

MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 23 MARCH 2016, AT 7.00 PM

PRESENT: Councillor D Andrews (Chairman).
Councillors M Allen, K Brush, M Casey,
M Freeman, J Goodeve, J Jones, J Kaye,
D Oldridge, T Page, P Ruffles and K Warnell.

ALSO PRESENT:

Councillors S Bull, R Brunton and S Rutland-
Barsby.

OFFICERS IN ATTENDANCE:

Paul Dean	- Principal Planning Enforcement Officer
Nurainatta Katevu	- Property and Planning Lawyer
Peter Mannings	- Democratic Services Officer
Kevin Steptoe	- Head of Planning and Building Control Services
Alison Young	- Development Manager

676 CHAIRMAN'S ANNOUNCEMENTS

The Chairman reminded Members of the organised site visit that had been arranged for the afternoon of Wednesday 6 July 2016. He also thanked the webcast operator for her support as it was her last meeting supporting the Authority in this capacity.

677 MINUTES – 24 FEBRUARY 2016

RESOLVED – that the Minutes of the meeting held on 24 February 2016 be confirmed as a correct record and signed by the Chairman.

678 3/15/2556/VAR – VARIATION OF CONDITION 2 (APPROVED PLANS) OF PLANNING PERMISSION 3/15/0413/FUL: ERECTION OF 120 RESIDENTIAL UNITS, 100 SQM OF COMMERCIAL FLOORSPACE, PROVISION OF A LINK ROAD BETWEEN MILL ROAD AND MEAD LANE AND PASSENGER INTERCHANGE, ASSOCIATED CAR PARKING, LANDSCAPING AND GROUNDWORKS – AMENDMENTS TO THE LAYOUT OF THE CENTRAL CAR PARKING AREA AND PARKING AREA TO THE WEST OF THE FITZROY HOUSES. CREATION OF NEW ACCESS ONTO MEAD LANE. AMENDMENTS TO THE FITZROY HOUSES AND THE DEPTH OF THE AMENITY DECK AT LAND BETWEEN MILL ROAD AND MEAD LANE, HERTFORD, SG14 1SA FOR REDROW HOMES LTD

Catherine Dove addressed the Committee in support of the application.

The Head of Planning and Building Control recommended that in respect of application 3/15/2556/VAR, subject to a deed of variation of the legal obligation agreed under ref: 3/15/0413/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head of Planning and Building Control advised that Members might recall that this application had been approved in November 2015 and work was currently well underway on site. The Head summarised the various amendments that were detailed in the report.

Members were advised that the principal amendment was the introduction of an access onto Mead Lane rather than the Link Road as originally proposed. The Head summarised the reasons for this amendment and stated that Hertfordshire Highways were satisfied that this would

not have an unacceptable impact on the highway.

Members were advised that discussions were ongoing with the Highway Authority as a result of previous planning conditions to ensure the use of the Link Road by commercial traffic was encouraged. Officers were satisfied with the amended scheme subject to a variation of the original legal agreement plus a minor amendment to condition 6 as detailed in the late representations summary.

Councillor P A Ruffles expressed his disappointment with the principal amendment regarding the perceived need to bring traffic back onto Mead Lane. He accepted that the change would not make a massive difference and he sought clarification regarding the likely traffic impact of vehicles exiting the site onto the Link Road or Claud Hamilton Way as it was known.

Councillor M Casey stated that he did not feel that a sufficient argument had been put forward for traffic exiting the site onto Mead Lane rather than the Link Road. He queried why the views of Hertford Town Council appeared to have been merely noted then dismissed by the Officer's report.

The Head explained that Officers had no detail regarding delays that might be caused by traffic exiting the site onto Mead Lane. Members were reminded that they should consider the application before them and it would be difficult to sustain a refusal on highways grounds as Hertfordshire Highways had not objected to the application.

Councillor T Page queried the need for the Green Travel Plan referred to in the report. He referred in particular to the scale of development that was required to necessitate a Green Travel Plan. The Head explained the substantial benefit of diverting HGV commercial traffic onto the Link Road and this benefit would nevertheless still be achieved even though this application would result in an additional

element of residential traffic accessing onto Mead Lane.

Members were reminded that an application of this scale required the applicant to consider travel options for future residents that avoided the use of the private car and this was the reason for the Green Travel Plan requirement. The Head reminded the Committee that this was a very minor amendment to the previously approved application. After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED – that in respect of application 3/15/2556/VAR, subject to a deed of variation of the legal obligation agreed under ref: 3/15/0413/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

679 3/15/1584/FUL – ERECTION OF SIX B1/B8 UNITS TO REPLACE EXTANT PLANNING PERMISSION REFERENCE 3/06/1994/FP AT HADHAM INDUSTRIAL ESTATE, CHURCH END, LITTLE HADHAM, SG11 2DY FOR HADHAM INDUSTRIAL ESTATES LTD

Mr Collins addressed the Committee in support of the application.

The Head of Planning and Building Control recommended that in respect of application 3/15/1584/FUL, planning permission be refused for the reasons detailed in the report now submitted. The Head summarised the proposed development as an application for 6 industrial units on a site which was located in a rural area of the District. Members were also referred to the additional representations summary.

