

MINUTES OF A MEETING OF THE
DEVELOPMENT CONTROL COMMITTEE
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON
WEDNESDAY 27 FEBRUARY 2013, AT 7.00
PM

PRESENT: Councillor S Rutland-Barsby (Chairman).
Councillors M Alexander, D Andrews,
E Bedford, S Bull, A Burlton,
Mrs R Cheswright, G Jones, G Lawrence,
P Moore, M Newman and T Page.

ALSO PRESENT:

Councillors W Ashley, E Buckmaster,
P Ruffles, N Symonds and G Williamson.

OFFICERS IN ATTENDANCE:

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

618 CHAIRMAN'S ANNOUNCEMENTS

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

The Chairman advised that the next scheduled training session would take place prior to the Committee meeting on 22 May 2013.

The Chairman advised that the following enforcement matters had been withdrawn from the agenda:

- E/11/0074/A – Unauthorised use of land for car parking at former Bishop's Stortford Goods Yard, Bishop's Stortford Railway Station, Anchor Street, Bishop's Stortford. This case had been withdrawn as an application had been submitted to regularise the unauthorised use.
- E/12/0187/B – Unauthorised first floor extension to the front (north) elevation of the property at 7 Birdie Way, Hertford. This case had been withdrawn as the unauthorised extension had been removed.

619 DECLARATIONS OF INTEREST

Councillors M Alexander and P Moore declared disclosable pecuniary interests in application 3/12/1150/FP, in that they were Board Members for Riversmead Housing Association. They left the room whilst this matter was considered.

620 MINUTES – 6 FEBRUARY 2013

RESOLVED – that the Minutes of the meeting held on 6 February 2013 be confirmed as a correct record and signed by the Chairman.

621 3/12/2019/FP – FIRST FLOOR EXTENSION TO PROVIDE A 'SENSORY ROOM' AT AMWELL VIEW SCHOOL, ST MARGARETSBURY, STANSTEAD ABBOTTS, SG12 8EH FOR MRS J LIVERSAGE

Jan Liversage addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/12/2019/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 3/12/2019/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

622 3/12/2013/FP – RIDING SCHOOL/LIVERY STABLES COMPRISING 8 STABLES, ASSOCIATED STORE ROOMS, OFFICE, MANEGE, PARKING AREA AND ACCESS AT BROOK COTTAGE, BARLEYCROFT END, FURNEUX PELHAM, BUNTINGFORD, SG9 0LL FOR MRS L SEDDON

Stephen Bratt addressed the Committee against the application. Louise Seddon spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/12/2013/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor P Moore commented that the 8 stables would back on to football fields as opposed to residential dwellings. She expressed concerns in respect of vehicles exiting the site onto a section of road with a speed limit of 60 miles per hour.

Councillor Moore queried whether the access should be widened to accommodate two vehicles to prevent cars queuing in the lane. The Chairman reminded Members that Hertfordshire Highways were satisfied with the access arrangements proposed by this application. Councillor M Newman stated that East Herts policies supported the development of any business enterprise in

the District.

Councillor T Page commented that the site was well screened by a natural hedge and a brook that ran through the site. He stated that this was an ideal site for a small scale riding stables and the policy for category 2 villages such as Furneux Pelham was supportive of vital and viable rural economies.

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 3/12/2013/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

623 3/12/1417/RP – RESIDENTIAL DEVELOPMENT OF 26 DWELLINGS – APPROVAL OF DETAILS IN RESPECT OF APPEARANCE, SCALE AND LAYOUT, FOLLOWING OUTLINE APPROVAL OF LPA REF. 3/10/2040/FP AT LAND OFF LONGMEAD, BUNTINGFORD, SG9 9EF FOR MATTHEW HOMES

The Director of Neighbourhood Services recommended that, in respect of application 3/12/1417/RP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor S Bull, as the local ward Member, commented on the height and density of the proposed development. He expressed concerns in respect of overlooking of neighbouring properties and also in respect of the proposed access, which was inappropriate for the number of vehicles that would use the site. He emphasised that Longmead was a narrow cul-de-sac with restricted views.

