

MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT
(FORMERLY CONTROL) COMMITTEE
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON
WEDNESDAY 14 AUGUST 2013, AT 7.00
PM

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

ALSO PRESENT:

Councillors W Ashley, P Ballam, J Jones and
P Ruffles.

OFFICERS IN ATTENDANCE:

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| Liz Aston | - Development Team Manager (East) |
| Nicola Beyer | - Senior Planning Officer |
| 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 |

180 APOLOGY

An apology for absence was submitted on behalf of Councillor G Jones. It was noted that Councillor G Lawrence was in attendance as substitute for Councillor G Jones.

181 DECLARATIONS OF INTEREST

Councillor M Alexander declared a disclosable pecuniary interest in application 3/13/0901/FP, as he received a pension from GlaxoSmithKline. He left the room whilst this matter was considered.

Councillor S Bull declared a disclosable pecuniary interest in application 3/12/2063/FP, due to his involvement with South Anglia Housing Association. He left the room whilst this matter was considered.

182 MINUTES – 17 JULY 2013

RESOLVED – that the Minutes of the meeting held on 17 July 2013 be confirmed as a correct record and signed by the Chairman.

183 3/13/0343/SV – MODIFICATION OF S106 AGREEMENT FOR 3/10/1522/FP TO REDUCE THE AFFORDABLE HOUSING PROVISION FROM 23 UNITS TO 15 UNITS ON GROUNDS OF ECONOMIC VIABILITY AT WALLACE LAND, BUNTINGFORD ROAD, PUCKERIDGE, SG11 1RT FOR RIALTO HOMES LTD

The Director of Neighbourhood Services recommended that, in respect of application 3/13/0343/SV, East Herts Council agree to a variation of the Section 106 agreement to reduce the number of affordable houses to 15 units made up of 9 units for social rent and 6 units shared ownership, subject to the time limit and the conditions detailed in the report now submitted.

Members were reminded that this application had been

deferred at the July 2013 Committee meeting and Members had requested that Officers negotiate with the applicant for the provision of a higher proportion of affordable housing on this site.

The Director advised that Officers had met with the applicant and the proposal was now for 15 affordable housing units. The applicant had advised that this increase was only achievable, in viability terms, if the tenure mix was also varied, as now detailed.

The Director stated that Officers had been advised that the development was on the margins of viability. Members were still being advised that the application should be approved.

In response to comments from Councillors S Bull, A Burlton and N Symonds, the Director advised that Members should base their decision on the planning merits of the application in line with established planning policies.

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 3/13/0343/SV, planning permission be granted subject to the time limit and conditions detailed in the report now submitted.

184 3/13/0551/FP – REDEVELOPMENT OF THE SITE TO PROVIDE 130 RESIDENTIAL UNITS, 100 SQM OF RETAIL FLOOR SPACE, PROVISION OF A LINK ROAD BETWEEN MILL ROAD AND MEAD LANE AND PASSENGER INTERCHANGE, ASSOCIATED CAR PARKING AND LANDSCAPING AT LAND JUNCTION OF MILL ROAD/MEAD LANE, HERTFORD FOR REDROW HOMES LTD AND B R RESIDUARY BOARD

Mrs Stevenson addressed the Committee against the

application. Mr Flintoft spoke for the application.

The Director of Neighbourhood Services recommended that, subject to the applicant or successor in title signing a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990, in respect of application 3/13/0551/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director referred Members to the additional representations summary. He stated that the Council's Environmental Manager had commented that there was justification for outdoor sport/recreation and play space contributions. Members were also advised that County Highways had confirmed an agreement in principle to release the previous contribution towards a car club for Mead Lane.

The Director drew the Committee's attention to an amended schedule of conditions which had been circulated to all Members. The amendments were very minor in nature and were predominantly related to the wording regarding the triggers for development of this site.

Councillor P Ruffles, as the local ward Member, stated that he had not encountered the community support referred to by the supporting public speaker. He stated that he fully understood the constraints Officers were working with in terms of delivering homes. He commented however that this application could not be regarded as good planning by the public in light of the deficit in parking provision compared to what was needed in practice for a development of this size.

