

MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 20 MARCH 2019, AT 7.00 PM

PRESENT: Councillor T Page (Chairman)
Councillors M Allen, D Andrews, P Ballam,
S Bull, B Deering, J Jones, J Kaye, P Ruffles
and T Stowe

ALSO PRESENT:

Councillors A Alder, E Buckmaster,
G Cutting, H Drake, Mrs D Hollebon,
S Rutland-Barsby, N Symonds, K Warnell
and J Wyllie

OFFICERS IN ATTENDANCE:

Simon Aley	- Interim Legal Services Manager
Maya Cullen	- Assistant Planner
Stephen James	- Solicitor
Peter Mannings	- Democratic Services Officer
Jenny Pierce	- Principal Planning Officer
Sara Saunders	- Head of Planning and Building Control
Claire Sime	- Service Manager (Policy and Implementation)

David Snell	- Service Manager (Development Management)
Liz Watts	- Chief Executive

461 APOLOGIES

Apologies for absence were submitted on behalf of Councillor P Boylan, R Brunton and M Casey. It was noted that Councillor P Ballam was substituting for Cllr M Casey.

462 CHAIRMAN'S ANNOUNCEMENTS

The Chairman referred to a number of housekeeping issues in relation to the fire alarm, exits, the need to silence mobile devices and the unisex toilets located outside of the Council Chamber. He reminded Members to speak closely into the microphones to assist people who were sitting in the public gallery.

He welcomed the new Head of Planning and Building Control, Sara Saunders, to her first meeting of the Committee. He also welcomed Claire Sime and Jenny Pierce as they were closely involved with presenting application 3/18/2253/OUT. The Chairman welcomed Roger Taylor and Lindsay McCauley from Hertfordshire County Council to the meeting.

The Chairman thanked Officers for their support as this was the last meeting of the 2018/19 civic year. He thanked the late Councillor M Freeman as the former Vice-Chairman. He also thanked Councillor B Deering as the current Vice-Chairman and Councillor S Rutland-

Barsby as the Executive Member for Development Management and Council Support.

463 MINUTES - 13 FEBRUARY 2019

Councillor J Jones proposed and Councillor J Kaye seconded, a motion that the Minutes of the meeting held on 13 February 2019 be confirmed as a correct record and signed by the Chairman. After being put to the meeting and a vote taken, this motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 13 February 2019, be confirmed as a correct record and signed by the Chairman.

464 PLANNING APPLICATIONS AND UNAUTHORISED DEVELOPMENT FOR CONSIDERATION BY THE COMMITTEE

The Chairman stated that a request had been made for a departure from the usual rules regarding public speaking. He detailed the normal arrangements for public speaking and stated that it had been suggested that a total of 6 minutes be permitted for those who wish to speak in objection to the proposals, in total.

The Chairman stated that the same total period of time would be offered to supporting parties and the relevant Town/Parish Council shall be offered a period of up to 3 minutes each. Members were being asked to consider and endorse this matter by formal motion. This would need to be proposed and seconded.

Councillor B Deering proposed and Councillor D Andrews

seconded, a motion that a total of 6 minutes be permitted for those who wish to speak in objection to application 3/18/2253/OUT, in total. The same total period of time would be offered to supporting parties and the relevant Town/Parish Council shall be offered a period of up to 3 minutes each.

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

RESOLVED – that (A) a total of 6 minutes be permitted for those who wished to speak in objection to application 3/18/2253/OUT, in total, and the same total period of time be offered to supporting parties; and

(B) the relevant Town/Parish Council shall be offered a period of up to 3 minutes each.

465 3/18/2253/OUT - HYBRID PLANNING APPLICATION COMPRISING: (I) A FULL APPLICATION FOR 142 DWELLINGS (CLASS C3) INCLUDING AFFORDABLE HOMES, PLUS ASSOCIATED ACCESSES, LANDSCAPING, OPEN SPACE AND INFRASTRUCTURE WORKS (DEVELOPMENT ZONE A), AND A NORTH/SOUTH PRIMARY ROUTE; (II) AN OUTLINE APPLICATION, WITH ALL MATTERS RESERVED EXCEPT ACCESS, FOR APPROXIMATELY 608 (CLASS C3) INCLUDING AFFORDABLE HOMES, A CARE HOME (CLASS C2) , UP TO 4 HECTARES OF EMPLOYMENT LAND (CLASSES B1, B2, B8 SUI GENERIS (CAR SHOWROOM)), A LOCAL CENTRE INCLUDING UP TO 1,000 SQ M FOR RETAIL (CLASS A1), AND UP TO 2,200 SQ M FOR OTHER USES (CLASSES A2, A3, A4, A5 AND D1), A PRIMARY SCHOOL (CLASS D1) UP TO 3 FORMS OF ENTRY AND INCLUDING EARLY YEARS FACILITIES, A SECONDARY SCHOOL (CLASS D1) UP TO 8 FORMS OF ENTRY, OPEN SPACE INCLUDING EQUIPPED AREAS FOR PLAY, SUSTAINABLE DRAINAGE SYSTEMS, LANDSCAPING AND ALL ASSOCIATED INFRASTRUCTURE AND DEVELOPMENT AT LAND AT BISHOP'S STORTFORD SOUTH OFF WHITTINGTON WAY, BISHOP'S STORTFORD