Members were advised that, due to the location of the site, the application constituted inappropriate development that was contrary to policy GBC3 of the East Herts Local Plan Second Review April 2007. The site

was also considered to be in an unsustainable location as it relied on motor vehicle access and was therefore contrary to the main aims of the National Planning Policy Framework (NPPF).

The Head advised that Officers had been unable to judge the noise impact of the application on the living conditions of nearby residents due to insufficient information submitted as part of the application. The Head also referred to the economic benefits of the scheme in terms of rural employment which weighed in favour of the proposal. Officers considered, however, that this did not sufficiently outweigh the policy objection to the proposed development.

The Head stated that the existence of a previous planning permission on the site was unlikely to result in the same level of Class B1/B2 provision on the site as proposed by this application. This matter did not, therefore, outweigh the policy objections to this application.

The Head concluded that although the impact of the application on the character and appearance of the area in respect of highways and parking was acceptable, Officers felt that on balance, the recommendation for refusal was justified in this case.

Councillor J Kaye queried whether the noise issue related to traffic or noise that might emanate from the proposed units. Councillor K Warnell stated that Officers considered this scheme to be unsustainable whereas the extant planning permission allowed for a similar form of development.

Councillor M Casey commented on the uneven nature of the access road which was essentially an unpaved track. He questioned the sustainability of the site purely from the point of view of access.

Councillor T Page commented on the unsustainability of this site and he referred in particular to the policy

considerations detailed in paragraph 4.1 on page 61 of the report. He concluded that the impact on neighbouring residential properties was neutral and the only possible reason for refusing the application was car parking in relation to a B8 use.

The Head of Planning and Building Control advised that the noise issue related to noise emanating from the proposed units as well as noise generated by traffic to and from the site. The Head advised that the previous planning permission had been similarly unsustainable although this had been approved prior to adoption of the NPPF and for a specific use.

Members were advised that this previous application had also been contrary to rural area policy and had been recommended for refusal on those grounds. Members had, however, approved the application in support of the water bottling business operating from the site at that time.

The Head advised that although the access was not straight, Hertfordshire Highways had not sought to restrict the grant of planning permission on that basis. Members were advised that similar levels of traffic would very likely result from the extant planning permission on the site.

The Head concluded that some weight should be given to the economic benefits of the application. However, Members were reminded that the site was in an unsustainable location and the development would be better located in a town where alternative means of transport were available.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED – that in respect of application 3/15/1584/FUL, planning permission be refused for the reasons detailed in the report now submitted.

680 E/15/0366/ENF – A) UNAUTHORISED CHANGE OF USE OF THE BUILDING FROM HOTEL (C1 USE) TO A WEDDING VENUE (SUI-GENERIS USE); B) UNAUTHORISED OPERATIONAL DEVELOPMENT TO CHANGE THE LEVELS OF THE LAND; ERECT LIGHT COLUMNS, SECURITY LIGHTING POLES AND LIGHTS; AND THE ERECTION OF GATE PILLARS AND ENTRANCE GATES; C) UNAUTHORISED WORKS TO A LISTED BUILDING BY WAY OF THE ATTACHMENT OF SECURITY LIGHTS AND CCTV CAMERAS AT BRIGGENS HOUSE HOTEL, BRIGGENS PARK ROAD, STANSTEAD ABBOTTS, WARE, SG12 8LD

The Head of Planning and Building Control recommended that in respect of the site relating to E/15/0366/ENF, enforcement action be authorised on the basis now detailed. The Head summarised the unauthorised works that had taken place.

Councillor M Casey referred to his recent site visit and stated that it was clear that the appellant had made no effort to co-operate with the Authority. He emphasised that it was clear that the appellant was progressing further unauthorised work in the form of further changes in land levels to the rear of the site.

Councillor J Jones stated that some form of control was necessary to protect a listed building. He expressed his views regarding the description of the unauthorised works and emphasised that enforcement action was the only way forward.

After being put to the meeting and a vote taken, the Committee accepted the Head of Planning and Building Control's recommendation for enforcement action to be authorised in respect of the site relating to E/15/0366/ENF on the basis now detailed.

RESOLVED – that in respect of E/15/0366/ENF, the Head of Planning and Building Control, in conjunction with the Head of Democratic and Legal

Support Services, be authorised to take enforcement action on the basis now detailed.

681 E/08/0021/A – THE ERECTION OF AN UNAUTHORISED INDUSTRIAL STYLE LINK BUILDING BETWEEN A GRADE II LISTED BARN AND A FURTHER AGRICULTURAL BUILDING, AND THE UNAUTHORISED MATERIAL CHANGE OF USE FROM AGRICULTURE TO A CRICKET SCHOOL AT THARBIES BARNS, ROOK END, HIGH WYCH, HERTS, CM21 0LL

The Head of Planning and Building Control recommended that in respect of the site relating to E/08/0021/A, enforcement action and legal proceedings be authorised on the basis now detailed.

The Head detailed the relevant planning and enforcement history. After being put to the meeting and a vote taken, the Committee accepted the Head of Planning and Building Control's recommendation for enforcement action and legal proceedings to be authorised in respect of the site relating to E/08/0021/A on the basis now detailed.

RESOLVED – that in respect of E/08/0021/A, the Head of Planning and Building Control, in conjunction with the Head of Democratic and Legal Support Services, be authorised to take enforcement action and commence legal proceedings on the basis now detailed.

682 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 7.45 pm

Chairman

Date