

MINUTES OF A MEETING OF THE
DEVELOPMENT CONTROL COMMITTEE
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON
WEDNESDAY 4 JANUARY 2012, AT 7.00
PM

PRESENT: Councillor W Ashley (Chairman).
Councillors M Alexander, S Bull, A Burlton,
Mrs R Cheswright, J Demonti, G Jones,
G Lawrence, M Newman, S Rutland-Barsby
and J Taylor.

ALSO PRESENT:

Councillors D Andrews, P Moore, P Ruffles
and G Williamson.

OFFICERS IN ATTENDANCE:

Glyn Day	- Principal Planning Enforcement Officer
Simon Drinkwater	- Director of Neighbourhood Services
Peter Mannings	- Democratic Services Assistant
Kevin Steptoe	- Head of Planning and Building Control
Alison Young	- Development Control Manager

517 APOLOGY

An apology for absence was submitted on behalf of
Councillor B Wrangles.

518 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed the press and public to the meeting and those who were watching the live webcast.

The Chairman thanked the Head of Planning and Building Control for a very useful training session on Parking Standards and Section 106 agreements.

519 DECLARATIONS OF INTEREST

Councillor S Rutland-Barsby declared a personal interest in application 3/11/1713/FP, in that she had been a customer of Holts, Marsh Lane, Stanstead Abbots.

520 MINUTES

RESOLVED – that the Minutes of the meeting held on 7 December 2011 be confirmed as a correct record and signed by the Chairman.

521 3/11/1801/FP – ERECTION OF 2 NO. 4 BEDROOM HOUSES AND 1 NO. 2 BEDROOM AFFORDABLE HOME TOGETHER WITH ACCESS AND PARKING AT LAND ADJACENT TO HOME FARM, CHAPEL LANE, LITTLE HADHAM, SG11 2AB FOR CROFT GROUP LTD

Mr Mark Goddard addressed the Committee in opposition to the application. Mr Harvey Fairbrass spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1801/FP, planning permission be refused for the reasons now detailed.

Councillors S Bull and J Demonti both expressed support for this application on the basis of the affordable housing provision and the potential benefits for young people.

Councillor M Newman referred to comments from a resident in reference to an enforcement notice from 2007,

which seemed to imply that the adjoining land was outside the village and within the rural area beyond the Green Belt.

The Director stressed that this enforcement action had related to a piece of land that Officers felt was outside the village boundary. Members had supported that view when approving enforcement action at that time. The Committee now had to take a view on whether this application site was within the boundary of the village.

Councillor Mrs R Cheswright commented that the proposed development would result in a detrimental impact on neighbouring residential properties in terms of overlooking. She sympathised with the views of the objectors in that the proposed mix of housing types was not what was required by the village.

The Director referred to the comments of the Council's engineer in relation to flooding in that the site was located in flood zone 1, which was the area that was least likely to flood. There had been some concerns in relation to the possible introduction of hard standing around the site.

Members were reminded that there were no defined boundaries in relation to the village so the Committee must take a view on whether the site was within the village boundary. The Director advised that, due to the break in development between the former agricultural buildings and nearby development, the site was not within the village boundary. The Committee was reminded that Members could make a judgement on this issue. Officers remained of the view that an acceptable relationship could be achieved between the site and nearby residential dwellings.

Councillor J Taylor proposed and Councillor M Alexander seconded, a motion that the Committee accept the Officer's recommendation as detailed in the report now submitted.

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

The Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/11/1801/FP, planning permission be refused for the reasons detailed in the report now submitted.

522 3/11/1765/OP – ERECTION OF 2NO 3 BED DWELLINGS AT BIRCH FARM KENNELS, WHITE STUBBS LANE, EN10 7QA FOR MR. M. FERRARO

Mr David Williams addressed the application in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1765/OP, planning permission be refused for the reasons now detailed.

Councillor S Bull stated that this application should be approved as granting this scheme would ensure the area would be cleaned up as the site was currently in a poor state. He commented that there were special circumstances for approving this application.

