

MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT
COMMITTEE HELD VIRTUALLY VIA ZOOM
ON WEDNESDAY 15 JULY 2020, AT 7.00 PM

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

OFFICERS IN ATTENDANCE:

Eilis Edmonds	- Planning Officer
Peter Mannings	- Democratic Services Officer
Sara Saunders	- Head of Planning and Building Control
David Snell	- Service Manager (Development Management)
Stephen Tapper	- Principal Planning Officer
William Troop	- Democratic Services Officer
Victoria Wilders	- Legal Services Manager

74 APOLOGIES

Apologies for absence were submitted on behalf of Councillors Huggins and Ruffles. It was noted that Councillors Fernando and Kaye were substituting for

Councillors Huggins and Ruffles respectively.

75 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Members and the Public to the meeting and detailed the categories of attendee that were present on Zoom. The Chairman said that the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 came into force on Saturday 4 April 2020 to enable councils to hold remote committee meetings during the Covid-19 pandemic period. This was to ensure local authorities could conduct business during this current public health emergency. This meeting of the Development Management Committee was being held remotely under these regulations, via the Zoom application and was being recorded and live streamed on YouTube.

The Chairman introduced each Member and Officer in attendance at the meeting. The Head of Planning and Building Control commented on the experiences of other local authorities in respect of conducting virtual meetings. She said that East Herts Council's approach to virtual meetings of the Development Management Committee was sound and had been very successful to date.

76 DECLARATIONS OF INTEREST

Councillors Deering, Jones and Kaye declared Non Pecuniary Interests in application 3/18/2764/OUT, on the grounds that they were elected Members of the Authority

that was the applicant.

77 MINUTES - 17 JUNE 2020

Councillor Beckett proposed and Councillor Jones seconded, a motion that the Minutes of the meeting held on 17 June 2020 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 17 June 2020, be confirmed as a correct record and signed by the Chairman.

78 3/19/2626/FUL - MIXED USE WESTERN NEIGHBOURHOOD LOCAL CENTRE COMPRISING A DOCTOR'S SURGERY (CLASS D1), CHILDREN'S NURSERY (CLASS D1), 78-BED CARE HOME (CLASS C2), 29 AFFORDABLE APARTMENTS (CLASS C3) AND FLEXIBLE COMMERCIAL FLOORSPACE WITHIN CLASS A1 / A2 / A3 / A4 / D1 / D2. PROPOSAL INCLUDES THE PROVISION OF A SUBSTATION, CAR PARKING, ACCESS, LANDSCAPING AND OTHER ASSOCIATED WORKS AT LAND AT STORTFORD FIELDS, BISHOP'S STORTFORD NORTH, BISHOP'S STORTFORD

The Head of Planning and Building Control recommended that in respect of application 3/19/2626/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

It was also recommended that delegated authority be

given to the Head of Planning and Building Control to finalise conditions and the legal agreement and to append any informatives to the application that might be required.

The Principal Planning Officer, on behalf of the Head of Planning and Building Control, said that it was his pleasure to be able to present this application to Members. He referred to the vagaries of the commercial property market and the overriding need for the proposed development.

The Principal Planning Officer explained that this was the first of two Neighbourhood Centres. He said that another neighbourhood centre was due to be brought forward for the eastern neighbourhood. He also explained that the main issues were summarised in the report and he would be focussing on these in his commentary to Members.

The Committee was reminded of the importance of policy compliance in terms of land uses and of the benefits of securing a vibrant local centre which would provide all of the relevant services. The Officer referred to urban design, layout and connectivity to the other areas of the Stortford Fields development and beyond in Bishop's Stortford.

The Principal Planning Officer said that another key issue was neighbour amenity in terms of noise and general disturbance. He also drew Members' attention to sustainable transport and the issue of climate change. He referred to the 2FE primary school site on the opposite side of Newlands Avenue and reminded

Members that priority had been given to the new primary school site at Farnham Road to the east.

The Principal Planning Officer said that the site was surrounded by a dense urban area and would benefit from good access to green ways and to sports and play facilities. He said that a dense area of trees would screen the water tower and other utilities and this development would ultimately be well shielded by boundary landscaping.

The Principal Planning Officer said that a design code for the neighbourhood centre had been included in the original permission for Stortford Fields. This had covered the attributes that should be included to ensure that this development performed well as a neighbourhood centre. The document covered the design and architecture and the connectivity of the centre and much of the content had been incorporated into the application.

