

MINUTES OF A MEETING OF THE
DEVELOPMENT CONTROL COMMITTEE
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON
WEDNESDAY 25 AUGUST 2010,
AT 7.00 PM

PRESENT: Councillor W Ashley (Chairman).
Councillors M R Alexander, K A Barnes,
S A Bull, Mrs R F Cheswright, R N Copping,
J Demonti, R Gilbert, Mrs M H Goldspink,
G E Lawrence, D A A Peek, P A Ruffles,
S Rutland-Barsby, J J Taylor, A L Warman
and M Wood.

ALSO PRESENT:

Councillor M G Carver.

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

207 APOLOGIES

Apologies for absence were submitted on behalf of
Councillors A L Burlton, R I Taylor and B M Wrangles. It
was noted that Councillors P A Ruffles, A L Warman and
M Wood were substituting for Councillors B M Wrangles,

A L Burlton and R I Taylor respectively.

208 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The Chairman advised that item 3/10/0906/FP had been withdrawn. He reminded the Committee that Officers had circulated copies of the late representations to improve the efficiency of the meeting.

The Chairman further reminded the Committee of the external training on 29 September 2010, from 10.00 am to 4.00 pm in the Council Chamber, Wallfields, Hertford. The Chairman stated that this would be followed by a briefing in respect of the Benington Windfarm application.

The Chairman advised that the Planning Tour of the District would take place on 3 September 2010. He requested that Members advise the Head of Planning and Building Control of their food orders. Members should also inform Officers if they were unable to attend.

209 DECLARATIONS OF INTEREST

Councillor M R Alexander declared a personal interest in application 3/10/0651/FP in that he was an acquaintance of the applicant's father.

Councillor P A Ruffles declared a personal interest in application 3/10/1020/FP in that he was an acquaintance of the applicant.

RESOLVED ITEMS

210 MINUTES

RESOLVED - that the Minutes of the Development Control Committee meeting held on 28 July 2010 be confirmed as a correct record and signed by the

Chairman.

211 3/10/0651/FP - CONSTRUCTION OF 14 NO. TWO-STOREY WOODEN HOLIDAY LODGES WITH ACCESS TRACK, SMALL OFFICE AND CHANGE OF USE OF PART OF FIELD TO 28 SPACE CAR PARK AT PALLETTS WOOD, HOOKS CROSS FARM, OAKS CROSS, WATTON AT STONE FOR MR DAN COLLINS

Mr Eccles and Mr Shaw addressed the Committee in opposition to the application. Mr Collins spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/10/0651/FP, planning permission be refused for the reasons now detailed.

The Director advised that the Environment Agency had withdrawn an objection to the proposals. He stated that Officers felt that the 4th reason for refusal was no longer required. In response to a query from Councillor R Gilbert, the Director stated that the planning policies referred to in the report were correct.

Councillor R N Copping stated that the planning policies detailed in the report provided sufficient grounds for refusing the application.

Councillor J J Taylor proposed, and Councillor J Demonti seconded, a motion that the Committee accept the Officers' recommendation for refusal on the grounds that there were no special circumstances for departing from policy and approving the application.

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

The Committee accepted the recommendation of the Director of Neighbourhood Services that application 3/10/0651/FP be refused planning permission for the reasons now detailed.

RESOLVED – that in respect of application 3/10/0651/FP, planning permission be refused for the following reasons:

DNS

1. The application site lies within the Metropolitan Green Belt as defined in the East Hertfordshire Local Plan wherein permission will not be given except in very special circumstances for development for purposes other than those required for mineral extraction, agriculture, small scale facilities for participatory sport and recreation or other uses appropriate to a rural area. In this case, whilst the potential demand for the proposed development (including its business plan justification) and its particular operational characteristics have been considered, along with all other arguments advanced in its favour, it is not considered that there are any very such special circumstances to which such weight could be given that the normal presumption against development should not prevail. The proposal would therefore be contrary to policy GBC1 of the East Herts Local Plan Second Review April 2007 and national planning advice in PPG2, Green Belts.
2. The proposed car park, by reason of its size and siting, would result in an intrusive form of development harmful to the open and rural character of the Green Belt, and detrimental to the visual amenity of the Green Belt. The proposal is therefore considered to be contrary to policy GBC1 of the East Herts Local Plan Second Review April 2007 and national planning guidance in PPG2, Green Belts.
3. The proposed development is in close proximity to trees within/adjacent to the site of

significant amenity value. Due to inadequate safeguarding distances for site working; encroachment of tree rootplates and shadowing by existing trees of the proposed development resulting in subsequent pressures for tree removal or tree thinning/lopping; the development would prejudice their long term health and retention. The loss and/or diminishment of these trees will be detrimental to the appearance of the site and surroundings and the proposal is therefore contrary to Policy ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007

