

# Public Document Pack



Chairman and Members of the  
Council

Your contact: Martin Ibrahim  
Ext: 2173  
Date: 15 December  
2014

cc. All other recipients of the Council  
agenda

Dear Councillor

## **COUNCIL - 17 DECEMBER 2014: SUPPLEMENTARY AGENDA NO 1**

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

10. Executive Report - 2 December 2014 (Pages 3 - 10)

*To receive a report from the Leader of the Council and to consider recommendations on the matter below:*

(A) Council Tax Support Scheme

*Minute 387 refers*

19. Development Management Committee: Minutes - 10 December 2014  
(Pages 11 - 32)

*Chairman: Mrs R Cheswright*

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

Yours faithfully

Martin Ibrahim  
Democratic Services Team Leader  
Democratic Services  
[martin.ibrahim@eastherts.gov.uk](mailto:martin.ibrahim@eastherts.gov.uk)

**MEETING** : COUNCIL  
**VENUE** : COUNCIL CHAMBER, WALLFIELDS, HERTFORD  
**DATE** : WEDNESDAY 17 DECEMBER 2014  
**TIME** : 7.00 PM

MINUTES OF A MEETING OF THE  
EXECUTIVE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
TUESDAY 2 DECEMBER 2014, AT 7.00 PM

PRESENT: Councillor A Jackson (Chairman/Leader)  
Councillors M Alexander, L Haysey,  
P Phillips, S Rutland-Barsby and M Tindale.

ALSO PRESENT:

Councillors R Beeching, E Buckmaster,  
S Bull, M McMullen, P Moore, P Ruffles,  
N Symonds, J Thornton and J Wing.

OFFICERS IN ATTENDANCE:

Simon Drinkwater	- Director of Neighbourhood Services
Martin Ibrahim	- Democratic Services Team Leader
Adele Taylor	- Director of Finance and Support Services

**387 COUNCIL TAX REDUCTION SCHEME**

**The Executive Member of Finance submitted a report proposing a local Council Tax Support Scheme (CTS) from April 2015. He detailed the financial and equality impacts of the recommended CTS scheme for East Herts' residents. He also stated that there were no proposed changes to the scheme from last year and that the Council would be supporting the same number of people.**

**It was noted that the Corporate Business Scrutiny Committee, at its meeting held on 25 November 2014,**

had supported the proposed scheme. Councillor J Wing referred to the Committee's suggestion that the proposal should be submitted for consideration earlier in the meetings cycle. The Director of Finance and Support Services advised that this had been taken on board and that the work programme had been amended accordingly, so that the matter would be submitted to the July 2015 meeting.

The Executive supported the proposed CTS as now detailed.

**RECOMMENDED** – that (A) the comments of Corporate Business Scrutiny Committee be received;

(B) the forecasted financial implications arising from the recommended scheme for the Council Tax reduction scheme (CTS) with effect from 1 April 2015 and the risks and assumptions attached to these, be noted; and

(C) the proposed CTS Scheme be approved.

388 APOLOGIES

An apology for absence was submitted on behalf of Councillor M Carver.

389 LEADER'S ANNOUNCEMENTS

The Leader welcomed the press and Members to the meeting. He referred to the supplementary agenda and advised that replacement copies had been laid around the table as some pages in the original had not been reproduced clearly.

390 MINUTES

**RESOLVED** – that the Minutes of the Executive meeting held on 4 November 2014, be approved as a correct record and signed by the Leader.

391 ISSUES ARISING FROM SCRUTINY

The Executive received a report detailing those issues referred to it by the Scrutiny Committees, which were noted. Issues relating to specific reports for the Executive were considered and detailed at the relevant report of the Executive Member.

RESOLVED – that the report be received.

392 POSSIBLE JOINT WORKING ON WASTE & STREET  
CLEANSING CONTRACTS WITH NORTH HERTS DISTRICT  
COUNCIL

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The Executive Member for Community Safety and Environment submitted a report seeking authority for Officers to produce an outline business case to evaluate the possibility of a joint Waste Collection and Street Cleansing contract with North Herts District Council. This would assess the implications to both Authorities in improving the cost effectiveness of these services.

The Executive Member referred to continuing financial pressures and the need to explore all avenues to achieve the best possible service for the least cost. To this end, he proposed that Officers explore a joint arrangement with North Herts District Council and referred to the window of opportunity that current contract cycles presented. He emphasised that current standards of service would not be compromised.

