

MINUTES OF A MEETING OF THE  
DEVELOPMENT MANAGEMENT  
COMMITTEE HELD IN THE THE MITRE  
SUITE, BISHOPS STORTFORD FOOTBALL  
CLUB, WOODSIDE, DUNMOW ROAD,  
BISHOP'S STORTFORD. ON THURSDAY 5  
DECEMBER 2013, AT 4.00 PM

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PRESENT: Councillor Mrs R Cheswright (Chairman).  
Councillors M Alexander, D Andrews,  
E Bedford, A Burlton, G Jones, J Jones  
(substitute for K Crofton), P Moore,  
M Newman, T Page (substitute for S Bull),  
N Symonds and G Williamson.

ALSO PRESENT:

Councillors W Ashley, R Beeching,  
G McAndrew, K Warnell, C Woodward and  
J Wyllie.

OFFICERS IN ATTENDANCE:

Fiona Brown	- Planning Technician
Shirley Downham	- Planning Enforcement
Simon Drinkwater	- Director of Neighbourhood Services
Annie Freestone	- Senior Planning Technician
Jeff Hughes	- Head of Democratic and Legal Support Services
Peter Mannings	- Democratic Services Officer
Alasdair McWilliams	- Information and Digital Media Manager

Will O'Neill	- Head of Communications, Engagement and Cultural Services
Martin Plummer	- Assistant Planning Officer
George A Robertson	- Chief Executive and Director of Customer and Community Services
Kevin Steptoe	- Head of Planning and Building Control Services
Stephen Tapper	- Senior Planning Officer
Alison Young	- Development Manager

ALSO IN ATTENDANCE:

Paul Chappell	- Highways Officer
Vetti Vettivelu	- Highways Officer

388 APOLOGIES

Apologies for absence were submitted on behalf of Councillors S Bull and K Crofton. It was noted that Councillors J Jones and T Page were substituting for Councillors K Crofton and S Bull respectively.

389 CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that applications 3/13/1605/FP and 3/13/1606/LC – Conversion and extension of Scott House to create six flats, conversion and extension of existing stable block to create one dwelling and the erection of three new detached dwellings with associated gardens, off street parking and landscaping at Scott House, Hagsdell Road, Hertford, SG13 8WA for Deerpark Properties Limited had been withdrawn.

The Chairman advised that teas and coffees would be available for the public from 6 pm to 6.45 pm, as there would be a 1 hour break between the public speaking session and the Member debate.

390 MINUTES – 6 NOVEMBER 2013

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

391 3/13/0075/OP – LAND AT BISHOP'S STORTFORD NORTH – APPLICATION BY BISHOP'S STORTFORD NORTH CONSORTIUM AND LANDOWNERS

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The following people addressed the Committee in objection to the application:

- James Horrax (via a pre recorded video message)
- Councillor John Barfoot (Hertfordshire County Council)
- John Rhodes (Bishop's Stortford Civic Federation)
- Duncan Forbes (Transport consultant for Save our Stortford)
- Diane Basavaraj (Save our Stortford)
- John Browne (Grove Residents Action Group)
- Rob Francis (Chantry Community Association)
- Kim Shaw
- Mione Goldspink
- David Glass (Ramblers Association)
- Megan Thomas
- Richard Cahill (Bishop's Stortford Community Football Club)

The following people addressed the Committee in support of the application:

- Tom Hill QC (for the Bishop's Stortford North Consortium)

At this point (5.45 pm), the meeting was adjourned and the Committee reconvened at 7 pm.

The Director of Neighbourhood Services recommended that, in respect of application 3/13/0075/OP, in consultation with the Chairman of the Development Management Committee and the Head of Planning and Building Control, the Head of Democratic and Legal Support Services completes a Section 106 agreement in accordance with the heads of terms detailed in Essential Reference Paper 'A' of the report submitted.

The Director also recommended that, in consultation with the Chairman of the Development Management Committee and the Head of Democratic and Legal Support Services, the Head of Planning and Building Control be authorised to make amendments to the heads of terms, the scale of financial contributions to be assigned to the various service areas referred to in the heads of terms and the service areas to which financial contributions should be assigned and the Head of Democratic and Legal Support Services be authorised to complete a Section 106 Agreement as may be amended, in all cases to ensure a satisfactory development.

