

Public Document Pack

EAST HERTFORDSHIRE DISTRICT COUNCIL

NOTICE IS HEREBY GIVEN that a meeting of East Hertfordshire District Council will be held in the Council Chamber, Wallfields, Hertford on Wednesday 29th January, 2014 at 7.00 pm, for the purpose of transacting the business set out in the Agenda below, and you are hereby summoned to attend.

Dated this 16th day of January 2014

Jeff Hughes
Head of Democratic and
Legal Support Services

Note: Prayers will be said before the meeting commences. Those Members who do not wish to participate will be invited to enter the Chamber at their conclusion

AGENDA

1. Chairman's Announcements

To receive any announcements.

2. Minutes (Pages 7 - 24)

To approve as a correct record and authorise the Chairman to sign the Minutes of the Council meeting held on 11 December 2013.

3. Declarations of Interest

To receive any Members' declarations of interest.

4. Petitions

To receive any petitions.

5. Public Questions

To receive any public questions.

6. Members' questions

To receive any Members' questions.

7. Executive Report - 21 January 2014

To receive a report (to follow) from the Leader of the Council and to consider recommendations on the matters below:

(A) Duty to Co-Operate – Update Report

(B) Interim Development Strategy Report (January 2014)

(C) Infrastructure Topic Paper (January 2014)

(D) Interim Sustainability Appraisal Report (December 2013)

(E) Draft East Herts District Plan (Preferred Options) (January 2014)

Note – Members are asked to bring their copy of the Executive and District Planning Executive Panel agendas to the meeting.

8. Development Management Committee: Minutes - 8 January 2014 (Pages 25 - 46)

Chairman: Councillor Mrs R Cheswright

9. Joint meeting of Scrutiny Committees: Minutes - 14 January 2014

Chairman: Councillor D Andrews (to follow)

10. Human Resources Committee: Minutes - 15 January 2014

Chairman: Councillor C Woodward (to follow)

11. Audit Committee: Minutes - 22 January 2014

Chairman: Councillor J Ranger (to follow)

12. National Non Domestic Rates Calculation 2014/15

To consider a report (to follow) of the Executive Member for Finance.

13. Motions on Notice

To receive Motions on Notice.

DISCLOSABLE PECUNIARY INTERESTS

1. A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:
 - must not participate in any discussion of the matter at the meeting;
 - must not participate in any vote taken on the matter at the meeting;
 - must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
 - if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
 - must leave the room while any discussion or voting takes place.

2. A DPI is an interest of a Member or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they were civil partners) within the descriptions as defined in the Localism Act 2011.

3. The Authority may grant a Member dispensation, but only in limited circumstances, to enable him/her to participate and vote on a matter in which they have a DPI.

4. It is a criminal offence to:

- fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register;
- fail to notify the Monitoring Officer, within 28 days, of a DPI that is not on the register that a Member disclosed to a meeting;
- participate in any discussion or vote on a matter in which a Member has a DPI;
- knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a DPI or in disclosing such interest to a meeting.

(Note: The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.)

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MINUTES OF A MEETING OF THE
COUNCIL HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 11 DECEMBER 2013, AT
7.00 PM

PRESENT: Councillor G McAndrew (Chairman).
Councillors M Alexander, W Ashley,
P Ballam, E Bedford, R Beeching,
E Buckmaster, S Bull, M Carver,
Mrs R Cheswright, K Crofton, A Dearman,
L Haysey, T Herbert, Mrs D Hollebbon,
A Jackson, G Lawrence, M McMullen,
P Moore, W Mortimer, M Newman, T Page,
M Pope, J Ranger, S Rutland-Barsby,
R Sharma, N Symonds, J Taylor, M Tindale,
J Thornton, A Warman, G Williamson,
N Wilson, J Wing, M Wood, C Woodward,
B Wrangles and J Wyllie.

OFFICERS IN ATTENDANCE:

Simon Drinkwater	- Director of Neighbourhood Services
Jeff Hughes	- Head of Democratic and Legal Support Services
Martin Ibrahim	- Democratic Services Team Leader
George A Robertson	- Chief Executive and Director of Customer and Community Services
Adele Taylor	- Director of Finance and Support Services

411 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed the press and public to the meeting and reminded everyone that the meeting was being webcast.

The Chairman referred to the recent sad news that former Councillor Russell Radford had passed away. He had represented Hertford Castle Ward on the District Council from May 2007 – March 2013. Members stood and observed a minute's silence.

The Chairman thanked Members for their support and donations to his raffle which had raised £2300.

In respect of future events, the Chairman referred to his Burns Night event on 25 January 2014 and the "Battle of the Bands" on 1 February 2014, at Hertford Theatre, which would involve school bands from across the whole District. The Chairman also reminded Members that his Civic Dinner would be on 21 March 2014, at the Rhodes Arts Complex.

Finally, the Chairman asked Members to support their local pantomimes this Christmas and invited Members and Officers to join him for seasonal light refreshments after the meeting.

412 MINUTES

RESOLVED – that the Minutes of the meeting held on 16 October 2013, be confirmed as a correct record and signed by the Chairman.

413 COMMUNITY LEADERSHIP AND HERE TO HELP

The Executive Member for Community Partnership & Liaison and the Chief Executive and Director of Customer and Community Services gave a joint presentation on Community Leadership and Here to Help.

They both spoke about the role of Members as community leaders and featured a short film citing examples of best practice by local Members. They also detailed what Here to

Help was about and outlined the activities undertaken to date.

