

MINUTES OF A MEETING OF THE  
DEVELOPMENT MANAGEMENT  
COMMITTEE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
WEDNESDAY 17 JULY 2019, AT 7.00 PM

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PRESENT: Councillor T Page (Chairman)  
Councillors D Andrews, T Beckett, S Bull,  
B Crystall, B Deering, R Fernando, J Kaye,  
I Kemp, C Redfern, P Ruffles and T Stowe

ALSO PRESENT:

Councillors J Goodeve, J Dumont and  
S Rutland-Barsby

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Rachael Collard	- Principal Planning Officer
June Pagdin	- Principal Planning Officer
Jill Shingler	- Principal Planning Officer
Sara Saunders	- Head of Planning and Building Control
David Snell	- Service Manager (Development Management)
Victoria Wilders	- Legal Services Manager

ALSO IN ATTENDANCE:

Matt Armstrong	- Hertfordshire County Council
Roger Flowerday	- Hertfordshire County Council

70 APOLOGIES

Apologies for absence were submitted on behalf of Councillors R Buckmaster and J Jones. It was noted that Councillors S Bull and J Kaye were substituting for Councillors J Jones and R Buckmaster respectively.

71 CHAIRMAN'S ANNOUNCEMENTS

The Chairman referred to a number of housekeeping issues and reminded those in attendance that the meeting was being webcast and that their image might be captured.

The Chairman said that due to the level of public interest, he intended to bring forward agenda items 5 (D) (HERT2) Land East of Marshgate Drive, Hertford and 5 (F) Land West of Hoddesdon Road, St Margaretsbury, Stanstead Abbots. This was supported.

The Chairman said that application 3/19/0408/FUL, (Land at Stortford Road (r/o 12-18 Farm Crescent) Standon, Hertfordshire, was not on the agenda this evening for consideration by Members. He apologised for any confusion caused.

72 DECLARATIONS OF INTEREST

Councillor B Deering declared a non-pecuniary interest in agenda item 5(B) St Joseph's Roman Catholic Primary school Great Hadham Road, Bishop's Stortford by virtue of the fact that he was a Hertfordshire County Councillor.

73 MINUTES - 19 JUNE 2019

Councillor T Beckett proposed and Councillor B Crystall seconded, a motion that the Minutes of the meeting held on 19 June 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 19 June 2019, be confirmed as a correct record and signed by the Chairman.

- 74 3/18/2465/OUT - HYBRID PLANNING APPLICATION COMPRISING: FULL PLANNING PERMISSION FOR 375 RESIDENTIAL DWELLINGS (COMPRISING 29 HOUSES AND 5 APARTMENT BUILDINGS FOR 346 APARTMENTS), 420 SQM FOR A GYMNASIUM (CLASS D2 FLOORSPACE), 70 SQM OF RESIDENTS CO-WORKING FLOORSPACE, CAR AND CYCLE PARKING, ACCESS, OPEN SPACE, LANDSCAPING AND ASSOCIATED WORKS, IMPROVEMENTS TO MARSHGATE DRIVE AND CREATION OF A SPINE ROAD IN THE NORTHERN SECTOR; AND OUTLINE PLANNING PERMISSION FOR THE CONSTRUCTION OF 2,220 SQUARE METRES OF EMPLOYMENT FLOORSPACE (USE CLASS B1C), CAR PARKING, LANDSCAPING AND ASSOCIATED WORKS (ALL MATTERS RESERVED EXCEPT ACCESS) AT (HERT2) LAND EAST OF MARSHGATE DRIVE, HERTFORD

The Head of Planning and Building Control recommended that in respect of application 3/18/2465/OUT, planning permission be refused for the reasons detailed in the report now submitted.

The Principal Planning Officer, on behalf of the Head of Planning and Building Control summarised the outline application and detailed the relevant planning history.

Mr Steven Gough spoke for the application. Hertford Town Councillor Jane Sartin addressed the Committee in objection to the application.

Councillor S Rutland-Barsby referred to the fact that the adopted District Plan recognised that the site could accommodate 200 dwellings but not the 325 proposed by the developer. She referred to the impact this application would have on Highways and supported

refusal of the application.

