

MINUTES OF A MEETING OF THE
DEVELOPMENT CONTROL COMMITTEE
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON
WEDNESDAY 17 AUGUST 2011, AT 7.00
PM

PRESENT: Councillor W Ashley (Chairman)
Councillors M Alexander, D Andrews,
E Bedford, E Buckmaster, S Bull, J Demonti,
G Jones, J Taylor and B Wrangles

ALSO PRESENT:

Councillors T Herbert, P Moore, P Ruffles
and G Williamson

OFFICERS IN ATTENDANCE:

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

ALSO IN ATTENDANCE:

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224 APOLOGIES

Apologies for absence were submitted on behalf of
Councillors A Burlton, Mrs R Cheswright, G Lawrence, M

Newman and S Rutland-Barsby. It was noted that Councillors D Andrews, E Bedford and E Buckmaster were substituting for Councillors Mrs R Cheswright, G Lawrence and M Newman respectively.

225 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed the press and public to the meeting and those who were watching the live webcast.

The Chairman reminded the Committee of the Planning Tour of the District due to take place on Friday 2 September 2011.

The Chairman also reminded Members of the special meeting of the Committee due to be held on Thursday 25 August 2011 to determine the applications in respect of the Old River Lane site (The Causeway), Bishop's Stortford by Hendersons Global Investors. This would be held in the Charis Centre, Bishop's Stortford at 7.00 pm.

226 DECLARATIONS OF INTEREST

Councillor J Taylor declared a personal interest in application 3/11/0793/FO in that she was an acquaintance of Nigel Copping as a former Member of the Authority.

227 MINUTES

RESOLVED - that the Minutes of the Development Control Committee meeting held on 20 July 2011 be confirmed as a correct record and signed by the Chairman.

228 3/11/0793/FO - REMOVAL OF CONDITION 3 OF 3/04/1892/FP (PROVISION OF PLAY EQUIPMENT IN LIEU OF FINANCIAL CONTRIBUTION) AT SANVILLE GARDENS, HODDESDON ROAD, STANSTEAD ABBOTTS FOR PERSIMMON HOMES

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0793/FO, subject to a variation of the Section 106 legal agreement dated 1 June 2005 in respect of application 3/04/1892/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor J Taylor referred to the incorrect plan in respect of the site access and also the boundary of the play area. Councillor Taylor commented that it was a condition of approval on application 3/04/1892/FP that a play area be provided with play equipment.

Councillor Taylor stated that the applicant should be requested to ensure an adequate play area was provided complete with equipment, particularly in light of comments made by the Authority relating to the provision of recreation facilities for housing development. She sought clarification as to why this play area had not been provided before the houses were occupied.

Councillor Taylor stressed that where a commuted sum of a legal agreement was not spent, this was returned to the developer. She commented that the application should be deferred to ensure this play space was provided.

The Director confirmed that the plan displayed on the screen was the correct version as regards the boundary of the site. Members were advised that the version on the decision notice would be corrected before this was sent to the applicant.

The Director advised that the area designated for the play area no longer met the best practice guidelines for play facilities. The Director stated that the Open Spaces Manager had stressed that, as this area was located too close to some of the dwellings, the Authority was unable to adopt this play space.

In response to a query from Councillor E Buckmaster regarding the issue of a varied legal agreement stipulating

that the financial contribution of £29,561.44 be spent on play facilities within the vicinity of the site within a timescale of 10 years, the Director advised that this wording would ensure that if the contribution was not used within 10 years, the funding could be used to upgrade high street play space as a fall back position.

Councillor G Williamson, as the local ward Member, addressed the Committee in support of the application.

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, subject to a variation of the Section 106 legal agreement dated 1 June 2005 in respect of application 3/04/1892/FP, application 3/11/0793/FO be granted planning permission, subject to the conditions detailed in the report now submitted.

229 (A) 3/11/0824/FP AND (B) 3/11/0825/LB - CHANGE OF USE OF 2. NO. CLASS B1 OFFICE BUILDINGS TO CREATE 12. NO 1 AND 2 BED UNITS AT 7 AND 8 BLUECOATS AVENUE, HERTFORD FOR BLUECOATS JOINT VENTURE (BJV)

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0824/FP, subject to the applicant entering into a legal obligation pursuant to Section 106 of the Town and Country Planning Act 1990, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0825/LB, listed building consent 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 recommendations of the Director

of Neighbourhood Services as now detailed.

RESOLVED – that (A), subject to the applicant entering into a legal obligation pursuant to Section 106 of the Town and Country Planning Act 1990, application 3/11/0824/FP be granted planning permission, subject to the conditions detailed in the report now submitted; and

(B) application 3/11/0825/LB be granted listed building consent, subject to the conditions detailed in the report now submitted.

