

MINUTES OF A MEETING OF THE
DEVELOPMENT CONTROL COMMITTEE
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON
WEDNESDAY 20 OCTOBER 2010, AT
7.00 PM

PRESENT: Councillor W Ashley (Chairman)
Councillors M R Alexander, D Andrews,
K A Barnes, S A Bull, A L Burlton,
Mrs R F Cheswright, R N Copping, R Gilbert,
Mrs M H Goldspink, G E Lawrence,
D A A Peek, J J Taylor, R I Taylor,
A L Warman and B M Wrangles.

ALSO PRESENT:

Councillors P A Ruffles and V Shaw.

OFFICERS IN ATTENDANCE:

| | |
|------------------|--|
| Glyn Day | - Principal Planning Enforcement Officer |
| Simon Drinkwater | - Director of Neighbourhood Services |
| Tim Hagyard | - Development Control Team Leader |
| Kevin Steptoe | - Head of Planning and Building Control |

323 APOLOGIES

Apologies for absence were submitted on behalf of Councillors J Demonti and S Rutland-Barsby. It was noted that Councillors D Andrews and A L Warman were substituting for Councillors S Rutland-Barsby and J Demonti respectively.

324 CHAIRMAN'S ANNOUNCEMENTS

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

The Chairman thanked Officers for the training that had been held prior to this meeting. Members were requested to inform the Head of Planning and Building Control of any further suggestions for training.

The Chairman advised that the item relating to application 3/10/1396/FP – Erection of extension to provide 43 en-suite bedrooms at Fanhams Hall Hotel, Fanhams Hall, Fanhams Hall Road, Ware for Exclusive Hotels had been withdrawn.

The Chairman announced that he would take the item of urgent business between application 3/10/1074/FP and enforcement case E/08/0331/B.

The Chairman reminded Members that, in the period up to the Hunsdon by-election on 11 November 2010, “purdah” rules applied. These rules existed to ensure that there was no risk of public funds being used and/or actions undertaken to support one particular political party or individual.

325 DECLARATIONS OF INTEREST

Councillor S A Bull declared a personal and prejudicial interest in application 3/10/0090/FP, in that the site shared the access with the Co-op and he received a pension from the Co-op. He left the room whilst this matter was considered.

Councillor A L Burlton declared a personal and prejudicial interest in applications 3/10/1401/LB and 3/10/1543/LB, in that he and his wife sold products to the company that was the applicant. He left the room whilst this matter was considered.

326 MINUTES

RESOLVED – that (A) the Minutes of the meeting held on 22 September 2010 be confirmed as a correct record and signed by the Chairman; and

(B) the Minutes of the meeting held on 30 September 2010 pm be confirmed as a correct record and signed by the Chairman, subject to the amendment of Minute 298 – Declarations of Interest as follows:

Delete “a town council representative on the Bishop’s Stortford High School Sports Hall Committee and replace with “a representative on the Bishop’s Stortford Joint Ownership Sports Hall Committee”.

327 3/10/0386/FP - REDEVELOPMENT OF 2.15 HA BROWNFIELD SITE TO INCLUDE NEW ASDA FOODSTORE (2601 SQM NET); 13 DWELLINGS (5 AFFORDABLE) WITH 21 CAR PARKING SPACES; RETENTION AND REDESIGN OF CHILDREN'S NURSERY; RETENTION AND REFURBISHMENT OF KILN AND MALTINGS BUILDINGS TOGETHER WITH ASSOCIATED ACCESS, 283 CAR PARKING SPACES (INCLUDING 10 SPACES FOR NURSERY), SERVICING AND LANDSCAPING, ASSOCIATED HIGHWAYS AND PEDESTRIAN IMPROVEMENTS (AS AMENDED) AT CINTEL SITE, WATTON ROAD, WARE SG12 OAE FOR ASDA STORES LTD

The Director of Neighbourhood Services recommended that, in respect of application 3/10/0386/FP, planning permission be refused for the reasons now detailed.

The Chairman stated that the applicant had made a formal request that the application be deferred to enable the applicant to overcome the reason for refusal around the retail impact of the proposals.

Councillor Mrs M H Goldspink commented on whether any useful information would be forthcoming if the application was deferred. The Director advised that Officers felt that further work with retail advisors would probably not alter the recommendation in relation to the sequential test. Officers considered that the Committee should continue to determine the application.

Councillor A L Warman started that given the sensitivity of the application, Members should continue to determine the application.

Councillor R Gilbert proposed and Councillor S A Bull seconded a motion that the application should not be deferred as this was a significant application and Members had attended a recent tour of the site.

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

Mr Sanders addressed the Committee in opposition to the application. Judi Scholey spoke for the application.

The Director summarised the detailed background to the application. He summarised the significant support and opposition to the application. He stressed that Members must consider the planning merits of this application in relation to the sequential test of whether the Cintel site was sequentially preferable for the proposals when judged against other possible sites. The only other site which appeared to have merit was the Swains Mill site at Crane Mead.

The Director referred the Committee to paragraph 7.16 of the report now submitted. He stressed that Members must consider the availability, suitability and viability of alternative sites under national planning policy set out in PPS4

Members were advised that, although there was no

planning application for the Swains Mill site, Officers were of the view that this site was viable and available for an alternative supermarket development. The Director stressed that there was a more finely balanced judgement to be made in respect of the suitability of the two sites. Members were referred to paragraph 7.20 of the report in respect of this matter.