The Executive approved the recommendations as now detailed.

RESOLVED - that (A) the development of an outline Business Case with North Herts District Council as detailed in paragraphs 2.10 - 2.11 of the report submitted, be approved; and

(B) a report be brought back to the Executive in Spring 2015 to include an outline Business Case with

the objective of obtaining approval of both Councils to proceed to the next stage of jointly procuring these services and specifically on how this joint project will be controlled and managed and the governance arrangements once the joint contract has been awarded.

### 393 SHARED ANTI-FRAUD SERVICE PARTNERSHIP

The Executive Member of Finance submitted a report seeking approval for the participation in and establishment of a Shared Anti-Fraud Service for non-benefit and corporate fraud by means of a partnership with five other Authorities – Broxbourne Borough Council, Hertfordshire County Council, Hertsmeire Borough Council, North Herts District Council and Stevenage Borough Council.

He suggested that this would be a natural extension of the existing Shared Internal Audit Service, but that there were other drivers. In particular, the significant cost of fraud to the public purse, estimated against local government at £2.1 billion annually of which only 2.7% was detected. He also detailed a number of national developments at paragraph 2.1.2 of the report submitted. Finally, he advised that the bid for set-up costs to the Department for Communities and Local Government had been successful.

In response to Members' comments and questions, the Director of Finance and Support Services confirmed that the proposed service would manage their own IT systems. Each area would receive a fixed element of resources on preventative work but that other resources would need to be allocated to wherever fraud had been identified.

The Executive approved the proposals as now detailed.

RESOLVED - that (A) East Herts Council becomes a partner in the Shared Anti-Fraud Service for non-benefit and corporate fraud between the Councils now identified;

(B) the Director of Finance and Support Services be authorised to make the detailed arrangements to establish the Shared Anti-Fraud Service; and

(C) funding arrangements will be finalised through a growth bid for 2015/16, following the outcome of the bid for set-up costs to the Department for Communities and Local Government.

### 394 REALLOCATION OF ANPR ENFORCEMENT FUNDING

The Executive Member for Economic Development submitted a report seeking approval for the redeployment of an existing revenue budget for the employment of an additional Civil Enforcement Officer (CEO). This resource would be deployed in certain “hotspots”, such as on school zigzag lines.

The Executive recalled that on 7 February 2012, it had agreed to extend its Civil Parking Enforcement powers to permit enforcement of specified parking contraventions using an Automatic Number Plate Recognition (ANPR) equipped vehicle. Annual funding of £29,000 had been agreed, effective from 2012/13 and an enforcement policy framework was subsequently by the Executive on 4 December 2012. However, the Government had since threatened to outlaw the use of ANPR cameras for parking enforcement, thus resulting in East Herts suspending the implementation of its mobile, ANPR based enforcement service. Further legislation was awaited.

In the meantime, the Executive Member proposed using the funding to employ an additional Civil Enforcement Officer as detailed in the report submitted. He emphasised that the priority was safety and invited Members to identify any areas of concern requiring greater enforcement.

In response to a Member’s question, the Executive Member suggested that an electric car might be cost prohibitive, but that he would raise with Officers.

The Executive approved the proposal on the basis that the

CEO would have a car and not a scooter.

RESOLVED - that the redeployment of an existing revenue budget for the employment of a Civil Enforcement Officer and car, be approved.

395 EXTENSION OF PARKING ENFORCEMENT CONTRACT

The Executive Member for Economic Development submitted a report seeking approval to a two year extension to the contract between East Herts Council and NSL Ltd for the provision of parking enforcement and related services. The Executive Member detailed the good performance of NSL Ltd to date and outlined the major projects planned for 2015-17 that could be compromised by resources being diverted to new procurement activities.

The Executive approved the proposal as now detailed.

RESOLVED - that the two year extension to the NSL parking enforcement contract as detailed in this report, be approved.

396 MONTHLY CORPORATE HEALTHCHECK - OCTOBER 2014

The Leader of the Council submitted an exception report on finance and performance monitoring for October 2014.

In response to a question from Councillor J Wing, the Executive Member for Economic Development clarified that the Sawbridgeworth toilet refurbishment would be carried out on the basis that the Town Council would be assuming responsibility for its maintenance. The Executive Member for Finance added that the Council retained its responsibilities for providing public conveniences by working in partnership with others and cited those provided in conjunction with Wetherspoons in Hertford as a good example.