The Director further recommended that, upon completion of the Section 106 agreement, planning permission be approved subject to the conditions detailed in Essential Reference Paper 'B' of the report submitted. Finally, the Director recommended that, in consultation with the Chairman of the Development Management Committee, the Head of Planning and Building Control be authorised to add or remove conditions and directives, and make such changes to the wording as may be necessary, to ensure clarity and enforceability and to ensure a satisfactory development.

The Director introduced the application in outline form for 2200 houses and he explained the format for the meeting. He stated that the Areas of Special Restraint (ASR) sites

1–5, as well as the Special Countryside Area (SCA) in Bishop's Stortford, had been identified as suitable for housing development for some time. Members were advised that the application would comprise two distinct neighbourhood centres as well as retail, education, employment and other supporting community uses.

The Director detailed the proposed 4 points of access to the ASR sites, which were generally referred to as Bishop's Stortford North. Members were reminded that application 3/13/0057/OP was in outline form and the Committee had to determine whether the principle of housing was appropriate. Whilst it was appropriate to consider the associated Section 106 obligations and proposed conditions now, all other matters of detail would be dealt with by future reserved matters applications.

The Committee was provided with a detailed summary of the proposals that were the subject of the application. Members were referred to the additional representations summary for a range of additional information. The Director stated that the proposed affordable housing provision was 30.4% over two phases of the development.

Members were advised that although this fell short of the 40% that was the Council's maximum policy provision, 30.4% of 2200 houses was a very significant affordable housing provision. Members were further advised that the affordable housing would initially comprise affordable rented and shared ownership in the ratio of 75% to 25%. There would be review points at the completion of the 750<sup>th</sup> and 1500<sup>th</sup> homes, secured by the Section 106 agreement, to enable the Council and the developers to adjust the affordable mix to meet changing community needs.

The Director stated that the green belt between ASRs 1–2 and 3–4 meant the site fell naturally into the two proposed neighbourhoods. The eastern neighbourhood would be the larger of the two neighbourhoods and would include

the Foxdells Farm buildings.

Members were referred to Essential Reference Paper 'A' for the detailed Section 106 proposals. This would ensure the provision of a 1 form of entry (FE) primary school in the western neighbourhood and a 2FE primary school in the eastern neighbourhood, which would have the capacity to increase to 3FE in future.

A framework would be established through the Section 106 agreement that would enable the provision of a 5FE secondary school and appropriate amounts of funding would be secured through the Section 106 agreement to enable these educational buildings to be constructed. The Dane O'Coys Meadow would have a managed access and there would be a further 58 hectares of open land for informal access.

The Director advised that the financial Section 106 arrangements ensured that the Authority had control over how sports facilities were provided in Bishop's Stortford. Sustainable drainage patterns would be implemented extensively across the site in line with best practice guidelines. Members were advised that consultants had assisted Officers in conducting very thorough checks to ensure that the impact of the development could be appropriately mitigated.

Councillor G McAndrew, as the local ward Member, referred to the likely lasting impact of the application on large areas of Bishop's Stortford and surrounding rural areas. He referred in particular to increased traffic from Bishop's Stortford to Much Hadham and on minor country roads and also increased traffic through Allens Green and Perry Green. He also stated that congestion at the Little Hadham traffic lights would be greater with additional queuing.

Councillor McAndrew commented that highways considerations were a significant material planning consideration, in particular the various access points to

ASR sites 1–4. He stated that he hoped Members would explore all the issues in great detail in the context of the likely severe local impacts of the application.

Councillor McAndrew concluded that the development would cause significant adverse impacts on local roads in around Bishop's Stortford Town Centre, including the Hockerill Junction, which was an Air Quality Management Area. He stressed that the traffic impacts of the proposed development had been materially underestimated due to the assumed car trip reductions used to model the effect of both Smarter Choices and Travel Planning.

The Director set out the policy context for Members to consider, including the National Planning Policy Framework (NPPF) policy, the policy basis of the East Herts Local Plan Second Review April 2007, as well as the material planning considerations.

Members were reminded that the Authority was not currently able to demonstrate a 5 year housing land supply. The NPPF set out a range of criteria for a presumption in favour of sustainable development. The Director stressed that Members should give full weight to NPPF policies and, in accordance with the policy context set out in the report, they must approve the application if they considered the development to be sustainable.

In response to a query from Councillor T Page, the Director stated that, when considering the impacts and sustainability considerations of the application, whilst they should consider local impacts, the Committee must also have regard to District wide considerations. He referred in particular, to the NPPF requirement that Members should have regard to general housing delivery across all of East Herts.

