

MINUTES OF AN EXTRAORDINARY  
MEETING OF THE COUNCIL HELD IN THE  
COUNCIL CHAMBER, WALLFIELDS,  
HERTFORD ON THURSDAY 22  
SEPTEMBER 2016, AT 7.00 PM

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PRESENT: Councillor J Jones (Vice-Chairman, in the chair).  
Councillors M Allen, D Andrews, P Ballam, P Boylan, R Brunton, E Buckmaster, S Bull, M Casey, Mrs R Cheswright, G Cutting, B Deering, I Devonshire, H Drake, M Freeman, J Goodeve, B Harris-Quinney, L Haysey, Mrs D Hollebon, G Jones, J Kaye, P Kenealy, G McAndrew, M McMullen, D Oldridge, T Page, M Pope, S Reed, P Ruffles, S Rutland-Barsby, C Snowdon, S Stainsby, R Standley, M Stevenson, N Symonds, J Taylor, K Warnell, G Williamson and J Wyllie.

OFFICERS IN ATTENDANCE:

Martin Ibrahim	-	Democratic Services Team Leader
Claire Sime	-	Planning Policy Manager
Kevin Steptoe	-	Head of Planning and Building Control Services
Liz Watts	-	Chief Executive
Kevin Williams	-	Acting Head of Legal and Democratic Services

### 325 CHAIRMAN'S ANNOUNCEMENTS

The Vice-Chairman welcomed Members and the public to the meeting and reminded everyone that the meeting was being webcast.

The Vice-Chairman stated that the Chairman had asked him to offer his sincere apologies for his absence, which was unavoidable as he had booked his holiday long before the need for this extraordinary meeting had been identified.

The Vice-Chairman advised that he had agreed to accept an urgent item of business onto the agenda relating to Members' Questions. These would be dealt with at item 2(A) on the agenda.

Finally, the Vice-Chairman welcomed Councillor Peter Boylan to his first Council meeting following his recent by-election success in Puckeridge ward.

### 326 DECLARATIONS OF INTEREST

In respect of Minute 329 – Heritage Impact Assessment for Panshanger Park and its Environs, June 2016, Councillor P Ruffles asked Council to note that he was a Hertfordshire County Council appointed trustee on Panshanger Management Committee. Although not a Disclosable Pecuniary Interest, he stated that he would not participate in any decision.

### 327 MEMBERS' QUESTIONS

The Vice-Chairman advised that Councillor K Warnell had withdrawn Question 4.

#### Question 1

Councillor C Woodward had submitted a question to the Executive Member for Environment and the Public Space. Although absent from the meeting, he had asked that, given:

- East Herts had three Air Quality Management Areas, one of which, Sawbridgeworth, had no Air Quality Action Plan (AQAP), and the oldest, Hockerill had exceeded World Health Organisation guidelines since at least 2007 and now failed the EU legal maximum by almost double for nitrogen dioxide (and failed on highly hazardous particulate matter pollutants);
- the duties placed on East Herts District Council by the Environment Acts 1995 & 2002 to actively reduce emissions and to do so by clearly defined times; and
- the AECOM Sustainability Appraisal for the draft District Plan stated that “car borne traffic is likely to be the most used transport” and that there was no hard evidence that modal shift had yet or, would occur (beyond wishful thinking), and that the reliance of the AQAP for Hockerill on a Bishop’s Stortford Urban Transport Plan was now misplaced as HCC have abolished it;

whether the Executive Member could clarify why the latest official progress report was three years old and to report to Members on how many of the actions set in the AQAP had been fully achieved or, wholly or partially failed. He also asked the Executive Member on the legal risk to East Herts Council and perhaps individual Members of approving a draft District Plan with in excess of 4,100 new homes in Bishop’s Stortford and 500 in Sawbridgeworth, as well as the health condition and figures for early mortality expectations of residents in the towns affected, in the stated context of Hertfordshire County Council’s Air Quality Strategy opening comment that ‘residents are dying prematurely due to poor air quality’ and AECOM’s admission that further development would have a “residual (minor) negative impact”. Councillor C Woodward had bracketed ‘minor’ given recent measures showing that Hockerill was at 76 microns versus the absolute legal maximum of 40 given doubt that any negative impact from new development was not legally and ethically acceptable when East Herts had for many years not resolved the current situation or delivered on its own AQAP.

The Executive Member for Environment and the Public Space responded by reminding Members of the considerable time

and resources the Council had given to air quality issues, particularly in Bishop's Stortford, over the past six months. He referred to the Bishop's Stortford Infrastructure and Congestion summit, the Hertfordshire Sustainability Forum and the forthcoming Air Quality Summit Steering Group meeting in October 2016. These all involved working in partnership with professionals, local bodies and stakeholders and sought to address air quality and climate change issues. By way of example, he referred to joint action across member organisations via the Climate Change Framework and Action Plan for Hertfordshire, which was looking at the scope for the promotion of electric vehicles. In East Herts, the Council was looking at innovative ways to encourage behaviour change such as the use of electric taxis. He also reminded Members that scrutiny task and finish groups had been set up on climate change and sustainable transport.

