

MINUTES OF A MEETING OF THE  
DEVELOPMENT MANAGEMENT  
COMMITTEE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
WEDNESDAY 19 MAY 2021, AT 7.00 PM

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PRESENT: Councillor B Deering (Chairman)  
Councillors T Beckett, R Buckmaster,  
B Crystall, I Devonshire, R Fernando, J Kaye,  
T Page, P Ruffles and T Stowe

ALSO PRESENT:

Councillors J Goodeve

OFFICERS IN ATTENDANCE:

Paul Courtine	- Planning Lawyer
Steven King	- Finance Management Trainee
Peter Mannings	- Democratic Services Officer
Katie Mogan	- Democratic Services Manager
Louise Newcombe	- Development Management Team Leader
Femi Nwanze	- Service Manager (Quality Places)
Sara Saunders	- Head of Planning and Building Control

19 APPOINTMENT OF VICE-CHAIRMAN

It was proposed by Councillor Page and seconded by Councillor Buckmaster that Councillor Stowe be appointed Vice-Chairman of the Development Management Committee for the 2021/22 civic year.

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

**RESOLVED** – that Councillor Stowe be appointed Vice-Chairman of the Development Management Committee for the 2021/22 civic year.

20 APOLOGIES

Apologies for absence were submitted on behalf of Councillors Andrews, Kemp and Redfern. It was noted that Councillor Devonshire was substituting for Councillor Kemp.

21 CHAIRMAN'S ANNOUNCEMENTS

The Chairman explained the COVID-19 protocols that had been put in place for the safe conduct of in person meetings in the Council Chamber. He explained in detail the protocols that should be followed by all.

The Head of Planning and Building Control said that there had been a steady increase in planning applications over the last 6 months and this appeared to be a nationwide trend. She said that Officers were

working to maintain standards and there were some delays due to the volume of work being submitted. Members would be kept informed on a monthly basis.

The Chairman said he had been made aware of some comments being circulated and stated that he wanted to make it very clear that the ethos of the Development Management Committee was non-political and Members were not voting under instruction from a party whip. He said that all of the decision making of the Committee was based on upon planning policy and planning law.

## 22 DECLARATIONS OF INTEREST

There were no declarations of interest.

## 23 MINUTES - 21 APRIL 2021

Councillor Beckett proposed and Councillor Buckmaster seconded, a motion that the Minutes of the meeting held on 21 April 2021 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 21 April 2021, be confirmed as a correct record and signed by the Chairman.

24 3/20/2481/FUL - DEMOLITION/REMOVAL OF EXISTING STRUCTURES AND THE ERECTION OF A MANUFACTURING BUILDING AND ASSOCIATED WORKS AT GLAXOSMITHKLINE SERVICES LTD

The Head of Planning and Building Control recommended that in respect of application 3/20/2481/FUL, planning permission be granted subject to the conditions detailed in the report submitted. It was also recommended that delegated authority be granted to the Head of Planning and Building Control to finalise the conditions.

The Interim Development Management Team Leader, on behalf of the Head of Planning and Building Control, said that the site was bounded directly to the north by Park Road and was separated from residential properties by an existing tree buffer.

Members were advised of the planning history of the site and were also advised that the site was a designated employment area under District Plan policy Ware 3. The Interim Development Management Team Leader said that the key issues regarding this application were as follows:

- Employment provision
- Design and neighbour amenity
- Access
- Parking and transport
- Flood risk
- Climate change
- Water efficiency and environmental quality
- Biodiversity

- Natural environment and heritage assets

Members were advised that the principle of this development within the employment area was acceptable and was in line with the Development Plan. The Officer referred to landscaping and new planting that would be secured by condition. Members were advised that the proposed development complied with the District Plan and the National Planning Policy Framework (NPPF).

The Officer advised that there would be a neutral impact in respect of trip generation as staff would be relocated to this building. Members were advised that conditions would secure a construction management plan and conditions would also cover the review of the existing travel plan.

Members were advised that the sustainable drainage could be achieved on the site in accordance with the SUDS hierarchy and a minimum reduction of carbon had been calculated at 3.9% for this development. Solar panels were also proposed and the building would be connected to an existing combined heat and power plant.

The Interim Development Management Team Leader said that water management technology and water saving devices would be installed. A condition was recommended that the development was constructed in accordance with the sustainable construction, energy and water statement.