Councillor Ruffles stated that the proposed development would dwarf the predominantly Victorian homes in the area, as well as overshadowing the grade 2 listed Hertford East train station. He emphasised that Hertford Town Council would not support applications in this area except in very special circumstances due to the

overcapacity of the road network leading to existing houses and the nearby industrial area. He urged the Committee to find planning reasons to refuse the application.

Councillor D Andrews referred to the proposed parking allocation of less than 3 quarters of a space per unit as being inadequate and unworkable. He also stated that a car club had been tried elsewhere in the District and had been proved to be unworkable.

Councillor G Williamson queried what would be gained from the proposed new link road between Mead Lane and Mill Road, in particular the provision of a bus lay-by in the form of transport interchange. He referred to the existing bus route via Tesco.

Councillor P Moore commented that something needed to be done in this area as it was an untidy entrance to Hertford. She referred to her concern that Hertford did not need 52 one bedroom flats as well as the inadequate parking provision. Councillor K Crofton stated that the site should be retained for industrial purposes or commercial usage.

The Director stated this site was a highly sustainable location that was very close to Hertford Town Centre and adjacent to a train station. He advised Members that, in East Herts terms, this was one of the most sustainable sites in the District.

Members were advised that this was not an allocated employment site and the site had only been a light industrial area for many years. Members were advised that none of the existing residents had raised concerns in respect of a loss of employment in relation to this application.

The Director referred to the requirement for the Authority to ensure that the District's housing needs were met and a sustainable town centre site would be preferable to an

open countryside location.

In response to a query from Councillor M Newman regarding lifetime home standards, the Director advised that a condition had been included for the provision of 15% lifetime homes on this site.

Councillor M Alexander proposed and Councillor D Andrews seconded, a motion that application 3/13/0551/FP be refused on the grounds that the retention of the site for employment uses had not been fully explored and the proposed development was therefore contrary to policy EDE2 of the East Herts Local Plan Second Review April 2007. The proposed development would also result in the overdevelopment of the site and lead to additional pressure on limited parking availability in the area and was therefore contrary to policies ENV1 and TR7 of the East Herts Local Plan Second Review April 2007 and the policies of the National Planning Policy Framework.

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

RESOLVED – that in respect of application 3/13/0551/FP, planning permission be refused for the following reasons:

1. The development, by reason of the number of units proposed, resulting density and lack of ability to provide sufficient parking would result in the overdevelopment of the site and lead to additional pressure on limited parking availability in the area. It would thereby be contrary to policies ENV1 and TR7 of the East Herts Local Plan Second Review April 2007 and the policies of the National Planning Policy Framework which require that development proposals result in a high quality

built environment.

2. The Council is not satisfied that the retention of the site for employment use has been fully explored without success. The proposed development is thereby contrary to policy EDE2 of the East Herts Local Plan Second Review April 2007.

Summary of Reasons for Decision

In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2012 (as amended), 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 now detailed, the proposal has not achieved an acceptable and sustainable development in accordance with the Development Plan and the National Planning Policy Framework.

- 185 3/13/0527/FP – DEMOLITION OF THE FORMER STABLES, COACH HOUSE AND EDUCATIONAL BUILDINGS. CHANGE OF USE AND CONVERSION OF PEARSE HOUSE TO CREATE 12 NO. APARTMENTS, ERECTION OF 10 NO. DWELLINGS, ASSOCIATED PARKING, GARAGING, ALTERATIONS TO ACCESS, REFUSE AND RECYCLING STORAGE, AND LANDSCAPING AT PEARSE HOUSE, PARSONAGE LANE, BISHOP'S STORTFORD, CM23 5BQ FOR MARDEN HOMES LTD
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The Director of Neighbourhood Services recommended that, subject to the applicant entering into a Section 106 legal agreement to secure the financial contributions detailed in the report now submitted, in respect of application 3/13/0527/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor N Symonds, as a local Member, referred to the history of Pearse House and stated that it was sad that the stable and coach house would be lost as these buildings were not listed. However, as there had been no local objection to the proposed development, she was of the view that this application should be approved as this would preserve the future of Pearse House.

In response to a query from Councillor M Alexander, the Director advised that although the proposed development had met the threshold for affordable housing provision, the applicant had not proposed any affordable housing in order to ensure that the application remained viable.