230 (A) 3/11/0987/FP - DEMOLITION OF EXISTING MAIN CAR DEALERSHIP AND CONSTRUCTION OF NEW MAIN CAR DEALERSHIP AND ADJACENT CAR PARK WITH RAISED STORAGE AREA; (B) 3/11/0988/FP - DEMOLITION OF BODY SHOP AND OUTBUILDING AND CONSTRUCTION OF 6 NO OFFICES AND 5 NO LIGHT INDUSTRIAL UNITS WITH TRADE COUNTERS AT 295-297, STANSTED ROAD, BISHOP'S STORTFORD, HERTS, CM23 2BT FOR GATES GROUP LTD

Mrs Sauvary addressed the Committee in opposition to the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0987/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director of Neighbourhood Services recommended that, subject to the applicant entering into a legal obligation pursuant to Section 106 of the Town and Country Planning Act 1990, in respect of application 3/11/0988/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor T Herbert, as the local ward Member, addressed the Committee in opposition to applications 3/11/0987/FP and 3/11/0988/FP. The Director referred to

the lack of flexibility and quality in respect of employment space in Bishop's Stortford. He referred to an identified need in the town for employment space.

The Director advised that Members should balance the identified need in Bishop's Stortford against the concerns of neighbouring residents. He stated that a very clear steer from the Committee in respect of Members' views would be important for Officers should the application be refused or deferred.

In response to queries from Members in relation to car parking, the Director stressed that the parking standards used by the Authority sought to minimise parking provision to influence the travel choices made by the public.

Councillor J Demonti proposed and Councillor E Buckmaster seconded a motion that applications 3/11/0987/FP and 3/11/0988/FP be deferred to enable Officers to undertake negotiations with the applicant to seek variations in the proposals with regard to the location of the vehicular access and the height, location and potential for landscaping of the proposed two storey parking structure.

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

The Committee deferred the applications as now detailed.

RESOLVED – that in respect of applications 3/11/0987/FP and 3/11/0988/FP, planning permission be deferred to enable Officers to undertake negotiations with the applicant to seek variations in the proposals with regard to the location of the vehicular access and the height, location and potential for landscaping of the proposed two storey parking structure.

231 3/11/0725/FP - PROPOSED DEMOLITION OF EXISTING

DWELLING AND ERECTION OF THREE DETACHED DWELLINGS WITH ASSOCIATED GARAGING AT 16, MAPLE AVENUE, BISHOP'S STORTFORD, CM23 2RR FOR GRAYSON BUILDING LTD

Mr Crossfield addressed the Committee in opposition to the application. Mr Allen spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0725/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor G Jones referred to the likely impact on amenity of the application, as well as the proximity of the proposed dwellings to neighbouring houses. He stated that, in his view, the degree of impact on neighbouring dwellings was sufficient to warrant refusing this application.

The Director stressed that Officers had carefully considered the Inspector's decision letter. Members were advised that Officers felt that the reduced height of the proposed dwellings meant that the impact of the application was now acceptable in this location.

Councillor G Jones proposed and Councillor S Bull seconded a motion that application 3/11/0725/FP be refused on the grounds that the siting of the proposed dwellings would result in a harmful impact on the amenity of the occupiers of 14 and 18 Maple Avenue by virtue of their proximity and potential for overlooking, and would be harmful to the existing largely open character of the surroundings and would thereby be contrary to the aims and objectives of policies ENV1 and HSG7 of the East Herts Local Plan Second Review April 2007.

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

The Committee refused this application as now detailed.

Councillors W Ashley requested that his vote against this decision be recorded.

RESOLVED – that in respect of application 3/11/0350/FP, planning permission be refused for the following reason:

1. The siting of the proposed dwellings would result in a harmful impact on the amenity of the occupiers of 14 and 18 Maple Avenue by virtue of their proximity and potential for overlooking, and would be harmful to the existing largely open character of the surroundings. It would thereby be contrary to the aims and objectives of policies ENV1 and HSG7 of the East Herts Local Plan Second Review April 2007.

232 3/11/0929/FP - DEMOLITION OF EXISTING BUNGALOW AND ERECTION OF TWO DETACHED DWELLINGS WITH GARAGES AT RAWALPINDI, 34, FOXLEY DRIVE, BISHOP'S STORTFORD, HERTS, CM23 2EB FOR MR ALLAN BROWN

Mr Mant addressed the Committee in opposition to the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0929/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor T Herbert, as the local ward Member, addressed the Committee in respect of the likely impact of the proposed development on neighbouring properties. He commented that the proposed development was out of keeping with the surrounding area and urged the Committee to refuse the application.

In response to a number of concerns from Members, the

Director stressed that Officers considered that the likely levels of overlooking were insufficient to warrant refusing the application. Officers considered that the overall application was an acceptable proposal.

Councillor J Demonti proposed and Councillor G Jones seconded a motion that application 3/11/0929/FP be deferred to enable Officers to seek amendment to the orientation of the proposed dwelling at Plot 1 to improve the relationship with the neighbouring property at 32 Foxley Drive (Polars).

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

The Committee deferred these applications as now detailed.

RESOLVED – that in respect of applications 3/11/0987/FP and 3/11/0988/FP, planning permission be deferred to enable Officers to seek amendment to the orientation of the proposed dwelling at Plot 1 to improve the relationship with the neighbouring property at 32 Foxley Drive (Polars).

