGS AND CONFERENCES), AND ANCILLARY GUEST ACCOMMODATION (18 BEDROOMS), SERVICES AND STORAGE, PARKING AND LANDSCAPING. EXTERNAL ALTERATIONS AND SOLAR PANELS TO BUILDINGS. DEMOLITION OF ATCOST BUILDING AND STABLES; AND B) 3/14/0489/LB - INTERNAL AND EXTERNAL ALTERATIONS AT ALSWICK HALL, HARE STREET ROAD, BUNTINGFORD, SG9 0AA FOR ALSWICK HALL BARNS LTD
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The Director of Neighbourhood Services recommended that, in respect of applications 3/14/0488/FP and 3/14/0489/LB, planning permission and listed building consent be granted subject to the conditions detailed in the report now submitted.

Councillor S Bull stated that he was supportive of the Officer's recommendation as this was an ideal site for the proposed development. He commented that he was not concerned regarding the traffic movements associated

with this application.

After being put to the meeting and a vote taken, the Committee supported the recommendations of the Director of Neighbourhood Services as now submitted.

RESOLVED – that, in respect of applications 3/14/0488/FP and 3/14/0489/LB, planning permission and listed building consent be granted subject to the conditions detailed in the report now submitted.

- 132 3/14/0608/FP – EXTENSION TO EXISTING DWELLING AND SUB DIVISION INTO 3 NO. TERRACED HOUSES (1 NO. 3 BED AND 2 NO 2 BED), DEMOLITION OF GARAGE AT 33, CHERRY GARDENS, BISHOPS STORTFORD, CM23 2AJ FOR MR R CARTMAN
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Mrs Lumby addressed the Committee in objection to the application. Mr Mitchell spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/14/0608/FP, planning permission be refused for the reasons detailed in the report now submitted.

Councillor K Warnell, as the local ward Member, stated that he had been contacted by both the applicant and objector to this application, which he had requested be reported to Members.

Councillor Warnell referred to the existing dwelling at 33 Cherry Gardens as being a house in multiple occupancy (HMO), that had 3 windows that overlooked 101a Stansted Road without any apparent problems. He stated that the concerns of the occupant of 101a centred on overlooking of neighbours, overdevelopment, noise and loss of amenity and trees.

Councillor Warnell referred to the existing permission for two dwellings with four first floor windows. He highlighted

the applicant's point that an approval for that application and a proposed refusal for the current application was illogical as the amount of overlooking would, in the applicant's view, be the same in both cases.

Councillor M Wood commented that the proposed development did not fit very well into this site and the approved application for two dwellings was a more appropriate scheme. He was also very concerned regarding the impact on parking.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that, in respect of application 3/14/0608/FP, planning permission be refused for the reasons detailed in the report now submitted.

133 3/14/0979/FP – CONVERSION OF EXISTING GARAGE TO HABITABLE ROOM AND PITCHED ROOFS TO PART FRONT AND REAR ELEVATIONS AT 44 BARLEY PONDS ROAD, WARE SG12 7EZ FOR MR AND MRS LAWRENCE

The Director of Neighbourhood Services recommended that, in respect of application 3/14/0979/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that, in respect of application 3/14/0979/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

134 E/13/0349/B – UNAUTHORISED ENGINEERING AND OTHER OPERATIONS TO CREATE A HARD SURFACED ROADWAY INTO THE SITE AT LAND TO THE NORTH OF HOLBORN FARM, WEST END ROAD, WORMLEY WEST END, HERTS, EN10 7QN

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The Director of Neighbourhood Services recommended that, in respect of the site relating to E/13/0349/B, enforcement action be authorised on the basis now detailed.

Councillor M Alexander commented that 6 months was a generous period for compliance given the condition of the land. The Director advised that, given the amount of material that had been deposited on the site, 6 months was a reasonable period of time for the removal of the material and the restoration of the land to its former condition.

After being put to the meeting and a vote taken, the Committee accepted the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/13/0349/B on the basis now detailed.

RESOLVED – that, in respect of E/13/0349/B, the Director of Neighbourhood Services, in conjunction with the Director of Finance and Support Services, be authorised to take enforcement action on the basis now detailed.

135 E/14/0055/A – UNAUTHORISED ACCESS AND HARDSTANDING AT CLAPGATE HOUSE, CLAPGATE, ALBURY, WARE, SG11 2JS

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The Director of Neighbourhood Services recommended that, in respect of the site relating to E/14/0055/A, enforcement action be authorised on the basis now detailed.

The Director referred Members to the Additional Representations Schedule. After being put to the meeting

and a vote taken, the Committee accepted the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/14/0055/A on the basis now detailed.

RESOLVED – that, in respect of E/14/0055/A, the Director of Neighbourhood Services, in conjunction with the Director of Finance and Support Services, be authorised to take enforcement action on the basis now detailed.

136 E/14/0093/B – MATERIAL CHANGE OF USE OF LAND TO CAR WASH BUSINESS AT FORMER WATERS GARAGE, 3-9 NORTH ROAD, HERTFORD, SG14 4LN

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/14/0093/B, enforcement action be authorised on the basis now detailed.

Councillor D Andrews stated that the unauthorised car wash land use was compatible with the site in that the former Waters Garage sold cars and was also a petrol station. Councillor Andrews stated that there was nothing regarding the unauthorised use that caused him undue concern, particularly as issue of run off had been taken care of.

The Director advised that, although the operation could well be acceptable, Officers were aware that it was unauthorised and had invited an application to regularise the unauthorised use and also secure appropriate conditions to control hours of use, noise attenuation and drainage.

After being put to the meeting and a vote taken, the Committee accepted the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/14/0093/B on the basis now detailed.

RESOLVED – that in respect of E/14/0093/B, the

Director of Neighbourhood Services, in conjunction with the Director of Finance and Support Services, be authorised to take enforcement action on the basis now detailed.

137 ITEMS FOR REPORTING AND NOTING

RESOLVED – that the following reports be noted:

- (A) Appeals against refusal of planning permission / non determination;
- (B) Planning Appeals lodged;
- (C) Planning Appeals: Inquiry and Informal Hearing dates; and
- (D) Planning Statistics.

The meeting closed at 8.12 pm

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