Councillor G Jones stated that 2,200 houses could probably be accommodated within the ASR sites 1–4. He commented however, that sustainability was a key concern, particularly in relation to the traffic impact as the

application would result in increased traffic flows, congestion and increased journey times.

Councillor G Jones referred to the modal shift data regarding significant numbers of car users using alternative means of transport. He referred to the fact that buses would be delayed by the same traffic queues as cars as there would be no priority bus routes and some passengers would consequently experience very significant bus journey times.

Councillor G Jones commented that cyclists, in any number, would hold up traffic as overtaking would be a challenge on Bishop's Stortford's narrow roads. The town also had some significant hills which posed a challenge to pedestrians.

Councillor G Jones referred to the air quality management issue at the Hockerill traffic light controlled junction. He concluded that any highways solution would be compromised by the very narrow roads in Bishop's Stortford. He referred to the suggestion that 1 in 4 people would shift to bus use, walking or cycling and believed this was optimistic and the actual figure would be much less.

Councillor G Jones stated that, in terms of traffic gridlock, there was no definition of severe within the NPPF and he was concerned the high bar in terms of acceptable congestion relating to this application would set an awkward precedent in East Herts. He stated that the likely increases in traffic would make this application unsustainable and contrary to the NPPF.

In reply to a query from Councillor M Alexander, Members were advised that initial assessments had concluded that the impact of a new secondary school on the site would not generate any more extra journeys over and above those created by the overall development.

Councillor E Bedford stated that significant applications



for housing could not be rejected every time due to traffic implications and there would not be 2,200 houses on the ASR sites in one go. The houses would be implemented in phases and there would be options to mitigate the traffic impacts.

Councillor N Symonds also referred to the housing need although she stressed that this application was not sustainable. She referred to the severe traffic at the Hockerill junction and concluded that, since the town's car parks were often at capacity, visitors and shoppers would be discouraged from visiting Bishop's Stortford. She believed the town would suffer as a result of these problems, which would be exacerbated by this application.

Paul Chappell, Highways Officer for Hertfordshire, reported that whilst there would be increased journey times and an increase in congestion, the Bishop's Stortford road network would still operate. He referred to the trips database and the trips analysis carried out for the proposed development.

Members were reminded of the Smarter Choices travel planning being promoted by the Highways Authority. The Highways Officer stressed that this outline application was acceptable in pure transport terms in respect of the NPPF.

Councillor M Newman referred to the emerging District Plan and the Government approved methods for measuring population growth. He stated that wherever significant new housing was located there would be an impact on major roads.

Councillor Newman commented that the most sustainable locations for development were the larger towns and they would consequently attract the largest applications for new housing. He stressed that Bishop's Stortford was the largest town in East Herts.

Councillor Newman emphasised that the ASR sites were close to Bishop's Stortford town centre and were very sustainable locations for new housing. He concluded that the substantial Section 106 obligations would ensure the development was as palatable as possible in terms of overall impact on Bishop's Stortford. He stated however, that if the proposed additional roundabout at Hadham Road could be reconsidered, this would go some way to alleviating the concerns of local residents.

The Highways Officer stressed that the residents' proposal to move the Hadham Road roundabout to the A120 was unacceptable because it would then be on a primary route and maintaining free flowing traffic on the primary network was very important. He commented that, even if the proposed general access was not implemented, there would need to be an access in this location for buses to ensure attractive public transport routes.

Members were advised that a 5<sup>th</sup> arm to the existing major roundabout at the end of Hadham Road would cause weaving of traffic and an unsafe situation on a roundabout which served 4 major high flow routes. Members were also advised that a major redesign or enlargement of this roundabout could not be justified when the proposed additional roundabout was a workable solution.

Councillor P Moore stated that East Herts residents needed homes and many residents were simply unable or unwilling to give up using the private car to navigate around the District. She referred to the importance of homes for people, especially the younger generation.

Councillor D Andrews stated that clogging up Hadham Road would not be safe in terms of the current location of the Fire and Ambulance station. He commented that a more proactive plan was needed to get traffic from the ASR sites onto the A120. Councillor T Page stated that there should be a traffic plan for Bishop's Stortford and East Herts towns and villages before future applications

came forward so that future traffic planning was carried out in a less ad hoc manner.

In reply to a query from Councillor G Williamson regarding sustainable buildings, the Director stressed that the Authority was not in a strong policy position to seek to maximise the sustainability of housing design.