The Executive Member acknowledged that there was more to do, but believed that his summary of actions demonstrated the Council's commitment to air quality issues.

In respect of the potential risk to Members in approving the Draft District Plan against the backdrop of the air quality issues referred to in the question, the Executive Member referred to the Government's helpful advice on local authority obligations. This stated that local authorities were not legally obliged to achieve air quality objectives, although they were required to work towards the objectives by drawing up action plans setting out measures they intended to take in pursuit of them.

The Executive Member quoted the legislative position with regard to the Environment Act 1995, the Air Quality Regulations 2000 and the Air Quality (Amendment) Regulations 2002. These confirmed that the Council did not have a legal obligation to achieve air quality objectives, as the Government had concluded that this would be unreasonable, given that so many sources of emissions were beyond local authority control. Therefore, it was clear that the Council generally, and Members individually, did not risk legal action in the circumstances outlined within Councillor Woodward's

question.

## Question 2

Councillor K Warnell, in respect of BISH5, referred to a letter from Housing Minister Brandon Lewis on 6 June 2016, which stated, “the Government has put in place the strongest protections for the Green Belt. The Framework makes it clear that inappropriate development may be allowed only where very special circumstances exist, and that Green Belt boundaries should be adjusted only in exceptional circumstances, through the Local Plan process and with the support of local people. We have been repeatedly clear that demand for housing alone will not change Green Belt boundaries.”

Addressing the contents of this letter, Councillor K Warnell asked the Leader of the Council, given that the “very special circumstances” statement was a subjective opinion and evidential results of the Neighbourhood Plan survey of every household in Bishop’s Stortford showed 72.28% were against development here and a further 89.21% were against Green Belt development, where, when and how the “support of the local people” in the Brandon Lewis letter had been sought and gained in this specific case as no evidence thereof had been presented. He also asked if the Council had any letters or government guidance since the 6 June letter that countermanded the Government’s position.

In response, the Leader of the Council referred to clarification she had received from the Government and a letter from the new Minister for Housing and Planning, Gavin Barwell MP, dated 18 August 2016. Copies of this letter had been placed in the chamber for Members’ information. This stated that it was for local authorities to determine whether adjustments to the green belt should be made, whilst allowing local communities to have their say.

The Leader reminded Members of the urgent need to identify sites to meet an objectively assessed housing need of 16,390 new units in the plan period up to 2033. This was likely to rise

to 19,500 given continuing work in other areas. She referred to the short supply of brownfield sites, thus necessitating either green field or green belt land being identified for this housing need.

The Leader also referred to the Council's sustainable approach in satisfying itself that all available options for development outside of the green belt had been exhausted. Other options outside of the green belt had been considered, such as focussing development around an existing settlement like Buntingford, a new settlement in the north of the District and spreading the new housing around the villages throughout the District. These options had been dismissed as unsustainable or undeliverable within the plan period.

Therefore, the approach taken, which had been consistent with the National Planning Policy Framework, had been to identify locations which were the most sustainable in terms of existing infrastructure. She acknowledged the genuine concerns that local people might have with the loss of some green belt. However, Members had to make difficult decisions based on material planning considerations which outweighed the loss of greenbelt.

The Leader reminded Members that a further round of consultation would be undertaken and that ultimately, it would be the Independent Inspector who would make the decision.

In response to a supplementary question, the Leader advised that local communities had been consulted on the sites in question within the 2014 consultation.

### Question 3

Councillor G Cutting welcomed the Council's commitment to requiring developments in Bishop's Stortford to mitigate their impact on congestion and air pollution, and the intention expressed in the first draft of the Infrastructure Development Plan to obtain developer funding for cycling, walking, bus and road improvements to improve sustainable transport options in the town. He asked the Executive Member for Environment

and the Public Space if he would confirm that the Bishop's Stortford Town Centre Development Framework would provide further detail on what will be required to demonstrate sustainable transport options in the town and whether the Council will firm its commitment to fund the continuing effort required by the Council and its key stakeholders to work with bus companies, local businesses and residents to identify and deliver behaviour change that would reduce existing levels of air pollution, as well as mitigate the impacts of new development, a commitment which he believed must be made in the forthcoming new Action Plan for the AQMA and also be clear in the Infrastructure Development Plan. He also asked the Executive Member to explain how the AECOM sustainability work suggested that there was no problem with climate change mitigation as the new developments would replace less efficient ones and so "carbon emissions from the built environment will fall over time". Since all the large scale development in Bishop's Stortford was on brownfield or greenfield land not replacing existing buildings, did the Executive Member agree this was clearly wrong and totally missing the point of a sustainability review.

In reply, the Executive Member for Environment and the Public Space commented on emerging suggestions from the Bishop's Stortford Town Centre Planning Framework, such as switching off the gyratory, creating new links through development sites such as the Goods Yard and alternative locations for parking, which could reduce traffic volumes circulating the town. He also referred to corporate initiatives on setting up task and finish groups and hosting an Air Quality summit as detailed in his answer to Councillor C Woodward's question above.