Finally, the Chief Executive and Director of Customer and Community Services invited Members to submit case studies of community leadership that could be featured on the Council's website.

414 EXECUTIVE REPORT - 5 NOVEMBER 2013

RESOLVED – that the Minutes of the Executive meeting held on 5 November 2013 be received.

(see also Minutes 415 – 420)

415 HUNSDON CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

The Executive Member for Strategic Planning and Transport updated Members clarifying the request from the Parish Council for a boundary change to include the land known as The Dell and not land to the west of Acorn Street, as detailed in Essential Reference Paper of the report submitted. Officers had considered this request and concluded that no change was necessary to the boundary as proposed, as this line represented a clear demarcation between the built form of the historic core and the modern development to the west.

RESOLVED – that (A) the responses to the public consultation be noted and the Officer responses and proposed changes to the Hunsdon Conservation Area Appraisal be agreed;

(B) authority be delegated to the Head of Planning and Building Control, in consultation with the Executive Member for Strategic Planning and Transport, to make any further minor and consequential changes to the Appraisal which may be necessary; and

(C) the Hunsdon Conservation Area Appraisal be adopted.

(see also Minute 414)

416 RETAIL AND TOWN CENTRES STUDY UPDATE REPORT
(SEPTEMBER 2013)

RESOLVED – that support for the East Herts Retail and Town Centres Study Update Report, September 2013, being used as part of the evidence base to inform and support the East Herts District Plan and for Development Management purposes in the determination of planning applications, be delegated to the Head of Planning and Building Control Services, in consultation with the Executive Member for Strategic Planning and Transport.

(see also Minute 414)

417 STRATEGIC HOUSING MARKET ASSESSMENT UPDATE
2012 (MARCH 2013): LONDON COMMUTER BELT EAST
SUB-REGION

RESOLVED – that the Strategic Housing Market Assessment Update 2012 (March 2013): London Commuter Belt East Sub-Region, be supported as part of the evidence base to inform and support the preparation of the District Plan, and for housing strategy purposes.

(see also Minute 414)

418 DISTRICT-WIDE GREEN BELT REVIEW PART 1 (2013)

RESOLVED – that the East Herts District-Wide Green Belt Review – Part 1, September 2013, be supported as part of the evidence base to inform and support the East Herts District Plan.

(see also Minute 414)

419 DISTRICT PLAN – UPDATE REPORT

RESOLVED – that (A) the latest evidence supplied by Hertfordshire County Council in relation to schools planning, be noted, and an ongoing commitment to urgent joint working be supported;

(B) the proposed approach to the preparation of an Infrastructure Topic Paper, followed by an Infrastructure Delivery Plan based on a specially commissioned delivery study, be supported; and

(C) the latest national guidance, including that in relation to the importance of meeting housing needs within each housing market area, be noted.

(see also Minute 414)

420 DEVELOPER/LANDOWNER QUESTIONNAIRES AND ATLAS MEETINGS

RESOLVED – that the responses to the Developer Questionnaires (including subsequent information supplied), and the meeting notes between ATLAS and developers and/or their representatives, be supported as part of the evidence base to inform and support the preparation of the District Plan.

(see also Minute 414)

421 EXECUTIVE REPORT - 9 DECEMBER 2013

RESOLVED – that the Minutes of the Executive meeting held on 9 December 2013 be received.

(see also Minutes 422 - 433)

422 HOMELESS AND HOMELESS PREVENTION STRATEGY

RESOLVED – that the East Herts Homeless Review and Strategy 2013-2018 be adopted.

(see also Minute 421)

423 DRAFT REVISIONS TO THE COUNCIL TAX SUPPORT
SCHEME FOR 2014/15

RESOLVED – 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 2014 and the risks and assumptions attached to these, be approved; and

(C) the proposed CTS Scheme be approved.

(see also Minute 421)

424 PUCKERIDGE CONSERVATION AREA APPRAISAL AND
MANAGEMENT PLAN

RESOLVED - that (A) the responses to the public consultation be noted and the Officer responses and proposed changes to the Puckeridge Conservation Area Appraisal be agreed; and

(B) authority be delegated to the Head of Planning and Building Control, in consultation with the Executive Member for Strategic Planning and Transport, to make any further minor and consequential changes to the Appraisal which may be necessary; and

(C) the Puckeridge Conservation Area Appraisal be adopted.

(see also Minute 421)

425 STANDON CONSERVATION AREA APPRAISAL AND
MANAGEMENT PLAN

RESOLVED – that (A) the responses to the public consultation be noted and the Officer responses and proposed changes to the Standon Conservation Area Appraisal be agreed;

(B) authority be delegated to the Head of Planning and Building Control, in consultation with the Executive Member for Strategic Planning and Transport, to make any further minor and consequential changes to the Appraisal which may be necessary; and

(C) the Standon Conservation Area Appraisal be adopted.

(see also Minute 421)

426 LONDON COMMUTER BELT (EAST) SUB-REGION: OLDER
PEOPLE'S HOUSING REQUIREMENTS: OCTOBER 2013

RESOLVED - that the London Commuter Belt (East) Sub-Region: Older People's Housing Requirements Study: October 2013, be agreed as part of the evidence base to inform and support the preparation of the District Plan, and for housing and other corporate strategy purposes.

