

MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 24 MAY 2017, AT 7.00 PM

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

ALSO PRESENT:

Councillors P Ballam, S Bull, P Kenealy and
S Rutland-Barsby.

OFFICERS IN ATTENDANCE:

Liz Aston	- Development Team Manager (East)
Elaine Bell	- Solicitor
Paul Dean	- Principal Planning Enforcement Officer
Peter Mannings	- Democratic Services Officer
Kevin Steptoe	- Head of Planning and Building Control Services

41 APPOINTMENT OF VICE-CHAIRMAN

It was proposed by Councillor K Warnell and seconded by
Councillor J Jones that Councillor M Freeman be
appointed Vice-Chairman of the Development
Management Committee for the 2017/18 civic year.

After being put to the meeting and a vote taken,
Councillor M Freeman was appointed Vice-Chairman of
the Development Management Committee for the
2017/18 civic year.

RESOLVED – that Councillor M Freeman be appointed Vice-Chairman of the Development Management Committee for the 2017/18 civic year.

42 APOLOGY

An apology for absence was submitted on behalf of Councillor B Deering. It was noted that Councillor P Ruffles was substituting for Councillor B Deering.

43 MINUTES – 26 APRIL 2017

RESOLVED – that the Minutes of the meeting held on 26 April 2017 be confirmed as a correct record and signed by the Chairman.

44 3/16/2847/FUL – DEMOLITION OF EXISTING ASSEMBLY AND WORSHIP HALL AND ERECTION OF REPLACEMENT ASSEMBLY AND WORSHIP HALL, WITH ENHANCED VEHICULAR ACCESS AND ASSOCIATED PARKING, DRAINAGE, LANDSCAPING AND COMPENSATORY GRASSLAND HABITAT AT THE BUNGALOW, ERMINE STREET, COLLIERS END FOR MR D STAY

Mr Stacey addressed the Committee in support of the application.

The Head of Planning and Building Control recommended that in respect of application 3/16/2847/FUL, planning permission be refused for the reasons detailed in the report now submitted.

Councillor D Andrews addressed the Committee as the local ward Member. He stated that the proposed development would only be visible from Dowsetts Lane in the winter once leaves had fallen. He referred to the fact that the neighbours and the wider community did not find this application objectionable.

The Head summarised the application and detailed the relevant planning history. He referred to the site being located in a rural area of the District and this did restrict the potential granting of planning permission for buildings and uses which the Councils policies set out were inappropriate in this location. Officers had reached a balanced view on the potential introduction of a building of a significant size into the environment in this location.

The Head referred to the fundamental planning policy matters and concluded that the positive impacts and benefits of the application did not outweigh the harm to the rural area and the application should be refused. Councillor D Oldridge referred to the size of the proposed development and stated that an approval would set a precedent for other developments on this scale.

Councillor D Andrews stated that some of the responses from the statutory consultees were particularly helpful such as that received from the Flood Authority. He commented that the congregation was successful and their needs were substantial. He further commented that this site could be easily accessed from Hertford, Puckeridge, Standon and Ware. He emphasised that Dowsetts Farm was of a similar size but was more obtrusive and less attractive than the proposed scheme.

Councillor P Ruffles stated that he was sympathetic towards granting planning permission. He commented that the local element had been overplayed and he felt that this application fitted in with the local rural environment. He suggested that suitable landscaping conditions could be imposed.

Councillor M Casey commented that the proposal was more than twice the size of the existing meeting hall and he referred to the proposed parking area for 177 cars. He queried the size of the congregation as well as how many of the brethren would travel from outside the local area. Councillor J Goodeve expressed concerns over the sustainability of the location if people were travelling from

as far afield as Broxbourne, Cheshunt and Cuffley. Councillor K Warnell commented that the application would be of little benefit to the local community.

The Head referred to the additional commentary in the late representations. He stated that the policies in the East Herts Local Plan Second Review April 2007 were designed to support different types of development. He stated that in this area policies restricted development to limited small scale facilities for leisure and sports. Members were reminded that each Committee decision had an impact on any future decisions Members had to make on applications in this particular area.

The Head stated that this was an unusual form of development and the benefits had to be weighed against the harm and Officers felt that, in this case, the harm was more significant than the benefits in planning policy terms.

Councillor D Andrews proposed and Councillor R Brunton seconded, a motion that application 3/16/2847/FUL be granted on the basis that, on balance, the merits of the application and the social advantages outweighed the disadvantages and authority be delegated to the Head of Planning and Building Control to formulate an appropriate set of conditions.

After being put to the meeting and a vote taken, this motion was declared CARRIED. The Committee rejected the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED – that in respect of application 3/16/2847/FUL, planning permission be granted subject to conditions and authority be delegated to the Head of Planning and Building Control to formulate an appropriate set of conditions.

45 3/17/0041/FUL – ERECTION OF TWO NEW AGRICULTURAL BUILDINGS AT TILE KILN FARM, STANDON ROAD, LITTLE HADHAM, SG11 2HP FOR MR R BARCLAY

The Head of Planning and Building Control recommended that in respect of application 3/17/0041/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head summarised the application and explained that the site was located within the Rural Area beyond the Green Belt whereby policy GBC3a allowed for the erection of development for agricultural purposes. The principle of the proposed development was therefore acceptable. Officers had included a condition regarding landscape design proposals.