The Executive approved the proposals as now detailed.

RESOLVED - that (A) the budgetary variances set out



in paragraph 2.1 of the report be noted;

(B) a further drawdown of £6,500 from the Local Plan Reserve to fund the extension of hours and overtime arrangements in the Development Plans Section to support District Plan preparation work as set out in paragraph 2.6 of the report submitted, be approved;

(C) the current position and action proposed to address three performance indicators that are currently off target of which EHPI 181 had been off target for the third consecutive month, be noted, and the Executive Member for Health, Housing and Community Support, in conjunction with Officers, continue to monitor the situation;

(D) the use of £40,000 of the contingency budget to fund a housing needs survey to determine the future needs of social housing tenants, as detailed at paragraph 2.27 of the report submitted, be approved;

(E) the use of £75,000 of the contingency budget to fund the filling of a sink hole in Cherry Tree, Hertford, as detailed at paragraph 2.28 of the report submitted, be approved;

(F) changes to the capital programme as detailed in paragraphs 2.32 to 2.42 of the report submitted, be approved; and

(G) a request for a £30,000 capital bid to carry out the initial stages of a survey of gas emissions at the Pole Hole Landfill Site, as detailed in paragraph 2.44 to 2.45 of the report submitted, be approved.

The meeting closed at 7.45 pm

Chairman .....

Date .....

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MINUTES OF A MEETING OF THE  
DEVELOPMENT MANAGEMENT  
COMMITTEE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
WEDNESDAY 10 DECEMBER 2014, AT  
7.00 PM

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

ALSO PRESENT:

Councillors W Ashley, P Ballam, S Bull and  
M Pope.

OFFICERS IN ATTENDANCE:

Liz Aston	- Development Team Manager (East)
Paul Dean	- 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

397 CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that application 3/14/1708/FP –  
Part demolition and refurbishment of existing garden

centre with café extension; erection of foodstore (approx. 2,047 sqm net sales) with café and external seating, extended service road, new roundabout from Amwell Hill and other associated highways, servicing and landscaping works, Van Hages Garden Centre, Amwell Hill, Great Amwell, Ware, Hertfordshire, SG12 9RP for Van Hage Garden Company Limited had been withdrawn.

The Chairman advised that application 3/14/1627/FP would be considered prior to application 3/14/1717/FP.

### 398 DECLARATIONS OF INTEREST

Councillor M Alexander declared a disclosable pecuniary interest in application 3/14/1690/FP, as he received a pension from GlaxoSmithKline. He left the room whilst this matter was considered.

Councillors D Andrews, Mrs R Cheswright, K Crofton and G Williamson declared disclosable pecuniary interests in application 3/14/0970/RP, on the grounds that a senior member of the company that was the applicant was associated with an organisation they belonged to. They left the room during consideration of this matter and the Vice-Chairman chaired the meeting during consideration of this application.

### 399 MINUTES – 12 NOVEMBER 2014

RESOLVED – that the Minutes of the meeting held on 12 November 2014 be confirmed as a correct record and signed by the Chairman.

### 400 3/14/1627/OP – OUTLINE APPLICATION FOR APPROXIMATELY 24 HOUSES (40% AFFORDABLE) AND PROVISION OF PUBLIC OPEN SPACE, LANDSCAPING AND ASSOCIATED WORKS. ALL MATTERS RESERVED EXCEPT FOR ACCESS AT LAND EAST OF CAMBRIDGE ROAD, PUCKERIDGE FOR THE CO-OPERATIVE GROUP

James Cartwright addressed the Committee in objection

to the application. Katie Wray 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 3/14/1627/OP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor M Newman commented on whether this application would count towards the housing target identified in the emerging District Plan. The Director confirmed that, in terms of identifying the remaining housing need, any planning permissions would be taken into account in the next available draft of the 2011 to 2031 District Plan.

The Director also advised however, that the Authority could decide to amend the housing totals that were applied to each settlement in East Herts or to change the categorisation for a settlement in the District Plan. The Authority could decide that a certain number of houses could be allocated to a settlement or to spread the same allocation across the whole District.

Councillor M Alexander commented on the security of the applicant's offer of 40% affordable housing given that this was an outline application. The Director stated that government guidance stipulated that policy requirements should not impact on the viability of deliverability of a planning application.

The Director reminded Members that the economics of development were constantly changing which presented difficult challenges for Officers. There were no absolute guarantees but should Members approve the application on the basis of 40% affordable housing they could change their position in future should the offer of 40% be reduced at a later date.