Members were advised that a phase 2 contamination

report had revealed no viable pollutant linkages and therefore an unsuspected contamination condition had been proposed. The development proposed a biodiversity net gain of 11.45%, and this compliant with the Environment Bill and the District Plan.

The Interim Development Management Team Leader said that heritage assets and archaeology could be appropriately investigated and the conditions stipulated that development could commence on areas of the site where investigations had already been completed.

Members were advised that there were no identified conflicts with the development plan and the scheme was considered to be a sustainable form of development and Officers were recommending approval subject to the conditions in the report.

Mr Pope and Mr Goldfarb addressed the Committee in support of the application.

Councillor Kaye referred to paragraph 1.7 of the report and welcomed the landscaping that was being proposed to help reinforce an existing tree buffer. He talked about the comments of the Environmental Health Officer and the proposed conditions in respect of plant machinery and noise. Councillor Kaye emphasised the importance of electric vehicle charging as well as any measures to encourage cycling.

Councillor Page commented on whether some form of agreement was possible in respect of electric vehicle charging points being secured as part of the

application. Councillor Crystall said that if there was nowhere to locate electric vehicle charging points then this matter was not relevant.

Councillor Fernando referred to the objection from the Conservation and Urban Design advisor and asked for clarification from the Officer as to why she felt that the proposed scheme was not more impactful.

The Interim Development Management Team Leader said that Councillor Crystall was correct in that there was no parking provision as part of this proposed development. She said that there was a proposed condition for a review of the travel plan for the wider site.

Members were advised that, as regards the design of the proposed development, the building was to be set further back from the boundary with Park Road and this mitigated the impact of the increased building height. The Officer said that would still be reduction in the scale of the building on the Park Road elevation and she was satisfied that this would not cause significant harm to the visual amenity of the area.

Councillor Crystall requested that bird, bat and swift boxes be installed on the building that was being proposed by the applicant. Councillor Deering reinforced the balanced points that had been made by Councillors Kaye and Page in respect of electric vehicle charging points.

The In Interim Development Management Team Leader said that Officers could apply a condition to

secure biodiversity measures in accordance with the report and the existing conditions regarding the sustainability report might be sufficient to cover biodiversity measures.

Councillor Crystall asked about the issue of contractors parking on the south side of Park Street. The Interim Development Management Team Leader confirmed that the condition regarding the construction management plan would cover this matter.

Councillor Beckett proposed and Councillor Kaye seconded, a motion that application 3/20/2481/FUL be granted, subject to the conditions detailed in the report submitted and delegated authority be granted to the Head of Planning and Building Control to finalise the conditions.

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

**RESOLVED** –that (A) in respect of application 3/20/2481/FUL, planning permission be granted subject to the conditions detailed in the report submitted; and

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



- 25 3/20/1931/FUL - ALTERATIONS AND CHANGE OF USE FROM COMMERCIAL GARAGE CAR SHOWROOM AND WORKSHOPS TO MIXED USE DEVELOPMENT OF USE CLASS E (G)(I) OFFICE USE AND 3 RESIDENTIAL UNITS USE CLASS C3 (DWELLING HOUSES) TOGETHER WITH THE ERECTION OF A TERRACE OF SEVEN, 3 BEDROOM HOUSES TO THE REAR, WITH ASSOCIATED CAR PARKING AND ACCESS AT GATES OF HERTFORD, GASCOYNE WAY, HERTFORD, SG13 8EL
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The Head of Planning and Building Control recommended that in respect of application 3/20/1931/FUL, planning permission be granted subject to a Section 106 legal agreement and the conditions detailed at the end of the report submitted and delegated authority be granted to the Head of Planning and Building Control to finalise the detail of the Section 106 legal agreement and conditions.

The Development Management Team Manager, on behalf of the Head of Planning and Building Control, drew the attention of the Committee to the late representations summary. She apologised to Councillor Goodeve as her comments on the application were not included in the report and Members were advised that these comments were now included in this summary.

The Development Management Team Leader summarised the other matters that were covered in the late representations summary. She detailed the application and advised Members of its location just outside of Hertford Town Centre. She advised that the former Gates garage was a Sui Generis use located off

Gascoyne Way and the proposed use would be new use class E (g) (i).

Members were advised that the site had been marketed for employment use for a period of approximately 20 months and there had been no interest, due to the number of residential uses that surrounded the site and due to poor vehicular access.