The Head confirmed to Councillor P Ruffles that the comments made by the Countryside Access Officer and the Rights of Way Officer in paragraphs 6.5 and 10.11 of the report were made by the same Officer and covered the same issues. 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 3/17/0041/FUL, planning permission be granted subject to the conditions detailed in the report.

46 3/17/0387/OUT – OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT COMPRISING 15 DWELLINGS (INCLUDING 6 STARTER HOMES) WITH ASSOCIATED ACCESS AT LAND ADJACENT TO THE OLD RECTORY, BALDOCK ROAD, COTTERED, HERTS, SG9 9QP FOR MR AND MRS ROBERT TAUSSIG

Mr Gunne-Jones addressed the Committee in support of the application. Councillor P Kenealy addressed the Committee as the local ward Member.

The Head of Planning and Building Control recommended that in respect of application 3/17/0387/OUT, planning permission be refused for the reasons detailed in the report now submitted.

The Head summarised the application and detailed the relevant planning history. Members were reminded that Cottered was a category 3 village in the current local plan. Emerging policy would change this designation to a group 2 village. Limited infill development could be supported and a key point was the weight that could be applied to the emerging policy.

The Head emphasised that even if the emerging policy was in place, this site was not within the village boundary. Members should be aware of the importance of the Authority demonstrating a 5 years supply of housing land. Members were reminded that the harm had to be significant and demonstrable before an application could be refused in this policy situation. The Head referred to the additional representations summary and concluded that the balance of considerations had shaped the recommendation for refusal.

Councillor D Andrews observed that he did not view this proposed development as infill and commented on deferral pending further information regarding the Section 106 Agreement and affordable housing. Following this and a comment from Councillor M Allen, the Solicitor confirmed that although the Section 106 heads of terms were not legally enforceable by themselves, they would be used as the basis for drafting a Section 106 legal agreement which would be enforceable.

The Head stated that the application had gone beyond the target date for determination and the applicant might agree to a further delay if they were amenable to further changes the Council sought. He referred to the likely policy basis for a deferral. Members debated the unresolved Section 106 agreement and the policy

situation as well as the emerging District Plan.

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 3/17/0387/OUT, planning permission be refused for the reasons detailed in the report now submitted.

- 47 3/17/0407/FUL AND 3/17/0408/LBC – CHANGE OF USE OF BARN FROM AGRICULTURE TO B1 (OFFICE) AND THE ERECTION OF 1 NO. B1 (OFFICE) BUILDING AND ONE A3 (CAFE/RESTAURANT) TO INCLUDE PARKING AT WICKHAM HALL, HADHAM ROAD, BISHOP'S STORTFORD FOR MR DAVID HARVEY

The Head of Planning and Building Control recommended that in respect of applications 3/17/0407/FUL and 3/17/0408/LBC, planning permission and listed building consent be granted subject to the conditions detailed in the report now submitted.

The Head summarised the applications and detailed the relevant site history. Members were advised that the largest 17th century aisled barn had been in steady decline for a number of years prior to previous development proposals at the site. It had now been restored. It was now proposed that other historic buildings on the site be restored and converted for office use.

Members were also advised that the applicant had re-evaluated his position and had subsequently sought amendments on the basis of swapping the approved residential scheme for new build commercial and a conversion to commercial.

The Head referred to the location within the Metropolitan Green Belt and the NPPF policy regarding the

introduction of new commercial buildings and the impact on the Green Belt. Members were advised that the proposed development represented inappropriate development in the Green Belt and such development should not be approved except in very special circumstances.

The Head acknowledged the benefits of the proposals and significant weight had been attached to the extant permission. The harm identified was clearly outweighed by other considerations and very special circumstances existed and planning permission should, therefore, be granted.

Councillor J Goodeve expressed support for the scheme and commented on the number of car parking spaces compared to the existing situation. She also commented on the access and the available passing places. The Head stated that there would be changes to the access due to Bishop's Stortford North and Hertfordshire Highways had not objected on the grounds of safety, road capacity or the impact on the public highway.

The Head clarified the situation regarding vehicle trip rates and parking standards. Members were advised that the proposed provision of 120 spaces was in accordance with the parking standard of up to a maximum of 122 spaces.

Councillor K Warnell expressed familiarity with the site and referred in particular to the insufficient parking. He welcomed the additional parking proposed by this application. Councillor M Casey referred to the location adjacent to the ASRs and Bishop's Stortford North. He commented on how the proposed development would connect with future housing.

The Chairman stated that, as the local ward Member, the proposals would be an asset to the locality and would be more appropriate than the permission previously granted for housing on the site. He felt the scheme would draw in

people from across the town and East Herts. After being put to the meeting and votes taken, the Committee accepted the recommendations of the Head of Planning and Building Control as now submitted.

RESOLVED – that in respect of applications 3/17/0407/FUL and 3/17/0408/LBC, planning permission and listed building consent be granted subject to the conditions detailed in the report.

48 ITEMS FOR REPORTING AND NOTING

At the invitation of the Chairman, the Head of Planning and Building Control summarised a number of points of relevance for Members to consider in respect of the appeal decisions detailed in the report.

RESOLVED – that the following reports be noted:

- (A) Appeals against refusal of planning permission / non-determination;
- (B) Planning Appeals lodged;
- (C) Planning Appeals: Inquiry and Informal Hearing dates; and
- (D) Planning Statistics.

The meeting closed at 8.55 pm

Chairman
Date