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

RESOLVED – that, subject to the applicant entering into a Section 106 legal agreement to secure the financial contributions detailed in the report now submitted, in respect of application 3/13/0527/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

- 186 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 3/13/0901/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director referred Members to the additional representations schedule in that the condition requiring a

programme of archaeological investigative works was no longer required as extensive excavation and recording work had already been undertaken on this site.

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 3/13/0901/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

- 187 A) 3/13/0940/FP AND B) 3/13/0941/LB – ALTERATIONS AND CHANGE OF USE OF TWO CLASS B1 OFFICE BUILDINGS TO CREATE 14 1 AND 2 BED RESIDENTIAL DWELLINGS AT BUILDINGS 6 AND 7, BLUECOATS AVENUE, HERTFORD, HERTS, SG14 1PU FOR BLUECOATS JOINT VENTURE

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 3/13/0940/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 3/13/0941/LB, listed building consent be granted subject to the conditions detailed in the report now submitted.

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

RESOLVED – that (A) 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 3/13/0940/FP, planning permission be granted subject to the conditions detailed in the report now submitted; and

(B) in respect of application 3/13/0941/LB, listed building consent be granted subject to the conditions detailed in the report now submitted.

188 3/13/0922/FO – VARIATION OF CONDITION 3 (LPA REF 3/11/1103/FP) – 'THE USE OF THE AISLED BARN AND THE CONSERVATORY AT DANE TREE HOUSE FOR WEDDING CEREMONIES AND RECEPTIONS HEREBY PERMITTED SHALL CEASE ON OR BEFORE TWO YEARS AFTER THE DATE OF DECISION' TO ALLOW THE DATE TO BE EXTENDED UNTIL 14/09/14 AT THE HENRY MOORE FOUNDATION, DANE TREE HOUSE, PERRY GREEN, MUCH HADHAM, SG10 6EE FOR THE HENRY MOORE FOUNDATION

Leslie Wake addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/13/0922/FO, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director referred to the concerns of Much Hadham Parish Council regarding proper assessment of this application. The Director also referred to the recent dialogue between Officers and the local ward Member Councillor M Carver.

Members were reminded that planning permission had been granted in September 2011 for the change of use of the Aisled Barn and the change of use of the conservatory in Dane Tree House. This permission was granted subject to a condition which required the use to cease 2 years after the date of the decision.

Members were advised that Officers had not been made aware of any concerns regarding the use of this site for weddings. Officers were satisfied that there would be limited impact in terms of noise and disturbance relating

to this application, which was to vary a condition to enable the continued use of the site for weddings for 1 year.

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 3/13/0922/FO, planning permission be granted subject to the conditions detailed in the report now submitted.

189 3/13/0813/OP – DEVELOPMENT OF SITE TO PROVIDE 13 FAMILY DWELLING HOUSES WITH ASSOCIATED CAR PARKING AND LANDSCAPING – LAND TO NORTH OF PARK FARM INDUSTRIAL ESTATE, ERMINE STREET, BUNTINGFORD

Katie Smith addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, subject to the applicant or successor in title signing a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990, in respect of application 3/13/0813/OP, outline planning permission be granted subject to the conditions detailed in the report now submitted.

The Director referred Members to an additional representation from the Council's Solicitor that had been summarised in the late representations summary. The third element of the Section 106 legal obligation had been amended to cover a financial contribution towards Open Space provision to East Herts Council.

The Director also advised that the applicant had indicated that only trees of poor quality would be removed and all other trees would be retained and enhanced via replacement planting.

Councillor J Jones, as the local ward Member, referred to the 0.49 hectare site as being conveniently just below the threshold for affordable housing provision. He stated that affordable housing was much needed in Buntingford and there was further land available to the west of the site.

Councillor Jones queried the latest round of marketing of the site in that there had been considerable interest in the site when it had been previously marketed in 2007. He stated that this site included an area reserved primarily for industry comprising B1 and B2 uses in accordance with policy EDE1, as well as a smaller area to the east fronting Ermine Street which had been reserved for live/work units.