The Head of Planning and Building Control recommended that in respect of application 3/18/2253/OUT, subject to a legal agreement, planning permission be granted, subject to the conditions detailed in the report now submitted.

The Principal Planning Officer, on behalf of the Head of Planning and Building Control, introduced the report and stated that 38 late representations had been received. Members were advised that the Lead Local Flood Authority (LLFA) had no objections to the application and were reminded that this was an

allocated site in the District Plan. The proposed site was being planned as an urban extension to Bishop's Stortford.

The Principal Planning Officer summarised the application and detailed the planning history and the local consultation that had taken place. Members were advised that this was a hybrid application which included full details for the first 142 dwellings. Members were provided with full details in respect of the full and outline elements of the proposals.

The Principal Planning Officer detailed the layout of development zone A and the illustrative style of the proposed housing. She referred to the landscape strategy and advised that a number of orchards, linear parks and play spaces were included as part of the application. She also referred to the sustainable drainage strategy.

Mr Arnott addressed the Committee in objection to the application. Mr Spencer spoke for the application. Councillor R Lumsden addressed the Committee as the Chairman of Thorley Parish Council.

Councillor K Warnell addressed the Committee on behalf of Bishop's Stortford Town Council. Councillors Mrs D Hollebon and J Wyllie addressed the Committee as local ward Members.

Councillor P Ruffles commented on the integrity and credibility of the master planning process. Councillor S Bull expressed concerns in respect of the traffic movements and congestion between Whittington Way

and Pig Lane. Councillor J Kaye questioned whether there was a need for a care home, as part of the development proposals. He expressed concerns that the NHS had not responded to this significant proposed development in terms of a collaborative approach.

Councillor J Jones commented on the site being located outside the Green Belt and within the Parish of Thorley. He also referred to the highways matters and requested a further opinion from Officers in respect of the highways consultation response. Councillor M Allen referred to the Master planning process with particular reference to policies BISH4 and BISH5.

The Principal Planning Officer confirmed that the site had been removed from the Green Belt and was within the Thorley Parish. The site would constitute an urban extension to Bishop's Stortford and the site was allocated for development as per the adopted District Plan.

Members were advised of the extensive consultation that had taken place and the Officer summarised the proposed access arrangements and sustainable transport routes. Members were also advised that Manchester Airports Group had indicated that the site was within 10 km of Stansted Airport and they had suggested mitigation measures to avoid increases in large flocking birds.

The Principal Planning Officer stated that a fabric first design approach had been adopted with high quality insulation and thermal mass. This was to reduce the

reliance on gas fired boilers in the future and would serve to ensure low energy requirements and also to lock in carbon dioxide reduction for the lifetime of the buildings.

The Principal Planning Officer advised that the site was well beyond the 57 decibel noise contour in respect of aeroplane noise. However, the site was designed such that the proposed commercial element of the development would be closest to the outer reaches of the noise contours. The Civil Aviation Authority who tracked all flights and noise assessments had indicated that noise would not be at an unacceptable level in this location.

Members were advised that the proposed care home was necessary due to the need for 530 bed-spaces as detailed in the District Plan. The NHS clinical commissioning group had not responded with respect to on-site contributions for GP provision.

Mr Roger Taylor, Hertfordshire County Council Highways, stated that an independent transport consultant had assessed the roads in the area. He referred to an urban traffic control system to mitigate traffic on Whittington Way. This system would discourage rat running and would give priority to buses and would give rise to a 12% reduction in delays in the vicinity of the site.

Mr Taylor confirmed to the Chairman that the bus priority system would be activated by the bus at which point the traffic signals would change to green. In response to a comment from Councillor M Allen in

respect of the prevention of rat running via Pig Lane, Mr Taylor stated that improving Pig Lane was not desirable, as this would encourage further increased usage of Pig Lane.

Councillor D Andrews commented on the comments of Thames Water as well as the involvement of the Town Council in the master planning process. He emphasised that there must be fibre optic broadband to individual premises and he referred to the importance of electric car charging points.

