

MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 11 NOVEMBER 2015, AT
7.00 PM

PRESENT: Councillor D Andrews (Chairman).
Councillors M Allen, K Brush, M Casey,
B Deering, M Freeman, J Jones, D Oldridge,
T Page, P Ruffles and K Warnell.

ALSO PRESENT:

Councillors P Ballam, R Brunton, S Bull,
J Cartwright, Mrs R Cheswright, J Goodeve,
P Moore, S Rutland-Barsby and R Standley.

OFFICERS IN ATTENDANCE:

Paul Dean	- Principal Planning Enforcement Officer
Simon Drinkwater	- Director of Neighbourhood Services
Tim Hagyard	- Development Team Manager (West)
Martin Ibrahim	- Democratic Services Team Leader
Kevin Steptoe	- Head of Planning and Building Control Services
Liz Watts	- Chief Executive
Alison Young	- Development Manager

389 APOLOGIES

An apology for absence was submitted on behalf of Councillor J Kaye. It was noted that Councillor B Deering was substituting for Councillor J Kaye.

390 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Members and the public and reminded everyone that the meeting was being webcast.

He advised that a new report format had been used for some of the items on the agenda and invited Members to submit feedback to Officers.

391 MINUTES – 14 OCTOBER 2015

RESOLVED – that the Minutes of the meeting held on 14 October 2015 be confirmed as a correct record and signed by the Chairman.

392 3/15/0928/FUL – ERECTION OF 6 NO. FLATS, 2 NO. HOUSES AND 2 NO. COMMERCIAL UNITS AT ADAMS YARD, MAIDENHEAD STREET, HERTFORD, SG14 1DR FOR ATLANTIC HERTFORD LIMITED

The Director of Neighbourhood Services recommended that in respect of application 3/15/0928/FUL, subject to the applicant or successor in title entering into a legal obligation pursuant to Section 106 of the Town and Country Planning Act 1990, planning permission be granted subject to the conditions detailed in the report now submitted.

Various Members made comments in respect of flood risk and the proposed refuse arrangements.

Officers reminded Members that the proposed buildings on the site were in Flood Zone 1 and that there had been a previously approved scheme that had been very similar. Whilst not ideal, approval had been recommended in this

specific case with a sustainable drainage condition to agree the final details of a surface water drainage scheme.

In terms of the refuse arrangements, Officers referred to the summary of additional representations circulated at the meeting. The concerns raised would be address by conditions and the rewording of the Section 106 obligation establishing a management company.

Officers also confirmed proposed changes in respect of the wording of the first Section 106 obligation relating to rights of way, and condition 17 relating to restrictions on the use of the commercial units permitted, as detailed in the summary of additional representations.

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

RESOLVED – that in respect of application 3/15/0928/FUL, subject to the applicant or successor in title entering into a legal obligation pursuant to Section 106 of the Town and Country Planning Act 1990, planning permission be granted subject to the conditions detailed in the report now submitted, and (A) the rewording of the section 106 obligations:

1. The dedication of public pedestrian rights of way across the application site connecting The Wash, the Riverside Space at Dolphin Yard and the route along Adams Yard with any associated funding by way of completed Section 25 Highways Act agreements.
2. Establishment of a management company responsible for management of the refuse facilities, cycle parking, landscaped areas and surface water drainage systems; and

(B) the rewording of condition 17 as follows:

17. The office spaces shown on drawing number P.103B shall be used for Use Class B1 Business Use only, as set out in the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: To ensure that no alternative use is made of the premises which would be detrimental to the amenities of occupants of adjoining premises in accordance with policy ENV1 of the East Herts Local Plan Second Review 2007.

393 3/15/1756/FUL – CHANGE OF USE FROM B1 OFFICE TO C3 RESIDENTIAL COMPRISING 13NO FLATS, RELATED EXTERNAL ALTERATIONS, AND ANCILLARY DEVELOPMENT AT CHURCH HOUSE, CHURCH STREET, WARE FOR ASTUTE ELECTRONICS LTD

The Director of Neighbourhood Services recommended that in respect of application 3/15/1756/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

In response to Members' comments, Officers referred to the permitted development rights and the reason why Hertfordshire County Council were not seeking a section 106 contribution.

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

RESOLVED – that in respect of application 3/15/1756/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

394 (A) 3/15/1607/FUL AND (B) 3/15/1608/LBC – SINGLE STOREY REAR EXTENSION AND GLAZED INFILL EXTENSION AT COURTYARD ARTS CENTRE, PORT VALE, HERTFORD, SG14 3AA FOR COURTYARD ARTS CENTRE

Tony Freeland addressed the meeting in support of the applications.

The Director of Neighbourhood Services recommended that in respect of applications 3/15/1607/FUL and 3/15/1608/LBC, planning permission and listed building consent be granted, subject to the conditions detailed in the report now submitted.

In response to Members' comments on the design of the car park, Officers confirmed that colleagues in Parking Services would look at this.

After being put to the meeting and votes taken, the Committee accepted the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of applications 3/15/1607/FUL and 3/15/1608/LBC, planning permission and listed building consent be granted subject to the conditions detailed in the report now submitted.

395 3/15/1657/HH – CONSTRUCTION OF A HOME OFFICE/GARDEN OUTBUILDING TO REPLACE EXISTING CONCRETE PANELLED OUTHOUSE STRUCTURE AT BRAMBLES, 8 CHURCH PATH, GREAT AMWELL FOR MS ANNA BAPTIST

The Director of Neighbourhood Services recommended that in respect of application 3/15/1657/HH, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor R Cheswright, as the local Member, expressed the concerns of a resident in respect of detrimental impact on neighbour amenity, the size of the proposal compared to the original footprint and whether the development would result in the outbuilding being used as a dwelling.

Officers confirmed that the development was a home office proposal and that, although within the green belt, on balance, the material considerations detailed in the report submitted, clearly outweighed the harm identified.

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

RESOLVED – that in respect of application 3/15/1657/HH, planning permission be granted subject to the conditions detailed in the report now submitted.

396 E/15/0142/ENF – UNAUTHORISED REMOVAL OF FIREPLACES AT DANES, 34 LITTLE BERKHAMSTEAD LANE, LITTLE BERKHAMSTEAD, HERTS, SG13 8LU

The Director of Neighbourhood Services recommended that in respect of the site relating to E/15/0142/ENF, 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/15/0142/ENF on the basis now detailed.

RESOLVED – that in respect of E/15/0142/ENF, 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.

397 DELEGATED AUTHORITY FOR SERVICE OF SECTION 225A NOTICES (REMOVAL NOTICES)

The Head of Planning and Building Control submitted a report inviting Members to consider granting Officers delegated authority to issue and serve Removal Notices under Section 225A of the Town and Country Planning Act 1990 (as amended), and to undertake further associated actions.

The Head referred to a number of structures in place within the District being used for the display of unauthorised advertisements, which would not be considered as acceptable. Current processes often resulted in considerable delay in achieving a desired outcome and there was a risk that the outcome might not be in the Council's favour.

In response to Members' questions and comments, Officers confirmed that a measured and proportionate approach would be taken in exercising these functions. It was also confirmed that the Committee did have the authority to delegate these functions.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED – that (A) authority be delegated to the Director of Neighbourhood Services and the Head of Planning and Building Control to serve Removal Notices as may be required in relation to any location in East Herts District, and to take further steps as maybe required to secure the removal of any such structure if the notice has not been complied with; and

(B) the authority detailed in (A) above to expire at the end of May 2016, to enable further consideration to be given to the matter through the annual review of the Council's Constitution.

398 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 8.17 pm

Chairman
Date