Councillor J Kaye said he was concerned about the scale of the development and about the number of proposed dwellings. He sought clarification that the developer had been given guidance at the pre-application stage. The Principal Planning Officer confirmed that advice had been given and that the applicant had also been part of the district plan consultation process which had been examined by an Inspector. She added that the developer should submit an application which was policy compliant.

Councillor T Stowe sought clarification as to whether the developer had been involved with other Steering Group meetings. The Service Manager (Development Management) was unable to confirm how many Steering Group meetings the Developer had attended on the basis that other Officers had previously been involved.

Councillor D Andrews requested that in future, phrases such as “benefit from” in reports be removed so that the content sounded more objective. He expressed concern about the impact the application might have in relation to the provision of social housing if the developer reduced the housing provision to 200 dwellings.

Councillor I Kemp said he was disappointed with the application, given that the applicant was a specialist in the development of such sites. He commented on the site’s high levels of contamination, problems with access, the design layout (in that many people would

not enjoy the river view), and the potential for heavily shaded gardens. He felt that this was a substandard design given the developer's previous experience.

Councillor P Ruffles said the timber yard was included in Part 2 and was not included in this application for 375 dwellings. He asked Members to keep this in mind.

Councillor I Kemp sought clarification regarding egress from the eastern end. Mr Flowerday from Hertfordshire County Council (Highways) summarised the County Council's concerns which had contributed to a recommendation for refusal of the application.

Councillor T Beckett commented on parking for the site and encouraged sustainable transport. These concerns were shared by Councillor D Andrews who commented on the closeness of the railway station and bus hub. He commented that people would still need their vehicles close to their homes in order to charge them if they had electric cars.

Councillor D Andrew proposed and Councillor T Beckett seconded, a motion that in respect of application 3/18/2465/OUT, planning permission be refused for the reasons 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 3/18/2465/OUT, planning permission be refused for the reasons detailed in the report submitted.

75      3/18/1228/FUL - ERECTION OF 8NO. DWELLINGS, NEW ACCESS AND LANDSCAPING AT LAND WEST OF HODDESDON ROAD, ST MARGARETSBURY, STANSTEAD ABBOTS

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The Head of Planning and Building Control recommended that in respect of application 3/18/1228/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

The Service Manager (Development Management), on behalf of the Head of Planning and Building Control, summarised the full application and detailed the relevant planning history.

Ms Alderman addressed the Committee in objection to the application. Mr Shrimplin spoke for the application. Councillor N Cox addressed the Committee on behalf of St Margarets Parish Council.

Councillor J Dumont addressed the Committee as the local Ward Member and summarised residents' concerns.

Councillor D Andrews said Highways were satisfied with the design and that Thames Water had not responded to the consultation. The trees would need to be surveyed to establish whether protection under a TPO was appropriate. He was concerned about

accessibility and the collection of refuse. He felt there was sufficient space to overcome accessibility issues.

The Service Manager advised that he was not aware of any other developments where private waste arrangement were in place and that there was a condition regarding the protection of trees relating to a biodiversity plan.

Members debated at length issues in relation to highways, visibility surveys and how a private refuse collection arrangement would work. Councillor B Crystall said he was concerned about the application from an ecological viewpoint and asked whether an assessment of the site had been carried out before a request for planning permission.

Councillor S Bull said the village did not have a Neighbourhood Plan in place and that he was concerned at the suggestion of a private arrangement for waste collection. The Service Manager explained that it was unusual for a full ecological assessment to be submitted in relation to a minor application and that the site was not a designated wildlife site of ecological significance.

Councillor T Beckett explained that he had visited the site and witnessed cars travelling at speed. He questioned the timing of letters to residents and said that the developer should be requested to widen the road.

The Service Manager explained that there was an error in relation to advising residents of an incorrect date for



Development Management Committee but this had been quickly rectified. He suggested that Members could resolve to defer consideration of the application or delegate the decision to Officers once the issue in relation to waste management had been resolved.

The Legal Services Manager explained that a decision to defer could impact on the target date from the view point of non-determination and the possible submission of an appeal by the applicant. She further explained that there was no evidence from an accident viewpoint and that the Highways viewpoint had been given.