4. The location of the proposed development is such that it is remote from public transport facilities resulting in the majority of access to the site being by private vehicle use. The access arrangements proposed are such that the majority of those vehicles are likely to access the site via the A602 and Frogmore Hill. The site location and access arrangements will result in the introduction of unnecessary and conflicting traffic movements on the public highway exacerbating the use of the Frogmore Hill/ A602 junction which has poor visibility and layout, without any mitigating proposals. As a result, the proposals are contrary to policies TR1 and TR20 of the East Herts Local Plan Second Review April 2007.

212 3/10/1091/FP - CONVERSION OF OUTBUILDINGS TO HOLIDAY LETS AT LAND ADJACENT TO 1 LEVENS GREEN, OLD HALL GREEN, SG11 1HD FOR MR STEVEN GARNER

The Director of Neighbourhood Services recommended that, in respect of application 3/10/1091/FP, subject to a

unilateral undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 requiring visibility splays to be maintained on neighbouring land for the lifetime of the development, planning permission be granted subject to the conditions now detailed.

The Director advised that the Highway Authority had advised that the section 106 obligation was no longer required.

Councillor R Gilbert expressed concerns relating to potential breaches of control in respect of the 3 month maximum stay in a 12 month period. The Director emphasised that the proposed development was for holiday accommodation and any breaches of planning conditions could result in enforcement action.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that application 3/10/1091/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/10/1091/FP, planning permission be granted subject to the following conditions:

DNS

1. Three year time limit (1T12)
2. Materials of construction (2E11)
3. Lighting details (2E27)
4. Wheel washing facilities (3V25)
5. The vehicle parking and turning layout shown on the approved plans shall be laid out prior to first occupation of the units, and shall thereafter be retained for use in association with the approved development.

Reason: To ensure satisfactory parking and

turning for vehicles clear of the public highway.

6. The presence of any unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the Local Planning Authority.

Reason: To ensure adequate protection of human health, the environment and watercourses in accordance with PPS23 'Planning and Pollution Control'.

7. Landscape Design Proposals (4P12 b,c,e,i,j,k)
8. Landscape works implementation (4P13)
9. The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul and surface water has been submitted to and approved in writing by the Local Planning Authority, and the scheme shall be implemented as approved.

Reason: To prevent pollution of the water environment in accordance with PPS23 'Planning and Pollution Control'.

10. The development hereby permitted shall be used solely as self catering holiday accommodation for a maximum stay of three months within any twelve month period, and for no other purpose whatsoever, including any use within Classes C2 and C3 of the Town and Country Planning (Use Classes) Order 1995, as amended.

Reason: To preserve the rural character of the surrounding area, in accordance with policies GBC1 and GBC9 of the East Herts Local Plan Second Review April 2007.

Directives:

1. Other legislation (01OL)
2. Where works are required within the public highway to facilitate vehicle access, the Highway Authority require the construction of such works to be undertaken to their specification and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Eastern Herts Highways Area Office, Hertford House, Meadway Corporate Centre, Rutherford Close, Stevenage SG1 3HL (Telephone 01438 757800) for further information and to determine the necessary procedures.
3. The applicant is advised that should bats be found during development, works must stop immediately and Natural England contacted on 01206 796666, and a licence obtained. The applicant may therefore choose to have the buildings inspected by an ecological consultant prior to works starting.
4. If asbestos cement is found it should be dismantled carefully, using water to dampen down, and removed from site. If unbonded cement is found the Health and Safety Executive at AW House, 6-8 Stuart Street, Luton, Beds, LU1 2SJ shall be contacted and the asbestos shall be removed by a licensed contractor.
5. The applicant is reminded that the development hereby permitted is solely for the conversion of the existing buildings. A rebuild would require planning permission but would also be outside the scope of policy GBC3 as appropriate development in the Rural Area Beyond the Green Belt.