Councillor Jones stressed that what was really needed in Buntingford was employment, particularly in light of the significant housing developments Buntingford was facing in the near future.

Councillor Jones concluded that the application was premature and was contrary to policies EDE1 and BUN6 of the East Herts Local Plan Second Review April 2007. Councillor S Bull commented that there were no figures in the suggested Section 106 legal obligations. He referred in particular to an urgent need for additional cemetery space in Buntingford.

The Director stressed that, as this was an outline application, the exact figures for the Section 106 legal obligations could not be calculated until the reserved matters application was submitted.

Members were reminded that the provision of cemetery space was not an issue that was covered by East Herts planning policies on Section 106 legal obligations.

Councillor Bull referred to the Buntingford Town Council's perspective in that the land was allocated in the East Herts Local Plan Second Review April 2007 as mixed use and therefore the principle of development was already

established. He stated that the Town Council had no objections to the proposed change of use but had requested that these proposals were considered in the wider context of any future development within Buntingford.

The Director confirmed that part of the site was allocated for employment under employment land policy. Members were advised that, somewhat unusually, part of site was earmarked for live work units. Members were advised that, despite marketing activity for a number of years, there had been no committed interest in this site for employment purposes.

The Director stated that development should not be put on hold pending the potential future interest in any site or pending the publication of the East Herts District Plan. Officers felt that, given that this was a modest development, it was acceptable on balance for a decision to be made in support of this application.

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

RESOLVED – that, subject to the applicant or successor in title signing a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990, in respect of application 3/13/0813/OP, outline planning permission be granted subject to the conditions detailed in the report now submitted.

- 190 A) 3/12/1955/FP AND B) 3/12/1956/LB – DEMOLITION OF THE EXISTING OUTBUILDINGS AND RENOVATION OF THE FORMER VICTORIAN SCHOOL. DEVELOPMENT OF THE FORMER SCHOOL PLAYGROUND AND OUTDOOR SPACE FOR 5NO 4 BED DWELLINGS AND 2NO 2 BED FLATS AT MUSLEY INFANT SCHOOL, MUSLEY HILL, WARE SG12 7NB FOR MUSLEY HILL DEVELOPMENT LTD

Mr Perman addressed the Committee against the

applications. Mr Yates and Mr Douglas spoke for the applications.

The Director of Neighbourhood Services recommended that, in respect of applications 3/12/1955/FP and 3/12/1956/LB, planning permission and listed building consent be granted subject to the conditions detailed in the report now submitted.

The Director reminded Members that these applications had been deferred at the May 2013 meeting to enable Officers to investigate whether the proposed development was the minimum necessary to generate funds to provide for the repair and restoration of the listed school building and to ensure that it would provide for a long term viable use of the listed building.

Members had raised concerns that the scope and scale of the development was excessive and had also raised concerns regarding highway safety and access. Officers had since sought expert viability advice and had been advised that the development was of an appropriate scale necessary to ensure the viability of the works to the former school building.

The Director concluded that this scheme was now an acceptable compromise between an acceptable use for the site and parking provision. Officers were also of the view that these applications were a more favourable scheme than one that had been previously supported by the Authority.

Councillor D Andrews referred to the significance of the buildings on this site to the Ware community. He stated that the site was in a sad and sorry state which was not good to see. He concluded that the good work of Officers and the applicant to ameliorate the impact of the proposed development meant the applications should be approved.

Councillor M Alexander stated that, in order to save the

former Musley Hill school and the use of the site for the community, these applications should be supported otherwise this aspiration would not be achieved. He queried whether a further application for change of use would be required if the proposed nursery use failed to materialise.

The Director stated that a nursery was a D1 use class and that this use class was already permitted on this site. Members were advised that, subject to permitted development rights, any other use of the site for another use class would require a planning application. The Director confirmed there was a degree of latitude within the D1 use class.

Councillor P Ballam, as the local ward Member, commented that the former Musley Hill School meant a lot to the people of Ware and it was shame that no work had been done to preserve this facility since the school had closed. She expressed concerns regarding a particularly dangerous 4 way junction adjacent to the site. Councillor Ballam urged Members to refuse these applications.