The Committee was advised that the applicant on this application felt that the larger site at Watton Road would be of greater benefit to Ware in terms of greater provision and claw back of trade. The Committee should also consider the issue of the primary shopping area of Ware. Members were referred to paragraphs 7.11 and 7.19 of the report now submitted. The Director stressed that this would not be formally defined until the Local Development Framework (LDF) document was produced.

The Director further advised that, although the applicant considered that the Baldock Street area was the primary shopping area, Officers felt that this part of Ware presently lacked the vitality and concentration of retail activity to be considered part of the primary shopping area.

Members were advised that although Officers acknowledged the other planning merits of this application, these merits were not, in their view relevant to the issue of the sequential test. The Director stressed that the application was not recommended for refusal on highways grounds.

The Director stressed that both sites could support a supermarket in providing choice and competition. Members were advised that although neither site was considered ideally placed, Officers felt that the site at Crane Mead was closer to the town centre and, on balance, sequentially preferable. He further stressed that it appeared possible for the second reason for refusal to be overcome following further work between the applicant, Officers and the retail advisors Chase and

Partners.

The Chairman advised that Members must first determine the issue of the sequential test before debating other planning merits of the application.

Councillor J J Taylor supported the Officer's recommendation. She stated that, as the Crane Mead site was closer to the town centre, this location was sequentially preferable. She also commented that the Cintel Site could only be viewed as an out of town location.

Councillor R I Taylor commented that EC15.2 of policy PPS4 was relevant in this application. He stated that the site at Crane Mead was not sequentially preferable and should be ruled out. He commented that the viability of a supermarket in that location would be limited as the range of goods sold would be limited by the smaller sales area.

Councillor M R Alexander stressed that the Cintel Site was available for immediate development where as the Crane Mead site was not owned by a supermarket retailer to develop following the approval of any planning application. He considered that the Crane Mead site was too small to be suitable for a supermarket. He also stated that no application was available for consideration on the Crane Mead site. Councillor Alexander stressed that the applicant had worked hard on this application and the benefits that it could bring would outweigh the potential of development at the Crane Mead site.

In response to a concern from R Gilbert that the issue of the sequential test was not relevant as there was no application to consider on the Crane Mead site, the Chairman stressed that the possibility of this site coming forward for development was sufficient to make the sequential test a key issue. The Chairman reminded Members that the issue of the sequential test on these sites was a finely balanced judgement for the Committee.

In response to a number of queries from Members around the sequential test, the Director advised that in other circumstances he would indicate that the Committee should only consider the merits of the application in front of them. He stressed however that in this case, Members must consider the sequential test under PPS4 in relation to the sites at Watton Road and Crane Mead.

The Director stressed that Members should not give weight to the particular operator on either site of their aspirations. The Committee must take in to account the sequential test for the potential of another site coming forward for development. The key issue was the availability, suitability and viability of the sites that were available. Members must consider which site was best placed to satisfy the retail needs of Ware.

Councillor R Gilbert commented that the Crane Mead site was not large enough to support a supermarket of a sufficient size to satisfy the retail needs of Ware.

Councillor J J Taylor proposed and Councillor A L Warman seconded, a motion that the Crane Mead site was sequentially preferable as this site was closer to the primary shopping area of Ware.

After being put to the meeting and a vote taken, this motion was declared LOST on the Chairman's casting vote in favour of the Cintel Site, Watton Road, Ware.

The Committee considered the Cintel Site to be preferable because, whilst it was not located in the centre of the town, it was suitably placed to serve the residential areas of the town which were located to the north of the town centre. The Committee felt that the proposed development would result in a significant amount of regeneration of the area and reuse of buildings of heritage interest on the site.

Members felt that the Cintel Site was a larger site than the alternative and represents an opportunity to ensure a wide range of goods are offered to meet the needs of the town.

The Committee also considered that there must be some doubt about the ability of the alternative site to come forward

The Chairman opened up the debate to consider the other planning issues relating to the application.

Councillor J J Taylor referred to 3 strong reasons why application 3/10/0396/FP should be refused on the Cintel Site, Watton Road, Ware.

Councillor J J Taylor, as the local ward Member, stated that this application would suck the life blood and heartbeat out of Ware Town Centre. She stressed that local shop keepers would be starved of trade and Ware would cease to survive.

Councillor J J Taylor expressed concerns that the Cintel Site was not in the primary shopping area and was not adjacent to the major town centre shopping streets. She stated that shoppers would carry out a complete shop at the Cintel Site and the town traders would lose business which could in turn result in the rapid decline of Ware as a medieval town. Councillor Taylor commented that the demise of the town was an issue of considerable concern to the people of Ware.

Councillor J J Taylor further stated that although Hertfordshire Highways had issued a scathing report on this application, the application was not recommended for refusal on highways matters. She commented that Hertfordshire Highways had admitted that congestion could be an issue, although this could be outweighed by the retail need for the store.

Councillor Taylor also expressed concerns that Fanshaw Crescent, Park Road and Watton Road could be severely affected as the highway network became saturated with the extra traffic accessing the site for shopping and deliveries. She referred to concerns of parents in respect of child safety.