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (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 SD1, SD2, GBC3, GBC9, GBC14, TR2, TR7, TR20, ENV1, ENV2, ENV16, LRC10 and OSV3. The balance of the considerations having regard to those policies is that permission should be granted.

- 213 3/10/0033/FP - EXTENSIONS TO BRICK BUILT 1960'S BUILDING AND ERECTION OF NEW DWELLING TO REAR WITH ASSOCIATED ACCESS AND LANDSCAPING AND USE OF LAND TO THE FRONT OF THE ADJACENT BARN AS OVERSPILL CAR PARKING FOR UP TO 10 VEHICLES AT GREAT HORMEAD VILLAGE HALL, GREAT HORMEAD, BUNTINGFORD, HERTS, SG9 0NR FOR HORMEAD VILLAGE HALL MANAGEMENT COMMITTEE
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Mrs Kilby addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/10/0033/FP, planning permission be refused for the reasons now detailed.

The Director confirmed that the Highway Authority had requested a section 106 obligation of £8,000 for a possible TRO. He stressed that Members could stipulate that this funding be made refundable if a TRO was not subsequently required.

Councillor Mrs M H Goldspink stated that, as the applicant had satisfied the concerns raised previously in respect of car parking, this was now a very reasonable application that should be supported.

Councillor Mrs R F Cheswright, as the local ward Member, emphasised that her main concern was the fundamental issue of insufficient car parking provision. She stated that the application was contrary to policy TR7 of the East Herts Local Plan Second Review April 2007.

Councillor Mrs M H Goldspink proposed and Councillor S A Bull seconded a motion that the request for TRO section 106 funding be disregarded and application 3/10/0033/FP be approved on the grounds that the parking concerns had been addressed by the applicant.

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 accepted the recommendation of the Director of Neighbourhood Services that application 3/10/0033/FP be refused planning permission for the reasons now detailed.

RESOLVED – that in respect of application 3/10/0033/FP, planning permission be refused for the following reasons:

DNS

1. Inadequate all year round provision is made within the site for the parking of vehicles in accordance with the Council's adopted standards for car parking provision and the applicant is unwilling to commit to the payment of a financial contribution to enable a Traffic Regulation order to be made. The proposal would therefore be likely to result in on-street parking, causing obstruction to the free and safe flow of traffic, thereby exacerbating traffic congestion on the nearby road network to the detriment of highway safety and contrary to policy TR7 of the East Herts Local Plan Second Review April 2007.
2. The application site lies within the Rural Area as defined in the East Hertfordshire Local Plan

wherein there is a presumption against development other than required for agriculture, forestry, small scale local community facilities or other uses appropriate to a rural area. The proposed use of agricultural land for overspill car parking would form inappropriate development that would be prejudicial to this policy and would be harmful to the character, appearance and openness of the Rural Area. The proposal would thereby be contrary to policies GBC2, GBC3 and ENV1 within the East Herts Local Plan Second Review April 2007.

214 3/10/0900/FP - 2 BED AGRICULTURAL WORKERS DWELLING AND INTEGRATED FARM OFFICE AT DOWSETTS FARM, DOWSETTS LANE, COLLIERS END, SG11 1EF FOR RW PEARMAN AND SON

Mr Smith addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/10/0900/FP, planning permission be refused for the reasons now detailed.

Councillor R Gilbert referred to the history of the buildings on the site and commented on whether there was some form of planning consent outstanding on this site. Councillor Mrs M H Goldspink stated that the applicant had justified the need for agricultural occupancy and that this was necessary to preserve the security of the site.

The Director confirmed that there was an extensive planning history for this site. He advised that permission had been given for an agricultural worker's cottage in 1989. The Committee was reminded that there was a fundamental test to ensure that development did not take place in rural areas unless there was a very good reason.

Councillor J J Taylor urged Members to consider that this

was a new build in a rural area which was clearly against policy.

Councillor R Gilbert proposed and Councillor Mrs M H Goldspink seconded, a motion that application 3/10/0900/FP be granted on the grounds that this dwelling was required for on-site security at Dowsetts Farm.

After being put to the meeting and 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 that application 3/10/0900/FP be refused for the reasons now detailed.