(see also Minute 421)

427 DISTRICT PLAN – UPDATE REPORT

RESOLVED – that the summary report on the Member Event on 24 October 2013 detailed at Essential Reference 'B', and the schedule of meetings contained at Essential Reference Paper 'C' of the report submitted, be noted.

(see also Minute 421)

428 DISTRICT PLAN TOPIC-BASED POLICIES REPORT
(OCTOBER 2013)

RESOLVED – that (A) the topic-based policies be agreed for inclusion in the Draft East Herts District Plan for consultation purposes; and

(B) the Head of Planning and Building Control, in consultation with the Executive Member for Strategic Planning and Transport, be authorised to make non-material, and typographical corrections to the topic based policies, prior to inclusion in the District Plan for consultation purposes.

(see also Minute 421)

429 TRANSPORT UPDATE REPORT AND MODELLING
RESULTS

RESOLVED – that Hertfordshire County Council's Transport Update November 2013, informed by transport modelling, be noted and agreed as part of the technical evidence base to inform the preparation of the District Plan.

(see also Minute 421)

430 EAST HERTS GREEN BELT REVIEW – PARTS 2 TO 6
(DECEMBER 2013)

RESOLVED – that (A) the East Herts Green Belt Review – Parts 2 to 6, December 2013, be agreed as part of the evidence base to inform and support the East Herts District Plan; and

(B) the Head of Planning and Building Control, in consultation with the Executive Member for Strategic Planning and Transport, be authorised to make non-material, and typographical corrections to the Green Belt Review.

(see also Minute 421)

431 DUTY TO CO-OPERATE – UPDATE REPORT

RESOLVED – that the notes of recent Member-level meetings with Harlow and Uttlesford Councils, as now submitted, be noted.

(see also Minute 421)

432 DISTRICT PLAN UPDATE REPORT AND SUPPORTING DOCUMENT CHAPTER 6

RESOLVED - that (A) the revised approach to the presentation of the strategy for the District Plan, set out at Essential Reference Paper 'B', be agreed; and

(B) Essential Reference Paper 'C', containing District Plan Supporting Document Chapter 6: Conclusions, be agreed.

(see also Minute 421)

433 LOCAL DEVELOPMENT SCHEME (LDS) VERSION 5 (DECEMBER 2013)

RESOLVED – that the Local Development Scheme (LDS) Version 5 – December 2013 be agreed, to take effect from 12 December 2013.

(see also Minute 421)

434 DEVELOPMENT MANAGEMENT COMMITTEE: MINUTES - 6 NOVEMBER 2013

RESOLVED – that the Minutes of the Development Management Committee meeting held on 6 November 2013, be received.

435 LICENSING COMMITTEE: MINUTES - 7 NOVEMBER 2013

RESOLVED – that the Minutes of the Licensing Committee meeting held on 7 November 2013, be received.

(see also Minute 436)

436 FEEDBACK ON CONSULTATION ON STATEMENT OF LICENSING POLICY

RESOLVED – that (A) the report be received; and
(B) the revised statement of Licensing Policy, as now submitted, be approved.

(see also Minute 435)

437 ENVIRONMENT SCRUTINY COMMITTEE: MINUTES - 12 NOVEMBER 2013

RESOLVED – that the Minutes of the Environment Scrutiny Committee meeting held on 12 November 2013, be received.

438 COMMUNITY SCRUTINY COMMITTEE: MINUTES - 19 NOVEMBER 2013

RESOLVED – that the Minutes of the Community Scrutiny Committee meeting held on 19 November 2013, be received.

439 AUDIT COMMITTEE: MINUTES - 20 NOVEMBER 2013

RESOLVED – that the Minutes of the Audit Committee meeting held on 20 November 2013, be received.

440 CORPORATE BUSINESS SCRUTINY COMMITTEE: MINUTES - 26 NOVEMBER 2013

RESOLVED – that the Minutes of the Corporate

Business Scrutiny Committee meeting held on 26 November 2013, be received.

441 DEVELOPMENT MANAGEMENT COMMITTEE: MINUTES - 5 DECEMBER 2013

RESOLVED – that the Minutes of the Development Management Committee meeting held on 5 December 2013, be received.

442 COUNCIL TAX BASE - CALCULATION OF COUNCIL TAX BASE 2014/15

The Executive Member for Finance submitted a report recommending the calculation of the council tax base for the whole District and for each parish and town council for 2014/15.

Council approved the recommendations as now detailed.

RESOLVED – that (A) the calculation of the Council's tax base for the whole District, and for the parish areas, for 2014/15, as now detailed, be approved; and

(B) pursuant to the report and in accordance with the Local Authorities (Calculation of Tax Base) Regulations 2012, the amount calculated by East Hertfordshire District Council as its council tax base for the whole area for 2014/15 shall be 55468.63 and for the parish areas for 2014/15 as listed in the report submitted.