Councillor I Kemp said that the application should be deferred to enable further consultation to take place in relation to the need to widen the road, to provide a pedestrian crossing / introduction of traffic calming measures and safety refuge.

Councillor R Fernando raised the issue of habitable rooms on the ground floor and accessibility issues. The Service Manager said the location was in Flood Zone 2 and that there were other properties along that strip with living accommodation on the first floor.

It was moved by Councillor B Deering and seconded by Councillor P Ruffles that the application be deferred. After being put to the meeting and a vote taken, the motion was declared LOST.

It was moved by Councillor T Beckett and seconded by Councillor B Crystall that the application be refused on highways, ecological and safety grounds. After being

put to the meeting and a vote taken the 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 3/18/1228/FUL, planning permission be refused for the following reasons.

1. The proposed development fails to demonstrate that it acceptable in highways safety terms as required by Policy TRA2 of the East Herts District Plan 2018.
2. The proposed development fails to demonstrate that there was no harm to ecological interests contrary to Policies NE2 and NE3 of the East Herts District Plan 2018.

(There was a short adjournment of the meeting at 8:20pm to allow members of the public to leave the meeting. The meeting recommenced at 8:25pm)

76      3/18/1213/FUL - DEMOLITION OF EXISTING COMMERCIAL BUILDING AND ERECTION OF REPLACEMENT BUILDING FOR CLASS B1, B2, AND B8 USES AND ANCILLARY VEHICLE SALES AT UNITS C, D AND E, RAYNHAM ROAD, BISHOPS STORTFORD

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The Head of Planning and Building Control recommended that in respect of application 3/18/1213/FUL, 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 summarised the full application and detailed the relevant planning history.

Members made a number of comments regarding vehicle storage, the need for electric charging points, and noise which might be generated from the use of a ramp. The Principal Planning Officer provided a detailed response to each of the issues that had been raised by Members.

Councillor T Beckett proposed and Councillor I Kemp seconded, a motion that in respect of application 3/18/1213/FUL, the Committee support the recommendation for approval, subject to the conditions detailed in the report submitted and additional conditions relating to the provision of electric car charging point and limiting the hours of use of the ramp.

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 3/18/1213/FUL, planning permission be granted subject to the conditions detailed in the report submitted and the following additional conditions:

11. Prior to the above ground construction of the development hereby approved, details

of a scheme to make provision for electric vehicle charging points for four vehicles within the area allocated for staff and customer parking on the application site shall be submitted to and approved by the LPA. The development shall be constructed in accordance with the approved details and retained thereafter.

Reason: To ensure provision for sustainable modes of transport further to Policy TRA1 of the East Herts District Plan 2018 and Policies TP2 and BP5 of the Bishops Stortford Neighbourhood Plan for All Saints, Central, South and part of Thorley 2017.

12. The external vehicle ramp on the north elevation of the development hereby permitted shall only be used between 07:00 and 21:00 hours.

Reason: In the interests of mitigating against noise pollution having regard to Policy EQ2 of the East Herts District Plan 2018.

77 3/18/1961/FUL - CONSTRUCTION OF A TWO STOREY PRIMARY SCHOOL BUILDING (2FE) AND ASSOCIATED FACILITIES FOR UP TO 420 PUPILS. ASSOCIATED LANDSCAPING WORKS, WIDENED ACCESS ROAD AND INCREASE CAR PARKING SPACES TO 48. NEW EXTERNAL HARD AND SOFT PLAY AREAS WITH FENCING. DEMOLITION OF EXISTING SCHOOL BUILDING AT ST JOSEPH'S ROMAN CATHOLIC PRIMARY SCHOOL, GREAT HADHAM ROAD, BISHOPS STORTFORD

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The Head of Planning and Building Control recommended that in respect of application 3/18/1961/FUL, 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 summarised the full application and detailed the relevant planning history.

Mr Fletcher spoke for the application.

Councillor D Andrews welcomed the work in relation to the car park, drop off and facilities for coaches. He expressed concerns about the utilitarian design of the building. He further commented that as it was a state run school funded by the public purse, it should be made as environmentally capable and sustainable as possible by including schemes for grey water recovery, photoelectric cells, solar water heating and ground source energy. He said that fire and rescue sprinklers should be installed.

