

MINUTES OF A MEETING OF THE
DEVELOPMENT CONTROL COMMITTEE
HELD IN THE MAIN HALL, CHARIS
CENTRE, WATER LANE, BISHOP'S
STORTFORD ON THURSDAY 30
SEPTEMBER 2010, AT 7.00 PM

PRESENT: Councillor W Ashley (Chairman).
Councillors M R Alexander, K A Barnes,
A L Burlton, R N Copping, J Demonti,
R Gilbert, Mrs M H Goldspink,
G E Lawrence, J J Taylor, R I Taylor and
B M Wrangles.

ALSO PRESENT:

Councillors R Beeching, A M Graham,
G McAndrew, M Wood and C Woodward.

OFFICERS IN ATTENDANCE:

Liz Aston	- Development Control Team Leader
Nicola Beyer	- Senior Planning Officer
Fiona Brown	- Planning Technician
Glyn Day	- Principal Planning Enforcement Officer
Simon Drinkwater	- Director of Neighbourhood Services
Annie Freestone	- Senior Planning Technician
Lorraine Kirk	- Senior Communications Officer
Alasdair McWilliams	- Web Manager
Peter Mannings	- Democratic

Faye Morley	Services Assistant - Assistant Planning Officer
Martin Plummer	- Assistant Planning Officer
Kevin Steptoe	- Head of Planning and Building Control
Alison Young	- Development Control Manager

296 APOLOGIES

Apologies for absence were submitted on behalf of Councillors D Andrews, S A Bull, Mrs R F Cheswright, D A A Peek and S Rutland-Barsby.

297 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed the press and public to the meeting. He stated that the meeting was being videoed and the subsequent recording would be posted on the Council's website. He also stated that a Council Officer would be taking pictures during the meeting.

The Chairman thanked Officers for organising the training that had taken place on 29 September 2010.

The Chairman commented that the objecting speakers would be permitted to speak first, followed by the applicant. He stressed that he would not be allowing any extensions to the time that speakers had requested. The Committee would then debate and determine each application in turn.

The Chairman urged the public and Members to be concise and avoid repetition where possible.

298 DECLARATIONS OF INTEREST

Councillor K A Barnes declared a personal and prejudicial

interest in application 3/10/1013/OP in that he was a town council representative on the Bishop's Stortford High School Sports Hall Committee. After addressing the Committee as a ward Member, he left the room whilst this matter was considered.

Councillor R I Taylor declared a personal interest in applications 3/10/1012/OP, 3/10/1013/OP, 3/10/1015/OP, 3/10/1014/OP, 3/10/1009/OP and 3/10/1044/OP in that his wife worked for Hertfordshire County Council Children Schools and Families.

- 299 3/10/1012/OP - COMPREHENSIVE DEVELOPMENT COMPRISING THE CHANGE OF USE OF LAND TO EDUCATIONAL USE (CLASS D1) AND THE ERECTION OF BUILDINGS WITH A COMBINED TOTAL GROSS EXTERNAL FLOORSPACE OF 26,000 SQUARE METRES PLUS RELATED SITE WORKS CONSISTING OF THE CONSTRUCTION OF AN INTERNAL ROAD, CAR PARKING AREAS, A TEMPORARY CONSTRUCTION ACCESS ONTO OBREY WAY, A FLOODLIT MULTI-USE GAMES AREA AND ALL WEATHER PITCH, FORMATION OF PLAYING FIELDS AND ASSOCIATED DRAINAGE WORKS. ASSOCIATED INFRASTRUCTURE WORKS TO WHITTINGTON WAY TO INCLUDE; CONSTRUCTION OF 2 NEW ROUNDABOUTS; PROVISION OF CYCLEWAY AND FOOTWAY LINKS, AND ENHANCED BUS STOP FACILITIES AT LAND SOUTH OF WHITTINGTON WAY, BISHOP'S STORTFORD, HERTS FOR THE GOVERNORS OF THE BISHOP'S STORTFORD AND HERTS AND ESSEX HIGH SCHOOLS
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Mr Rhodes, Mrs Hayward-Peel, Mrs Bailey, Mr Piggott, Mr Hurford, Mr Peachey, Councillor McDonald and Mr Janke all addressed the Committee in opposition to the application.