Following a further query from Councillor Alexander in respect of how much of the application's sustainability had been based on the 40% affordable housing provision, the Director confirmed that the provision of affordable housing was a key policy aspiration and Officers had given this issue considerable weight. Officers had considered the full spectrum of infrastructure issues such as the visual and environmental impact as well as highways matters.

The Chairman referred to the objection from Standon Parish Council as well as the 42 letters of objection. She commented that she had not seen any reference to a dedicated route for construction traffic. She referred to the view of the Highway Authority that construction traffic should be routed via the A10 and the A120 and access through Puckeridge should be avoided.

The Chairman also highlighted that the Campaign for the Protection of Rural England (CPRE) had objected to the application as the application site was outside of the boundary of the village and was therefore contrary to Local Plan Rural Area policy.

Councillor G Williamson commented on the sustainability of the application given the limited public transport and the limited opportunities for employment. He referred to the view of the Landscape Officer that the non-development of this site was crucial in respect of the containment of Puckeridge through the prevention of ribbon development and further expansion of the village boundaries.

Councillor P Moore queried whether it was premature to approve this application until the results of flood investigation works for sites in Puckeridge had been received. She commented on whether the application could be deferred on that basis. Councillor D Andrews stated that the site was outside the Puckeridge Village boundary and probably constituted ribbon development.

Councillor Andrews referred to the unsatisfactory access to the site and the likely increase in traffic in Puckeridge due to the dangerous egress in the vicinity of the A120/A10 roundabout. He referred to the prospect of construction traffic attempting to negotiate the narrow medieval roads in the village.

Councillor Andrews stated that £24,000 for bus stops would be of limited value if there were no extra buses. He concluded that he was extremely concerned that that this was an inappropriate site for such development. The Director stated that the emerging District Plan included a strategy that sought to spread a range of development across areas that were less well served by public transport and where there were limited employment opportunities.

The Director reminded Members that the District Plan could only be given limited weight and it would be difficult to sustain an argument in reference to this document. Members were advised that, in respect of the issue of prematurity and flooding, this could not be given significant weight as the Environment Agency were satisfied that the issue of flooding had been taken into account.

The Director also commented that the Authority would not be supported if Members refused the application on the basis that this site was beyond the village boundary, as the East Herts Local Plan Second Review April 2007 was outdated and the Authority could not currently demonstrate a 5 year supply of housing land.

In response to a query from the Chairman regarding how far the £15,004 for health care provision would stretch in improving provision, the Director confirmed that the modest amount reflected that the fact that this was a modest housing development.

Councillor Alexander stated that the application hardly met any of the sustainable development tests detailed at

paragraph 7.19 on page 240 of the report.

Councillor G Williamson proposed and Councillor P Moore seconded, a motion that application 3/14/1627/FP be refused on the grounds that the proposed development represented unsustainable development due to the poor public transport connections, lack of local facilities and employment opportunities and also on the basis that the application could not be approved whilst the results of flood mitigation investigations were unknown. The proposed development would also represent a form of ribbon development which would be to the detriment of the rural character of the surrounding landscape and the containment of the settlement of Puckeridge.

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 3/14/1627/FP, planning permission be refused for the following reasons:

1. The proposed development would represent an unsustainable form of development contrary to the requirements of the National Planning Policy Framework, by reason of the sites poor public transport connections; lack of local facilities and employment opportunities and reliance on the use of the private motor vehicle. The proposal thereby represents inappropriate development in the Rural Area beyond the Green Belt contrary to policies GBC2 and GBC3 of the East Herts Local Plan Second Review April 2007.
2. The proposed development would represent a form of ribbon development and would result in the loss of open space between the built up part of the settlement of Puckeridge and



Standon Hill (the A120), which would be to the detriment of the rural character of the surrounding landscape and the containment of the settlement of Puckeridge. The proposal will thereby be contrary to policies GBC14 and ENV1 of the East Herts Local Plan Second Review April 2007 and national guidance in the National Planning Policy Framework.

3. The Local Planning Authority is yet to be satisfied that the development of the site would not compromise the provision of flood mitigation measures on or in the vicinity of the application site which may be identified through the current investigations being undertaken by the Environment Agency. The development may therefore prejudice the implementation of appropriate flood prevention measures and is therefore contrary to policy ENV19 of the East Herts Local Plan Second Review April 2007 and national guidance in the National Planning Policy Framework.