Councillor S Bull stated that the application would have a detrimental impact on the amenity of No 8 Longmead. He also expressed concern that the social housing element

of the development was concentrated in one corner of the site.

Councillor S Bull sought clarification of who would be responsible for maintaining the footpath located to the north of the site. He concluded that the proposed development was not compatible with the structure and layout of the surrounding area. Councillor M Newman referred to this being a reserved matters application and he supported all of the reservations referred to by Councillor S Bull.

Councillor D Andrews supported the comments made by Councillors S Bull and M Newman. He also commented on whether there should be a condition attached to protect any archaeological finds on the site. The Director advised that an archaeological condition had been attached to the outline planning permission and was therefore still relevant for this reserved matters scheme.

Councillor Mrs R Cheswright expressed concerns in respect of the proposed number of large 4 to 5 bedroom houses when residents needed smaller 1 to 2 bedroom houses. She referred to the concerns held by the Arboricultural Officer regarding the loss of open amenity space. Councillor Cheswright also referred to the comments of Hertfordshire Constabulary in respect of the lack of natural surveillance within the site.

Councillor M Alexander sought and was given clarification from Officers regarding the flood risk as the Council's engineer appeared to show a degree of concern in contrast to the Environment Agency.

In response to concerns from Councillor S Bull regarding the maintenance of the footpath to the north of the site, the Director advised that a condition could be applied securing the necessary arrangements and stipulating that details must be submitted to and agreed by Officers prior to any development of the site.

The Director stated that, as most of the points raised by Members were detailed matters, Members could defer the application if these were matters that the Committee would like resolved by Officers in consultation with the applicant.

Councillor M Newman proposed and Councillor M Alexander seconded, a motion that application 3/12/1417/RP be deferred to enable Officers to enter into discussions with the applicant in relation to the scale and size of properties, the responsibility for the maintenance of the footpath, the provision of amenity space, the location of affordable housing and the concerns raised by Hertfordshire Constabulary.

After being put to the meeting and a vote taken, this motion was declared CARRIED. The Committee rejected the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/12/1417/RP, planning permission be deferred to enable Officers to enter into discussions with the applicant in relation to the scale and size of properties, the responsibility for the maintenance of the footpath, the provision of amenity space, the location of affordable housing and the concerns raised by Hertfordshire Constabulary.

624 3/11/1355/FP – PROPOSED NEW 2 BED BUNGALOW AND NEW CROSSOVER AT REAR OF WHITE LION HOUSE, FURNEUX PELHAM, SG9 0LH FOR MR L DAWSON

John Lockhart addressed the Committee against the application. Bill Bampton spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/12/1355/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Members were advised that the property to the rear of White Lion House had been referred to in the title of the report as a bungalow whereas, because of amendments to the scheme, this should now refer to a 2 bed dwelling. The Director referred Members to the information detailed in the additional representations schedule.

Councillor M Newman sought clarification over whether the ridge height of the proposed development would be no higher than the ridge height of the neighbouring property known as Appaloosa. The Director reminded Members to consider the application on the basis of the plans submitted by the applicant.

The Director referred to the dimensions of the proposed development, as detailed in paragraph 1.7 of the report now submitted. He referred to the conversations Officers had held with the applicant in respect of whether the foundations would have an impact in relation to the height of the proposed dwelling.

Members were advised that there was always an element of the unknown when implementing a foundation design in a sensitive area close to a tree. The Director referred to the root structure of a tree on site and Members were advised that, as far as possible with the currently available information, the applicant had taken account of the tree.

The Director stressed that the extent of the root structure might impact on the height of the lowest element of the proposed dwelling, the rear 'lean to' element. In respect of amenity concerns, Members were advised that the relationship between the proposed development and the neighbouring dwelling to the south was typical of the relationship between many of the dwellings across East Herts.

In response to a query from Councillor M Alexander, the Director advised that a condition could be applied requiring further details of the ground levels at the site to

be provided and agreed, and therefore ensuring a degree of control over the subsequent height of the building. Members were advised that Officers were satisfied that the proposed development sat more comfortably within the application site than was the case with the previously refused application.