Members were advised that East Herts Council has not implemented a local policy on maximising the sustainability of housing design so the Authority could only rely on Government controlled standards through the building regulation process and other standards that were currently under review.

Councillor N Symonds expressed concerns that infrastructure for youth facilities and community facilities would not be available at the same time as the completion of the first houses, meaning that young people would continue to suffer long waiting lists for youth activity organisations.

The Director stressed that securing provision of all infrastructure from day 1 of a development being completed was not feasible. He stated that the substantial Section 106 funding was one of many safeguards that would deliver the supporting infrastructure for the proposed development.

The Director detailed the extensive education provision proposed as part of the application. The Director confirmed that the proposals, in particular the extensive Section 106 funding, would ensure the delivery and provision of suitable arrangements for additional education capacity.

Councillor G Jones referred to the two options for a new secondary school site linked to this application. He referred to the full implications of the new school as well as the associated roundabouts and pedestrian crossings.

Councillor N Symonds commented that existing schools were full to capacity and primary school age children in Bishop's Stortford often had to attend schools in Little Hadham, Much Hadham, Great Hallingbury and Stansted. Secondary school pupils were often in a similar situation as Secondary Schools were also oversubscribed.

The Director commented that the favoured approach of Hertfordshire County Council as the responsible authority for secondary school provision would be the proposed 5FE Secondary School within the ASR sites 1–4.

At this point (9.50 pm), the Committee passed a resolution that the meeting should continue until the completion of the remaining business on the agenda. At this point, the meeting was adjourned and the Committee reconvened at 10 pm.

In respect of Sports and Leisure Provision, Members were advised that 2.42 hectares of football pitch provision were included in the application. The Section 106 Planning Obligations included a payment in lieu of other sports provision and the Authority would work with local sports clubs to prepare a strategy to support sports provision in the town, using the Section 106 monies and other sources of funding as may be available.

Further to the comments on sustainable building, Members were advised that a new set of national standards for housing were due within about 12 Months, in respect of environment and design considerations. This was part of a review of a plethora of similar standards, including those that contributed to the Government's target to achieve zero carbon homes by 2019. The applicant was committed to ensuring each house was fitted out to ensure residents used no more than 105 litres of water per person per day.

In response to a query from Councillor M Alexander regarding solar energy, Members were advised that the Authority was in a weak position in terms of solar energy

policy although building regulations were being improved by Government regarding energy conservation and on-site renewable energy. Policies for on-site renewable energy were generally poorly received by developers as there was a preference for incorporating building energy efficiency into the fabric of buildings, which was more cost effective.

Members were given advice regarding the provisions made within the application to address issues of green infrastructure, wildlife, waste water management and water management generally and air quality. Councillor N Symonds commented on the wildlife impacts of the application.

The Director advised that the applicant had built up a good picture of the archaeological status of the ASR sites in earlier times. The Section 106 obligations included a provision for the Rhodes Arts Complex museum to interpret the archaeological findings.

In terms of the urban design of the application, the applicant had paid particular attention to the theme of garden cities. The application had been the subject of a design review by an expert panel. Councillor J Jones stated that he expected all aspects of the design for this development to be exceptional.

Councillor G Jones proposed and Councillor T Page seconded, a motion that application 3/13/0075/OP be refused on the grounds of the unsustainable traffic and highway safety implications of the application, the likely severe levels of congestion at junctions on Hadham Road, Rye Street and at the Hockerill lights and the increased journey times due to the likely additional traffic.

After being put to the meeting and a vote taken, this motion was declared LOST. Councillor T Page requested that his vote in support of this motion be recorded.

Councillor M Newman proposed and Councillor M

Alexander seconded, a motion that application 3/13/0075/OP be deferred to enable Officers, in association with local Members, Herts County Highways Officers, and the applicants, to undertake detailed consideration and investigation of alternative access arrangements relating to the proposed western neighbourhood (Phase 1). These alternative access arrangements should not comprise the existing roundabout onto Hadham Road.

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

RESOLVED – that, in respect of application 3/13/0075/OP, planning permission be deferred to enable Officers, in association with local Members, Herts County Highways Officers, and the applicants, to undertake detailed consideration and investigation of alternative access arrangements relating to the proposed western neighbourhood (Phase 1). These alternative access arrangements should not comprise the existing roundabout onto Hadham Road.

392 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 Statistics.

The meeting closed at 11.20 pm

Chairman .....
Date .....