Councillor Taylor stressed that the Baldock Street roundabout and the western end of Ware could end up at a traffic standstill if this application was approved. She stated that the parking provision was below the maximum provision.

Councillor Taylor commented that lorry deliveries and staff cars accessing the store was a major concern. She stated that English Heritage had branded the designs as bland and repetitive. The Landscape Officer had also expressed concerns in relation to the loss of trees on the site. Councillor Taylor referred to the potential for light pollution after the store had closed as lights were often left on in supermarkets for security reasons.

Councillor S A Bull stated that a significant number of people welcomed the prospect of a new store in this location. He commented that the new store would enhance the vitality of Ware and increase trade due to the large range of goods potentially available.

Councillor Bull stated that shoppers would come to Ware in favour of travelling to Harlow or Stevenage for significant food shopping. Councillor R Gilbert commented that Hertfordshire Highways had in fact supported the application.

Councillor A L Warman expressed concerns in relation to the construction designs of the store, in particular the omission of a mezzanine floor. He expressed concerns that the application would exacerbate the problems of traffic flow in this part of Ware. He cited 2012 as a particular concern when Wodson Park was scheduled to be used as an Olympic training venue.

Councillor M R Alexander stated that Ware Town Council had not objected in principle to the application. He was encouraged that the applicant had sought to protect the heritage of the Cintel Site. He stressed that concerns in relation to delivery vehicles could be addressed once the store was in operation.

Councillor R N Copping summarised the concerns of Stanstead Abbots Parish Council. He stated that the application would have no benefits for Ware and should be refused for all the reasons given by that Parish Council.

Councillor D Andrews stated that the primary shopping area was a long way from this site and many of the shops in Ware Town Centre would suffer significantly. The traffic would become a significant problem on Watton Road and on the A1170.

The Director advised that if Members felt that their concerns were so significant that the application could not be supported, then the Committee should refuse the scheme on that basis. He stressed however that, if the Committee determined that it did not have detailed concerns, then rather than reach a final decision now, he advised Members defer the application to enable Officers to consider appropriate conditions and the details of a section 106 legal agreement. Members were also advised that the application may be referred to the Government Office in any event.

Councillor J J Taylor proposed and Councillor A L Warman seconded, a motion that application 3/10/0386/FP be refused as the application would result in congestion and oversaturation of the highway network, an unacceptable impact on the amenity of local residents.

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

Councillor R Gilbert proposed and Councillor S A Bull seconded, a motion that application 3/10/0386/FP be deferred to enable Officers to consider appropriate conditions and the details of a section 106 legal agreement.

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 3/10/0386/FP be refused planning permission for the reasons now detailed.

RESOLVED – that (A) in respect of application 3/10/0386/FP, planning permission be granted in principle and the application be referred to the secretary of state; and

(B) in respect of application 3/10/0386/FP, planning permission be deferred to enable Officers to bring back a further report setting out details of conditions and the section 106 planning obligation agreement.

328 3/10/0396/FP - REDEVELOPMENT TO FORM 45
CATEGORY II TYPE SHELTERED APARTMENTS FOR THE
ELDERLY (29X1 BED AND 16X2 BED) COMMUNAL
FACILITIES, LANDSCAPING AND ASSOCIATED CAR
PARKING AT 135 STANSTED ROAD, BISHOP'S
STORTFORD, CM23 2AL FOR MCCARTHY AND STONE
RETIREMENT LIFESTYLES LTD

Mr Podevin addressed the Committee in opposition to the application. Mr Gillingham spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/10/0396/FP, subject to the applicant 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 now detailed.

The Director advised that the section 106 figure for off site provision of affordable housing had been amended and should now read £574,000. The requirement for 15% lifetime homes was no longer considered appropriate as the proposed development was for accommodation for

older people.

Councillor A L Warman expressed concerns that an application had come back to the Committee so soon after being refused due to concerns in respect of loss of amenity.

Councillor R Gilbert commented that the report highlighted that changes had been made since the previous application had been refused. He stated that the previous reasons for refusal still applied. He also expressed concerns that the proposed parking provision was inadequate.

Councillor Mrs M H Goldspink expressed concerns that the application still constituted over development. She stated that the height, bulk and massing of the proposed developed would have an overwhelming effect on surrounding dwellings.

Councillor Goldspink expressed concerns with the number of units being in excess of the 30 – 50 units hectare guideline. She stated that the design was unacceptable and the proposed parking provision was inadequate. She concluded that the small separation distance to surrounding dwellings was unacceptable.

The Director confirmed that following financial viability assessments, the £574,000 for affordable housing was the level that the developer felt was deliverable on this site.

In response to a query from Councillor A L Burlton, the Director confirmed that Officers felt that the Environmental Health condition around noise, air quality and contaminated land was not appropriate in this location.

The Director advised that Officers felt that the previous reasons for refusal had all been addressed. Members would now need to make a judgement as to whether they

felt the scale, size, massing and design of the proposed development was acceptable.

The Committee was reminded that developers typically sought to maximise the development potential of any given site. The Director stated that Officers had considered this application to be acceptable in terms of the layout and design that had been submitted.

The Director also stated that unless Officers felt that parking was going to be particularly problematic, the parking policy stipulated a maximum provision and applicants often submitted plans for a lesser provision than was acceptable in relation to this policy.