RESOLVED – that in respect of application 3/10/0900/FP, planning permission be refused for the following reason:

DNS

1. The Local Planning Authority is not satisfied of the overriding agricultural necessity for the proposed dwelling or that it meets the tests applied in PPS7. The development would thereby be contrary to the provisions of Policies GBC3 and Annex A of PPS7: Sustainable Development in Rural Areas.

215 3/09/0959/FP - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF REPLACEMENT DWELLING INCLUDING THE CHANGE OF USE OF LAND TO RESIDENTIAL CARTILAGE AT THE BOTHY, ALBURY HALL PARK, ALBURY, WARE, HERTS, SG11 2JA FOR MR AND MRS A BROCKLEY

Mr Moran addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/09/0959/FP, planning permission be granted subject to the conditions now

detailed.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that application 3/09/0959/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/09/0959/FP, planning permission be granted subject to the following conditions:

DNS

1. Three year time limit (1T12)
2. Sample of materials (2E12)
3. Withdrawal of Permitted Development (Part 1 Class A) (2E20)
4. Contaminated land survey and remediation (2E332)
5. Bats (2E412)
6. Levels (2E051)
7. Tree Survey (4P013)
8. Tree retention and protection (4P053)
9. Landscape design proposals (4P124)
b), c), d), e), i), j), k), l)
10. Landscape works implementation (4P133)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan, 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 GBC3, HSG7, HSG8, ENV1, ENV2, ENV11, TR7. The balance of the considerations having regard to those policies and the considerations of planning approval reference 3/05/1716/FP is that permission should be granted.

- 216 3/10/0765/FP - DEMOLITION OF EXISTING DWELLING AND REMOVAL OF TENNIS COURTS ERECTION OF REPLACEMENT DWELLING WITH ADDITIONAL ACCESS TO THE SOUTH, NEW ACCESS DRIVE WITH GATED ENTRANCE AND FORD, LANDSCAPE WORKS, AND MINOR ALTERATION WORKS TO STABLE BLOCK BROADFIELD HALL, BROADFIELD, THROCKING, HERTS SG9 9RD FOR MR AND MRS V RAGHAVAN
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Mrs Davidson addressed the Committee in opposition to the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/10/0765/FP, planning permission be granted subject to the conditions now detailed.

Councillor S A Bull commented that Cottered Parish Council was very active and had opposed this application. He emphasised that this site was located in a particularly attractive part of East Herts.

The Director stressed that Officers felt that this application was appropriate development in an area beyond the green belt. He acknowledged the minimal impact that would result from this development.

The Committee was advised that Officers had sufficient information to be satisfied that protected species would not be harmed. The Director stated that a deferral was an option if Members wanted further information on this issue.

The Director commented that there was an acceptable separation distance between neighbouring properties and

the proposed dwelling. He stressed that the proposed scheme was an acceptable form of development.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that application 3/10/0765/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/10/0765/FP, planning permission be granted subject to the following conditions:

DNS

1. Three Year time Limit (1T12)
2. Archaeological work (2E02)
3. Levels (2E05)
4. Boundary walls and fences (2E07)
5. Samples of materials(2E12)
6. Withdrawal of P.D. (Part 1 Class A)(2E20)
7. Withdrawal of P.D. (Part1 Class E)(2E22)
8. Lighting details (2E27)
9. Materials arising from demolition (2E32)
10. New Doors and windows unlisted buildings (2E34)
11. Sample brickwork panel- unlisted buildings (2E35)
12. Bats and newts (2E41) adapt to meet H.B.R.C recommendations
13. Completion of roads (3V13) adapt to relate to new access drive

14. Gates / carriageway (3V14)
15. Hard surfacing (3V21)' including terraces'
16. Construction parking and storage (3V22)
17. Tree retention and protection (4P05)
18. Tree and natural feature protection (4P07)
19. Landscape design proposals (4P12)
20. Landscape works implementation (4P13)
21. Construction hours of working – plant & machinery (6N07)

Directives:

1. Other legislation (01OL)
2. Ownership (02OW)
3. Listed building advice (25LB)

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 GBC3, HSG7, HSG8, ENV1, ENV11, ENV16, ENV19, BH1 and policy HE10 of PPS5.