Mr Stock and Mr Harris both spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/10/1012/OP, planning permission be refused for the reasons now detailed.

The Director drew Members' attention to the late representations that had been circulated to the Committee in advance of the meeting. He advised that this information included all representations received by 5 pm today and would be placed on the internet.

Councillor R Gilbert thanked Officers for the detailed reports. He welcomed the approach of considering each application separately before they were determined by Members. He referred to the failure of the Local Education Authority to meet a local need for school places and to maintain the standard of the existing school infrastructure.

Councillor Gilbert referred to the detailed reasons for refusal. He stated that the noise and frequency of flights from Stansted Airport was a key issue. He expressed concern that these were outline applications and Bishop's Stortford was unable to absorb the extra dwellings that could be proposed by future reserved matters applications.

Councillor K A Barnes stated that the merits of the applications did not outweigh the issue of protecting the green belt. He stressed that neither Leventhorpe School nor Hockerill Anglo European College supported the applications. He also emphasised that the educational need did not outweigh the harm that would be caused to the greenbelt.

Councillor Barnes commented that the roads would be unable to cope with the increase in traffic. He stated that a full transportation study was essential as the whole town would be affected by these applications.

Councillor A L Burlton stated that the Bishop's Stortford High School and Herts and Essex High School did not need to move to new locations but it was clear that both establishments wanted to go ahead with the move.

Councillor Burlton expressed concerns that this application only related to half of the green belt location at Whittington Way. He stressed that further applications could come forward for the rest of the site should this application be approved.

He stated that surrounding roads could not be widened and traffic and transport around the town was a major issue that would become significantly worse should these applications be refused.

Councillor Mrs M H Goldspink stated that these proposals were the most significant this Committee had had to determine. She acknowledged the concerns in relation to education provision in Bishop's Stortford. She stressed however, that the Committee must determine these proposals on planning policies and nothing else.

Councillor Goldspink stated that this application was clearly against green belt policy and Members must consider whether the educational need had been clearly demonstrated in terms of whether there was any justification for departing from policy.

Councillor Goldspink commented on whether the schools had demonstrated the very special circumstances for why the scheme was acceptable. She detailed the questions she felt must be considered by the Committee in terms of whether there was any justification for departing from policy. She stated that she remained unconvinced that the schools had answered these questions.

Councillor R N Copping stressed that it had not been demonstrated that this site was the most suitable for a new school. He stated that this was a finely balanced judgement but the schools had not demonstrated that there was sufficient justification for departing from policy.

The Director stressed that the costs of delivering a school was not an issue that Members should give significant weight to. He advised however that deliverability, which

included a financial element, was an issue that Members could consider.

The Director stressed that Members had to judge whether the application complied with national and local green belt policies. He also advised that there was a judgement to be made on whether the application satisfied key planning tests on green belt policy giving weight as Members felt appropriate to educational need. He stated that there must be clear very special circumstances which outweighed harm for the proposals for schools in the green belt to proceed.

Councillor A L Burlton commented on whether the Committee should include a reason for refusal in respect of highways concerns. A number of Members expressed concern that highways concerns should be highlighted now so that the issue could be referred to in respect of reserved matters applications.

Councillor R I Taylor stressed that some of the roads in Hertfordshire and Essex had recently been identified as some of the most congested in this part of the country.

The Director advised that Hertfordshire Highways utilised agreed traffic models when commenting on applications of this nature. He advised caution in that the Committee was considering the advice of highways experts. He referred to the availability of traffic management solutions for severely congested roads.

Members were advised that the Committee must be specific as to which roads they were concerned about if there was to be a reason for refusal around highways issues. Councillor Burlton stated that even with a traffic management solution, he could not see how the local roads in Bishop's Stortford could cope with these applications.

Following a lengthy discussion around the roads that would be most affected by this application, the Director

suggested a form of words for a highways reason for refusal.