In respect of AECOM sustainability work, the Executive Member stated that this addressed the various aspects of development, from new larger developments, where there would be the potential to fund and design low carbon and renewable energy schemes, to redevelopment of the existing built environment, where policy provision was made to reduce carbon emissions. He did not believe that the AECOM sustainability work stated that all new development would

replace existing buildings, rather that, it acknowledged if redevelopment took place, emissions from the built environment as a whole would fall over time. The Sustainability Appraisal had suggested that it was not possible to conclude significant effects as the proposed approach set out in the Plan performed well in terms of climate change mitigation objectives.

The Executive Member commented that the overall policy approach set out in the Plan would ensure that development demonstrated how carbon dioxide emissions would be minimised; that carbon reduction was met on site; and that, existing materials were re-used and recycled in construction. He referred specifically to Policy CC2, TRA1 and EQ4 and advised that an Air Quality Guidance document would be submitted to the next District Planning Executive Panel meeting on 13 October 2016.

#### 328 EXECUTIVE REPORT - 6 SEPTEMBER 2016

The Leader of the Council made a general statement in respect of the many recommendations of the Executive relating to the Draft District Plan. She commented that the recommendations before Council represented the culmination of an intensive period of work by Officers and Members that would enable the Council to meet its deadline for submission to the Planning Inspectorate of March 2017. She reminded Members that failure to meet this deadline could result in Government intervention. The Draft Plan was not just about housing, but also concerned employment, community facilities and leisure and open spaces.

The Leader commented that a viable plan and a five year land supply were essential in protecting the District from unsustainable and unviable development. The headline figure of 16,390 for housing had been reached following a balanced, evidence-based approach. Members needed to look at the whole picture and to balance the contradictory evidence.

The Leader referred to the three tenets of the National Planning Policy Framework (NPPF) that development should

be sustainable, viable and deliverable and how these guiding principles underlay the proposed Plan. It had been a difficult process to declassify 6% of the green belt, but exceptional circumstances had been demonstrated. As referred to earlier, other options had been considered and discounted as unsustainable and undeliverable. The required infrastructure needs could only be met by extensions to existing towns.

The Leader concluded that the Draft Plan provided soundness, legality and certainty to residents and businesses of where development would be permitted and where it would not. She paid tribute to the work of the Planning Policy team and expressed pride in their efforts.

It was noted that Minutes 245 (Hertingfordbury Conservation Area Appraisal and Management Plan) and 246 (Financial Strategy and Medium Term Financial Plan 2016/17 - 2021/21) would be determined at the next Council meeting on 19 October 2016.

RESOLVED – that the Minutes of the Executive meeting held on 6 September 2016, be received.

(see also Minutes 329 – 352)

329 HERITAGE IMPACT ASSESSMENT FOR PANSHANGER PARK AND ITS ENVIRONS, JUNE 2016

RESOLVED – that (A) the Heritage Impact Assessment (HIA) for Panshanger Park and its Environs, June 2016, be agreed as part of the evidence base to inform and support preparation of the East Herts District Plan; and

(B) the HIA for Panshanger Park be agreed as evidence to inform Development Management decisions.

(see also Minute 328)

330 HERTFORD AND WARE EMPLOYMENT STUDY, JUNE 2016

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RESOLVED – that (A) the Hertford and Ware Employment Study, June 2016, be approved as part of the evidence base to inform and support the East Herts District Plan; and

(B) the Hertford and Ware Employment Study, June 2016, be approved to inform Development Management decisions.

(see also Minute 328)

331 EAST HERTS DRAFT DISTRICT PLAN – CHAPTER 1 – INTRODUCTION: RESPONSE TO ISSUES RAISED DURING PREFERRED OPTIONS CONSULTATION

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RESOLVED – that (A) the issues raised in respect of Chapter 1 (Introduction) of the Draft District Plan Preferred Options, as detailed at Essential Reference Paper ‘B’ to the report submitted, be received and considered; and

(B) the Officer response to the issues referred to in (A) above, as detailed in Essential Reference Paper ‘B’ to the report submitted, be agreed.

(see also Minute 328)

332 EAST HERTS DRAFT DISTRICT PLAN – CHAPTER 2 – VISION AND STRATEGIC OBJECTIVES: RESPONSE TO ISSUES RAISED DURING PREFERRED OPTIONS CONSULTATION

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RESOLVED – that (A) the issues raised in respect of Chapter 2 (Vision and Strategic Objectives) of the Draft District Plan Preferred Options, as detailed at Essential Reference Paper ‘B’ to the report submitted, be received and considered; and

(B) the Officer response to the issues referred to in (A) above, as detailed in Essential Reference Paper 'B' to the report submitted, be agreed.

(see also Minute 328)

333 EAST HERTS DRAFT DISTRICT PLAN – CHAPTER 7 –  
HERTFORD: RESPONSE TO ISSUES RAISED DURING  
PREFERRED OPTIONS CONSULTATION

RESOLVED – that (A) the issues raised in respect of Chapter 7 (Hertford) of the Draft District Plan Preferred Options, as detailed at Essential Reference Paper 'B' to the report submitted, be received and considered; and

(B) the Officer response to the issues referred to in (A) above, as detailed in Essential Reference Paper 'B' to the report submitted, be agreed.