The Director advised that this applicant had considerable experience of this type of accommodation. The applicant clearly considered that the proposed parking provision would operate effectively on this site. Members might not be able to demonstrate substantive evidence to the contrary.

Councillor Mrs M H Goldspink proposed and Councillor R Gilbert seconded, a motion that application 3/10/0396/FP be refused on the grounds that the proposed development failed to achieve a high standard of layout and by reason of its size, massing, design and form would result in a development that would be detrimental to the character, appearance and visual interest of the surrounding area and also that the application failed to make adequate provision for parking within the site to the detriment of the amenities of future occupants.

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 3/10/0396/FP be granted subject to the conditions now detailed.

Councillors M R Alexander, W Ashley, S A Bull and B M Wrangles requested that their dissent from this decision be recorded.

RESOLVED – that in respect of application 3/10/0396/FP, planning permission be refused for the following reasons:

1. The proposed development fails to achieve a high standard of layout and by reason of its size, massing, design and form would result in a development that would be detrimental to the character, appearance and visual interest of the surrounding area, contrary to Policies ENV1 and HSG7 of the East Herts Local Plan Second Review April 2007.
2. The proposal fails to make adequate provision for parking within the site to the detriment of the amenities of future occupants, and would thereby be contrary to Policies ENV1 and TR7 of the East Herts Local Plan Second Review April 2007.

329 (B) 3/10/1401/LB - ERECTION OF EXTENSION AND GLAZED LINK TO PROVIDE 43 EN-SUITE BEDROOMS;(C) 3/10/1543/LB - INTERNAL ALTERATIONS TO AMALGAMATE BEDROOMS IN COURTYARD BUILDING AT FANHAMS HALL HOTEL, FANHAMS HALL, FANHAMS HALL ROAD, WARE, HERTFORDSHIRE, SG12 7PZ FOR EXCLUSIVE HOTELS

The Director of Neighbourhood Services recommended that, in respect of application 3/10/1401/LB, listed building consent be granted subject to the conditions now detailed. The Director of Neighbourhood Services also recommended that, in respect of application 3/10/1543/LB, listed building consent be granted subject to the conditions now detailed.

In response to a query from Councillor R N Copping, the

Director confirmed that this was an application where both planning permission and listed building consent were required before the development could go ahead.

The Director confirmed that as the application for planning permission had been withdrawn, this report was now solely to invite Members to consider whether the impact of the proposed development was acceptable in relation to its impact on the historic character and appearance of the listed building.

In response to a concern from Councillor R Gilbert in relation to the impact of the application on the listed building, the Director stated that Officers were satisfied that there would not be a detrimental impact on the historic character and appearance of the listed building.

The Committee was advised however, that Officers had been concerned in relation to the impact of the planning application on the principle of such development in the green belt. Members were reminded that it was quite acceptable to refuse planning permission on an application whilst approving listed building consent.

After being put to the meeting and a vote taken, the Committee supported the recommendations of the Director of Neighbourhood Services that applications 3/10/1401/LB and 3/10/1543/LB be granted listed building consent subject to the conditions now detailed.

RESOLVED – that (A) in respect of application 3/10/1401/LB, listed building consent be approved subject to the following conditions:

1. Listed Building three year time limit (1T141)
2. Samples of materials (2E123)
3. Listed building (new doors) (8L043)
4. Listed building (new window) (8L033)

5. Prior to any building works being first commenced, detailed drawings of the new glazed link at a scale of 1:200 or similar shall be submitted to, and approved in writing by the Local Planning Authority.

Reason: To ensure the historic and architectural character of the building is properly maintained, in accordance with the aims of PPS5 – Planning for the Historic Environment.

6. Listed building (making good) (8L103)

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 PPS5 – Planning for the Historic Environment. The balance of the considerations having regard to those policies is that consent should be granted.

(B) in respect of application 3/10/1543/LB, listed building consent be approved subject to the following conditions:

1. Listed Building three year time limit (1T141)
2. Listed building (new doors) (8L043)
3. Listed building (making good) (8L103)

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 PPS5 – Planning for the Historic Environment. The balance of the considerations having regard to those policies is that consent should be granted.

330 3/10/1495/FP - FIFTEEN CARAVAN PITCHES WITH ASSOCIATED PARKING; EXTENSION TO ACCESS ROAD AND CONSTRUCTION OF TOILET AND SHOWER BUILDING INCORPORATING BOOKING-IN OFFICE AT WESTMILL FARM, WESTMILL ROAD, WESTMILL, WARE, HERTS, SG12 0ES FOR DJ AND DM VIGUS

The Director of Neighbourhood Services recommended that, in respect of application 3/10/1495/FP, planning permission be granted subject to the conditions now detailed.

Councillor D Andrews enquired as to how Officers enforced the occupation limit in that no individual caravan or person shall occupy the site for any period in excess of 3 months in any 12 month period.

The Director stated that Officers would take enforcement action if there was a breach of this condition. The Committee was advised that this condition was the same as applied elsewhere on the site. Officers were reliant however on any breach of this condition being reported to them.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that application 3/10/1495/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/10/1495/FP, planning permission be granted subject to the following conditions:

1. Three year time limit (1T121)
2. Landscape design proposals (4P124)
3. Landscape works implementation (4P133)
4. Landscape maintenance (4P173)
5. Hours of working – plant and machinery (6N053)
6. 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. The scheme shall be implemented as approved.