443 MOTIONS ON NOTICE - PAYDAY LENDERS

Councillor N Symonds proposed and Councillor M Wood seconded, a motion as follows:

That East Herts Council:

(A) notes that payday lenders are trapping millions of people, many of whom are vulnerable, in spirals

of debt;

- (B) believes that the Financial Conduct Authority (FCA)'s new proposals for regulating payday lenders are a step in the right direction, but considers that they do not go far enough;
- (C) further believes that the FCA's proposals would not:
 - (1) prevent payday lenders from drip-feeding new loans to people who already have payday debts and are struggling to pay them back;
 - (2) prevent people from being hit with escalating penalty fees, and
 - (3) stop payday lenders from raiding people's bank accounts without telling them;
- (D) welcomes that some of Britain's biggest debt, consumer and anti-poverty organisations – including Which?, Citizens Advice, StepChange Debt Charity, Church Action on Poverty and the Centre for Responsible Credit – and MPs from every Party represented at Westminster have come together to support the *Charter to Stop the Payday Loan Rip-Off*;
- (E) endorses the *Charter to Stop the Payday Loan Rip-Off* which calls on the FCA to introduce tougher regulation of payday lenders;
- (F) encourages residents of East Hertfordshire to support the Charter by signing the online petition at <http://www.change.org/paydayloancharter>
- (G) will seek to promote and support the development of local credit unions and more affordable lending;

- (H) will work with partners on campaigns against increasing levels of personal debt, and
- (I) will advise Martin Wheatley, Chief Executive of the Financial Conduct Authority and all local Members of Parliament of the decisions at (A) to (H) above.

Councillor N Symonds expressed concern at the impact of payday lenders on vulnerable people, the ease at which cash could be obtained in such a short time and the growing use of advertisements during children's television.

Councillor M Wood quoted a number of statistics which demonstrated the growth of the use of payday lenders and called on the Government to do more to curb their activities. He also believed that the Council's website could be more helpful in providing information on credit unions. The Leader undertook to take up this issue with Officers.

Various Members spoke in support of the motion. The Leader undertook to convey these concerns at his regular meeting with the local MPs.

Councillor J Wing expressed concern in respect of the impact of payday lenders on high streets and suggested an additional clause be added to the motion to the effect that a special planning category should be created in order to control changes of use. This was later withdrawn.

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

Council approved the motion as now detailed.

RESOLVED – that East Herts Council (A) notes that payday lenders are trapping millions of people, many of whom are vulnerable, in spirals of debt;

- (B) believes that the Financial Conduct Authority

(FCA)'s new proposals for regulating payday lenders are a step in the right direction, but considers that they do not go far enough;

(C) further believes that the FCA's proposals would not:

- (1) prevent payday lenders from drip-feeding new loans to people who already have payday debts and are struggling to pay them back;
- (2) prevent people from being hit with escalating penalty fees, and
- (3) stop payday lenders from raiding people's bank accounts without telling them;

(D) welcomes that some of Britain's biggest debt, consumer and anti-poverty organisations – including Which?, Citizens Advice, StepChange Debt Charity, Church Action on Poverty and the Centre for Responsible Credit – and MPs from every Party represented at Westminster have come together to support the *Charter to Stop the Payday Loan Rip-Off*;

(E) endorses the *Charter to Stop the Payday Loan Rip-Off* which calls on the FCA to introduce tougher regulation of payday lenders;

(F) encourages residents of East Hertfordshire to support the Charter by signing the online petition at <http://www.change.org/paydayloancharter>

(G) will seek to promote and support the development of local credit unions and more affordable lending;

(H) will work with partners on campaigns against increasing levels of personal debt, and

(I) will advise Martin Wheatley, Chief Executive of the Financial Conduct Authority and all local Members of Parliament of the decisions at (A) to (H) above.

444 MOTIONS ON NOTICE - PROTECTION OF PUBLIC HOUSES

Councillor C Woodward moved and Councillor J Wyllie seconded, a motion as follows:

East Herts Council calls upon the Secretary of State to help protect the sense of Place and community hubs by ensuring that planning permission and formal consultation is required before public houses and members social clubs are allowed to be converted into supermarkets, pay day loan stores, betting shops or other uses or are allowed to be demolished.

Community consultation should include full and objective viability assessments for any such proposals.

The Council notes if this power were acquired it would allow the Council to determine if such pubs/clubs should be converted or demolished and could save valued community hubs.

East Herts Council resolves to submit a letter to the Secretary of State.

Councillor C Woodward linked his motion to the earlier presentation on community leadership and the previous motion on payday lenders and spoke of the need to use the Sustainable Communities Act 2007 to ensure viability assessments were carried out for all proposed changes of use, as was the case currently with applications to convert public houses to housing.

Councillor T Page supported the element of the motion relating to the need for planning permission but proposed an amendment deleting the words “and members social clubs” and “into supermarkets, pay day loan stores, betting shops or

other uses". This was seconded by Councillor S Bull.

Various Members commented on the motion and the amendment and after some discussion, Councillor T Page withdrew his amendment.

Councillor J Wing commented on payday loan stores and betting shops being placed in a separate planning category and proposed an amendment, seconded by Councillor M Wood, that "the Secretary of State be asked to give consideration for placing payday loan stores and betting shops into a separate planning category to enable a higher level of planning control."

Councillor T Page opposed this amendment on the basis that he believed it was unreasonable to include betting shops.

After being put to the meeting, and a vote taken, the amendment was declared LOST.

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

Council approved the motion as now detailed.

RESOLVED – that East Herts Council calls upon the Secretary of State to help protect the sense of Place and community hubs by ensuring that planning permission and formal consultation is required before public houses and members social clubs are allowed to be converted into supermarkets, pay day loan stores, betting shops or other uses or are allowed to be demolished. Community consultation should include full and objective viability assessments for any such proposals.

The Council notes if this power were acquired it would allow the Council to determine if such pubs/clubs should be converted or demolished and could save valued community hubs.

East Herts Council resolves to submit a letter to the Secretary of State.