Councillor J Taylor commented that a precedent had already been set when 4 larger houses had been approved on an adjacent site. She stated that the proposed modest houses would be very useful and she felt she was able to go against her principles of building in the green belt and support this application.

Councillor M Newman commented that the previous site, that was the subject of an application last year, did already have tightly packed derelict buildings before the site was developed. He stated that this site was predominantly open and had only one or two buildings in need of demolition. He stressed that this site was very much green, where as the previous site referred to by

Councillor Taylor had been a Brownfield site.

In response to a query from Councillor S Rutland-Barsby, the Director reminded Members that this was an outline application and the only matters for consideration were access and layout. Issues such as the scale and appearance were reserved matters but Members could attach conditions to limit the size of the proposed dwellings, in accordance with the design and access statement.

The Director advised that Officers were of the view that there were fewer buildings on the site than had been mentioned by the applicant in the design and access statement submitted as part of the application.

In response to a comment from Councillor Taylor, the Director stressed that the Councillor was quite correct in that the tidying up of the site was not a pre-requisite for approving an application in a green belt location. The Director reminded Members of the need for very special circumstances as reasons why this application should be approved in a clear green belt location.

Members were also reminded that each application must be considered on its merits and the issue of a precedent was not a special circumstance that could be applied. The Director stated that a cluster of developments could occur in this location and urged caution in that the Council's green belt policy would be in a precarious position if this application was approved.

Councillor S Bull proposed and Councillor J Taylor seconded, a motion that application 3/11/1765/OP be approved on the grounds that the impact on the openness of the site would be broadly neutral in comparison to the existing extent of built form, if not redeveloped, the condition of the site would continue to deteriorate, the development would not contribute to the merging of neighbouring settlements, the site constituted previously developed land and was therefore suitable for

redevelopment and that the removal of the existing commercial use would result in a reduction in traffic along White Stubbs Lane.

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

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/11/1765/OP, planning permission be refused for the reasons detailed in the report now submitted.

523 3/11/1713/FP – RAISE ROOF OF OUTBUILDING TO ACCOMMODATE NEW INCINERATOR INSTALLATION AT HOLTS, MARSH LANE, STANSTEAD ABBOTTS, WARE, HERTFORDSHIRE, SG12 8HL FOR MR D HOLT

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1713/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor G Williamson, as the local ward Member, addressed the Committee in support of the application. He stated that the application was for a modest development that offended no one and would help a long established business to develop in Stanstead Abbots.

Councillor Williamson stated that the Parish Council supported the application and he urged the Committee to support the Officer's recommendation.

The Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/11/1713/FP, planning permission be granted subject to the conditions detailed in the report now

submitted.

524 3/11/1636/FP – CHANGE OF USE FROM STAFF ROOM AND REST ROOM TO TWO FLATS FOR SHORT-STAY OCCUPATION BY GUESTS AT PARADISE WILDLIFE PARK, WHITE STUBBS LANE, BAYFORD, BROXBOURNE, HERTS, EN10 7QA FOR MR PETER SAMPSON

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1636/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/11/1636/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

525 3/11/1943/FP – DEMOLITION OF EXISTING STAGE AND OUTDOOR AUDITORIUM AND ERECTION OF NEW STAGE, CHANGING AREAS AND PUBLIC SEATING AREAS AT PARADISE WILDLIFE PARK, WHITE STUBBS LANE, BAYFORD, BROXBOURNE, HERTS, EN10 7QA FOR MR PETER SAMPSON

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1943/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/11/1943/FP, planning permission be granted subject to the conditions detailed in the report now

submitted.

526 3/11/1918/FP – RETENTION OF SINGLE-STOREY BUILDINGS OVER SAND PIT, PLAY AREA AND RIDE AREA AT PARADISE WILDLIFE PARK, WHITE STUBBS LANE, BAYFORD, BROXBOURNE, HERTS, EN10 7QA FOR MR PETER SAMPSON

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1918/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/11/1918/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

527 3/11/1786/FP – CONSTRUCTION OF A PRE-FABRICATED GREEN KIOSK TO HOUSE WATER TREATMENT PLANT AND UPGRADING OF AN EXISTING GREEN KIOSK BUILDING TO ENSURE THE SECURITY OF THE BOREHOLE HOUSED WITHIN AT HARE STREET PUMPING STATION, WORSTEAD ROAD, HARE STREET, SG9 0EE FOR VEOLIA WATER CENTRAL LTD

Mr Andrew Jeskins addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1786/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor S Bull stated that Hormead Parish Council had commented that the pumping station was in a very attractive part of the parish and had requested that

fencing sympathetic to the surrounding rural environment be provided to minimise its impact. He queried whether this request could be applied to this application.