(see also Minute 328)

334 EAST HERTS DRAFT DISTRICT PLAN – CHAPTER 8 –  
SAWBRIDGEWORTH: RESPONSE TO ISSUES RAISED  
DURING PREFERRED OPTIONS CONSULTATION

RESOLVED – that (A) the issues raised in respect of Chapter 8 (Sawbridgeworth) of the Draft District Plan Preferred Options, as detailed at Essential Reference Paper 'B' to the report submitted, be received and considered; and

(B) the Officer response to the issues referred to in (A) above, as detailed in Essential Reference Paper 'B' to the report submitted, be agreed.

(see also Minute 328)

335 EAST HERTS DRAFT DISTRICT PLAN – CHAPTER 9 –  
WARE: RESPONSE TO ISSUES RAISED DURING  
PREFERRED OPTIONS CONSULTATION

RESOLVED - that (A) the issues raised in respect of Chapter 9 (Ware) of the Draft District Plan Preferred Options, as detailed at Essential Reference Paper ‘B’ to the report submitted, be received and considered; and

(B) the Officer response to the issues referred to in (A) above, as detailed in Essential Reference Paper ‘B’ to the report submitted, be agreed.

(see also Minute 328)

336 EAST HERTS DRAFT DISTRICT PLAN – CHAPTER 11 –  
EAST OF WELWYN GARDEN CITY: RESPONSE TO  
ISSUES RAISED DURING PREFERRED OPTIONS  
CONSULTATION

RESOLVED – that (A) the issues raised in respect of Chapter 11 (East of Welwyn Garden City) of the Draft District Plan Preferred Options, as detailed at Essential Reference Paper ‘B’ to the report submitted, be received and considered; and

(B) the Officer response to the issues referred to in (A) above, as detailed in Essential Reference Paper ‘B’ to the report submitted, be agreed.

(see also Minute 328)

337 EAST HERTS DRAFT DISTRICT PLAN – CHAPTER 12 –  
GILSTON AREA: RESPONSE TO ISSUES RAISED DURING  
PREFERRED OPTIONS CONSULTATION

RESOLVED – that (A) the issues raised in respect of Chapter 12 (Gilston Area) of the Draft District Plan Preferred Options, as detailed at Essential Reference Paper ‘B’ to the report submitted, be received and

considered; and

(B) the Officer response to the issues referred to in (A) above, as detailed in Essential Reference Paper 'B' to the report submitted, be agreed.

(see also Minute 328)

338 **EAST HERTS DRAFT DISTRICT PLAN – CHAPTER 14 – EMPLOYMENT: RESPONSE TO ISSUES RAISED DURING PREFERRED OPTIONS CONSULTATION, FURTHER AMENDMENTS AND DRAFT REVISED CHAPTER (RENAMED ECONOMIC DEVELOPMENT)**

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In response to a comment from Councillor T Page on the need for upgraded transport links as a boost economic development, the Head of Planning and Building Control referred to the background technical information behind the Plan which supported Councillor T Page's contention.

RESOLVED – that (A) the issues raised in respect of Chapter 14 (Economy) of the Draft District Plan Preferred Options, as detailed at Essential Reference Paper 'B' to the report submitted, be received and considered;

(B) the Officer response to the issues referred to in (A) above, as detailed in Essential Reference Paper 'B' to the report submitted, be agreed;

(C) the further amendments in respect of Chapter 14 (Economy) of the Draft District Plan Preferred Options, as detailed at Essential Reference Paper 'B' to the report submitted, be received and considered; and

(D) the draft revised Chapter 14 (Economic Development), as detailed in Essential Reference Paper 'C' to the report submitted, be agreed as a basis for inclusion in the final draft District Plan, with the content being finalised when the consolidated plan is

presented in September 2016.

(see also Minute 328)

339 EAST HERTS DRAFT DISTRICT PLAN – CHAPTER 18 –  
COMMUNITY FACILITIES, LEISURE AND RECREATION:  
RESPONSE TO ISSUES RAISED DURING PREFERRED  
OPTIONS CONSULTATION, FURTHER AMENDMENTS  
AND DRAFT REVISED CHAPTER

RESOLVED – that (A) the issues raised in respect of Chapter 18 (Community Facilities, Leisure and Recreation) of the Draft District Plan Preferred Options, as detailed at Essential Reference Paper ‘B’ to the report submitted, be received and considered;

(B) the Officer response to the issues referred to in (A) above, as detailed in Essential Reference Paper ‘B’ to the report submitted, be agreed;

(C) the further amendments in respect of Chapter 18 (Community Facilities, Leisure and Recreation) of the Draft District Plan Preferred Options, as detailed at Essential Reference Paper ‘B’ to the report submitted, be received and considered; and

(D) the draft revised Chapter 18 (Community Facilities, Leisure and Recreation), as detailed in Essential Reference Paper ‘C’ to the report submitted, be agreed as a basis for inclusion in the final draft District Plan, with the content being finalised when the consolidated plan is presented in September 2016.

(see also Minute 328)

340 EAST HERTS DRAFT DISTRICT PLAN – NEW DRAFT  
CHAPTER 1 – INTRODUCTION

RESOLVED – that the draft revised Chapter 1 (Introduction), as detailed in Essential Reference Paper ‘B’ to the report submitted, be agreed as a basis for

inclusion in the final draft District Plan, with the content being finalised when the consolidated plan is presented in September 2016.