The meeting closed at 8.25 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 8 JANUARY 2014, AT 7.00
PM

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

ALSO PRESENT:

Councillors J Jones, M McMullen, T Page,
J Ranger, C Rowley, P Ruffles and J Taylor.

OFFICERS IN ATTENDANCE:

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

445 APOLOGIES

Apologies for absence were submitted on behalf of
Councillors E Bedford and A Burlton. It was noted that
Councillor G Lawrence was substituting for Councillor E
Bedford.

446 CHAIRMAN'S ANNOUNCEMENTS

At the invitation of the Chairman, the Head of Planning and Building Control advised Members that a special meeting of the Committee to deal with the deferred outline planning application relating to Bishop's Stortford North had been scheduled for 7.00 pm on Thursday 30 January 2014. This would be held in the Mitre Suite, Bishop's Stortford Football Club, Woodside, Dunmow Road, Bishop's Stortford.

The Chairman advised that she had agreed to accept an urgent item of business onto the agenda in the interests of the efficient operation of the service and to avoid delay. This related to Public Speaking Arrangements for the Development Management Committee Meeting dealing with Application 3/13/0075/OP – Land at Bishop's Stortford North.

447 DECLARATIONS OF INTEREST

Councillors M Alexander and P Moore declared disclosable pecuniary interests in applications 3/13/1721/FP and 3/13/1631/FP, in that they were Board Members for Riversmead Housing Association. They left the room whilst these matters were considered.

Councillor M Alexander declared a disclosable pecuniary interest in application 3/13/1866/FP, as he received a pension from GlaxoSmithKline. He left the room whilst this matter was considered.

448 MINUTES – 5 DECEMBER 2013

RESOLVED – that the Minutes of the meeting held on 5 December 2013 be confirmed as a correct record and signed by the Chairman.

449 3/13/1721/FP – DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 2 NO. TWO/THREE STOREY BUILDINGS COMPRISING 26 AFFORDABLE FLATS AND 2 NO. TWO STOREY BUILDINGS COMPRISING 7 AFFORDABLE FLATS, PARKING, GARDENS AND LANDSCAPING AT 102-124 COZENS ROAD AND GARAGES TO THE REAR OF 90-100 COZENS ROAD, WARE, SG12 7HW FOR RIVERSMEAD HOUSING ASSOCIATION

Mrs Malyon and Mrs Ball addressed the Committee in objection to the application. Mr Brush spoke for the application.

The Director of Neighbourhood Services recommended that, subject to the applicant or successor in title entering into a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990, in respect of application 3/13/1721/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor P Ballam, as the local ward Member, expressed concerns that the existing maisonettes that were due to be demolished were attractive brick built properties that were in keeping with the street scene. She believed the application was of a modern design with flat roofs that were completely out of keeping with the street scene. Councillor Ballam also expressed concerns relating to pedestrian safety, construction traffic, car parking, access for emergency vehicles and the visual impact of the application and its overall impact on residents' amenity. She urged the Committee to reject what she considered to be a totally unsuitable development.

Councillor G Williamson echoed these concerns and stated that he could not support this application.

Councillor D Andrews expressed his surprise to learn that the applicant proposed the destruction of 12 well

maintained family homes. He questioned the density of the proposed development and the impact on the existing street scene. He also expressed concerns in respect of overlooking for existing residents.

Councillor S Bull stated he would be voting against this application. He highlighted the many planning issues referred to in a list of bullet points covering objections to the application in the Officer's report. He also expressed concerns relating to the loss of community spirit should the application be approved.

The Director referred Members to a significant amount of additional information that Officers had summarised in the additional representations schedule. Members were reminded that disruption during construction was a temporary event and the Committee should not attach significant weight to this issue as it was the finished article that should be considered.

The Director referred to the appearance, scale and density of the proposed development. He stressed that Members must articulate what in particular was unacceptable in respect of this application. Members were reminded that change itself was not a sufficient basis for refusing an application.

Members were advised that the increased space that would be created by the wider access road to the south of the site had to be balanced against the increased scale of the proposed development. Officers were satisfied that the application was acceptable in planning terms and there was a similar 3 storey block of development to the north of the site.

The Director stated that there would be a less conventional flat roof at a higher level of 3 storeys than the existing 2 storey dwellings. Members were advised that the proposed parking provision was higher than the level required by the Authority for a development of this scale.

The Director concluded that the Authority was in the position of needing to secure additional affordable housing provision. In response to a query from the Chairman, the Director confirmed that, following advice from the Council's Solicitor, Officers had attached a condition restricting the use of the units to affordable housing.

Councillor M Newman referred to the existing dwellings and sought clarification as to whether planning policies attached any weight to the issue of the displacement of existing residents. He also queried whether the application met any of the tests covered by policy ENV1 of the East Herts Local Plan Second Review April 2007, in particular, whether the structure and layout of the proposed development was compatible with the massing and height of neighbouring dwellings.

The Director confirmed that policy ENV1 was the closest policy in terms of community provision in East Herts. Members were advised that the National Planning Policy Framework (NPPF) focussed more on facilities to support development, such as schools, transport and other supporting infrastructure rather than the retention of existing communities.