217 3/10/1026/FP - ERECTION OF DETACHED STORE BUILDING AT HARDINGS FARM, HIGH WYCH, SAWBRIDGEWORTH, HERTS, CM21 0LF FOR MR DAVID COATES

The Director of Neighbourhood Services recommended that, in respect of application 3/10/1026/FP, planning permission be granted subject to the conditions now detailed.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that application 3/10/1026/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/10/1026/FP, planning permission be granted subject to the following conditions:

DNS

1. 1T12 – Three year time limit
2. 2E42 – Materials as on plan

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular GBC1, ENV1, ENV5 and Planning Policy Statement 5: Planning for the Historic Environment. The balance of the considerations having regard to those policies and the justification for the storage building is that permission should be granted.

218 3/10/0908/FP - CONVERSION OF FREESTANDING STUDY/HOBBY ROOM TO A RESIDENTIAL ANNEXE AT MAYESHULL, 3 CHERRY GREEN BARNES, CHERRY GREEN, WESTMILL, SG9 9NQ FOR MR JOHN SWAIN

The Director of Neighbourhood Services recommended that, in respect of application 3/10/0908/FP, subject to the proposed unilateral legal agreement being signed and executed, planning permission be granted subject to the

conditions now detailed.

After being put to the meeting and vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that, subject to the proposed unilateral legal agreement being signed and executed, application 3/10/0908/FP be granted subject to the conditions now detailed.

RESOLVED – that subject to the proposed unilateral legal agreement being signed and executed to cover the following matters:

DNS

1. Restricting the occupancy of the annexe to one ancillary to 3 Cherry Green Barns.
2. Not to permit the annexe to be sold, leased or otherwise disposed of separately from 3 Cherry Green Barns.

in respect of application 3/10/0908/FP, planning permission be granted subject to the following conditions:

1. Three year time limit (1T121)
2. Restriction of use (domestic premises) (5U031)

Directive:

1. Other Legislation (01OL1).

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (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 GBC2, GBC3, TR7, ENV1 and ENV8, and PPS1

and 7. The balance of the considerations having regard to those policies and the enforcement history and subsequent appeal decisions is that permission should be granted.

219 3/10/1020/FP - TWO STOREY EXTENSION AT CAMWELL ORCHARD, BLACK BRIDGE LANE, MUCH HADHAM, HERTS, SG10 6BB FOR MR RODNEY MUNDAY

The Director of Neighbourhood Services recommended that, in respect of application 3/10/1020/FP, planning permission be refused for the reasons now detailed.

Councillor M G Carver, as the local ward Member, addressed the Committee in support of the application. He expressed concern relating to references in the report to the previous application and the subsequent appeal decision.

Councillor Carver stated that the application was highly sensitive and a significant amount of work and thought had gone into it. He stated that references in the report to the percentage increase in size of the dwelling were inaccurate.

The Director confirmed that there had been significant discussions with the applicant prior to this application coming to Committee. He advised the Committee that the previous application had been refused and the appeal inspector had upheld that decision.

Members were advised that, as the dismissal of the appeal had been for an application that was smaller in scale than this application, Officers had been unable to support a recommendation for approval.

Councillor P A Ruffles expressed his hope that Members could look at this application in a fresh light. He referred to the lifelong commitment of the applicant in addressing the concerns of Officers and the appeal inspector. Councillor Ruffles referred to the lack of objection from

any of the neighbours or from the bodies that had been consulted by Officers.

Councillor R N Copping expressed sympathy with the applicant. He expressed concern however that this application would adversely affect the image a delightful log cabin. Councillor Mrs M H Goldspink stated that the proposed scheme sat well within the site and should be supported by Members.

Councillor Mrs M H Goldspink proposed and Councillor J Demonti seconded, a motion that application 3/10/1020/FP be granted on the grounds that the application was not detrimental to the setting of the listed building or to the surrounding rural area.

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 that application 3/10/1020/FP be refused for the reasons now detailed.

RESOLVED – that in respect of application 3/10/1020/FP, planning permission be granted subject to the following conditions:

DNS

1. Three year time limit (1T12)
2. Materials of construction (2E11)
3. Programme of archaeological work (2E023)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (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 GBC3, ENV1, ENV5, ENV6 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.

