

MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 6 OCTOBER 2021, AT 7.00 PM

PRESENT: Councillor B Deering (Chairman)
Councillors D Andrews, R Buckmaster,
B Crystall, I Devonshire, S Newton, T Page,
C Redfern, 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
Karen Page	- The Service Manager (Development Management and Enforcement)
Sara Saunders	- Head of Planning and Building Control
Jill Shingler	- Principal Planning Officer

182 APOLOGIES

Apologies for absence were received from Councillors Beckett, Fernando and Kemp. It was noted that Councillor Devonshire was substituting for Councillor Kemp.

183 CHAIRMAN'S ANNOUNCEMENTS

The Chairman reminded Members that the meeting was being webcasted and might also be broadcasted via YouTube.

The Chairman reminded Members of the special meeting of the Development Management Committee that was in the diary for 16 November 2021 in respect of Gilston applications. He also reminded Members of the site visit and briefings in respect of these applications.

184 DECLARATIONS OF INTEREST

Councillor Andrews said that, in respect of application 3/20/0502/OUT, he sat on a Committee at another Authority that had considered this application as a consultee. He said that he did not feel that he was inhibited from forming an opinion on this application this evening.

185 MINUTES - 8 SEPTEMBER 2021

Councillor Buckmaster proposed and Councillor Redfern seconded, a motion that the Minutes of the meeting held on 8 September 2021 be confirmed as a

correct record and signed by the Chairman.

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

RESOLVED – that the Minutes of the meeting held on 8 September 2021, be confirmed as a correct record and signed by the Chairman.

- 186 3/20/0502/OUT - OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS FOR DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF VACANT EMPLOYMENT SITE WITH A MIXED USE DEVELOPMENT COMPRISED OF B1 (BUSINESS) FLOORSPACE AND 20 DWELLINGS, TOGETHER WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING AT LAND AND BUILDINGS TO THE EAST OF NETHERFIELD LANE, STANSTEAD ABBOTTS, HERTFORDSHIRE, SG12 8HE

The Head of Planning and Building Control recommended that in respect of application 3/20/0502/OUT, outline planning permission be granted subject to a legal agreement and 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 legal agreement and conditions.

The Principal Planning Officer, on behalf of the Head of Planning and Building Control, referred to an aerial photo of the site which was located within the green belt on the eastern side of Netherfield Lane and to the south of Roydon Road.

Members were advised that whilst the site was outside the village boundary, it was within walking distance of Stanstead Abbots High Street and was not isolated. The Principal Planning Officer said that the site was currently occupied by offices and storage buildings and some associated parking and external storage areas.

Members were advised that the site had been unoccupied for some time and was classed as previously developed land. The Principal Planning Officer stated that development was not inappropriate in green belt terms provided that this did not impact on openness. Members were advised that this was an outline application with all matters reserved apart from access.

The Committee was advised that appearance, landscaping, layout and scale were not being considered at this time and the application was for the demolition of all existing buildings on the site, removal of hardstanding and redevelopment for B1 business use and 20 residential units. No increase in built volume was proposed by the application.

The Principal Planning Officer presented a series of slides for Members and explained the potential layout of the site. She set out the proposed access arrangements which included improvements to Netherfield Lane between the junction with Roydon Road and the eastern edge of the application site.

Members were advised that the improvements included widening of the road, provision of a footway and tactile paving at crossing points. These measures

had all been negotiated with the Highway Authority to improve the accessibility of the site, in particular for pedestrians.

The Principal Planning Officer said that national policy provided an incentive in the form of a financial credit where vacant buildings were brought back into use or demolished to be replaced by new buildings. The financial credit was equivalent to the existing gross floor space of the relevant vacant buildings when the local planning authority calculates any affordable housing contributions that would be sought.

Members were advised that although 20 new units were being provided on the site, Officers could not ask for any affordable housing as there was no increase in overall floor space. The Principal Planning Officer said that the developer had provided evidence that there would be a developer profit of only about 10 percent and this meant that the Section 106 contributions would be reduced for this site.

Members were advised however that the applicant had agreed to pay towards libraries and youth facilities, open space and built sports facilities and also to review viability should profits prove to be greater.

The Principal Planning Officer said that whilst there was a loss of employment land, evidence had been provided that the continued employment use of the site was not viable and the current application did secure some commercial use of the site.

