

MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 8 SEPTEMBER 2021, AT 7.00
PM

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

ALSO PRESENT:

Councillors M Goldspink, J Goodeve and
S Rutland-Barsby

OFFICERS IN ATTENDANCE:

Paul Courtine	- Planning Lawyer
Peter Mannings	- Democratic Services Officer
Femi Nwanze	- Service Manager (Quality Places)
Karen Page	- Planning Officer
Sara Saunders	- Head of Planning and Building Control

140 APOLOGY

An apology for absence was submitted on behalf of
Councillor Crystall.

141 CHAIRMAN'S ANNOUNCEMENTS

The Chairman extended a thank you to those Members that had completed the short survey that had been sent out by Zoe Taylor-Dixon and the IT Team. He asked those Members who had yet to do so to dedicate some time to completing it.

Councillor Page asked about the outcomes for Members of completing the survey. The Chairman said that this question had been noted and it would be fed back to Officers.

The Chairman said that a resident had articulated a view to the effect that this Committee was politically whipped. He reiterated that the Development Management Committee was not whipped and he had never once been whipped in the 7 years that he served on the Committee.

The Chairman said that if any Member overheard any resident alleging that the Committee was whipped, they should inform them that the Members of the Committee were not politically whipped.

142 DECLARATIONS OF INTEREST

Councillor Page announced that, in relation to application 3/21/1283/FUL, he was a member of Bishop's Stortford Town Council, which had responded to the application.

143 MINUTES - 14 JULY 2021

Councillor Fernando proposed and Councillor Buckmaster seconded, a motion that the Minutes of the meeting held on 14 July 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 14 July 2021, be confirmed as a correct record and signed by the Chairman.

144 3/21/1283/FUL - FOUR 5.75 METRE COLUMN MOUNTED LIGHTING POSTS TO BE ERECTED ON THE FIFTH FLOOR LEVEL OF CAR PARK AT EHDC CAR PARK, NORTHGATE END, BISHOP'S STORTFORD, HERTFORDSHIRE, CM23 2ET

The Service Manager (Quality Places) recommended that in respect of application 3/21/1283/FUL, planning permission be granted subject to the conditions detailed at the end of the report and with delegated authority being granted to the Head of Planning and Building Control to finalise the detail of the conditions.

The Service Manager (Quality Places), on behalf of the Head of Planning and Building Control, said that the application was for lighting columns on the top floor of the car park under construction at Northgate End. She said that the 5 metre columns would sit on top on 0.75 metre plinths and would be operated by timer clock and would also be controlled by photocells and motion sensors.

Members were reminded that the Council did not have to apply for planning permission as lighting could be installed anywhere on the top deck of a Council car park. An application had however been submitted to avoid confusion with condition 11 of the original planning consent, which had restricted all external lighting.

The Service Manager said that this condition had not removed the permitted development rights that would have allowed lampposts to be installed. She said that there would be a 15 metre gap between each column and the highest possible columns had been chosen to limit light spill to surrounding uses. Members were advised that there would be limited views of the columns as they would be located on the central spine of the car park.

The Service Manager said that the application was recommended for approval and there would be very limited light spill. She emphasised that the lighting columns could not be seen from outside the structure due to the stair or lift overruns to the north and south of the car park.

Councillor Goldspink addressed the Committee as the local ward Member.

Councillor Kemp commended the submission of the application on the grounds of transparency and also to allow for conditions to be applied in order to protect the surroundings and the amenity of residents. He expressed a concern about the top deck of the car

park being unlit during normal shopping hours in winter.

Councillor Kemp said that LED lighting columns were very directional and did not therefore cast much shadow. He commented that he believed that there would be relatively little light pollution and the proposed lighting columns would not be visible from ground level. He asked about what provisions would be made for very clear operational signage on all levels of the car park and whether the top deck would be closed after 11 pm.

Councillor Kemp commented on whether parapet wall lighting could be provided as supplementary lighting in addition to the central lighting columns. He concluded that the application and the conditions would ensure adequate and appropriate safeguards for users and residents.

Councillor Newton said that she was heartened by the proposed location of the lights on the central spine of the car park in terms of the limited light spillage. She expressed concerns about any part of the car park being closed and unlit at night due to the likelihood of people gathering for unsavoury acts of anti-social behaviour. She said that she was content with what she had read so far in respect of this application.

Councillor Andrews expressed concerns over the lack of detail regarding whether other lighting options had been considered. He referred in particular to the possibility of lower inward facing lighting columns on the outer edges of the car park.

The Service Manager said that other options had not been presented to Members as the Committee must determine the application that had been submitted. She said that a lighting specialist had advised that the columns needed to be as tall as possible to limit the illumination of the surrounding area and the columns being restricted to the central area was also intended to further limit light spillage.

Members were advised that the lighting was to be LED. The Service Manager said that the matter of users being warned about parking on the top floor was covered by details yet to be submitted in respect of condition 36 of the original planning application. She said that these details related to the operation of the car park and the hours of lighting would be aligned to the hours that had been granted for the car park.

The Service Manager said that parapet wall lighting would cause light spillage and the use of tall lighting columns meant only the central spine of the car park would be illuminated. She emphasised that this was not the only site in the conservation area that had had lighting and the impact on neighbour amenity of this application had been dealt with in the report. Members were advised that the Council had to comply with the secured by design code for car parks and there was a requirement for car parks to have adequate lighting.

The Service Manager confirmed that the original application included a condition regarding CCTV. Councillor Beckett said that if the lights were to be

switched off from 11 pm, anyone who accessed the top deck of the car park after this time would not be illuminated by the PIR sensors. He said that at least on the lights should be switched on as a security light on a 24 hour basis.

The Service Manager said that the original application had stipulated that the top deck of the car park could only be open between 07:00 and 23:00 hours and those hours could not retrospectively be dealt with by this application. Councillor Stowe mentioned LED lighting on a sports pitch in his ward and he said that they illuminated the sports pitch but did not glare beyond that site.

The Legal Officer confirmed to the Chairman that this application was for lighting and Members could not revisit the conditions or the use of the car park as this was not relevant to this application. Members were advised that there was scope within the fourth condition on this application to limit the provisions of this condition to, for example, three of the four proposed lighting columns.

Councillor Beckett clarified his concern was not so much for ordinary users of the car park but was more for those who should not be on the top deck of the car park. He said that one light remaining on would alert people to their presence and would cover the Council against any potential litigation.

Councillor Page expressed a concern that a draconian closure of the car park or turning the lights off could be counterproductive by adversely affect the night

time economy of Bishop's Stortford. He said that Environmental Health experts and the Conservation Design Team had concluded that there would be no significant harm due to the proposed lighting. He said that the Committee should take this advice unless there was any evidence to the contrary.

The Service Manager said that condition 36 of the original planning application stated that the car park would not be available for vehicles outside of 07:00 and 23:00 hours for the ground floor and the top floor and for the other floors the hours were 07:00 until midnight. She said that by midnight the whole of the car park should be closed.

Councillor Buckmaster proposed and Councillor Andrews seconded, a motion that application 3/21/1283/FUL be granted planning permission subject to the conditions detailed at the end of the report and with delegated authority being granted to the Head of Planning and Building Control to finalise the detail of the conditions.

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

RESOLVED – that (A) in respect of application 3/21/1283/FUL, planning permission be granted subject to the conditions detailed at the end of the report; and

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

145 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.

146 URGENT BUSINESS

There was no urgent business.

The meeting closed at 7.57 pm

Chairman
Date