Members supported Councillor Andrew's comments regarding the need to include energy sustainability measures at this stage rather than later. Queries were raised regarding access to the playing fields and the provision of changing rooms and toilet facilities.

The Principal Planning Officer commented on the issues raised adding that no guidance had yet been adopted in relation to energy sustainability measures and that sprinklers would be a matter for Building

Control.

Councillor Andrews said he recognised the content of Condition 20 in respect of minimising the use of mains water and urged the Executive Member for Planning and Growth to bring forward policies for adoption, which had environmental empathy.

Councillor T Beckett proposed and Councillor D Andrews seconded, a motion that in respect of application 3/18/1961/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 3/18/1961/FUL, planning permission be granted subject to the conditions detailed in the report submitted.

- 78      3/19/0308/FUL - DEMOLITION OF EXISTING BUILDINGS AND CREATION OF 45 DWELLINGS, COMPRISING 28NOS. 2 BEDROOM APARTMENTS, 13NOS. 2 BEDROOM HOUSES AND 4NOS. THREE BEDROOM HOUSES, ASSOCIATED ROADS, CAR AND CYCLE PARKING AND LANDSCAPING, PLUS VEHICLE ACCESS FROM WARE ROAD AND A NEW AREA OF PUBLIC OPEN SPACE OFF HAMELS DRIVE AT 306-310 WARE ROAD, HERTFORD
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The Head of Planning and Building Control

recommended that in respect of application 3/18/0308/FUL, subject to a Section 106 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 summarised the application and detailed the relevant planning history. She provided an update in relation to the Section 106 contribution.

Ms Paige Harris spoke for the application.

Councillor P Ruffles raised the issue of the inability of the NHS to identify specific projects to which section 106 contributions could be allocated. Councillor B Deering commented on the problems in getting the NHS to engage with the Council on such issues. Councillor D Andrews agreed that the NHS could do more to work with the Council.

The Service Manager said the Council had, on many occasions, explained to the NHS that they needed to provide Officers with projects that they would wish to see funded. The Head of Planning and Building Control agreed that Officers would continue to push the NHS to take a broader approach on this issue in moving forward and that Health Scrutiny Committee at Hertfordshire County Council might be able to provide a further push.

Councillor C Redfern expressed concern regarding the location of the recreational facilities on the site and that the green area could not be accessed. She felt

that local recreational facilities were particularly important to those children who were being brought up in flats.

Councillor R Fernando proposed and Councillor K Beckett seconded, a motion that in respect of application 3/19/0308/FUL, subject to a Section 106 legal agreement, 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 3/19/0308/FUL, subject to a Section 106 legal agreement, planning permission be granted subject to the conditions detailed in the report submitted.

79 3/19/1039/HH AND 3/19/1040/LBC - SINGLE STOREY REAR EXTENSION TO PARTIALLY INFILL THE COURTYARD, AND LEVELLING OF A LARGE LAWN BY USE OF RETAINING WALLS AT THE GABLES, 19 GREEN END, BRAUGHING

The Head of Planning and Building Control recommended that in respect of applications 3/19/1039/HH and 3/19/1040/LBC, planning permission and listed building consent be granted subject to the conditions detailed in the report now submitted.



The Service Manager (Development Management) on behalf of the Head of Planning and Building Control summarised the applications and detailed the relevant planning history.

Councillor D Andrews said he was aware of the property and that what was being proposed was sympathetic to the building. Councillor S Bull commented on the nature of the listed building and asked Officers to make sure that the materials used were in keeping with its appearance.

Councillor D Andrews proposed and Councillor S Bull seconded, a motion that in respect of applications 3/19/1039/HH and 3/19/1040/LBC, the Committee support the recommendations 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 recommendations of the Head of Planning and Building Control, as now submitted.

RESOLVED – that, in respect of applications 3/19/1039/HH and 3/19/1040/LBC, planning permission and listed building consent be granted subject to the conditions detailed in the report submitted.

## 80 ITEMS FOR REPORTING AND NOTING

RESOLVED – that the following reports be noted:

(A) Planning Statistics.

The meeting closed at 9.33 pm

Chairman .....

Date .....