Reason: To prevent pollution of the water environment, in accordance with 'saved' policies ENV18 and ENV20 of the East Herts Local Plan Second Review April 2007.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), not more than 15 caravans may be stationed on the land that is the subject of this approval at any time. The caravans shall be occupied solely for holiday/leisure or touring purposes and not for permanent residential occupation. No individual caravan or individual person shall occupy the site for any period in excess of 3 months in any 12 month period.

Reason: To prevent the establishment of a permanent residential caravan site contrary to Metropolitan Green Belt policy and in accordance with 'saved' policy GBC1 of the East Herts Local Plan Second Review April 2007.

8. Lighting details (2E272).

331 3/10/1454/FP - CHANGE OF USE OF MEADOW TO DOMESTIC GARDEN LAND AND RETENTION OF TWO OUTBUILDINGS (RETROSPECTIVE) AT NORTHLEYS, HIGH STREET, MUCH HADHAM, SG10 6DB FOR MR JEFFCOATE

The Director of Neighbourhood Services recommended that, in respect of application 3/10/1454/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 3/10/1454/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/10/1454/FP, planning permission be granted subject to the following conditions:

1. Three year time limit (1T121)
2. Within three months of the grant of permission a landscape plan for the western boundary of the application site relating to the change of use of the land shall be submitted to and approved in writing by the Local Planning Authority. The landscape plan shall include planting plans, written specifications and schedules of plants, noting species, planting sizes and the proposed numbers and densities. The landscape plan shall be implemented within the next available planting season and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To provide an appropriate landscaping and boundary treatment in

accordance with policy ENV2 and ENV7 of the East Herts Local Plan Second Review April 2007.

3. Within three months of the grant of permission, a colour sample of the boarding for buildings one and two shall be submitted to and approved in writing to the Local Planning Authority. The buildings shall thereafter be finished externally in that approved colour.

Reason: In the interests of visual amenity of the site, in accordance with policy GBC3 and ENV1 of the East Herts Local Plan second Review April 2007.

4. The alterations hereby permitted to the existing outbuildings (buildings one and two), as shown on plan reference 2555-103, shall be implemented in accordance with that plan within three months of the date of this decision.

Reason: To enhance the existing impact of the development on the rural character and appearance of the site, in accordance with policy ENV1 of the East Herts Local Plan April 2007, and to avoid possible enforcement proceedings in respect of the existing unauthorised outbuildings.

5. Withdrawal of PD (Part 1 Class E)(2E223) – Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development Order), 1995 the provision within the extension of the curtilage of the dwelling hereby permitted of any building, enclosure or swimming pool as described in Schedule 2, Part 1, Class E of the Order shall not be undertaken without the prior written permission of the Local Planning

Authority.

Reason: To ensure the Local Planning Authority retains control over any future development as specified in the condition in the interests of amenity.

Directives:

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 East Herts Local Plan Second Review April 2007), and in particular saved policies GBC3, BH1, BH6, ENV1, ENV7 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.

- 332 3/10/1285/FP - SINGLE STOREY SIDE EXTENSION, PROVISION OF THREE CANOPIES AND RAMP AT ST. ANDREWS PRIMARY SCHOOL, TOWER HILL, MUCH HADHAM, SG10 6DL FOR ST. ANDREWS PRIMARY SCHOOL

The Director of Neighbourhood Services recommended that, in respect of application 3/10/1285/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 3/10/1285/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application

3/10/1285/FP, planning permission be granted subject to the following conditions:

1. Three year time limit (1T12)
2. Matching Materials (2E13)
3. Materials of construction for ramp (2E113) delete 'building' and replace with 'ramp'.

Directive:

1. Other Legislation (01OL)

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, BH1, BH6 and particular Planning Policy Statement 5: Planning for the Historic Environment. The balance of the considerations having regard to those policies and the limited harm to the character, appearance or openness of this rural area is that permission should be granted.

333 3/10/1074/FP - SINGLE STOREY REAR EXTENSION AT 74 PISHIOBURY DRIVE, SAWBRIDGEWORTH, CM21 0AF FOR MR AND MRS STEVEN BARRETT

The Director of Neighbourhood Services recommended that, in respect of application 3/10/1074/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 3/10/1074/FP

be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/10/1074/FP, planning permission be granted subject to the following conditions:

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 GBC1, ENV1, ENV5, ENV6, ENV19 and BH16. The balance of the considerations having regard to those policies and the resultant limited impact on the openness of the Green Belt is that permission should be granted.

334 3/10/1500/FO - VARIATION OF CONDITION 16 OF PLANNING PERMISSION REF. 3/07/2005/FP TO READ "THE FORMER GARAGE WALL ADJACENT TO THE EASTERN BOUNDARY OF THE SITE SHALL BE REPAIRED TO A HEIGHT OF 3.5M HIGH FROM THE CENTURY ROAD ELEVATION. THE GARAGE WALL SHALL BE REPAIRED IN ACCORDANCE WITH DETAILS SET OUT IN DRAWING 10/1465/007A PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT." AT FORMER CHARVILL BROS, BALDOCK STREET WARE FOR MCCARTHY AND STONE R L LTD

The Director of Neighbourhood Services recommended that, in respect of application 3/10/1500/FO, planning permission be granted subject to the conditions now detailed.