Members were advised that conditions were proposed

to ensure that the reserved matters fully address energy and water efficiency, climate change, sustainability and ecology requirements. The application had been recommended for approved subject to conditions and a Section 106 legal agreement including the conditions that were detailed in the additional representations summary.

Mr Webster addressed the Committee in support of the application.

Councillor Ruffles referred to paragraph 8.19 and asked if the Principal Planning Officer could go through the two proposed accesses to the site and in particular the arrangements for pedestrians.

Councillor Andrews commented on paragraph 5.6 and said that the Lea Valley Regional Park Authority had taken a more positive approach in seeking conditions and Section 106 matters to cater for increased visitor numbers rather than for mitigation. He said that there was an element of mitigation in relation to challenges to habitat in that part of the world.

Councillor Page commented on management and maintenance and asked for some guidance on policy regarding the minimum figures for requiring a maintenance agreement and in the case of this mixed development, would there be two parties involved in respect of the residential element and business elements of the proposed development.

The Principal Planning Officer set out in detail in the proposed pedestrian and main accesses proposed as

part of the application. She said that there was no policy regarding a maximum and minimum number of units before there was a need for management or maintenance agreements. Officers worked on the basis that if there was a joint communal area then they needed to know how it was going to be managed and maintained to protect visual amenity and ensure safety.

Members were advised that Officers would be seeking details of how the communal areas were to be maintained and there would need to be an agreement for the residential properties and a separate agreement for the commercial properties.

The Principal Planning Officer confirmed to Councillor Page that condition 24 would be applied in terms of how communal areas were to be maintained for the lifetime of the development. The Head of Planning and Building Control said that dealing with these matters by way of a condition was not uncommon and there was not a policy position. She referred to the possibility of the policy position being covered by a future review of the District Plan.

Councillor Page expressed concerns that agreements had been made for management for the lifetime of developments only for these to fall away. The Service Manager (Development Management and Enforcement) said that once a maintenance and management agreement plan had been discharged, the expectation was that this for the lifetime of a development. Members were advised that enforcement action could be taken to ensure that

details of management and maintenance plans were being adhered to.

Councillor Crystall said that his concerns regarding the comments and responses on the planning portal between the Herts and Middlesex Wildlife Trust, Herts Ecology and the applicant had been resolved. He asked for clarification as to whether Netherfield Lane was an adopted road. He also asked about the linkage to the alms houses and whether this was not now part of this application.

Councillor Buckmaster asked about bats and whether there was to be another bat survey and whether the residential buildings would have bat boxes.

The Principal Planning Officer said that Netherfield Lane was not an adopted bridleway or private road but this was to be brought up to an adoptable standard by the proposed works. Members were advised that the alms houses link had been removed from the application and condition 9 stipulated that there would be have to be a further bat survey.

Councillor Ruffles expressed concerns that the pedestrian path was on the wrong side of the road and he was particularly concerned about sight lines and pedestrian safety. The Principal Planning Officer said that land on the other side of the road was not within the ownership of the applicant. She stated that the land on the eastern side of the road was owned by the applicant and Hertfordshire Highways were satisfied that this would be a safe route for pedestrians.

Councillor Andrews expressed a concern as to who would be responsible for maintaining Netherfield Lane if it was unadopted in light of the industrial works and residential development.

The Principal Planning Officer said that this would be covered by the same management and maintenance agreement that was covered by condition 24. Members were advised that Hertfordshire Highway had said that as this was a bridleway that would be brought up to an adoptable standard, ten percent would be contributed towards upkeep with the remainder coming from management and maintenance paid for by residents of the residential and commercial units.

The Legal Officer said that the previous commercial units would have been visited by repair people to repair machinery and would also have been visited by delivery drivers. He stated that there was no evidence of any problems at that time.

Councillor Page proposed and Councillor Devonshire seconded, a motion that application 3/20/0502/OUT be granted outline planning permission subject to a legal agreement and the conditions detailed at the end of the report and also subject to conditions 25 and 26 in the additional representations summary and with delegated authority being granted to the Head of Planning and Building Control to finalise the detail of the legal agreement and conditions.

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

RESOLVED – that (A) in respect of application 3/20/0502/OUT, outline planning permission be granted subject to a legal agreement and the conditions detailed at the end of the report and also subject to conditions 25 and 26 in the additional representations summary; and

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

187 ITEMS FOR REPORTING AND NOTING

RESOLVED – that the following report be noted:

(A) Planning Statistics.

188 URGENT BUSINESS

There was no urgent business.

The meeting closed at 7.44 pm

Chairman
Date