Councillor R Gilbert proposed, and Councillor K A Barnes seconded, a motion that the Committee accept the Officers' recommendation for refusal subject to an additional reason for refusal to reflect Members' concerns relating to traffic congestion.

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 3/10/1012/OP be refused planning permission for the reasons now detailed.

RESOLVED – that in respect of application 3/10/1012/OP, planning permission be refused for the following reasons:

1. The proposed development involves the provision of two schools located within the Green Belt which represents inappropriate development within the Green Belt. The extensive scale and amount of development would result in the site becoming dominated by buildings and extensive areas of hard surfacing. This impact would be emphasised by the extensive nature of the proposed changes in site levels and the limited opportunities for landscaping in between buildings, outdoor recreation areas and along the southern boundary. If permitted the proposal would be detrimental to the openness of this part of the Green Belt and the wider landscape setting of the town. Other harm is associated with the development which relates to the impact of traffic movements and general activity within the site, the impact on landscape features and

rights of way. Whilst there is accepted to be an educational need for additional school places within the Bishop's Stortford Educational Area, this issue is not considered to outweigh the inappropriateness of the development and harm to the openness of the Green Belt or the other harm. The proposed development is therefore contrary to policy GBC1, ENV1, ENV2, ENV11, GBC14 and LRC9 of the East Herts Local Plan Second Review April 2007 and Planning Policy Guidance 2: Green Belts.

2. The Council is not satisfied, on the basis of the submitted information, that the impact of aircraft noise nuisance has been properly considered, in terms of the impact on internal teaching spaces. The Council is not therefore in a position to determine whether an acceptable educational environment would be created by the proposed development. If permitted the proposals would be contrary to Policy ENV25 of the East Herts Local Plan Second Review April 2007 and guidance in PPG24.
3. The proposed development will result in a significant alteration to traffic movements within the town. Despite the package of measures proposed by the applicant the Council is of the view that the development will result in unacceptable levels of traffic congestion, in particular at the Whittington Way/Thorley Street/London Road junction and other junctions northwards along London Road between the site and the town centre. Therefore the proposal would have a harmful impact upon the free flow of traffic and would also be contrary to Policy TR1 of the East Herts Local Plan Second Review April 2007.

300 3/10/1013/OP - DEMOLITION OF EXISTING BUILDINGS AND THE ERECTION OF UP TO 220 RESIDENTIAL PROPERTIES AND ASSOCIATED INFRASTRUCTURE AT THE BISHOP'S STORTFORD HIGH SCHOOL, LONDON ROAD, BISHOP'S STORTFORD FOR COUNTRYSIDE PROPERTIES PLC

Mrs Sweeney addressed the Committee in opposition to the application. Mr Duncan spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/10/1013/OP, planning permission be refused for the reasons now detailed.

The Director advised that, following discussions with the applicant in respect of financial contributions for infrastructure improvements, the second reason for refusal was no longer required.

Councillor K A Barnes, as the local ward Member, addressed the Committee in opposition to the application. He expressed concern in relation to the loss of the play groups, in particular the Blues Pre School. He was concerned in respect of the loss of a sports facility and sports pitches with no prospect of replacement facilities.

Councillor A L Burlton proposed, and Councillor M R Alexander seconded, a motion that, subject to the deletion of the second reason for refusal, the Committee accept the Officers' recommendation for refusal on the grounds that the application was contrary to policy LRC1 and LRC11 of the East Herts Local Plan Second Review April 2007.

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 3/10/1013/OP be refused planning permission for the reason now detailed.

RESOLVED – that in respect of application 3/10/1013/FP, planning permission be refused for the following reason:

1. The proposed development would result in the loss of the existing High School as a community facility and its associated playing fields and other sports facilities and the loss of the Blues Pre School without the provision of appropriate replacement facilities of at least equivalent quantity, quality, and accessibility elsewhere in the town. As such, it would be contrary to policies LRC1 and LRC11 of the East Herts Local Plan Second Review April 2007.