The Director stated that this application comprised some

minor changes to previous proposals. Officers had followed legal advice in setting out, in full, the appropriate conditions. Officers had also been advised that any planning permission would be subject to the completion of a section 106 planning obligation. This obligation would link the planning obligations of the original planning permission (3/07/2005/FP) to the new permission.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that, subject to the agreement of a legal obligation pursuant to Section 106 of the Town and Country Planning Act 1990 that ties the planning obligations of the original planning permission (3/07/2005/FP) to the new permission, application 3/10/1500/FO be granted subject to the conditions now detailed.

RESOLVED – that subject to the agreement of a legal obligation pursuant to Section 106 of the Town and Country Planning Act 1990 that ties the planning obligations of the original planning permission (3/07/2005/FP) to the new permission, in respect of application 3/10/0432/FP, planning permission be granted subject to the following conditions:

1. The development to which this permission relates shall be begun within a period of six months commencing on the date of this notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. Prior to any building works being commenced samples of the external materials of construction including rainwater goods for the building hereby permitted shall be submitted to and approved in writing by the Local

Planning Authority.

Reason: In the interests of the appearance of the development, and in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

3. Prior to the commencement of bricklaying, a sample panel of brickwork shall be provided on the site and shall be formally approved in writing by the Local Planning Authority. The panel shall be retained as a reference for all external brickwork within the development.

Reason: In the interest of achieving a high quality of design and finish for the development in accordance with Policy ENV1 of the East Herts Local Plan Second Review April 2007 and national guidance in PPS1.

4. Cycle parking facilities shall be provided, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of development.

Reason: To encourage the use of cycles as means of transport, in accordance with policies TR13 & TR14 and Appendix II of the East Herts Local Plan Second Review April 2007.

5. Prior to the commencement of work detailed drawings of new doors, windows, roof eaves and shopfronts at a scale of not less than 1:20 shall be submitted to, and approved in writing by the Local Planning Authority and shall be carried out in accordance with the approved plans and specification.

Reason: In the interests of the appearance of

the proposed development and in accordance with Policy ENV1 of the East Herts Local Plan Second Review April 2007.

6. The proposed window openings on the first and second floor windows in the north elevation shall be fitted with obscured glass, and shall be permanently retained in that condition.

Reason: To safeguard the privacy of occupiers of the adjoining property, in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

7. Details of facilities to be provided for the storage, removal and including provisions for waste recycling of refuse from the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: In the interests of amenity, in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

8. Prior to the first occupation of the development hereby permitted, the existing vehicular access shall be permanently closed and the kerbs and (footway/verge) reinstated to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety and amenity.

9. Prior to the first occupation of the development hereby permitted, spaces shall be provided within the application site for the parking of cars as shown on the plans accompanying the application and such

spaces shall be retained at all times for use in connection with the development hereby permitted.

Reason: To ensure adequate off street parking provision for the development, in the interests of highway safety, in accordance with policy TR7 and Appendix II of the East Herts Local Plan Second Review April 2007.

10. No works or development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved in writing by the Local Planning Authority. These details shall include, as appropriate: (a) Means of enclosure (b) Hard surfacing materials (c) Planting plans (d) Schedule of plants, noting species, plant sizes and proposed numbers/densities where appropriate.

Reason: To ensure the provision of amenity afforded by appropriate landscape design, in accordance with policy ENV2 of the East Herts Local Plan Second Review April 2007.

11. All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is

reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved designs, in accordance with policy ENV2 of the East Herts Local Plan Second Review April 2007.

12. A schedule of landscape maintenance for a minimum period of five years shall be submitted to and approved by the Local Planning Authority and shall include details of the arrangements for its implementation.

Reason: To ensure the provision of amenity afforded by the proper maintenance of existing and/or new landscape features, in accordance with policy ENV2 of the East Herts Local Plan Second Review April 2007.

13. Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995, the areas shown for landscaping on the plans approved hereby shall be retained and maintained as open landscaping, and shall not be developed enclosed or used in any way that is detrimental to that character.

Reason: To ensure the continuity of amenity value afforded by the approved landscaping, in accordance with policy ENV2 of the East Herts Local Plan Second Review April 2007.

14. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development Order), 1995 the

erection or construction of gates, fences, walls or other means of enclosure as described in Schedule 2, Part 2, Class A of the Order shall not be undertaken without the prior written permission of the Local Planning Authority.

Reason: To ensure the Local Planning Authority retains control over any future development as specified in the condition in the interests of amenity and in accordance with policy ENV9 of the East Herts Local Plan Second Review April 2007.

15. Notwithstanding the provisions of the General Permitted Development Order 1995, the commercial units to the Baldock Street frontage shall be used for either A1 (shop), A2 (professional and financial services), B1 (office) or D2 (health) uses only.

Reason: To ensure the use respects the amenities of nearby residents and in accordance with Policy ENV1 of the East Herts Local Plan Adopted Second Review April 2007.

16. The former garage wall adjacent to the eastern site boundary shall be repaired in accordance with details as set out in drawing 10/1465/007A prior to the first occupation of the development. Rendered wall panels shall match the approved render for the sheltered housing development or as may otherwise be agreed in writing by the local planning authority.

Reason: In the interest of the appearance of the development and the Conservation Area and in accordance with Policies ENV1 and BH6 of the East Herts Local Plan April 2007.