Councillor D Andrews expressed concerns regarding the availability of buses. The Principal Planning Officer emphasised that there was a proposal to sponsor an increase in buses through the process of travel planning. Members were reminded of the Hertfordshire County Council policy LTP4 whereby pedestrians had top priority followed by cyclists, buses then cars. The intention was to follow government guidance in making it harder to drive.

The Principal Planning Officer reminded Members that East Herts experienced high levels of car ownership and alternative options were included as part of this application including a bus only section within the site. The applicant's intention was to make all reasonable alternatives available, as well as undertake ongoing monitoring.

Members were advised that in respect of drainage, the application included a range of sustainable drainage features, including attenuation basins, filtration systems and detention basins. There would also be a

bird hazard management plan and all properties would have fibre to premises, as well as electric car charging points.

The Principal Planning Officer stated that the Lead Local Flood Authority had identified suitable SUDS drainage measures controlled by a series of detailed conditions and a condition was included which would prevent the conversion of garages to habitable rooms under permitted development regulations.

In response to a significant number of comments from Members in respect of traffic, congestion and sustainable transport, the Principal Planning Officer referred to the transport assessment and acknowledged that there was already congestion in the town and this was likely to continue. Members were advised that this congestion would not reach levels considered to be severe. The Authority and the applicant could only provide alternative options and encourage measures that promoted the adoption of sustainable transport habits by new and existing residents.

The Interim Legal Services Manager emphasised that Members must take into account that the policies detailed in the development plan, should be given significant weight in decision making. He stressed that Members should also consider whether the material planning considerations outweighed the allocation of this site in the District Plan.

The Interim Legal Services Manager confirmed that the allocation of this site for housing had been made in the

very recently adopted District Plan. The matter of the traffic issues was known when the District Plan was adopted and Hertfordshire Highways had not objected to the application that was before Members for a decision.

In response to a comment from Councillor M Allen in respect of condition 14 in respect of the monitoring and management of the highways impact, Councillor D Andrews emphasised that the final conditions could be delegated to the Head of Planning and Building Control in consultation with the Chairman and Vice-Chairman.

Councillor M Allen proposed and Councillor P Ballam seconded, a motion that in respect of application 3/18/2253/OUT, planning permission be granted subject to a legal agreement and subject to the conditions detailed in the report submitted.

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

RESOLVED – that in respect of application 3/18/2253/OUT, planning permission be granted subject to a legal agreement and subject to the conditions detailed in the report submitted.

466 3/18/1523/FUL - DEVELOPMENT OF 200 HOMES WITH ASSOCIATED ACCESS, LANDSCAPING, PARKING, PRIVATE AMENITY SPACE, PUBLIC OPEN SPACE AND ALLOTMENTS AT LAND AT CHALKS FARM, SOUTH OF WEST ROAD, SAWBRIDGEWORTH (SAWB3)

The Head of Planning and Building Control recommended that, in respect of application 3/18/1523/FUL, subject to a legal agreement, planning permission be granted, subject to the conditions detailed in the report now submitted. The report also recommended that authority be delegated to the Head of Planning and Building Control to finalise the detail of the Legal Agreement and conditions.

The Service Manager (Development Management), on behalf of the Head of Planning and Building Control, summarised the application which was in accordance with development concepts that were outlined in the Sawbridgeworth Masterplan. He confirmed that an archaeological condition might not be required by the time the Section 106 legal agreement was concluded. He further advised that the recommendation was amended to delete reference to the expansion of Mandeville School in the Section 106 legal agreement.

The Service Manager referred Members to paragraph 1.4 in respect of the principle issues for consideration. He emphasised that Members should consider the overall planning balance and whether the proposal would result in a sustainable form of development.

Mr Brown addressed the Committee in objection to the application. Mr Moore and Mr Butcher spoke for the

application. Councillor A Alder addressed the Committee on behalf of Sawbridgeworth Town Council. Councillors A Alder and E Buckmaster addressed the Committee as local ward Members.

Councillor J Jones commented on the involvement of Sawbridgeworth Town Council. He referred to the significance of the increase to 200 dwellings from the site allocation of around 175 dwellings in the development strategy of the 2018 East Herts District Plan.

Councillor J Jones referred to sustainable travel and the ability of the "Sawb Bus" to access the site. He commented on whether a smaller bus was a possibility and whether a Section 106 contribution towards this, was a viable option.

Councillor J Jones emphasised that the development of 2 major sites close to West Road could lead to conflicts in the phases of construction. He commented on whether particular mitigation measures were necessary in this regard.