301 3/10/1015/OP - RETENTION AND REFURBISHMENT OF BUILDING FRONTING WARWICK ROAD; DEMOLITION OF OTHER EXISTING BUILDINGS AND THE ERECTION OF UP TO 125 RESIDENTIAL PROPERTIES AND ASSOCIATED INFRASTRUCTURE AT HERTS AND ESSEX HIGH SCHOOL, WARWICK ROAD, BISHOP'S STORTFORD HERTS CM23 5NH FOR COUNTRYSIDE PROPERTIES LTD

Mrs Rhodes addressed the Committee in opposition to the application. Mr Duncan spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/10/1015/OP, planning permission be refused for the reasons now detailed.

The Director advised that, following discussions with the applicant in respect of financial contributions for infrastructure improvements, the second reason for refusal was no longer required.

Councillor M Wood, as the local ward Member, stated the Bishop's Stortford was a patchwork quilt of separate communities, each with individual community and amenity facilities. He stressed that this application would

adversely affect the future legacy of the town.

Councillor Wood emphasised that if traffic was unable to exit onto Warwick Road, extra traffic exiting onto Dunmow Road would cause significant traffic problems. He stated that the density of the proposed development was very high compared to the surrounding roads.

Councillor C B Woodward, as the local ward Member, expressed concerns over the impact of the development on a heritage building. He expressed concern that there had not been an impact statement completed as part of this application.

Councillor Woodward commented that there were already 291 empty homes in Bishop's Stortford and this application would exacerbate this overprovision. He stressed that this application would result in unacceptable traffic problems and was in the wrong place at the wrong time. He referred to the integral views of local residents.

Councillor K A Barnes expressed his concern over the loss of what were some of the oldest historical buildings in the country. He commented that the Herts and Essex High School was part of the community and this application would result in the loss of buildings that had been in Bishop's Stortford for a century.

The Director advised that Hertfordshire Highways had judged the scheme to be acceptable as a school created more traffic twice a day than would be created by housing in this location. This proposal would only be acceptable if a replacement school were provided, by virtue of which the school related traffic from this part of the town would be removed.

Councillor M R Alexander proposed, and Councillor R I Taylor seconded, a motion that the Committee accept the Officers' recommendation for refusal on the grounds that the application was contrary to policy LRC1 and LRC11 of the East Herts Local Plan Second Review April 2007.

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 3/10/1015/OP be refused planning permission for the reasons now detailed.

RESOLVED – that in respect of application 3/10/1015/OP, planning permission be refused for the following reasons:

1. The proposed development would result in the loss of The Herts and Essex School, a community facility and its associated playing fields and other sports facilities, without the provision of appropriate replacement facilities of at least equivalent quantity, quality, and accessibility elsewhere in the town. As such, it would be contrary to policies LRC1 and LRC11 of the East Herts Local Plan Second Review April 2007.
2. The local planning authority considers that the application site constitutes a Heritage Asset as defined in PPS5. Insufficient information has been submitted in respect of the historic significance of the buildings on the site to enable the authority to adequately assess the impact of the proposed demolition on the significance of the Heritage Asset. In the absence of that information and appropriate investigation, the proposal is contrary to national guidance contained in PPS5: Planning for the Historic Environment.”

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.

302 3/10/1014/OP - DEMOLITION OF EXISTING BUILDINGS AND THE ERECTION OF UP TO 180 DWELLINGS AND ASSOCIATED INFRASTRUCTURE AT HERTS AND ESSEX HIGH SCHOOL BELDAMS LANE SPORT PITCHES, BISHOP'S STORTFORD, CM23 5LQ FOR COUNTRYSIDE PROPERTIES LTD

Mr Holder, Mr Tripp and Mrs Munroe all addressed the Committee in opposition to the application.

Mr Duncan spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/10/1014/OP, planning permission be refused for the reasons now detailed.

The Director advised that, following discussions with the applicant in respect of financial contributions for infrastructure improvements, the second reason for refusal was no longer required.

Councillor A M Graham, as the local ward Member, stated that this site was privately owned. He referred to the poor and worsening condition of the fencing around the sport pitches over the last 30 years. He stressed that young people needed green space and the preservation of the sports pitches was essential.