(see also Minute 328)

341 EAST HERTS DISTRICT PLAN – NEW DRAFT CHAPTER 2  
– VISION AND STRATEGIC OBJECTIVES

RESOLVED – that the draft revised Chapter 2 (Vision and Strategic Objectives), as detailed in Essential Reference Paper ‘B’ to the report submitted, be agreed as a basis for inclusion in the final draft District Plan, with the content being finalised when the consolidated plan is presented in September 2016.

(see also Minute 328)

342 EAST HERTS DRAFT DISTRICT PLAN – CHAPTER 3 –  
DEVELOPMENT STRATEGY: RESPONSE TO ISSUES  
RAISED DURING PREFERRED OPTIONS CONSULTATION

RESOLVED - that (A) the issues raised in respect of Chapter 3 (Development Strategy) of the Draft District Plan Preferred Options, as detailed at Essential Reference Paper ‘B’ to the report submitted, be received and considered; and

(B) the Officer response to the issues referred to in (A) above, as detailed in Essential Reference Paper ‘B’ to the report submitted, be agreed.

(see also Minute 328)

343 EAST HERTS DRAFT DISTRICT PLAN – CHAPTER 4 –  
GREEN BELT AND RURAL AREA BEYOND THE GREEN  
BELT: RESPONSE TO ISSUES RAISED DURING  
PREFERRED OPTIONS CONSULTATION

RESOLVED – that (A) the issues raised in respect of Chapter 4 (Green Belt and Rural Area Beyond the

Green Belt) of the Draft District Plan Preferred Options, as detailed at Essential Reference Paper 'B' to the report submitted, be received and considered; and

(B) the Officer response to the issues referred to in (A) above, as detailed in Essential Reference Paper 'B' to the report submitted, be agreed.

(see also Minute 328)

344 EAST HERTS DRAFT DISTRICT PLAN – CHAPTER 6 – BUNTINGFORD: RESPONSE TO ISSUES RAISED DURING PREFERRED OPTIONS CONSULTATION

RESOLVED – that (A) the issues raised in respect of Chapter 6 (Buntingford) of the Draft District Plan Preferred Options, as detailed at Essential Reference Paper 'B' to the report submitted, be received and considered; and

(B) the Officer response to the issues referred to in (A) above, as detailed in Essential Reference Paper 'B' to the report submitted, be agreed.

(see also Minute 328)

345 EAST HERTS DRAFT DISTRICT PLAN – SAWBRIDGEWORTH – SETTLEMENT APPRAISAL AND NEW DRAFT CHAPTER 8

RESOLVED – that (A) the Sawbridgeworth Settlement Appraisal as detailed at Essential Reference Paper 'B' to the report submitted, be agreed; and

(B) the draft revised Chapter 8 (Sawbridgeworth), as detailed in Essential Reference Paper 'C' to the report submitted, be agreed as a basis for inclusion in the final draft District Plan, with the content being finalised when the consolidated plan is presented in September 2016.

(see also Minute 328)

346 EAST HERTS DRAFT DISTRICT PLAN – WARE –  
SETTLEMENT APPRAISAL AND NEW DRAFT CHAPTER 9

RESOLVED – that (A) the Ware Settlement Appraisal as detailed at Essential Reference Paper ‘B’ to the report submitted, be agreed; and

(B) the draft revised Chapter 9 (Ware), as detailed in Essential Reference Paper ‘C’ to the report submitted, be agreed as a basis for inclusion in the final draft District Plan, with the content being finalised when the consolidated plan is presented in September 2016.

(see also Minute 328)

347 EAST HERTS DRAFT DISTRICT PLAN – EAST OF  
WELWYN GARDEN CITY – SETTLEMENT APPRAISAL  
AND NEW DRAFT CHAPTER 13

RESOLVED – that (A) the East of Welwyn Garden City Settlement Appraisal as detailed at Essential Reference Paper ‘B’ to the report submitted, be agreed; and

(B) the draft revised Chapter 13 (East of Welwyn Garden City), as detailed in Essential Reference Paper ‘C’ to the report submitted, be agreed as a basis for inclusion in the final draft District Plan, with the content being finalised when the consolidated plan is presented in September 2016.

(see also Minute 328)

348 EAST HERTS DRAFT DISTRICT PLAN – CHAPTER 13 –  
HOUSING: RESPONSE TO ISSUES RAISED DURING  
PREFERRED OPTIONS CONSULTATION AND DRAFT  
REVISED CHAPTER (RENUMBERED CHAPTER 14)

RESOLVED – that (A) the issues raised in respect of Chapter 13 (Housing) of the Draft District Plan Preferred Options, as detailed at Essential Reference Paper ‘B’ to the report submitted, be received and considered;

(B) the Officer response to the issues referred to in (A) above, as detailed in Essential Reference Paper ‘B’ to the report submitted, be agreed;

(C) the further amendments in respect of Chapter 13 (Housing) of the Draft District Plan Preferred Options, as detailed at Essential Reference Paper ‘B’ to the report submitted, be received and considered; and

(D) the draft revised Chapter 14 (Housing), as detailed in Essential Reference Paper ‘C’ to the report submitted, be agreed as a basis for inclusion in the final draft District Plan, with the content being finalised when the consolidated plan is presented in September 2016.