The Director commented that although the Authority had direct powers to carry out works or require works to be carried out to preserve the quality of listed buildings, these powers were not extensively used as the Authority could subsequently become liable to carry out the works.

The Director suggested that the preferred approach of the Authority would be for a developer to take on the risk of undertaking actual preservation works, subject to an acceptable planning application being approved. Members were advised that the role of East Herts Council was purely to ensure that planning and listed building applications were acceptable in planning terms.

In response to a query from Councillor M Alexander, the Director confirmed that, prior to the occupation of any of the residential units, there would have to be a schedule of works approved in writing by the Authority.

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

RESOLVED – that in respect of applications 3/12/1955/FP and 3/12/1956/LB, planning permission and listed building consent be granted subject to the conditions detailed in the report now submitted.

- 191 3/12/2063/FP – DEMOLITION OF EXISTING 3 GARAGE BLOCKS AND ERECTION OF 4 TWO-STOREY SEMI-DETACHED HOUSES WITH THREE BEDROOMS, PRIVATE AMENITY SPACE AND CAR PARKING AT GARAGE SITE TO THE NORTH OF 9 THREE STILES, BENINGTON, STEVENAGE, SG2 7LD FOR SOUTH ANGLIA HOUSING

Dean Goodman addressed the Committee against the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/12/2063/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor K Crofton, as the local ward Member, stated that these garages were unsuitably narrow for modern day usage and had suffered for many years from a lack of investment and maintenance. He pointed out that the proposed development was outside the Benington village envelope.

Councillor Crofton commented that the traffic survey for Three Stiles did not reflect the true car parking situation. As a consequence, Town Lane was also regularly blocked with parked cars making the collection of refuse and recycling an issue for the refuse crews.

Councillor Crofton emphasised that the Council's Landscape Officer had recommended refusal on the basis of the poor layout of the proposed development. The

Officer had also raised concerns in relation to the character of the area in terms of plot sizes, overdevelopment and the failure of the dwellings to assimilate well into the size and shape of the site.

Councillor D Andrews stated that he agreed with most of the objections to this application that had been summarised in paragraph 5.4 of the report now submitted. He was particularly concerned that a road width of 3.2 metres was too narrow for a modern ambulance, refuse vehicle or fire appliance.

Councillor Andrews commented that he was particularly concerned in respect of the location, height and the access arrangements for the proposed development. He referred to the inevitable conflict between traffic, parked cars and children as there was no footpath provision in this location.

The Director advised that planning policy ENV1 was a general policy in respect of the relationship and the impact of a proposed development on the existing street scene, as well as the impact on residents' amenity. He stated that policy TR7 was less relevant in this case as this site already benefited from parking provision.

Members were reminded that policy TR7 was more relevant to sites where new housing was being proposed with insufficient parking provision. Members should weigh up the ability of the applicant to deliver a modest number of additional housing units whilst bearing in mind that many residential areas suffered from a degree of parking pressure.

Councillor D Andrews proposed and Councillor K Crofton seconded, a motion that application 3/12/2063/FP be refused on the grounds that the proposed development would result in the loss of existing parking provision and was therefore contrary to policy ENV1 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework. The proposed development

also failed to respect the existing form and character of development in the area and was therefore contrary to policies ENV1 and OSV2 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework.

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

RESOLVED – that in respect of application 3/12/2063/FP, planning permission be refused for the following reasons:

1. The proposed development would result in the loss of existing parking provision and thereby increase the demand for on-street parking in an area where there is already significant demand and limited capacity. As a result the proposal would be harmful to the amenities of existing residents, contrary to policy ENV1 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework.
2. The proposed development fails to respect the existing form and character of development in the area, particularly with regard to the access roadway which is unsatisfactory in terms of length and width to serve residential development. It would thereby be contrary to policies ENV1 and OSV2 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) Order 2012 (as amended), 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 now detailed, the proposal has not achieved an acceptable and sustainable development in accordance with the Development Plan and the National Planning Policy Framework.

192 3/13/0714/FP – CONSTRUCTION OF DETACHED DWELLING AT CAMELOT, 9, CHURCH END, BRAUGHING, SG11 2QA FOR MR J HAWORTH

Parish Councillor Peter Boylan addressed the Committee against the application. David Kirby spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/13/0714/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director referred to the impact of the application on the conservation area of Braughing. Members were advised that the village church remained the dominant feature in Braughing and this application would do very little to change that.