Councillor C B Woodward, as the local ward Member, stated that the benefits of extra housing were clear. He stressed, however, that the need had not been identified and the application was contrary to policies PPG1, ENV1 and ENV27 of the East Herts Local Plan Second Review April 2007.

Councillor Woodward emphasised that the amount of open space in Bishop's Stortford was less than the recommended requirement detailed in supplementary planning documents. He commented that any further reductions in open space would be detrimental to the quality of life of Bishop's Stortford Residents.

He referred to the unacceptable traffic implications of the proposed development and urged the Committee to refuse the application.

Councillor M R Alexander proposed, and Councillor A L Burlton seconded, a motion that the Committee accept the Officers' recommendation for refusal on the grounds that the application was contrary to policy LRC1 of the East Herts Local Plan Second Review April 2007.

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 3/10/1014/OP be refused planning permission for the reasons now detailed.

RESOLVED – that in respect of application 3/10/1014/OP, planning permission be refused for the following reasons:

1. The proposed development would result in the loss of an outdoor sports and recreation facility without the provision of appropriate replacement facilities of at least equivalent quantity, quality, and accessibility elsewhere in the town. As such, it would be contrary to policy LRC1 of the East Herts Local Plan Second Review April 2007.

303 3/10/1009/OP - PROPOSED RESIDENTIAL DEVELOPMENT (UP TO 165 DWELLINGS) AND ALTERATIONS TO EXISTING PATMORE CLOSE ACCESS PLUS RELATED INTERNAL ACCESS ROAD, LANDSCAPING AND OPEN SPACE AREAS AT LAND TO THE SOUTH OF HADHAM ROAD, BISHOP'S STORTFORD FOR HERTFORDSHIRE COUNTY COUNCIL

Mr Sarles, Mrs Otter and Mr Hare addressed the

Committee in opposition to the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/10/1009/OP, planning permission be refused for the reasons now detailed.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services that application 3/10/1009/OP be refused planning permission for the reasons now detailed.

RESOLVED – that in respect of application 3/10/1009/OP, planning permission be refused for the following reasons:

1. The proposed residential development of this site would result in the loss of a site which could contribute towards the provision of the specified need for additional education capacity within the town of Bishop's Stortford without that need being met in another way. The proposed development is therefore contrary to Policy BIS7 of the East Herts Local Plan Second Review April 2007.

304 3/10/1044/FO - VARIATION OF CONDITION 2 OF PLANNING PERMISSION 3/97/0520/FP THAT STATES THAT THE FACILITY SHOULD BE USED SOLELY FOR THE BENEFICIAL USE OF THE APPLICANTS, THE BISHOP'S STORTFORD HIGH SCHOOL, AND FOR NO OTHER PERSONS, INSTITUTIONS OR ORGANISATIONS TO ALLOW IT TO BE USED BY BOTH BISHOP'S STORTFORD HIGH SCHOOL AND HERTS AND ESSEX HIGH SCHOOL AND FOR LOCAL ORGANISATIONS AT JOBBERS WOOD, GREAT HADHAM ROAD, BISHOP'S STORTFORD FOR THE BISHOP'S STORTFORD HIGH SCHOOL

The Director of Neighbourhood Services recommended that, in respect of application 3/10/1044/FO, planning permission be refused for the reasons now detailed.

Councillor K A Barnes stated that traffic levels on the B1004 had doubled in recent years.

Councillor K A Barnes proposed, and Councillor A L Burlton seconded, a motion that the Committee accept the Officers' recommendation for refusal on the grounds that the application was contrary to policies SD1 and SD2 of the East Herts Local Plan Second Review April 2007.

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 3/10/1044/OP be refused planning permission for the reasons now detailed.

RESOLVED – that in respect of application 3/10/1044/FO, planning permission be refused for the following reasons:

1. The proposed use of the site, by reason of its location and lack of accessibility by sustainable modes of transport, would result in an unsustainable form of development and traffic movements and reliance on the private car. The proposal would thereby contrary to policies SD1 and SD2 of the East Herts Local Plan Second Review April 2007.

The meeting closed at 10.02 pm

Chairman
Date