(see also Minute 328)

349 EAST HERTS DRAFT DISTRICT PLAN – CHAPTER 25 –  
DELIVERY: RESPONSE TO ISSUES RAISED DURING  
PREFERRED OPTIONS CONSULTATION, FURTHER  
AMENDMENTS AND DRAFT REVISED CHAPTER  
(RENAMED DELIVERY AND MONITORING)

RESOLVED – that (A) the issues raised in respect of Chapter 25 (Delivery) of the Draft District Plan Preferred Options, as detailed at Essential Reference Paper ‘B’ to the report submitted, be received and considered;

(B) the Officer response to the issues referred to in (A) above, as detailed in Essential Reference Paper 'B' to the report submitted, be agreed;

(C) the further amendments in respect of Chapter 25 (Delivery) of the Draft District Plan Preferred Options, as detailed at Essential Reference Paper 'B' to the report submitted, be received and considered; and

(D) the draft revised Chapter 25 (Delivery and Monitoring), as detailed in Essential Reference Paper 'C' to the report submitted, be agreed as a basis for inclusion in the final draft District Plan, with the content being finalised when the consolidated plan is presented in September 2016.

(see also Minute 328)

350 STRATEGIC LAND AVAILABILITY ASSESSMENT,  
AUGUST 2016

RESOLVED – that the Strategic Land Availability Assessment, August 2016, be supported as part of the evidence base to inform and support the East Herts District Plan.

(see also Minute 328)

351 FINAL VILLAGE HIERARCHY STUDY AUGUST 2016

RESOLVED – that the Final Village Hierarchy Study August 2016, be supported as part of the evidence base to inform and support the East Herts District Plan.

(see also Minute 328)

352 DUTY TO CO-OPERATE UPDATE REPORT

RESOLVED – that the notes of the Member-level

meetings held with neighbouring local authorities be noted.

(see also Minute 328)

353 EXECUTIVE REPORT - 19 SEPTEMBER 2016

RESOLVED – that the Minutes of the Executive meeting held on 19 September 2016, be received.

(see also Minutes 354 – 371)

354 EAST HERTS DRAFT DISTRICT PLAN – NEW DRAFT CHAPTER 3 – DEVELOPMENT STRATEGY

RESOLVED – that the draft revised Chapter 3 (Development Strategy), as detailed in Essential Reference Paper 'B' to the report submitted, be agreed as a basis for inclusion in the final draft District Plan, with the content being finalised when the consolidated plan was presented in September 2016.

(see also Minute 353)

355 EAST HERTS DRAFT DISTRICT PLAN – NEW DRAFT CHAPTER 4 – GREEN BELT AND RURAL AREA BEYOND THE GREEN BELT

RESOLVED – that the draft revised Chapter 4 (Green Belt and Rural Area Beyond the Green Belt), as detailed in Essential Reference Paper 'B' to the report submitted, be agreed as a basis for inclusion in the final draft District Plan, with the content being finalised when the consolidated plan was presented in September 2016.

(see also Minute 353)

356 EAST HERTS DRAFT DISTRICT PLAN – CHAPTER 5 –  
BISHOP’S STORTFORD: RESPONSE TO ISSUES RAISED  
DURING PREFERRED OPTIONS CONSULTATION

RESOLVED – that (A) the issues raised in respect of Chapter 5 (Bishop’s Stortford) of the Draft District Plan Preferred Options, as detailed in Essential Reference Paper ‘B’ to the report submitted, be received and considered; and

(B) the Officer response to the issues referred to in (A) above, as detailed in Essential Reference Paper ‘B’ to the report submitted, be agreed.

(see also Minute 353)

357 EAST HERTS DRAFT DISTRICT PLAN – BUNTINGFORD –  
SETTLEMENT APPRAISAL AND NEW DRAFT CHAPTER 6

RESOLVED – that (A) the Buntingford Settlement Appraisal, as detailed in Essential Reference Paper ‘B’ to the report submitted, be agreed; and

(B) the draft revised Chapter 6 (Buntingford), as detailed in Essential Reference Paper ‘C’ to the report submitted, be agreed as a basis for inclusion in the final draft District Plan, with the content being finalised when the consolidated plan was presented in September 2016.

(see also Minute 353)

358 EAST HERTS DRAFT DISTRICT PLAN – HERTFORD –  
SETTLEMENT APPRAISAL AND NEW DRAFT CHAPTER 7

RESOLVED – that (A) the Hertford Settlement Appraisal, as detailed in Essential Reference Paper ‘B’ to the report submitted, be agreed; and

(B) the draft revised Chapter 7 (Hertford), as detailed in Essential Reference Paper ‘C’ to the report

submitted, be agreed as a basis for inclusion in the final draft District Plan, with the content being finalised when the consolidated plan was presented in September 2016.