233 3/11/1042/FN - DEMOLITION OF REDUNDANT PIG REARING BUILDINGS AND CONSTRUCTION OF FOUR SHORT TERM LETTING UNITS AT THE GROVE, MILL LANE, ANSTEY FOR MR MARCHANT

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1042/FP, planning permission be granted subject to the conditions now detailed.

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

RESOLVED – that in respect of application 3/11/1042/FP, planning permission be granted subject to the conditions detailed in the report now

submitted.

234 3/10/1583/OP - THE ERECTION OF A PUBLIC HOUSE AND TWO DWELLINGS AT THE FORMER COCK PUBLIC HOUSE, STOCKING PELHAM FOR MR D LYLE SMITH

The Director of Neighbourhood Services recommended that, subject to the completion of a legal agreement in respect of application 3/10/1583/OP, outline planning permission be granted subject to the conditions detailed in the report now submitted.

The Director summarised the planning history of this application. He stated that Officers now felt that the application could be supported given that the issue of enabling development had been resolved.

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 completion of a legal agreement in respect of application 3/10/1583/OP, outline planning permission be granted, subject to the conditions detailed in the report now submitted.

235 3/10/1890/FP - REPLACEMENT TWO-STOREY DWELLING AT 232 HERTINGFORDBURY ROAD, HERTINGFORDBURY, SG14 2LB FOR MJL DEVELOPMENTS LIMITED

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1890/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

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

RESOLVED – that in respect of application

3/11/1890/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

236 (A) 3/11/0996/RP - CONSTRUCTION OF THREE DETACHED HOUSES WITH ASSOCIATED VEHICLE ACCESS, LANDSCAPING AND PARKING FOLLOWING APPROVALS 3/08/0940/OP AND 3/11/0377/FN, AND; (B) 3/11/0997/RP - CONSTRUCTION OF TWO DETACHED HOUSES WITH ASSOCIATED VEHICLE ACCESS, LANDSCAPING AND PARKING FOLLOWING APPROVALS OF 3/08/0940/OP AND 3/11/0377/FN AT 65-67 NORTH ROAD, HERTFORD, SG14 1NF FOR THINKLOGIC LTD

Mr Teo and Mr McDonnell addressed the Committee in support of the applications.

The Director of Neighbourhood Services recommended that, in respect of applications 3/11/0996/RP and 3/11/997/RP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director stated that in light of comments from the Highway Authority, condition 3 on both applications was no longer required and should be deleted from the list of conditions detailed in the report now submitted.

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

RESOLVED – that (A) in respect of application 3/11/0996/RP, planning permission be granted, subject to the conditions detailed in the report now submitted, except for the deletion of condition 3; and

(B) in respect of application 3/11/0997/RP, planning permission be granted, subject to the conditions detailed in the report now submitted,

except for the deletion of condition 3.

237 3/11/1126/AD - FLAG POLE AND FLAG AT THE RIDGEWAY LOCAL PARK, THE RIDGEWAY, HERTFORD, SG14 2LW FOR EAST HERTS COUNCIL

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1126/AD, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director drew Members' attention to an amended plan detailing the updated location of the proposed development.

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

RESOLVED – that in respect of application 3/11/1126/AD, planning permission be granted, subject to the conditions detailed in the report now submitted.

238 3/11/1127/AD - FLAG POLE AND FLAG AT SOUTHERN COUNTY PARK, THORLEY LANE EAST, BISHOP'S STORTFORD FOR EAST HERTS COUNCIL

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1127/AD, planning permission be granted subject to the conditions detailed in the report now submitted.

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

RESOLVED – that in respect of application 3/11/1127/AD, planning permission be granted subject to the conditions detailed in the report now submitted.

239 3/11/0767/FP - CHANGE OF USE FROM AGRICULTURAL

BUILDINGS TO USE CLASSES B1 (BUSINESS), B2 (GENERAL INDUSTRIAL) AND B8 (WHOLESALE WAREHOUSE) AT UNIT 4, HADHAM INDUSTRIAL ESTATE, CHURCH END, LITTLE HADHAM, SG11 2DY FOR HADHAM INDUSTRIAL ESTATES LTD

Mr Scott addressed the Committee in opposition to the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0767/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director stressed that it was important for Members to note that this was not an application for the existing use within the building. The application was for B1, B2 and B8 use, although Officers were of the opinion that an approval of this application would not regularise the existing use of the site.

The Director stated that the existing use would remain unauthorised should this application be approved and could be the subject of a report to Members for enforcement action at a future meeting of the Committee.

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 in respect of application 3/11/0767/FP, planning permission be granted, subject to the conditions detailed in the report now submitted.

240 UPDATE ON ENFORCEMENT STATISTICS AND AUTHORISED ACTION

The Director of Neighbourhood Services submitted a report updating Members on enforcement statistics and recently authorised enforcement action.

The Committee noted the report as now detailed.

RESOLVED – that the report be noted.

241 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 8.27 pm

Chairman
Date