The Director confirmed the presence of existing chain link fencing on the site. Members were advised that Officers considered that the existing chain link security fencing was an appropriate and acceptable use in the rural area.

In response to a further query from Councillor Bull, the Director stressed that the Parish Council had not stated what type of fencing would be preferred. Members were advised that Officers felt it was inappropriate to attach any conditions to the recommendation in relation to the style of fencing on the site.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/11/1786/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

528 3/11/1621/FP – REPLACEMENT AGRICULTURAL DWELLING AT WYDBURY FARM, WYDDIAL ROAD, WYDDIAL, SG9 0DQ FOR MR NOY

Mr Bill Bampton addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1621/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/11/1621/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

529 3/11/1793/FP – CHANGE OF USE FROM B1 (LIGHT INDUSTRIAL) TO MIXED USE B1/A1 (LIGHT INDUSTRIAL/RETAIL) AT UNIT 9B, GREAT NORTHERN WORKS, HARTHAM LANE, HERTFORD, SG14 1BW FOR MR S DANN

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1793/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor M Alexander was supportive of the application as a building was being brought back into use, employment would be created and green travel would be promoted as the application encouraged the use of bicycles.

Councillor S Rutland-Barsby sought and was given clarification that the smaller area outlined in the plan was for the 3 parking spaces allocated to Unit 9B, Great Northern Works, Hartham Lane, Hertford.

The Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/11/1793/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

530 3/11/1900/FP – ERECTION OF NEW SELF CONTAINED GARDEN ROOM AND EXTENSION TO UTILITY ROOM OF MAIN DWELLING AT 49 MAZE GREEN ROAD, BISHOP'S STORTFORD, CM23 2PG FOR MR S COOK

The Director of Neighbourhood Services recommended

that, in respect of application 3/11/1900/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/11/1900/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

531 3/11/1929/FP – TWO STOREY SIDE EXTENSION, FRONT PORCH AND REAR CONSERVATORY AT 1 GROVE COTTAGES, GINNS ROAD, STOCKING PELHAM, SG9 0JA FOR MISS CORNELIUS

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1929/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/11/1929/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

532 3/11/1759/FP – ERECTION OF SINGLE STOREY AND TWO STOREY EXTENSIONS AT 254, HERTINGFORDBURY ROAD, HERTFORD, HERTFORDSHIRE, SG14 2LG FOR DIARMID MACKENZIE

Mr Andrew Gibbon addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1759/FP, planning

permission be granted subject to the conditions detailed in the report now submitted.

The Director advised that condition 3 of his recommendation did not require the house to be rendered. Officers had considered such a condition but had been of the view that this was not reasonable or necessary. Members were advised that condition 3 stipulated that details of the external materials of construction of the proposed extensions and external treatment should be submitted to and approved in writing by the local planning authority.

Councillor Mrs R Cheswright described the proposed development as mildly exciting, new and innovative and she was in favour of the application being approved. Members agreed that condition 3 be amended so that the applicant was not obliged to provide details of the external treatment of the existing house.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services as now detailed.

RESOLVED – that in respect of application 3/11/1759/FP, planning permission be granted subject to the following conditions:

1. Time limit (1T121)
2. Approved plans (2E102; 002/B, 011/A, 013/A, 014/B, 015/A, 016/A, 017/B, 018/B, 019/B, 020/B, 022, 101, 102, 254HR_S(A), 254HR_GA, 254HR_EA and 254HR_1)
3. Notwithstanding the details shown on the approved plans, no development shall commence on site until details of the external materials of construction of the extensions hereby permitted, have been submitted to and approved in writing by the local planning

authority. The development shall be carried out in accordance with those approved details.