17. Prior to the commencement of the development, details of methods for accessing the site and provisions for construction traffic access, associated parking areas and storage of materials shall be submitted to and as approved in writing by the local planning authority.

Reason: To ensure that adequate parking provision is retained at all times in accordance with Policy TR7 of the adopted East Herts Local Plan April 2007.

18. Prior to the first occupation of the development works for the disposal of surface and foul water shall have been provided on site in accordance with details first submitted to and as approved in writing by the local planning authority.

Reason: In the interests of securing the satisfactory drainage of the site.

19. Finished internal ground floor levels for the development shall be set at a minimum 37.15m AOD although there shall be no overall increase in the building ridge and eaves heights indicated on the approved section drawings T579/1465/027A and T579/1465/029.

Reason: In the interests of securing the development against surface water run off.

20. Prior to the first occupation of the development repairs to the north boundary wall shall be carried out in accordance with a schedule of repairs submitted to and as approved in writing by the local planning authority.

Reason: In the interests of the appearance of the development within this part of the Ware Conservation Area and in accordance with Policies ENV1 and BH6 of the adopted East Herts Local Plan April 2007.

21. No plant or machinery shall be operated on the premises before 0730hrs on Monday to Saturday, nor after 1800hrs on weekdays and 1300hrs on Saturdays, nor at any time on Sundays or bank holidays.

Reason: To safeguard the amenities of residents of nearby properties, in accordance with policy ENV24 of the East Herts Local Plan Second Review April 2007.

22. Wheel washing facilities shall be established within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Such facilities, shall be established prior to the commencement of demolition or construction and shall be kept in operation at all times during demolition and construction works.

Reason: To prevent the tracking out of materials onto the highway in the interests of highway safety.

23. Prior to the first occupation of the development the applicant shall provide for the provision of Traffic Regulation Orders to secure appropriate parking controls along the Baldock Street (prohibiting loading/waiting) and Coronation Road (prohibiting waiting at any time) frontages.

Reason: In the interests of the safe and convenient uses of the public highway.

24. Prior to the commencement of above ground development, the applicant shall submit details of enhanced insulation measures and the use of Heat Recovery Ventilators for the building.

Reason: To ensure the energy efficiency of the building and sustainable design within the development in accordance with Policy SD1 and ENV1 of the adopted East Herts Local Plan.

Directives:

1. Other Legislation.
2. Boundary wall. None of the works shall prejudice the repair of the north boundary wall the details of which are subject to provisions of separate planning conditions.

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 SD1, HSG3, TR7, EDE2, ENV1, ENV2, BH6 and LRC3 and national guidance in PPS1 and PPS5. The balance of the considerations having regard to those policies and the (other material considerations relevant in this case) is that permission should be granted.

335 E/08/0331/B - UNAUTHORISED ERECTION OF A PORTACABIN BUILDING AND USE OF A COMPOUND FOR THE STORAGE OF REDUNDANT FRAMES IN CONNECTION WITH THE BUSINESS OF "WINDOWMAN AND SONS", A DOUBLE GLAZING COMPANY, AT

FOXHOLES FARM, LONDON ROAD, HERTFORD, SG13
7NT

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/08/0331/B, enforcement action be authorised on the basis now detailed.

Councillor R Gilbert stated that, whilst he did not object to enforcement action, he was concerned that such action might put 7 people out of work. He commented that the whole site had been untidy for some time, although he felt that the portacabin was not too bad as this was tucked away behind houses.

Councillor Gilbert expressed concerns that the site was covered in a number of skips that were being used for recycling. Councillor B M Wrangles and Councillor Mrs M H Goldspink also had concerns that enforcement action would be costing a family their jobs.

Councillor Goldspink stated that the portacabin was tucked away neatly behind the yard and enforcement action should not be taken. Councillor W Ashley stressed that a notice has to be served to prevent the development becoming authorised by default.

Councillor M R Alexander stated that the Committee should be mindful that the site was in the metropolitan green belt and the reasons put forward by Members for not taking enforcement action were not compelling.

Councillor D Andrews commented that there was nothing portable about this unauthorised portacabin. He stressed that there were other buildings on site that could be used for this type of business.

The Director confirmed that this was unauthorised development on a site that was in the metropolitan greenbelt. He stressed that although some Members felt that the portacabin was tucked away, this was little more

than a container and was inappropriate development within the greenbelt.

The Director stressed that Officers had very clearly defined where enforcement action was to be taken so that the Authority would not be over enforcing on what was a very small area on this site. Officers were in negotiations with the owner of the site and Officers did not want to prejudice any further actions on this site.

Councillor R Gilbert proposed and Councillor A L Warman seconded, a motion that the period for compliance be extended to 6 months to allow the applicant more time to secure an alternative location for the business.

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

The Committee supported the Director's recommendation for enforcement action to be authorised in respect of the sites relating to E/08/0331/B on the basis now detailed.

RESOLVED – that in respect of E/08/0331/B, the Director of Neighbourhood Services, in conjunction with the Director of Internal Services, be authorised to take enforcement action under Section 172 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure the removal of the unauthorised developments from the land.

Period for compliance: 6 months.