The Development Management Team Leader said that the site would be an employment use and would be marginally reduced in terms of site area. The floor space would be increased internally by 97 square metres. Members were advised that there would be 5 office units ranging from 118 to 124 square metres plus the former car show room at 318 square metres.

Members were advised that Officers were proposing a condition to restrict the use of the employment to use classes E (g) (i), E (g) (ii) and E (g) (iii) so that the Office uses could not change to the general E class uses. The Officer said that these 3 use classes could take place close to residential properties without causing harm to local amenities.

The Development Management Team Leader said that the garages would be conditioned to ensure they were retained for vehicle accommodation. She said that Officers were aware that parking was a problem in this area and adequate parking was proposed as part of the scheme.

Members were advised that a travel plan had been proposed for the office use only and a car club was

proposed for general use and there would be cycle parking. Members were also advised that funding had been secured for a residents parking zone in this area and the proposal was policy compliant in respect of a proposed reduction of 16% in carbon dioxide over and above the building control standard.

Mrs Oldham addressed the Committee in opposition to the application. Councillor Goodeve addressed the Committee as a local ward Member.

Councillor Ruffles said that he was grateful for all the attention that had been paid to the various difficulties that had presented themselves in respect of this site. He expressed his support for proposed condition 4 and also condition 28, to do with the garaging and maintaining this use into the future.

Councillor Ruffles referred to the offer of £10,000 to alleviate the cumulative effects of parking on West Street. He commented on the historic importance of the boundary wall in the conservation area.

Councillor Ruffles said that boundaries and the treatment of them were important and he referred to the comments of the Conservation Officer. He also said he was pleased to see the narrowing of the access lane and the raised level to indicate a priority for pedestrians and cyclists on the A414.

Councillor Fernando asked if the figure of £10,000 for a residents parking zone (RPZ) was a realistic figure and he asked how this figure had been reached. Councillor Page asked if the site included the road that ran from

Gascoyne Way up to the side of Pegs Lane and whether any assurance could be given to residents that they would continue to have access to this as a service road.

The Development Management Team Leader said that the figure £10,000 contribution towards the implementation of an RPZ had not been assessed, as this was a contribution and there was no policy document that stipulated that this was the amount that should be paid for an RPZ.

Members were advised that the red line boundary of the site did include the access road referred to by Councillor Page. The Officer referred to the late representations summary and a restricted covenant that affected the residents of Pimlico Court. She reassured Councillor Page that she saw no reason why the services of those residents would be diminished by this application.

The Development Management Team Leader responded to queries from Councillors Kaye and R Buckmaster regarding a possible gym and the maintenance of the living wall and whether the electric vehicle (EV) charging points would be 13 or 30 amp car chargers. She explained that future maintenance of the living wall could be included in the Section 106 legal agreement.

Councillor Beckett made an observation in respect of insulation and air tightness and the potential for a 50% improvement in energy efficiency. He expressed disappointment that gas boilers were to be installed

and commented on the poor air quality in the area around Gascoyne Way. He said that a passive ventilation system would have better than a reliance on residents opening windows on a hot day.

The Head of Planning and Building Control said that no objections had been raised by Environmental Health in respect of noise and air quality.

Councillor Crystall referred to the position of the Environment Agency and that organisation not presently having sufficient resources to provide detailed comments on the application. He commented on the site being a vulnerable ground water area.

The Development Management Team Leader said that the Environment Agency (EA) had said that they had insufficient resources to assess this application. Members were advised however that the EA did indicate if they had concerns and they had not done so on this application.

Members were advised that the Lead Local Flood Authority (LLFA) had assessed the application and no objection had been raised. The Officer said that the Council's pollution team had also raised no objections in respect of this application.

Councillor Buckmaster proposed and Councillor Devonshire seconded, a motion that application 3/20/1931/FUL be granted planning permission subject to a Section 106 legal agreement and the conditions detailed at the end of the report submitted and delegated authority be granted to the Head of

Planning and Building Control to finalise the detail of the Section 106 legal agreement and conditions.

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

**RESOLVED** –that (A) in respect of application 3/20/1931/FUL, planning permission be granted subject to a Section 106 legal agreement and the conditions detailed at the end of the report submitted; and

(B) delegated authority be granted to the Head of Planning and Building Control to finalise the detail of the Section 106 legal agreement and conditions.

## 26 ITEMS FOR REPORTING AND NOTING

**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.

## 27 URGENT BUSINESS

There was no urgent business.

The meeting closed at 8.19 pm

Chairman .....

Date .....