After being put to the meeting and a vote taken, there being an equality of votes, the Chairman exercised her casting vote in support of the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/12/1355/FP, planning permission be granted subject to the conditions detailed in the report now submitted and subject to the following additional condition:

15. Levels (2E05) insert after proposed building 'and the existing adjacent dwelling to the south known as Appaloosa' shall be...

625 3/12/1150/FP – DEMOLITION OF GARAGES AND CLEARANCE OF ASSOCIATED LAND, CONSTRUCTION OF AFFORDABLE HOUSING, 4 X3 BED SEMI-DETACHED HOUSES, 3 X 2 BED BUNGALOWS, AND ONE OPEN MARKET 4 BED DETACHED HOUSE ON GARAGE SITE AND 2 ADJACENT PLOTS TO THE REAR OF 17 – 28 GRASS WARREN, TEWIN, HERTS, AL6 0JJ FOR RIVERSMEAD HOUSING ASSOCIATION

Dean Goodman addressed the Committee against the application. Simon Camp spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/12/1150/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director advised Members that the Council's Solicitor had suggested a further condition be applied restricting

the occupation of the dwellings to affordable accommodation, apart from the intended open market dwelling.

The Director reminded Members of the circumstances under which this application had been deferred, namely to enable Officers to investigate the possibility of an alternative means of access with the applicant.

Councillor T Page commented that the application was contrary to some very important aspects of policy OSV1 in respect of category 1 villages. He concluded that the environment of Grass Warren would be adversely altered by this application and he would be voting for a refusal of planning permission.

The Director stated that Officers were of the view that the scheme represented a sympathetic form of development and was fully compliant with all elements of policy OSV1 of the East Herts Local Plan Second Review April 2007. Members should also be mindful of the benefits of the proposal in terms of affordable housing provision.

In response to a concern from Councillor D Andrews, the Director advised that bollards at both ends of the remaining grassed area in Grass Warren should prevent any cut through misuse of the area by vehicles.

Councillor M Newman commented on whether the concerns of Councillor T Page in respect to policy OSV1 were outweighed by any other planning policy considerations. The Director confirmed that the relationship between all the properties at Grass Warren was such that, had the proposals been built as part of the initial scheme of development there, it was unlikely they would have been a cause of objection.

The Director referred to policy OSV1 of the East Herts Local Plan Second Review April 2007. The Committee was advised that it was entirely proper for Members to refer to sections of the National Planning Policy

Framework (NPPF) relating to bringing housing forward for development when determining this 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 3/12/1150/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

626 3/12/2101/FP – FIRST FLOOR FRONT, SIDE AND REAR EXTENSIONS; CAR PORT; EXTERNAL CHIMNEY; CLADDING OF DWELLING AND EXTENSIONS WITH STAINED TIMBER BOARDING AND RETROSPECTIVE PERMISSION FOR INSERTION OF DOORS AND WINDOWS TO EXISTING GARAGE/OUTBUILDING AT QUIN HOUSE (PREVIOUSLY KNOWN AS WELLBURY), DASSELS, BRAUGHING, WARE, SG11 2RP FOR MR K BIRD

The Director of Neighbourhood Services recommended that, in respect of application 3/12/2101/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor M Newman stated that the proposed development was well screened behind a substantial brick wall. He stated that the application would result in a marginally more attractive building than was the case at the moment.

Councillor Mrs R Cheswright concurred with the views of Braughing Parish Council that this application constituted over development of the site. She commented however, that overall she was supportive of 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 3/12/2101/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

627 E/12/0240/B – UNAUTHORISED ENGINEERING WORKS TO CREATE AN ACCESS TO LAND AT MADGEWAYS LANE, GREAT AMWELL

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/12/0240/B, enforcement action be authorised on the basis now detailed.

The Director referred Members to the information detailed in the additional representations schedule.

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/12/0240/B on the basis now detailed.

RESOLVED – that in respect of E/12/0240/B, the Director of Neighbourhood Services, in conjunction with the Director of Finance and Support Services, be authorised to take enforcement action on the basis now detailed.

628 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; and

(C) Planning Appeals: Inquiry and Informal Hearing dates.

The meeting closed at 8.14 pm

Chairman

Date