### Summary of Reasons for Decision

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012, East Herts Council has considered, in a positive and proactive manner, whether the planning objections to this proposal could be satisfactorily resolved within the statutory period for determining the application. However, for the reasons set out in this decision notice, the proposal is not considered to achieve an acceptable and sustainable development in accordance with the Development Plan and the National Planning Policy Framework.

401 3/14/1717/FP – DEMOLITION OF FORMER DEPOT AND DEVELOPMENT OF MIXED USE SCHEME - FULL PERMISSION FOR PHASE 1 COMPRISING 82NO. DWELLINGS WITH ANCILLARY PARKING, PUBLIC OPEN SPACE AND LANDSCAPING; CREATION OF NEW ACCESS FROM LONDON ROAD AT THE FORMER SAINSBURY'S DISTRIBUTION DEPOT, LONDON ROAD, BUNTINGFORD, SG9 9JR FOR FAIRVIEW NEW HOMES

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Paul Lemar 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 both applications 3/14/1717/FP and 3/13/1925/OP, to cover the matters detailed in the report, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director also recommended that the Head of Planning and Building Control, in consultation with the Chairman of the Committee and a minimum of one of the two local ward Members (whilst informing both ward Members at all stages of any relevant action or decision), be authorised to make amendments to the heads of terms and all related matters in relation to the legal agreement and to add or remove conditions and directives and make such changes to the wording of them as may be necessary to ensure a satisfactory development.

Councillor S Bull, as the local ward Member, endorsed the comments made by Buntingford Town Council. He referred to the concerns of the Town Council that it was unclear in which phase of the development certain facilities would be provided. He referred in particular to sustainable transport works and a lack of suitable accommodation for the elderly.

Councillor Bull reiterated the concern of the Town Council

that without a signed legal agreement there was no assurance as regards the arrangements for the Bury clubhouse. He concluded that the Town Council would also like there to be a full timetable made available for the development of the site.

Councillor J Jones, as the other local Member, also expressed concern that there was no formal agreement as regards the Bury. He also expressed concerns that the Bury play area would be inaccessible for residents. He emphasised that he would like there to be a formal construction management plan for the phasing of the proposed development.

The Director reminded Members that this application was solely for phase 1 of the development. Members were advised that Officers would tie the Section 106 planning obligation to both this application and application 3/13/1925/OP to ensure coverage of all the issues relevant to both applications following the decision taken by Members in September 2014. Officers would also tie in the conditions that had been applied by Members in September 2014.

The Director stated that, as regards the Bury, there was a financial contribution as part of the outline application and the need to allocate some of this contribution to the Bury in line with local opinion had been acknowledged in the report for the application that Members had approved in September 2014. Members were reminded that the applicant had committed to improvements at the Football Club.

The Director also reminded the Committee that, in September 2014, Members had approved two elements of play provision at the Bury and also in the central green space within the site. Members were advised that condition 8 stated that prior to the first occupation of any part of the development, details of the layout of each play space and the play equipment to be provided including a timetable for the implementation of the agreed details,

should be submitted to and approved in writing by the Local Planning Authority.

The Director further reminded the Committee that condition 25 required that prior to commencement of the development, a Construction Management Plan must be submitted to and agreed in writing by the Local Planning Authority.

The Committee accepted 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 3/14/1627/OP, planning application be granted subject to the conditions detailed in the report now submitted; and

(B) the Head of Planning and Building Control, in consultation with the Chairman of the Committee and a minimum of one of the two local ward Members (whilst informing both ward Members at all stages of any relevant action or decision), be authorised to make amendments to the heads of terms and all related matters in relation to the legal agreement and to add or remove conditions and directives and make such changes to the wording of them as may be necessary to ensure a satisfactory development.

402 3/14/1766/FP – DEMOLITION OF THE EXISTING BUILDINGS AND THE CREATION OF 49 NO. TWO, THREE AND FOUR BEDROOM HOUSES AND APARTMENTS, PLUS ASSOCIATED ROADS, CAR PARKING AND LANDSCAPING AT HERTFORD REGIONAL COLLEGE, SCOTTS ROAD, WARE, HERTS, SG12 9JQ FOR CHARLES CHURCH

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Gordon Dawes addressed the Committee in objection to

the application. Michael Smith spoke for the application.

The Director of Neighbourhood Services recommended that in respect of application 3/14/1766/FP, planning permission be refused for the reasons detailed in the report now submitted.