220 3/10/0701/FP - TWO STOREY REAR AND SIDE EXTENSIONS FOLLOWING DEMOLITION OF EXISTING GARAGE, SINGLE STOREY SIDE EXTENSION FOLLOWING DEMOLITION OF EXISTING CONSERVATORY, RAISING OF EXISTING ROOF RIDGE LINE, INSERTION OF DORMER WINDOWS AND ROOF LIGHTS AND CLADDING OF EXISTING PROPERTY WITH WEATHER BOARDING AND RENDER AT THE BUNGALOW, DANE LODGE, MUCH HADHAM, SG10 6JG FOR MR AND MRS GUY-WILLIAMS

The Director of Neighbourhood Services recommended that, in respect of application 3/10/0701/FP, planning permission be granted subject to the conditions now detailed.

Councillor M G Carver, as the local ward Member, addressed the Committee in opposition to the application. He sought and was given clarification that the Parish Council was opposed to the application.

Councillor Carver expressed concerns relating to the proximity of the site to a listed building. He stressed that the proposed development would adversely affect the openness of the rural area and would result in unacceptable levels of overlooking for nearby residents. Councillor Carver stated that this was a significant development and urged Members to refuse this application.

Councillor J Demonti expressed concerns that the proposed application sat very high compared to the rear of the adjacent listed building. Councillor R Gilbert stated his concern that the application constituted overdevelopment in relation policy ENV5 of the East Herts Local Plan Second Review April 2007. He also referred to unacceptable levels of overlooking that would result from this application.

The Director stated that the percentage increase in scale was similar to a previous application. He stressed that Officers felt that the overall scale of the application was acceptable.

Councillor R Gilbert proposed and Councillor J Demonti seconded, a motion that application 3/10/0701/FP be refused on the grounds that the application was detrimental to neighbour amenity, would have a harmful impact on the listed building and was contrary to policy ENV5 of the East Herts Local Plan Second Review April 2007.

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 that application 3/10/0701/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/10/0701/FP, planning permission be granted subject to the following conditions:

DNS

1. Three year time limit (1T12)
2. Materials of Construction (2E11)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (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 GBC3, ENV1, ENV5, ENV6 and Planning Policy Statement 5: Planning for the Historic Environment. The balance of the considerations having regard to those policies and the limited impact of the proposed extensions and alterations on the character and appearance of the

rural area is that permission should be granted.

221 3/10/0985/FP - RAISE ROOF AND INSERT 4NO. DORMERS TO CREATE FIRST FLOOR ACCOMMODATION, NEW FRONT BAY WINDOW AND CONVERSION OF GARAGE TO HABITABLE ROOM AT ELM SIDE, HORSESHOE LANE, GREAT HORMEAD, BUNTINGFORD, HERTS, SG9 0NQ FOR MR DAVID WHITE

The Director of Neighbourhood Services recommended that, in respect of application 3/10/0985/FP, planning permission be granted subject to the conditions now detailed.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that application 3/10/0985/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/10/0985/FP, planning permission be granted subject to the following conditions:

DNS

1. 1T12 – Three year time limit
2. 2E12 – Sample of materials

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (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 GBC3, ENV1, ENV5, ENV6 and TR7. The balance of the considerations having regard to those policies is that permission should be granted.

222 (A) 3/10/1068/FP AND (B) 3/10/1069/LB - TWO STOREY SIDE EXTENSION WITH FRONT AND REAR DORMER WINDOWS AND 1NO. ROOF LIGHT AT PATIENT END HOUSE, PATIENT END, FURNEUX PELHAM, BUNTINGFORD, HERTS, SG9 0JN FOR MR AND MRS CALLF

The Director of Neighbourhood Services recommended that, in respect of application 3/10/01068/FP, planning permission be granted subject to the conditions now detailed. The Director also recommended that, in respect of application 3/10/1069/LB, listed building consent be granted subject to the conditions now detailed.

Councillor Gilbert expressed concerns that this application only served to make the appearance of the dwelling more confusing. The Director stated that Officers felt the impact of the application was acceptable.

After being put to the meeting and a vote taken, the Committee supported the recommendations of the Director of Neighbourhood Services that applications 3/10/1068/FP and 3/10/1069/LB be granted subject to the conditions now detailed.