The Committee was advised that the proposed car parking was well hidden behind the buildings and there would be plenty of landscaping. Members were also advised of a slightly revised configuration due to the care home which took up a lot of footprint within the overall site. The Principal Planning Officer confirmed that the submitted design was the best fit in terms of balancing the needs of the various operators of this site as well as securing an attractive frontage and public space.

The Principal Planning Officer confirmed that the bus turning head would occupy a proportion of the plaza

until the 311 bus was able to go on to the Eastern Neighbourhood, thus no longer requiring the turning area. . He said that a sub-station would also reduce the size of the plaza. Members were advised that the key point was how the plaza was used and Officers expected a range of shops including a café and there should be plenty of pedestrian traffic due to the proposed South Street Surgery practice.

The Committee was advised that the 3 to 4 storey neighbourhood centre would include a variety of shops and services at ground floor level. Members were given a detailed breakdown of some of the key design features of the proposed development.

The Principal Planning Officer commented on District Plan policies and expectations as regards neighbourhood centres at Bishop's Stortford North. He referred in particular to the policy requirements of policy BISH1 and the requirement for a range of local shops and services plus some employment space.

Members were advised that the 29 apartments were particularly welcome as these had not been included in the wider plan for 2,200 dwellings at Stortford Fields. The Officer stated that usually the tenure split was expected to be 84% affordable rent and 16% shared ownership. This application proposed 24% rented but it was 100% affordable, so although not strictly policy compliant the apartments made a welcome contribution to meeting affordable housing needs.

The Principal Planning Officer said that although the care home did have a substantial footprint, this was

meeting a significant local need due to a shortfall of care home places in the local catchment area. He said that the merits of this provision had to be considered in terms of the benefits to the local community and the care home would be a valuable part of the proposed development.

Members were advised that the nature of the use of a neighbourhood centre would result in some noise nuisance and conditions would be in place in respect of opening hours for the ground floor units. A noise mitigating fence was proposed along the eastern boundary of the day care centre.

Regarding the accessibility of the Centre, the Officer said that a lot of work had gone into the permeability of Stortford Fields in terms of cycleways and footpaths plus the 311 bus serving this locality.

The Committee was advised that parking was satisfactory and cycle parking would be available on site. Officers had also stipulated a requirement for electric vehicle charging points and the associated cabling infrastructure and power supply. He drew Members' attention to paragraph 8.46 of the report regarding climate change mitigation and the exceeding of the minimum standards set down by building regulations in terms of energy and water consumption.

The Principal Planning Officer concluded that, on balance, the application was policy compliant and was recommended for approval. He said he had circulated a much revised list of conditions to Members since the report was publicised but he also stated that the

Heads of Terms of the Section 106 legal agreement had not progressed much since the report was made public.

The Principal Planning Officer concluded that Officers would work with the applicant over the coming weeks on the Section 106 agreements should this application be approved. He said that this was a sustainable development that would bring great benefit to the local community.

Laura Grimason addressed the Committee in support of the application.

Councillor Page said that he was pleased that another piece of the jigsaw was close to becoming reality at Bishop's Stortford North. He pointed out the 2 references that had been made to the impact of the care home and the turning head on the public square and he expressed his disappointment in respect of this impact. He also expressed concerns in respect of the responsibility being placed upon the developer to find occupiers for the commercial premises, all of which were unoccupied at present.

Councillor Page expressed a further concern that some of the commercial uses could blight an otherwise attractive neighbourhood centre. He said that he was also concerned in respect of the ratio of affordable rented apartments.

Councillor Jones praised the plans for a very well equipped neighbourhood centre. He referred to the disappointingly small plaza but was very pleased to see

the amendment work that had taken place between Officers and the applicant on the original plans. He sought clarification regarding the tenure split and expressed concerns regarding the policy compliance of the tenure split.

Councillor Crystall said that the Bishop's Stortford circular ride passed close by or near to this site. He sought clarification in terms of cycle linkages and whether there were specific cycle ways on or to this site. He said he was pleased to see the energy efficiency standard of the care home and the doctor's surgery were well above building regulation standards.

The Principal Planning Officer said that the turning head was outside of the control of the developer and Officers as it was not within the application site. He said that he would continue to liaise with all the parties to secure a commitment to bringing the turning head into the scheme in due course.

He said that the policy regarding affordable housing ratios was very broad in the District Plan and developers had commercial considerations to take into account. Members were advised that affordable housing ratios even out across the District as developments such as the Bishop's Stortford Goods Yard and rural developments evened each other out in terms of affordable housing. Officers felt that this proposal added value to the affordable housing mix in East Hertfordshire.