Councillor J Kaye highlighted the importance of car charging points to all dwellings in the proposed development. The Service Manager commented that Members of Sawbridgeworth Town Council were present at meetings of the Steering Group. Members were advised that this was a low density development of 20 dwellings per hectare with considerable open space provision and also some affordable housing.

The Service Manager stated that the "Sawb Bus" would

be able to navigate the main connecting road through the site and that significant contributions were proposed, including contributions towards the costs of highways mitigation. Members were also advised that the construction conflicted with a nearby site would be managed by a condition for a construction management plan. There would be an element of liaison and integration in the construction phases for both sites in Sawbridgeworth.

The Service Manager advised that the parking standard would be met by this application. He emphasised that a number of properties could accommodate 3 cars and there would be some visitor parking on the highway.

The Legal and Democratic Services Planning Lawyer commented on the matters that were within the remit of legal in terms of the legal agreement and planning conditions.

The Service Manager confirmed to Councillor T Stowe that the Town Council would not be party to the terms of the Section 106 legal agreement. Members were advised that there could be a separate civil agreement between the developer and Sawbridgeworth Town Council.

Councillor S Bull expressed concerns that the "Sawb Bus" might not be able to negotiate West Road. The Service Manager detailed the significant cycle routes as well as the 2 pedestrian and cyclist bridge crossings across the Sawbridgeworth Brook. He referred to the standard shared cycle/pedestrian routes and wider pedestrian and cycle links.

Members were advised that the "Sawb Bus" would have no problems accessing the site as the largest vehicle to enter and leave the site would be refuse vehicles. The Service Manager referred to the comments of the Highway Authority and their requirements in respect of a junction radius of 8 metres.

Councillor M Allen proposed and Councillor J Jones seconded, a motion that in respect of application 3/18/1523/FUL, the Committee support the recommendation for approval, subject to a legal agreement and subject to the conditions detailed in the report submitted.

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

RESOLVED – that (A) in respect of application 3/18/1523/FUL, subject to a legal agreement, planning permission be granted, subject to the conditions detailed in the report submitted; and

(B) authority be delegated to the Head of Planning and Building Control to finalise the details of the Legal Agreement and conditions.

467 3/18/1960/FUL - PROPOSED THREE STOREY EXTENSION AND INTERNAL EXTENSION OF FIRST FLOOR LEVEL WITHIN THE EXISTING BUILDING, TOGETHER WITH CHANGE OF USE FROM FORMER POLICE STATION, FIRE STATION AND CITIZENS' ADVICE OFFICE (SUI GENERIS) TO FORM NEW D1 MEDICAL CENTRE WITH B1 OFFICE SPACE AND A1 RETAIL PHARMACY. ENLARGED, ALTERED AND NEW GROUND FLOOR AND FIRST FLOOR WINDOW OPENINGS. CREATION OF CYCLE PARKING SHELTER AT MEADE HOUSE, 85 HIGH STREET, WARE, SG12 9AD

The Head of Planning and Building Control recommended that in respect of application 3/18/1960/FUL, planning permission be granted, subject to the conditions detailed in the report now submitted.

Councillor P Ballam referred to the proximity of the site to the Ware Conservation Area. She commented that the site was near to the Listed Library and the grade 1 listed Ware Priory. Councillor J Jones stated that the 3 storey aspect of the proposed development was out of character with the surrounding area.

The Service Manager (Development Management), on behalf of the Head of Planning and Building Control, advised that there had been extensive pre-application discussions that had involved Conservation Officers. Officers were supportive of the scheme that included the refurbishment of a building of historic interest, thereby securing its future.

The Service Manager stated that the enhancement to the building would provide much needed health

facilities. He referred to the impact of the application on the Ware Conservation Area.

Councillor D Andrews commented on the layout of the proposed parking area. He referred to the loss 41 spaces for the public that would be lost as a result of the proposed development.

Councillor P Ballam proposed and Councillor P Ruffles seconded, a motion that in respect of application 3/18/1960/FUL, the Committee support the recommendation for approval, subject to the conditions, detailed in the report submitted.

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

RESOLVED – that in respect of application 3/18/1960/FUL, planning permission be granted, subject to the conditions, detailed in the report submitted.

468 ITEMS FOR REPORTING AND NOTING

The Service Manager (Development Management) advised that Officers had been working to clear a backlog of planning appeals.

RESOLVED – that the following reports be noted:

- (A) Appeals against refusal of planning permission / non-determination;

- (B) Planning Appeals lodged;
- (C) Planning Appeals: Inquiry and Informal Hearing dates; and
- (D) Planning Statistics.

The meeting closed at 9.58 pm

Chairman
Date