Councillor G Jones proposed and Councillor G Williamson seconded, a motion that application 3/13/1721/FP be refused on the grounds that the proposed development would be out of keeping with and would have a harmful impact on the existing character of the area and the proposal failed to take the opportunity of improving the character and quality of the area. The application was therefore contrary to policies ENV1 and HSG7 of the East Herts Local Plan Second Review April 2007 and the requirements of 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 3/13/1721/FP, planning permission be refused for the following reasons:

1. The proposed development, by reason of the scale, form, design and appearance of frontage Blocks A and B, would be out of keeping with and have a harmful impact on the existing character of the area. As a result, the proposal fails to take the opportunity available for improving the character and quality of the area. It is thereby contrary to policies ENV1 and HSG7 of the East Herts Local Plan Second Review April 2007 and the requirements of 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. 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.

450 3/13/1399/OP – RESIDENTIAL DEVELOPMENT (UP TO 56 DWELLINGS) AND OPEN SPACE, INCLUDING VEHICULAR/CYCLE/PEDESTRIAN ACCESS TO ASPENDEN ROAD, ALTERATIONS TO LEVELS, FOOTPATH / CYCLEWAY, LANDSCAPING AND RELATED WORKS AT LAND EAST OF, ASPENDEN ROAD, BUNTINGFORD, HERTS FOR WATTSDOWN LIMITED

Mr Spiers addressed the Committee in objection to the application. Mr Moulton spoke for the application.

The Director of Neighbourhood Services recommended that, subject to the applicant or successor in title entering into a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990, in respect of application 3/13/1399/OP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor J Jones, as a local ward Member, expressed concerns that this application was before the Committee before the Inspector's decision was known, in respect of land north and south of Hare Street Road, Buntingford. He stated that this site had not been included in the draft District Plan and that the preferred sites for housing were to the north and south of Buntingford. He commented that the application was predominantly located in flood zone 2 and the Environment Agency had requested details regarding surface water drainage and groundwater, as well as details of a buffer zone to the river.

Councillor J Jones cast doubt on the Highways Agency statement that the traffic impact was acceptable due to the low traffic flows on Aspenden Road, which served approximately 320 dwellings and an industrial estate. He also stated that the proposed play area would be located away from natural surveillance which could result in anti-social behaviour. He requested that Members either reject the application or defer a decision until the results of the aforementioned public inquiries and outstanding

technical studies were known.

Councillor J Ranger, also as a local ward Member, stated that the application should be deferred until the results of the public inquiries were known in respect of land to the north and south of Hare Street Road, Buntingford. He stated that further work was needed in respect of section 106 obligations as well as on the highways issues as traffic generation was a significant concern. He hoped that such work would mean the application could be approved at a future meeting of the Committee.

Councillor P Moore stated that the road had been flooded when she had visited the site, which was located in flood zone 2. She expressed concerns in respect of detectable sewage odours within the site and referred to the need for a 100 metre minimum buffer zone to the water treatment works. She also expressed concerns regarding the location of the children's play area. The Chairman advised that the applicant had agreed to relocate the children's play area.

The Director confirmed that the Authority could request further information regarding technical studies and this could all be covered by planning conditions. He gave Members advice regarding planning policy and the NPPF requirement that East Herts Council demonstrate a 5 year supply of housing land. Members were advised that neither the Environment Agency nor Hertfordshire Highways had objected to the application.

The Chairman stated that she was pleased that the entrance to the site would be widened. She expressed concerns, however, that Aspenden Road was very narrow with a very high traffic flow, especially at weekends. She stated that this was the wrong site for the proposed development and the highways impact on Aspenden Road would be unacceptably harmful.

Councillor S Bull proposed and Councillor M Alexander seconded, a motion that application 3/13/1399/OP be

deferred to enable Officers to enter into further discussions with the applicant in respect of the following matters:

- the potential for further improvements to the road serving the site;
- further assessment of flood risk, land contamination and drainage matters;
- further assessment of impact on wildlife.

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 3/13/1399/OP, planning permission be deferred to enable Officers to enter into further discussions with the Applicant in respect of the following matters:

- the potential for further improvements to the road serving the site;
- further assessment of flood risk, land contamination and drainage matters;
- further assessment of impact on wildlife.

451 (A) 3/13/1682/FP – CONVERSION OF EXISTING BUILDING TO FORM 9 NO. THREE BEDROOM AND 3 NO. TWO BEDROOM HOUSES AND CREATION OF ASSOCIATED OFF –STREET PARKING; AND (C) 3/13/1683/LB - CONVERSION OF EXISTING BUILDING TO FORM 9 NO. THREE BEDROOM AND 3 NO. TWO BEDROOM HOUSES AND CREATION OF ASSOCIATED OFF-STREET PARKING AT CENTRAL MALTINGS, NEW ROAD, WARE, SG12 7BS FOR MR M J WARNER

The Director of Neighbourhood Services recommended that, subject to the applicant or successor in title entering into a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990, in respect of

application 3/13/1682/FP, planning permission be granted subject to the conditions detailed in the report now submitted. The Director recommended that, if the legal agreement was not completed by midday on 4 February 2014, the Director of Neighbourhood Services be authorised to refuse planning permission.

The Director of Neighbourhood Services also recommended that, in respect of application 3/13/1683/LB, listed building consent be granted subject to the conditions detailed in the report now submitted.

Councillor M Newman commented that this site seemed to be part of a thriving area of industry. The Director referred Members to paragraph 7.3 of the report in respect of previous applications and the assessment of the loss of the previous employment use.

The Director advised that restricting the proposed change of use on the basis of a loss of employment was not appropriate given the restricted access to the site, particularly as the Northern Malting had recently been converted to a residential use.