Councillor M Pope, as the local ward Member, endorsed the comments of the objecting public speaker and he recognised the pragmatic approach of Officers in their recommendation for refusal. He believed that the development was over intensive and would be detrimental to existing residents. He stated that the building would be too large and overbearing to be inserted into the middle of a mature residential environment consisting purely of houses.

Councillor Pope concluded that the parking provision was woefully inadequate in an area that already had severe parking issues. He stated that the affordable housing provision was a token provision that was also unacceptable. He endorsed the recommendation and queried whether the sheer bulk of the proposed development and the woefully inadequate parking should be added to the reasons for refusal.

Councillor D Andrews referred to the existing under provision of parking in Amwell End. He referred to the view of the Highway Authority that they would not wish to see a routine increase in roadside parking in the vicinity of this site. He referred to the inadequacy of the existing train service and anyone living to the north, north-west or to the west of Ware would not find sustainable transport.

Councillor P Moore believed that the offer of 6% affordable housing was totally unacceptable and the affordable housing should be offered on a shared ownership basis otherwise two incomes and a hefty deposit would be required to afford such housing. Councillor N Symonds agreed that more social housing was needed on this site and the application should be

rejected on that basis.

Councillor G Jones stated that the applicant had worked on some of the issues of concern such as the siting and height of the proposed development. He stated that the application was more acceptable from that point of view. He commented however that the parking provision was effectively the same as with previous application and his particular concern was that all the spaces would be very much allocated by number and there would be nowhere for visitors to park. He stressed that inadequate parking provision should be added to the reasons for refusal.

The Director advised that the applicant had submitted a revised plan that moved the proposed development modestly further away from the Hertford Road frontage and Members should temper their considerations as Officers had done in that respect .

The Director stated that the parking standards applied by the Authority were maximum standards and this was one of the more sustainable locations for development in that the site was close to a town centre with sufficient public transport provision.

The Director concluded by reminding Members that affordable housing was a key policy aspiration of the Authority and although the applicant had sought funding for education provision, affordable housing was the main priority for the District and education was a lesser priority.

The Committee supported the recommendation of the Director of Neighbourhood Services as now submitted, subject to the addition of insufficient parking and the unacceptable impact of the application on the character and appearance of the street scene to the reasons for refusal.

RESOLVED – that in respect of application 3/14/1766/FP, planning permission be refused for the following reasons:

1. The element of the development comprising the apartment block at the northern end of the site fronting Hertford Road would have an unacceptable impact on the character and appearance of the streetscene and the surrounding area by reason of its height, scale, bulk and design. The proposal is thereby contrary to policies ENV1 and HSG7 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework.
2. Insufficient parking is proposed for the residential element of the development which would result in additional pressure on already restricted parking provision in the local area, harmful to the amenities of existing and future residents. The proposal is thereby contrary to policies TR7 and ENV1 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework.
3. The proposed development makes insufficient provision for affordable housing and therefore fails to address the demand for such housing within the District contrary to policy HSG3 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework.

### Summary of Reasons for Decision

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012, East Herts Council has considered, in a positive and proactive manner, whether the planning objections to this proposal could be satisfactorily resolved within the statutory period for determining the application. However, for the reasons set out in this decision

notice, the proposal is not considered to achieve an acceptable and sustainable development in accordance with the Development Plan and the National Planning Policy Framework.

403 3/14/0970/RP – APPROVAL OF RESERVED MATTERS FOR LAYOUT, SCALE, APPEARANCE AND LANDSCAPING FOLLOWING APPROVAL OF 3/13/0118/OP FOR THE ERECTION OF 105 DWELLINGS, ROADS, SEWERS, GARAGES, LANDSCAPING AND ANCILLARY WORKS AT LAND SOUTH OF HARE STREET ROAD, BUNTINGFORD FOR WHEATLEY HOMES LTD

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The Director of Neighbourhood Services recommended that in respect of application 3/14/0970/RP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director referred Members to the late representations summary in respect of additional comments from Buntingford Town Council that had been e-mailed to Members. Councillor S Bull, as the local ward Member, endorsed the comments of the Town Council, as detailed in paragraph 3.1 of the report.

Councillor M Newman reminded the Committee and Councillor Bull that an appeal inspector had stated that, when assessing the appeal at outline stage, it was considered that pedestrian access to the site would be unacceptable.