(see also Minute 353)

359 EAST HERTS DRAFT DISTRICT PLAN – THE GILSTON AREA – DRAFT CONCEPT FRAMEWORK, SETTLEMENT APPRAISAL AND NEW DRAFT CHAPTER 11

In response to a question from Councillor T Page, the Leader confirmed that all dwellings built within the Gilston area would be considered as East Herts development.

RESOLVED – that (A) the Gilston Area Settlement Appraisal, as detailed in Essential Reference Paper ‘B’ to the report submitted, be agreed; and

(B) the draft revised Chapter 11 (The Gilston Area), as detailed in Essential Reference Paper ‘C’ to the report submitted, be agreed as a basis for inclusion in the final draft District Plan, with the content being finalised when the consolidated plan was presented in September 2016; and

(C) the Gilston Area Concept Framework, as detailed at Essential Reference ‘D’ to the report submitted, be agreed as a first draft, with further work to take place in consultation with local communities, in order to prepare of final version prior to Submission of the District Plan in March 2017.

(see also Minute 353)

360 EAST HERTS DRAFT DISTRICT PLAN – EAST OF STEVENAGE – SETTLEMENT APPRAISAL AND NEW DRAFT CHAPTER 12

RESOLVED – that (A) the East of Stevenage Settlement Appraisal, as detailed in Essential

Reference Paper 'B' to the report submitted, be agreed; and

(B) the draft revised Chapter 12 (East of Stevenage), as detailed in Essential Reference Paper 'C' to the report submitted, be agreed as a basis for inclusion in the final draft District Plan, with the content being finalised when the consolidated plan was presented in September 2016.

(see also Minute 353)

361 EAST HERTS DRAFT DISTRICT PLAN – BISHOP'S STORTFORD – SETTLEMENT APPRAISAL AND NEW DRAFT CHAPTER 5

Various Members spoke against the recommendations. Councillor H Drake expressed concern on the basis of sufficient infrastructure to support the proposed housing developments in Bishop's Stortford. She referred to existing gridlock in the town and believed that additional development without adequate transport, health, leisure and education facilities would have a detrimental impact on the quality of life for local residents. She expressed support for the Plan overall and hoped her comments would be forwarded to the Inspector.

Councillor J Wyllie supported Councillor H Drake's comments. He believed that the Draft Plan was an excellent document apart from the element relating to Bishop's Stortford and in particular, the inclusion of the Bishop's Stortford South site on the basis of unsustainable traffic impact. He also questioned the potential schools provision on the flight paths out of Stansted Airport and urged all Members to vote against these particular recommendations

Councillor Mrs D Hollebon supported the comments of Councillors H Drake and J Wyllie and commented that this was a time to stand up and be counted.

The Leader responded to these comments by referring to the

Infrastructure Delivery Plan which set out clearly what was required for strategic sites. She stated that whilst more work with other stakeholders was needed, the Council was committed to achieving the necessary improvements. She reminded Members of the task and finish group on Sustainable Transport that had been set up. The Leader also referred to the need for developers of new strategic sites to look at green travel plans. Finally, she referred to the work commissioned on traffic flows in Bishop's Stortford that had been outlined by the Executive Member for Environment and the Public Space earlier.

A request from five Members for a recorded vote on these recommendations was made, the voting being as follows:

FOR:

Councillors M Allen, D Andrews, P Ballam, R Brunton, E Buckmaster, S Bull, Mrs R Cheswright, B Deering, I Devonshire, M Freeman, J Goodeve, B Harris-Quinney, L Haysey, J Jones, J Kaye, P Kenealy, G McAndrew, M McMullen, D Oldridge, M Pope, S Reed, P Ruffles, S Rutland-Barsby, C Snowden, R Standley and G Williamson.

AGAINST:

Councillors M Casey, G Cutting, H Drake, Mrs D Hollebon, G Jones, T Page, S Stainsby, N Symonds, J Taylor, K Warnell, J Wyllie.

ABSTAIN:

Councillors P Boylan, M Stevenson.

For: 26  
Against: 11  
Abstain: 2

Council approved the recommendations as now detailed.

RESOLVED – that (A) the Bishop's Stortford

Settlement Appraisal as detailed at Essential Reference Paper 'B' to the report submitted, be agreed; and

(B) the draft revised Chapter 5 (Bishop's Stortford), as detailed in Essential Reference Paper 'C' to the report submitted, be agreed as a basis for inclusion in the Pre-Submission District Plan.

(see also Minute 353)

362 EAST HERTS DRAFT DISTRICT PLAN – CHAPTER 10 – VILLAGES: RESPONSE TO ISSUES RAISED DURING PREFERRED OPTIONS CONSULTATION

RESOLVED – that (A) the issues raised in respect of Chapter 10 (Villages) of the Draft District Plan Preferred Options, as detailed at Essential Reference Paper 'B' to the report submitted, be received and considered; and

(B) the Officers' response to the issues referred to in (A) above, as detailed in Essential Reference Paper 'B' to the report submitted, be agreed.