The Officer commented on the benefits of "meanwhile uses", likely to be small and discrete businesses in the

neighbourhood centre. He said that the Section 106 legal agreement would have an obligation to cover meanwhile uses on this site.

The Principal Planning Officer said he anticipated a high standard of landscaping, lighting, tree planting and seating in the public plaza. He picked up on the point of Councillor Crystall by stating that the greenways and cycle links in the western neighbourhood would be very good. He said this would be a very green development in terms of open space and it would be a pleasant place to cycle or walk.

Councillor Kaye commented on the perceived demand for care homes for an ageing population. He said that it could be argued that this might not be the case as he believed there was an increasing trend for care solutions in the home meaning that demand for care homes was not as high.

Councillor Andrews sought some assurance that the turning head could be conditioned by Officers to ensure it was returned to the plaza in the future. He said that care should be taken to ensure it was not used for other uses.

Councillor Kemp said that he was pleased to see a neighbourhood centre coming forward promptly. He spoke favourably in respect of the care home, electric car charging points and the fact that this was an ideal local for a care home due to the proximity of a doctor's surgery, shops and the amount of car parking nearby for visitors. He was disappointed that the affordable housing was almost completely for purchase.

The Principal Planning Officer confirmed that the success of the proposed public space was dependent on the quality of the plaza, footfall and the quality of the facilities on offer. He said the turning head could not be conditioned as it was not within the control of the applicant and they would need the cooperation of Hertfordshire Highways. He also said that he believed the care home would offer the very best of care and the high quality service would allow easy control of any disease outbreaks as wings could easily be isolated.

Councillor Beckett commented on the energy efficiency of the proposed flats and whether this could be looked at. He said that the amount of parking available could cause a problem in terms of whether airport parking would deny parking for the actual users of the centre.

Councillor Page commented on the conditions regarding construction traffic management and the fact that there was evidence that the management of flats by a construction management company had not worked well elsewhere in the western neighbourhood. He also commented on the lack of balance in the report in terms of the viability of the proposed residential development.

The Principal Planning Officer confirmed that he would seek some clarity regarding the energy efficiency of the apartment , block with the retail below. He said that the management of parking would be conditioned so that it was clear how the site could be made controllable in terms of motorists not exceeding the maximum permissible stay.

Councillor Stowe said that within elements of development such as schools and care homes, it was very important to secure the use of grey water systems for toilet systems in order to reduce water usage. The Principal Planning Officer explained that grey water sanitation systems were not an option for care homes, perhaps due to regulations or licensing laws.

Councillor Kemp said that if the apartment block met the fabric first standards then the apartments would not be expected to have poor levels of energy efficiency. He asked whether solar panels could be considered for inclusion on the roofing of this element of the proposed development.

Councillor Crystall said the he would like to see a car club as part of this scheme. The Principal Planning Officer said that Officers were eager to secure a car club or a branch of another car club at the Western Neighbourhood Centre as this would be a very appropriate place for such provision and the applicant was happy to explore this option with Officers.

The Principal Planning Officer confirmed that fabric first was the usual approach that was adopted today in order to achieve a good level of efficiency and he would pick up this point along with the matter of the solar panels on the roof.

Councillor Kemp said that the number of affordable housing units for rent should be increased slightly from 7 units to 9 or 10 units out of the 29, to match the usual East Herts criteria of 78% of 40% affordable

units, equating to approximately 32% of the total units. He said that this proposal had merit and should be discussed further with the developers.

Councillor Page expressed a concern that leaving the matter of the legal agreement open for the Head of Planning and Building Control to finalise took the edge off the scrutiny powers of the Development Management Committee. The Legal Services Manager said that giving delegated authority to the Head of Planning and Building Control to fine tune the detail of the conditions and the legal agreement was a sound process.

Councillor Beckett proposed and Councillor Page seconded, a motion that application 3/19/2626/FUL be granted subject to a legal agreement and the conditions set out at the end of the report and delegated authority be given to the Head of Planning and Building Control to finalise conditions and the legal agreement and to append informatives to the application that might be required.

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

RESOLVED -that (A) planning permission be granted subject to a legal agreement and the conditions set out at the end of this report.

(B) delegated authority be given to the Head of Planning and Building Control to finalise conditions and the legal agreement and to append any informatives to the application that

might be required.