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

RESOLVED – that (A), subject to the applicant or successor in title entering into a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990, in respect of application 3/13/1682/FP, planning permission be granted subject to the conditions detailed in the report now submitted;

(B) if the legal agreement referred to in recommendation (A) was not completed by midday on 4 February 2014, the Director of Neighbourhood Services be authorised to refuse planning permission for the reason detailed in the

report now submitted; and

(C) in respect of application 3/13/1683/LB, listed building consent be granted subject to the conditions detailed in the report now submitted.

452 3/13/1866/FP – ERECTION OF RESPIRATORY MANUFACTURING FACILITY WITH ASSOCIATED WORKS AT GLAXOSMITHKLINE PHARMACEUTICALS (WARE) LTD, PRIORY STREET, WARE, HERTFORDSHIRE, SG12 0DJ FOR GLAXOSMITHKLINE PHARMACEUTICALS

The Director of Neighbourhood Services recommended that, in respect of application 3/13/1866/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 3/13/1866/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

453 3/13/1631/FP – DEMOLITION OF GARAGES AND ERECTION OF 2NO. TWO BED HOUSES INCLUDING AMENITY SPACE AND CAR PARKING AT LAND ADJACENT TO 42 CLUSTERBOLTS, STAPLEFORD, HERTS, SG14 3ND FOR RIVERSMEAD HOUSING ASSOCIATION

Mr George addressed the Committee in objection to the application. Mr Brush spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/13/1631/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor K Crofton commented that the underutilisation of the garages was likely to be due to the lack of maintenance and upkeep preventing residents from using the garages properly. He commented that many households now had two cars in order to be able to get around the District. He also believed that these garages were a valuable asset for residents.

Councillor Crofton emphasised that an alternative for the applicant was to demolish the garages and give the space over to the residents and the community for car parking. He stated that he would oppose what he viewed as a regressive application.

Councillor S Bull expressed concerns that emergency vehicles would not be able to turn effectively in the confines of the site. The Director confirmed that the applicant had modified the application to ensure that large vehicles would be able to enter the site, turn and then exit the site in forward gear.

Members were advised that modelling had demonstrated that, when using the example of a refuse lorry, it would be possible for large vehicles to negotiate the site successfully. The Director stated that the Highway Authority was satisfied that large vehicles and, in particular, emergency vehicles could be accommodated safely and Officers had no reason to doubt this expert advice.

Councillor M Newman commented that the site was currently in a fairly shabby condition and the garages in particular were in a very poor state of repair. He stated that this application would improve what was a very downbeat area of land.

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

3/13/1631/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

454 3/13/1769/FP – DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF 2NO. DETACHED DWELLING HOUSES AT 11 DANE O'COYS ROAD, BISHOP'S STORTFORD, CM23 2RN FOR MR AND MRS BRITTEN

Mr Heney addressed the Committee in objection to the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/13/1769/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor G Jones requested that, in accordance with the agreement reached between the applicant's agent and local residents, a condition be attached to ensure that construction vehicles accessed the site via the existing Cricketfield Lane access as opposed to using Dane O'Coys Road.

The Director advised that a standard condition could be applied to cover the construction management which would require that all such details be agreed with Officers prior to works commencing on the site.

Members were advised, however, that where roads were open and available for use, the options for restricting access to a site could be somewhat limited in terms of such a planning condition.

In response to a query from Councillor M Newman, the Director advised that Officers would not normally seek to impose a condition controlling the access to a site. Officers would, however, attach a condition if requested to do so by Members as this was not an unreasonable approach.

Members were reminded that ultimately the Authority was not in a position to restrict the right of use of any particular access route to a site and residents retained the right to use Dane O'Coys Road at any time to access this site.

Councillor G Jones proposed and Councillor N Symonds seconded, a motion that application 3/13/1769/FP be granted, subject to a condition that, prior to the commencement of any works, details must be submitted to and approved in writing by the Local Planning Authority to ensure that all construction traffic accessed the site via Cricketfield Lane and not via Dane O'Coys Road.

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

RESOLVED – that in respect of application 3/13/1769/FP, planning permission be granted subject to the conditions detailed in the report now submitted and to the following additional condition:

9. Prior to the commencement of any works a “Construction Traffic Management Plan” shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be implemented in accordance with the approved details. The “Construction Traffic Management Plan” shall identify details of a) methods of accessing the site, including construction vehicle routing and b) construction vehicle parking and materials storage areas.

Reason: To ensure the satisfactory management of construction traffic in the interests of amenity and highway safety.

455 3/13/1895/FP – SINGLE STOREY AND FIRST FLOOR SIDE AND REAR EXTENSION AT STANMORE, WELLPOND GREEN, STANDON, SG11 1NN FOR MR LEUZZI

Mr Leuzzi addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/13/1895/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 3/13/1895/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

456 3/13/1912/FP – ALTERATIONS AND EXTENSIONS TO EXISTING DWELLING TO INCLUDE RAISING OF ROOF RIDGE TO CREATE FIRST FLOOR AT APPLEBY, CRADLE END, LITTLE HADHAM, SG11 2EF FOR MR HOODLESS

Mrs Starr addressed the Committee in objection to the application. Mr Bridge spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/13/1912/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor G Jones commented that the proposed extension, whilst not massive, would result in a much bigger property. He commented that there would not be a major issue in terms of the street scene as there were properties opposite the site of a similar size to Appleby once the extensions and alterations had been implemented. However, he believed that there would be

an impact on the neighbouring dwelling, known as Meadowsweet.