(see also Minute 353)

363 EAST HERTS DRAFT DISTRICT PLAN – VILLAGES APPRAISAL AND NEW DRAFT CHAPTER 10

RESOLVED – that (A) the Villages Appraisal as detailed at Essential Reference Paper "B" to the report submitted be agreed; and

(B) the draft revised Chapter 10 (Villages) as detailed in Essential Reference Paper 'C' to the report submitted, be agreed as a basis for inclusion in the Pre-Submission District Plan.

(see also Minute 353)

364 EAST HERTS DRAFT DISTRICT PLAN – APPENDICES:  
RESPONSE TO ISSUES RAISED DURING PREFERRED  
OPTIONS CONSULTATION AND UPDATED APPENDIX C:  
MONITORING FRAMEWORK AND APPENDIX D:  
GLOSSARY

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RESOLVED – that (A) the issues raised in respect of Appendices to the Draft District Plan Preferred Options, as detailed at Essential Reference Paper ‘B’ to the report submitted, be received and considered;

(B) the Officer response to the issues referred to in (A) above, as detailed in Essential Reference Paper ‘B’ to the report submitted, be agreed;

(C) the revised version of ‘Appendix C: Monitoring Framework’ to the East Herts District Plan Pre-Submission Version, 2016, as detailed at Essential Reference Paper ‘C’ to the report submitted, be agreed for inclusion in the Pre-Submission East Herts District Plan, 2016; and

(D) the revised version of ‘Appendix D: Glossary’ to the East Herts District Plan Pre-Submission Version, 2016, as detailed at Essential Reference Paper ‘D’ to the report submitted, be agreed for inclusion in the Pre-Submission East Herts District Plan, 2016.

(see also Minute 353)

365 EAST HERTS DRAFT DISTRICT PLAN - PROPOSED  
AMENDMENTS TO THE FINAL TEXT OF THE EAST HERTS  
DISTRICT PLAN - PRE-SUBMISSION VERSION 2016

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RESOLVED – that the amendments to the East Herts District Plan Pre-Submission Version, 2016, as detailed at Essential Reference ‘B’ to the report submitted, and the addendum, be agreed.

(see also Minute 353)

366 HARLOW STRATEGIC SITE ASSESSMENT, SEPTEMBER 2016

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RESOLVED – that (A) the Draft Harlow Strategic Sites Assessment, September 2016, as detailed at Essential Reference 'B' to the report submitted, be supported 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 Leader of the Council, be authorised to agree the final version of the document.

(see also Minute 353)

367 STRATEGIC FLOOD RISK ASSESSMENT, AUGUST 2016

RESOLVED – that (A) the Strategic Flood Risk Assessment, August 2016, be supported 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 Leader of the Council, be authorised to agree an updated version of the document following completion of the climate change mapping.

(see also Minute 353)

368 SUSTAINABILITY APPRAISAL (SA) OF THE EAST HERTS DISTRICT PLAN - PRE-SUBMISSION VERSION 2016

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RESOLVED – that the Sustainability Appraisal of the East Herts District Plan Pre-Submission Version 2016, as detailed at Essential Reference 'B' to the report submitted, be agreed and published for consultation for a period of six-weeks in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended.

(see also Minute 353)

369 HABITAT REGULATIONS ASSESSMENT (HRA) OF THE  
EAST HERTS DISTRICT PLAN - PRE-SUBMISSION  
VERSION 2016

RESOLVED – that the Habitats Regulations Assessment, as detailed at Essential Reference ‘B’ and Essential Reference Paper ‘C’ to the report submitted, be supported as part of the evidence base to inform and support the East Herts District Plan.

(see also Minute 353)

370 INFRASTRUCTURE DELIVERY PLAN (IDP) VERSION 1,  
SEPTEMBER 2016

RESOLVED – that the Infrastructure Delivery Plan (IDP), Version 1, September 2016, as detailed at Essential Reference ‘B’ to the report submitted, be supported as part of the evidence base to inform and support the East Herts District Plan.

(see also Minute 353)

371 EAST HERTS DISTRICT PLAN – PRE-SUBMISSION  
VERSION 2016

In response to a question from Councillor I Devonshire on the impact for future Development Management applications, the Head of Planning and Building Control commented that, if approved, the Draft Plan would have greater weight in considering applications as it would be further advanced in the process towards adoption. He advised that there were still many unknown factors, for example, the unresolved objections that might arise from the forthcoming consultation.

Various Members expressed their appreciation to Officers for their efforts and hard work in reaching this point. The Vice-Chairman referred to former Councillor M Carver’s endeavours also.

Councillor J Wyllie asked that his dissent from the decision in so far as Bishop’s Stortford South was concerned be recorded.

RESOLVED – that (A) the East Herts District Plan Pre-Submission Version 2016, as detailed at Essential Reference ‘B’ to the report submitted including the further amendments detailed at Minute 291, be agreed and published for consultation for a period of six-weeks in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended;

(B) the Head of Planning and Building Control, in consultation with the Leader of the Council, be authorised to make non-material typographical, formatting, mapping and other amendments to the Plan, prior to its publication for consultation in November 2016; and

(C) the ‘Frequently Asked Questions’ paper, as detailed at Essential Reference Paper ‘C’ to the report submitted, be agreed and published alongside the Plan.

(see also Minute 353)

The meeting closed at 8.12 pm

Chairman	.....
Date	.....