RESOLVED – that (A) in respect of application 3/10/1068/FP, planning permission be granted subject to the following condition:

DNS

1. Three year time limit (1T12)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (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 GBC3, ENV1, ENV5 and ENV6. The balance of the considerations having regard to those policies is that permission should be

granted.

(B) in respect of application 3/10/1069/LB, conservation area consent be granted subject to the following conditions:

DNS

1. Listed building three year time limit (1T14)
2. Samples of materials (2E12)
3. Listed building (new windows) (8L03)
4. Listed Building (new external rendering) (8L08)
5. Listed building (making good) (8L10)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (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 Planning Policy Statement 5: Planning for the Historic Environment. The balance of the considerations having regard to those policies is that consent should be granted.

223 E/08/0254/A - UNTIDY CONDITION OF LAND AT 39 GRACE GARDENS, BISHOP'S STORTFORD CM23 3EU

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/08/0254/A, enforcement action be authorised on the basis now detailed.

After being put to the meeting and a vote taken, the Committee supported the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/08/0254/A on the basis now detailed.

RESOLVED – that in respect of E/08/0254/A, the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to issue and serve a Notice under section 215 of the Town and Country Planning Act 1990 and to take any other steps as may be required to secure:

DNS/
DIS

- (a) The removal of all the overgrown vegetation and rubbish from the front and rear gardens of the property;
- (b) The repair of the front first floor window;
- (c) The repair or replacement of the rear door and kitchen window;
- (d) The replacement of the fascia board and guttering on the front of the property.
- (e) Any other works required to ensure the property is water tight.
- (f) Leave the site in a clean and tidy state.

Period of compliance: 3 Months

Reason why it is expedient to issue a s.215 Notice:

1. The condition of the land is detrimental to the amenity of the surrounding area, by reason of the overgrown vegetation in the gardens and by the poor state of the dwelling. It is contrary to policy ENV1 of the East Herts Local Plan Second Review April 2007.

224 E/10/0280/A - UNTIDY CONDITION OF LAND AND PROPERTY AT 12 CRESCENT ROAD, BISHOP'S STORTFORD

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/10/0280/A, enforcement action be authorised on the basis now detailed.

Councillor R Gilbert commented on whether the Committee should be taking action that was more robust than section 215 notices. The Director advised that section 215 notices had previously been used in similar situations. He stressed that non compliance with a section 215 notice would result in the case being taken to court.

After being put to the meeting and a vote taken, the Committee supported the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/010/0280/B on the basis now detailed.

RESOLVED – that in respect of E/08/0254/A, the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to issue and serve a Notice under s.215 of the Town and Country Planning Act 1990 and as such other steps as may be required to secure the improvement of the site by:

DNS/
DIS

1. The removal of all the vehicles, tyres, wheels and builders waste from the rear garden.
2. The removal of the overgrown vegetation from the rear garden.
3. The repair and maintenance of the property by repairing the missing and cracked render to front and rear, leaving the property in a watertight and weatherproof condition.
4. The replacement of the bricks around the first floor windows to the rear and front bay, leaving the property in a watertight and weatherproof condition.
5. The making good and painting of all window frames to the front and rear, leaving the property in a watertight and weatherproof condition.

6. The repair and replacement of missing tiles to the roof of the porch structure.

Period of compliance: 3 Months

Reason why it is expedient to issue a section 215 Notice:

1. The condition of the land and property is detrimental to the amenity of the surrounding area by reason of the vehicles which appear to be in a poor state of repair and the overgrown vegetation to the rear of the property and the general poor state of repair of the main dwelling to include the rotting windows and cracked and missing render.

225 TREE PRESERVATION ORDER 552, 60, BULLOCKS LANE, HERTFORD AND 4A, HOLLYDELL, HERTFORD, HERTS

The Director of Neighbourhood Services submitted a report recommending that a Tree Preservation Order be confirmed as an opposed order to protect trees at 60 Bullocks Lane, Hertford and 4a Hollydell, Hertford.

The Committee noted the background leading to the making of the order and details of comments received to its confirmation.

After being put to the meeting and a vote taken, the Committee supported the Director's recommendation that Tree Preservation Order (552) be confirmed as an opposed Order.

RESOLVED – that Tree Preservation Order (No 552) 2005 be confirmed as an opposed Order.

DNS

226 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 9.00 pm

Chairman
Date