Councillor J Jones, as the other local Member, stated that he was pleased that the issues of Bungalow provision and the ridge heights of the proposed development had been addressed by the applicant.

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



3/14/0970/RP, planning permission be granted subject to the conditions detailed in the report now submitted.

- 404 3/14/1690/FO – VARIATION OF CONDITION 2 (APPROVED PLANS) OF PLANNING PERMISSION REF 3/13/0901/FP (ERECTION OF TWO-STOREY CENTRAL ARCHIVE BUILDING ON SITE OF DEMOLISHED BUILDINGS P8 AND P10 ADJACENT TO NORTHERN SITE BOUNDARY, WITH MODIFICATIONS TO ROAD LAYOUT TO INTERIOR OF SITE, LANDSCAPING, INSTALLATION OF PROPOSED EARTH DUCTS AND OTHER WORKS) FOR GLAXOSMITHKLINE SERVICES LTD, PRIORY STREET, WARE, SG12 0DJ
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The Director of Neighbourhood Services recommended that in respect of application 3/14/1690/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 3/14/1690/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

- 405 3/14/1569/FP – DEMOLITION OF EXISTING BUILDINGS AND THE ERECTION OF A GROUND FLOOR RETAIL UNIT, 5 NO. 2-BEDROOM AND 5 NO. 1-BEDROOM RESIDENTIAL UNITS WITH UNDERGROUND PARKING AT 26 WARE ROAD, HERTFORD, SG13 7HH FOR HERTFORD GLASS
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Hannah Radwell addressed the Committee in objection to the application.

The Director of Neighbourhood Services recommended that in respect of application 3/14/1569/FP, planning permission be granted subject to the conditions detailed

in the report now submitted.

The Director advised that new National Planning Policy Guidance (NPPG) guidance indicated that planning obligation agreements seeking contributions towards infrastructure improvements should not be sought in relation to developments of 10 or less units. Members were advised that the new guidance was effective immediately and should be given significant weight. The Director stated that the requirement for a Section 106 agreement should therefore be deleted from the recommendation.

Councillor M Alexander sought and was given clarification that the deletion of the proposed Section 106 planning obligation included the provision of the fire hydrant.

Councillor P Ruffles referred to the public speaker's point in reference to incorrect information in mapping terms. He hoped that Officers had assessed this site on the basis of what could be seen on the ground. He stated that he had sympathy with the speaker's points in reference to the impact on Hampton House of the Rose Court development.

Councillor Ruffles stated that although he was not the local ward Member, both he and Councillor P Moore had received representations from concerned neighbours. He stated that whilst he had taken these representations very seriously, he could see the potential for improvements to the Ware Road frontage as a consequence of this application. He stated that, on balance, he would be supporting this application.

The Committee accepted the revised recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/14/1569/FP, planning application be granted subject to the conditions detailed in the report now

submitted.

406 3/14/1785/FP – DEMOLITION OF ALL EXISTING BUILDINGS AND STRUCTURES AND ERECTION OF A SINGLE STOREY TWO BED DWELLING WITH DETACHED GARAGE AT THE KENNELS, BIRCH FARM, WHITE STUBBS LANE, BROXBOURNE, EN10 7QA FOR MR M FERRARO

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Jane Orsborn addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that in respect of application 3/14/1785/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor W Ashley, as the local ward Member, noted the references in the report to the National Planning Policy Framework (NPPF). He acknowledged that the application was within the Green Belt and the site was isolated and was also some distance from local services.

Councillor Ashley commented that the application could be seen as inappropriate development in the Green Belt. He referred to the positive and proactive approach taken by Officers in putting aside previous reasons for refusal.

Councillor Ashley stated that he was pleased that the two landowners and neighbours involved had resolved their differences and there was a signed legal agreement that reflected this. He concluded that he was supportive of the application and he urged Members to accept the Director's recommendation and approve the application.

The Director referred Members to the details in the additional representations schedule. 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 3/14/1785/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

407 3/14/1584/FP – TEMPORARY CHANGE OF USE FOR 2 YEARS FOR A PART RESIDENTIAL AND PART 'RESIDENTIAL THERAPEUTIC COMMUNITY' (RTC) FOR YOUNG PEOPLE (AGED 16-25) WITH DRUG/ALCOHOL PROBLEMS AND OTHER ASSOCIATED ADDICTIVE BEHAVIOURAL ISSUES AT 25 CASTLE STREET, HERTFORD SG14 1HH FOR J HARRIS

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Mark Wood addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that in respect of application 3/14/1584/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director referred Members to the additional representations summary with particular reference to extra information that was relevant to paragraph 7.10 of the report. Councillor D Andrews sought and was given clarification that the application was for accommodation for 5 residents and Members were advised to consider the application on that basis.