Councillor G Jones stated that whilst Appleby was located in a large site, both dwellings were located in close proximity to each other. He concluded that he would support a refusal of the application as there would be sufficient impact on neighbouring dwellings to justify a refusal under policy GBC3.

Councillor M Newman commented that Officers had considered that the amount of development proposed could not be considered as 'limited' and was therefore contrary to policy GBC3 of the East Herts Local Plan Second Review April 2007. He concluded that Appleby and Meadowsweet were currently almost a matched pair of properties of similar construction in terms of building materials and era and that the proposed extensions and alterations to Appleby would destroy that symmetry.

The Director advised that Officers were comfortable in terms of the impact of the proposed development as regards overlooking, loss of light and loss of privacy, as the relationship between the neighbouring dwellings was not dissimilar to numerous locations across East Herts. The Director concluded that the proposed development sat comfortably within the surrounding area and the application was acceptable in terms of the impact on the street scene and the character of the overall location.

After being put to the meeting and a vote taken, there being an equality of votes, the Chairman exercised her casting vote in support of the Officer's recommendation for approval. The Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/13/1912/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

457 E/12/0314/B – UNAUTHORISED USE OF LAND FOR THE STORAGE OF MOTOR VEHICLES AT MONKS GREEN FARM, MANGROVE LANE, HERTFORD, SG13 8QL

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/13/0314/B, enforcement action be authorised on the basis now detailed.

Councillor M Alexander sought clarification as to who any enforcement notice would be served on, i.e. the landowner or the owner of the car sales operation. He also sought clarification on the options that were open to the Committee to ensure that the original planning application in relation to the use of the property on the site known as Longcroft was adhered to.

The Director advised that the landowner had written to Officers and the detail of that correspondence was summarised in the additional representations schedule. Members were advised that any enforcement notice would be served on any party that had an interest in the site. It was ultimately the responsibility of the landowner to ensure compliance with any enforcement notice.

The Director advised that the location of the office referred to in this report was not captured by the Enforcement Notice that would be issued if Members supported the Officer's recommendation. Members were reminded that, when the application for the lifting of the condition restricting the use of the garage at Longcroft was reported to Members, Officers had recommended that it could be supported.

The Director stated that, in respect of the use that was currently taking place within the garage building at Longcroft, Officers were of the view that it was not a harmful one and it would not be expedient to take formal enforcement action in that respect. A further report could, however, be submitted on this matter if Members felt this

was necessary.

Councillor M Alexander proposed and Councillor S Bull seconded, a motion that a further report be brought to Committee in respect of formal enforcement action regarding the office use of the garage at Longcroft as this use was not captured by the Enforcement Notice that would be issued if Members supported the Director's recommendation in respect of E/12/0314/B.

After being put to the meeting and a vote taken, this motion was declared CARRIED. The Committee accepted the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/13/0314/B on the basis now detailed.

RESOLVED – that (A) in respect of E/13/0314/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; and

(B) a further report be brought to Committee in respect of formal enforcement action regarding the office use of the garage building at Longcroft as this use was not captured by the Enforcement Notice in (A) above.

458 E/13/0261/A – UNAUTHORISED DECKING TO THE REAR OF 45 LEAT CLOSE, SAWBRIDGEWORTH, HERTS, CM21 9LZ

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/13/0261/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/13/0261/A on the basis now detailed.

RESOLVED – that in respect of E/13/0261/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.

459 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.

460 PUBLIC SPEAKING ARRANGEMENTS FOR THE SPECIAL DEVELOPMENT MANAGEMENT COMMITTEE MEETING DEALING WITH APPLICATION 3/13/0075/OP – LAND AT BISHOP’S STORTFORD NORTH

The Director of Neighbourhood Services submitted a report that invited Members to consider public speaking arrangements for the additional meeting of the Committee on 30 January 2014, dealing with application 3/13/0075/OP relating to land at Bishop’s Stortford North, following the deferral from the Development Management Committee meeting held on 5 December 2013.

Members were advised that Officers were suggesting, for the reconsideration of the proposals, a total period of 15 minutes would be permitted for those who wished to speak in objection to the proposals, on the basis of the deferral reason. The same total period would then be offered to any supporting parties.

Officers would establish appropriate deadlines for registration of requests to speak and all other normal arrangements for public speaking would apply. Where any matter was raised with regard to the arrangements which were not addressed in the report, it would be subject to decisions by the Director of Neighbourhood Services, in consultation with the Chairman of the Committee. Members were asked to consider and endorse these proposals.

Members had a general debate on the options for public speaking arrangements.

Councillor G Jones proposed and Councillor G Williamson seconded, a motion that a maximum of 30 minutes each should be made available for objectors and the applicant, on the basis that the discussions would be restricted to the access arrangements relating to the proposed western neighbourhood (Phase 1).

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

The Committee approved the public speaking arrangements as now detailed.

RESOLVED – that (A) at the Development Management Committee scheduled for 30 January 2014 relating to the deferred planning application 3/13/0075/OP, 30 minutes each be made available for objectors and the applicant, on the basis that the discussions would be restricted to the access arrangements relating to the proposed western neighbourhood (Phase 1); and

(B) the Director of Neighbourhood Services, in consultation with the Chairman of the Development Management Committee, be authorised to determine any other necessary arrangements.

The meeting closed at 9.44 pm

Chairman

Date

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