- 79 3/20/0413/FUL - DEMOLITION OF EXISTING SCIENCE BUILDING AND THE ERECTION OF A NEW 2-STOREY TEACHING BLOCK (USE CLASS D1) WITH ASSOCIATED LANDSCAPING AND THE INSTALLATION OF AN ADDITIONAL BLOCK OF INTERIM TEMPORARY CLASSROOMS DURING CONSTRUCTION (APPROXIMATELY 1068 M2 GEA) ALONGSIDE THE RETENTION OF TEMPORARY UNITS APPROVED UNDER PLANNING CONSENT 3/18/2098/FUL AT THE LEVENTHORPE SCHOOL, CAMBRIDGE ROAD, SAWBRIDGEWORTH
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The Head of Planning and Building Control recommended that in respect of application 3/20/0413/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, said that the proposed development would be located within the footprint of the existing teaching block so that the school could continue to operate during construction.

Members were advised that temporary classrooms would be located to the west of existing school buildings on the existing tennis courts and adjacent to existing temporary classrooms that would be retained during construction.

The Service Manager said that the main issues for consideration were the principle of the development,

design, the impact on residential amenity, highways impact and the management of flood risk.

Members were referred to paragraph 8.14 for design matters. The Service Manager explained that the design very much reflected the existing school buildings and said that the Landscape Officer had raised no objections.

The Committee was advised that strategy and indicative layout plans for the landscaping surrounding the site were submitted as part of the application and the detail of that landscaping was the subject of condition 5, and condition 6 covered the maintenance of approved landscaping details.

The Service Manager said that paragraphs 8.39 to 8.32 of the report addressed the sustainability of the building as he was aware that this was a concern of Members regarding school buildings. He said that the fabric first approach had been adopted and this included high levels of efficiency and measures to control Carbon Dioxide emissions, in line with policies CC1 and CC2. The matter of water supply was restricted by the various efficiency measures in the building as per the WAT4 policy.

Members were advised that condition 4 required the removal of existing and proposed temporary buildings on the site by the 21 December 2021, to reflect the expected period of construction. This was of particular importance due to the location of the site within the Green Belt and it was important that openness was maintained.

The Service Manager concluded by stating that no additional parking was proposed as there would be no additional pupils or staff on the site. Mr Robinson addressed the Committee in support of the application.

Councillor Buckmaster explained that, as the local ward Member, she had watched this school grow over a number of years and she would like this application to be approved. She said that with the 600 extra homes due in Sawbridgeworth, this application would future proof the school.

Councillor Buckmaster said that this was a very good school and she referred to the temporary blocks on the site. She mentioned the concerns of a resident of school lane and potential overlooking from classroom windows. She asked whether the windows of the proposed development would be obscured as was the case with the temporary classroom blocks.

Councillor Crystall said that the proposed development ought to meet exemplar standards but there was no information as to how far beyond Part L the energy standards were expected to be. He commented on the difference of 1.7 % between the target emission rate and the building emission rate and whether this was performance over and above the Part L standard.

Councillor Kaye sought clarification that the temporary classrooms would be on site for 18 months. The Service Manager stated that he did not believe that the new school building would have obscured glazing. He

said that adopted District Plan policies CC1 and CC2 encouraged but did not insist upon energy performance beyond building regulation standards.

Councillor Jones commented on whether the target for completion by 10 December 2021 was enough time in light of the potential for future Covid-19 lockdowns. He said that energy efficiency was a consideration and he questioned how the proposed development performed in comparison to another similar school development he was aware of that was net carbon zero.

The Service Manager said that if construction was going to be delayed, a variation application to extend the condition deadline would have to be submitted. He referred Members to paragraph 8.31 of the report in that this said that the building design would reduce heat in the summer and reduce the need for heating in the winter. He said that policies encouraged but did not insist on this approach and the proposed development would be pretty good in terms of efficiency.

Councillor Jones referred to paragraph 8.29 and asked whether photovoltaic cells would be placed on the roof of the proposed development. The Service Manager explained that the fabric first approach did not include cells on this application.

Councillor Crystall sought further clarification on the green performance of the building including the potential use of grey water. The Service Manager said that details of green performance could get very

technical in terms of how they were presented. He said that Officers would include comparisons in future reports for Members to consider.

Councillor Buckmaster proposed and Councillor Jones seconded, a motion that application 3/20/0413/FUL be granted subject to the conditions detailed in the report now submitted.

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

RESOLVED –that, in respect of application 3/20/0413/FUL, planning permission be granted subject to the conditions set out at the end of the report.