Councillor Andrews referred to whether paragraph 4.1 of the report was in fact an objection given that Hertford Town Council was supportive provided that the permission was for a maximum of three persons at any one time. The Director emphasised that the representation from the Town Council had not been expressed as an objection although there was clearly some concern in respect of more than three persons being in residence in this location.

Councillor P Moore stated that she fully supported this application and she had noted the comments made by

Hertford Town Council. She commented that the 4.5 metre by 4.5 metre rooms with some en-suite facilities was perfectly adequate.

The Chairman stated her satisfaction with the proposed room sizes given that there were no minimum standards for bedrooms in the National Planning Policy Framework (NPPF) and the room sizes being provided by UK developers were amongst the smallest in Europe.

Councillor P Ruffles commented that he was supportive of the application and he referred to his confidence in the close supervision that would be provided as part of this unique experiment of a residential therapeutic community. He stated that, in order to manage the impact of the application on the surrounding area, the enforcement of the first condition was very important.

In response to a query from Councillor M Newman, the Director advised that the location of the property in relation to nearby public houses and children's parks could be a material planning consideration although, in this case, the location was considered to be acceptable given the intended supervisory role of the staff and the need for the young people to integrate appropriately in the normal range of facilities within Hertford town centre

Members were reminded that there were other legislative controls in respect of the use of any public space in the town and the impact of the proximity of any public houses on the success of the rehabilitation process itself was not a planning matter as the proximity of a public house was a management matter for the staff running the rehabilitation centre.

Councillor N Symonds expressed her support for this application. Councillor K Crofton was assured by the Director that if there were problems during the 2 year trial period, Members could refuse permission and the planning permission would not be automatically renewed after 31 December 2016. Members were advised that the proposed use would revert to the previous residential use

after this date.

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 3/14/1584/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

408 3/14/1860/FP – RE-SITING OF EXISTING ALLOTMENTS (PURSUANT TO CONDITION 4 OF THE GRANTED APPEAL FOR 3/13/1000/FP) AT LAND NORTH OF HARE STREET ROAD, BUNTINGFORD, HERTS FOR TAYLOR WIMPEY (NORTH THAMES)

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The Director of Neighbourhood Services recommended that subject to the applicant or successor in title entering into a Deed of Variation pursuant to Section 106 of the Town and Country Planning Act 1990 to make reference to this amended application, in respect of application 3/14/1860/FP, planning application be granted subject to the conditions detailed in the report now submitted.

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 Deed of Variation pursuant to Section 106 of the Town and Country Planning Act 1990 to make reference to this amended application, in respect of application 3/14/1860/FP, planning application be granted subject to the conditions detailed in the report now submitted.

409 E/14/0205/A – UNAUTHORISED CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO MEDICAL SUPPLY COMPANY (USE CLASS B1/B8) AT 19 HUNTSMAN CLOSE, PUCKERIDGE, WARE, HERTFORDSHIRE, SG11 1US

The Director of Neighbourhood Services recommended that in respect of the site relating to E/14/0205/A, enforcement action be authorised on the basis now detailed.

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/14/0205/A on the basis now detailed.

RESOLVED – that in respect of E/14/0205/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.

410 E/14/0300/B – UNAUTHORISED BALCONY STRUCTURE AT 31 COWBRIDGE, HERTFORD, HERTFORDSHIRE, SG14 1PN

The Director of Neighbourhood Services recommended that in respect of the site relating to E/14/0300/B, enforcement action be authorised on the basis now detailed.

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/14/0300/B on the basis now detailed.

RESOLVED – that in respect of E/14/0300/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.

411 E/14/0130/A – UNAUTHORISED USE OF BUILDINGS FOR B2 (GENERAL INDUSTRY) PURPOSES (WELDING) AT LITTLE SAMUELS FARM, WIDFORD ROAD, HUNSDON, HERTS, SG12 8NN

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The Director of Neighbourhood Services recommended that in respect of the site relating to E/14/0130/A, enforcement action be authorised on the basis now detailed.

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/14/0130/A on the basis now detailed.

RESOLVED – that in respect of E/14/0130/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.

412 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 8.56 pm