Reason: To achieve a consistent appearance between the original house and proposed extensions appropriate to the character of the Hertingfordbury conservation area and in keeping with policies BH5 and BH6 of the East Herts Local Plan Second Review April 2007 and national Planning Policy Statement 5 – Planning for the Historic Environment

4. Tree retention and protection (4P053)
5. Hedge retention and protection (4P063)

Directive:

1. Other legislation (01OL1)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the 'saved' policies of the East Herts Local Plan Second Review April 2007), and in particular policies ENV1, ENV2, ENV5, ENV6, ENV11, GBC1, BH5, BH6 and Planning Policy Guidance 2 – Green Belts and Planning Policy Statement 5 – Planning for the Historic Environment. The balance of the considerations having regard to those policies is that permission should be granted.

533 3/11/1828/FP – SINGLE STOREY REAR EXTENSION AT CLAPGATE COTTAGE, CLAPGATE, ALBURY, SG11 2JN FOR MR G RUSSELL

The Director of Neighbourhood Services recommended

that, in respect of application 3/11/1828/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/11/1828/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

534 3/11/1892/FP – PROPOSED TWO STOREY AND SINGLE STOREY REAR EXTENSION AT ROSE COTTAGE, ELBOW LANE, HERTFORD HEATH, HERTFORD, SG13 7PZ FOR MR AND MRS N BROOKING

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1892/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Committee Chairman, speaking as the local ward Member, stated that he was supportive of the Officer's recommendation. He urged the Committee to approve the application.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/11/1892/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

535 E/11/0273/B – UNAUTHORISED ATTACHMENT AND
DISPLAY OF ADVERTISEMENTS AT PREZZO, 17-21 FORE
STREET, HERTFORD, HERTS. SG14 1DH

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/11/0273/B, enforcement action be authorised on the basis now detailed.

After being put to the meeting and a vote taken, the Committee accepted the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/11/0273/B on the basis now detailed.

RESOLVED – that in respect of E/11/0273/B, the Director of Neighbourhood Services, in conjunction with the Director of Internal Services, be authorised to take enforcement action on the basis now detailed.

536 E/11/0278/B – UNAUTHORISED WORKS FOR THE
ALTERATION OF A GRADE II LISTED BUILDING BY THE
REMOVAL OF ARCHITECTURAL/HISTORICAL ROOF
TIMBERS AND INSERTION OF A DORMER WINDOW
WITHOUT LISTED BUILDING CONSENT OR PLANNING
PERMISSION AT 31 FORE STREET, HERTFORD, SG14
1DJ

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/11/0278/B, legal proceedings and enforcement action be authorised on the basis now detailed.

Councillor S Rutland-Barsby stated that the Committee should support the Director's recommendations as there had been a flagrant disregard for the required listed building consent.

After being put to the meeting and a vote taken, the Committee accepted the Director's recommendations for

legal proceedings and enforcement action to be authorised in respect of the site relating to E/11/0278/B on the basis now detailed.

RESOLVED – that in respect of E/11/0278/B, the Director of Neighbourhood Services, in conjunction with the Director of Internal Services, be authorised to commence legal proceedings and take enforcement action on the basis now detailed.

537 E/10/0353/A – THE UNAUTHORISED INSTALLATION OF EXTRACTION/HEAT RECYCLING PLANT/MACHINERY IN ASSOCIATION WITH LAUNDRY EQUIPMENT AND AIR CONDITIONING EQUIPMENT AT SUDS LAUNDERETTE AT 12 LONDON ROAD, BISHOP'S STORTFORD, CM23 5ND

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/10/0353/A, enforcement action be authorised on the basis now detailed.

After being put to the meeting and a vote taken, the Committee accepted the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/10/0353/A on the basis now detailed.

RESOLVED – that in respect of E/10/0353/A, the Director of Neighbourhood Services, in conjunction with the Director of Internal Services, be authorised to take enforcement action on the basis now detailed.

538 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.

The meeting closed at 8.05 pm

Chairman

Date