80 3/18/2764/OUT - OUTLINE APPLICATION FOR THE ERECTION OF 14 RESIDENTIAL UNITS AND 26 PROPOSED CAR PARKING SPACES (ALL MATTERS RESERVED EXCEPT ACCESS) AT HERTFORDSHIRE COUNTY COUNCIL DEPOT, STATION ROAD, WATTON AT STONE, SG14 3SH

The Head of Planning and Building Control recommended that in respect of application 3/18/2764/OUT, 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, said that this was an outline application and therefore all matters were reserved aside from the access. Members were reminded that the site was located close to the train

station in Watton at Stone, which was a category 1 village.

The Committee was advised that this site was previously used by Hertfordshire County Council for the storage of maintenance vehicles and associated materials. The Principal Planning Officer explained that main issues for Members to consider were access, the principle of the development and issues around the loss of employment.

Members were also advised that other matters to briefly consider including indicative design and neighbour amenity. As Watton at Stone was a group 1 village, it was expected to provide housing for the District up until 2033. As such, the application was policy compliant as the site lay within the boundary of the village.

The Principal Planning Officer said that as this was a sustainable brownfield site, it was policy compliant in respect of policy DPS2. She said all other matters in policy VILL1 regarding the character or the village could not be considered on an outline application.

Members were advised that the applicant had indicated that the site was not suitable for storage due to poor road access and due to the likely impact on nearby residential occupiers. She said that the loss of employment could not carry much weight as the traffic impact of an Office use did not make this an attractive office location. Hertfordshire County Council was content with the access off Station Road and there were 34 spaces proposed, which was over and above

what was required given the situation of the site and the 25% reduction that could be applied.

The Principal Planning explained that the indicative design was in keeping with a group 1 village and the application was policy compliant in terms of the potential housing delivery. She summarised a number of issues regarding Hazeldell, Great Innings South and Great Innings North.

Members were advised that discussions had taken place between the Lead Local Flood Authority (LLFA) regarding climate change, run off rates and the management of a private culvert via a planning condition. Mr Aknai addressed the Committee in objection to the application.

Councillor Beckett spoke in relation to his concerns regarding a very narrow access to this site. He asked for clarification that all access for construction traffic would be off Station Road. Councillor Kemp asked whether anything could be done as to the points made by the public speaker regarding building height to the east side of the proposed development. He referred to the sustainability of the site due to its proximity to the railway station.

Councillor Kemp said that there were narrow pavements in Watton at Stone and footpaths in this area were not well connected. He said that there could be an opportunity to improve this situation and provide shorter walking routes through Watton at Stone to support sustainable green transport.

Councillor Stowe asked whether Morymead Close was new and not an adopted road. He asked whether the application could reasonably go ahead if this road was not adopted.

The Principal Planning Officer referred to the highways expertise that had been sought in relation to the proposed access. She said that amenity and the height of the buildings would be assessed at the reserved matters stage. She also stated that the matter of footpaths could be covered by the reserved matters stage of this development.

The Service Manager (Development Management) said that the issue of building heights should not be considered unless at the full or reserved matters stage of this development.

Councillor Beckett proposed and Councillor Buckmaster seconded, a motion that application 3/18/2764/OUT be granted subject to the conditions detailed in the report now submitted.

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

RESOLVED -that, in respect of application 3/18/2764/OUT, planning permission be granted subject to the conditions set out at the end of the report.

81 3/20/1075/HH - INSERTION OF WINDOW TO FLANK
ELEVATION AT 8 CRESSET CLOSE, STANSTEAD ABBOTTS,
WARE

The Head of Planning and Building Control recommended that in respect of application 3/20/1075/HH, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor Redfern proposed and Councillor Fernando seconded, a motion that application 3/20/1075/HH be granted subject to the conditions detailed in the report now submitted.

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

RESOLVED –that, in respect of application 3/20/1075/HH, planning permission be granted subject to the conditions set out at the end of the report.

82 ITEMS FOR REPORTING AND NOTING

Councillor Jones commented on appeal decisions that had been allowed where applications had been refused by the Authority.

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

(D) Planning Statistics.

At the invitation of the Chairman, the Head of Planning and Building Control said that she had some information to pass on to the Committee regarding virtual planning meetings. She advised that the feedback she had received was that virtual meetings were working really well at a number of local authorities in London and the South East and also the East of England.

Members were advised that East Herts Council had adopted a very sound approach to conducting virtual meetings of the Development Management Committee and these meetings had been very successful to date.

The meeting closed at 9.48 pm

Chairman
Date