The Chairman, as the local ward Member, stated that she was glad Braughing Parish Council and the Braughing Society were of the same mind regarding this application. She expressed sympathy with their views as well as the concerns of local residents.

The Chairman stated that she was pleased there would be obscured glazing for the bathroom windows although she had sympathy with residents concerned about overlooking from the rear of the proposed detached dwelling.

Councillor M Newman concurred with the Officer's view

that there would be very little visual impact resulting from this application. Councillor S Bull acknowledged that this was a sensitive area and a local beauty spot. He stated however that, having heard the comments of the supporting speaker for the applicant, he concurred with the Officer's recommendation.

Councillor N Symonds stated that this site was set in the historical heart of Braughing. She commented that this application set a dangerous precedent for back land development in a very historic area which was in close proximity to a beautiful grade 1 listed church and the Old Boys School.

The Director acknowledged that there would be a degree of overlooking for neighbouring residents. He stated however that the view of, and from, the church would change very little and the church would be largely unaffected by this application.

The Director stressed that Officers were of the view that the balcony referred to by the Chairman would not cause overlooking of the property referred to as Ashridge. The Balcony was modest in nature so Officers were of the view that its impact would be minimal.

The Director reminded the Committee to consider this application on its planning merits in line with established planning policy and to approach the issue of the setting of a precedent with caution.

Councillor M Alexander stated that he respected the view of the Landscape Officer in the recommendation made at paragraph 3.2 of the report now submitted. The Officer had raised a variety of concerns and had stated that the application should be refused.

The Director stated that Officers had carefully considered the views of the Landscape Officer in that this was an unusual site with no direct road frontage. In the view of the Landscape Officer, a property with a traditional road

frontage would be more suitable.

The Director advised that smaller trees and shrub planting would have to be removed as part of this application. The larger trees were well set back to the east so would not be affected. The Chairman stated that the highways comments at paragraph 3.5 of the report now submitted were incorrect in that there had been a number of accidents each year for the past 5 years.

Councillor Mrs R Cheswright proposed and Councillor M Alexander seconded, a motion that application 3/13/0741/FP be refused on the grounds that the proposed development would represent a form of development which was unduly prominent and would have an adverse visual impact on the Braughing Conservation Area. The application was therefore contrary to policies ENV1, HSG7, OSV1 and BH6 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework. The proposed balcony would also result in an unacceptable degree of overlooking and loss of privacy to the occupiers of the neighbouring property, Magdalens. It would therefore also be contrary to policy ENV1 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework.

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 3/13/0714/FP, planning permission be refused for the following reasons:

1. The proposed development by virtue of its siting, scale and design, would represent a form of development which is unduly prominent, has an adverse visual impact and fails to compliment the true character and

appearance of the surrounding area and the Braughing Conservation Area. It would thereby be contrary to policies ENV1, HSG7, OSV1 and BH6 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework.

2. The proposed balcony would result in an unacceptable degree of overlooking and loss of privacy to the occupiers of the neighbouring property, Magdalens. It would thereby be contrary to policy ENV1 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) Order 2012 (as amended), 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 now detailed, the proposal has not achieved an acceptable and sustainable development in accordance with the Development Plan and the National Planning Policy Framework.

193 3/13/1003/FP – CHANGE OF USE OF OUTBUILDING TO RESIDENTIAL ANNEX AT WHITE HOUSE LODGE, HARE STREET, BUNTINGFORD, SG9 0DX FOR MS A STEWART

The Director of Neighbourhood Services recommended that, in respect of application 3/13/1003/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 supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/13/1003/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

194 3/13/1078/FP – PART TWO STOREY, PART SINGLE STOREY REAR EXTENSION FOLLOWING DEMOLITION OF EXISTING CONSERVATORY AT 24, PINELANDS, BISHOP'S STORTFORD FOR MR M KINGSLAND

The Director of Neighbourhood Services recommended that, in respect of application 3/13/1078/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 supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/13/1078/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

195 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 9.44 pm

Chairman

Date