Reasons why it is expedient to issue an enforcement notice:

1. The portacabin building and storage compound lie 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. These developments do not relate to any of these uses, and there are no very special circumstances apparent in this case to justify their retention. Furthermore, the unauthorised building is not of a suitable design and materials for the surroundings. The developments are therefore contrary to policies GBC1, GBC7 and GBC8 of the East Herts Local Plan Second Review April 2007 and contrary to national planning guidance in PPG2.

336 3/10/1271/FO – VARIATION OF CONDITION 3 OF PLANNING PERMISSION REF. 3/08/1390/FP TO ALLOW FOR THE REMOVAL OF APPROVED PEDESTRIAN GATE AND THE PROVISION OF POLE MOUNTED AMBER FLASHING LIGHTS MOUNTED AT ROADSIDE ON APPROACH TO PEDESTRIAN CROSSING POINT AT PARADISE WILDLIFE PARK, WHITE STUBBS LANE, BROXBOURNE, EN10 7QA

The Director of Neighbourhood Services recommended that, in respect of application 3/10/1271/FO, planning permission be granted subject to the conditions now detailed.

Councillor R Gilbert referred to Brickenden Liberty Parish Council being opposed to the application. He expressed concerns that the local residents did not feel the removal of the condition was a good idea.

The Director stated that Hertfordshire Highways had not objected to the removal of the condition. The Committee was advised that Officers had been particularly concerned in relation to the impact of the proposals on the rural area. However, Officers felt that on balance, the impact was acceptable given that the signage would only be used in

busy periods such as the summer and school holidays.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that application 3/10/1271/FO be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/10/1271/FO, planning permission be granted subject to the following conditions:

1. The development to which this permission relates shall be begun before 22nd October 2011.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. No external lighting (2E26)
3. The flashing safety lights hereby approved shall be installed and activated only when the overflow car park is in use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of pedestrian and highway safety.

4. The lighting units hereby approved shall be finished in black, and details of their fixings shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.

Reason: In the interests of the character and appearance of this rural lane and the surrounding Green Belt in accordance with policies GBC1 and ENV1 of the East Herts Local Plan Second Review April 2007.

5. Tree retention and protection (4P05)
6. Hedge retention and protection (4P06)
7. Tree Protection: Earthworks (4P10)
8. Landscape design proposals (4P12 i,j,k)
9. Landscape works implementation (4P13)
10. Details of earthworks/mounding (4P16)
11. Landscape maintenance (4P17)
12. Retention of landscaping (4P21)
13. The car park hereby permitted shall be used as an overflow car park only, in connection with Paradise Wildlife Park and not for any other purpose.

Reason: To ensure that no alternative use is made of the premises which would be likely to be a nuisance or annoyance to nearby occupiers.

14. The use of the car park shall be restricted to within half an hour before and after the normal opening hours of Paradise Wildlife Park.

Reason: In the interests of the amenities of the occupants of nearby properties.

15. No materials, debris, pollutants, vehicles or machinery associated with this overflow car park are to be stored or used within the adjacent Wildlife Sites (71/033 Coldhall Green and White Stubbs Lane, and 71/063 Mortals Wood).

Reason: To protect local Wildlife Sites in accordance with policy ENV14 of the East Herts Local Plan Second Review April 2007.

16. Within 3 months of the date of this decision, the applicant shall, to the satisfaction of the local planning authority, ensure the provision of the access, visibility and highway works shown on drawing 11500992 0992-SK-01 rev E. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety.

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 GBC1, GBC14, TR7, TR20, ENV1, ENV2, ENV11, ENV14 and LRC10. The balance of the considerations having regard to those policies is that permission should be granted.

337 3/10/0090/FP - ERECTION OF 6 NO. FLATS, 2 NO HOUSES AND EXTENSION TO PUBLIC LIBRARY AT ADAMS YARD, MAIDENHEAD STREET FOR ATLANTIC HERTFORD LTD – (AMENDMENT OF S106 AUTHORISATION)

The Director of Neighbourhood Services recommended that, in respect of application 3/10/0090/FP, 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 now detailed.

After being put to the meeting and a vote taken, the

Committee supported the recommendation of the Director of Neighbourhood Services that, 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, application 3/10/0090/FP be granted planning permission subject to the conditions now detailed.

RESOLVED – that 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 to cover the following matters:

1. The provision of a public pedestrian right of way across the application site between points A and B on Plan “A” towards the creation of a public pedestrian link to Maidenhead Street.
2. The funding of an agreement under Section 25 Highways Act 1980 (or equivalent) with the Highway Authority in relation to the creation of a public pedestrian right of way to the riverbank between points C and D on Plan “A”.
3. The provision of one dwelling to lifetime homes standards.
4. The payment to East Herts Council of £16,000 index linked for the provision, monitoring and maintenance of CCTV coverage within Adams Yard and Maidenhead Yard and the submission of valid planning and other related applications as appropriate.

in respect of application 3/10/0432/FP, planning permission be granted subject to the following conditions:

1. Three Year Time Limit (1T12)
2. Boundary walls & fences (2E07)

3. Materials of construction (2E11)
4. Details of facilities to be provided for the storage and removal of refuse for the various businesses and uses around Maidenhead Yard, including elevation drawings and materials of construction, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The facilities shall be provided in accordance with the approved details prior to the first occupation of the development and thereafter maintained to the satisfaction of the local planning authority.
Reason: In the interests of the appearance of the development within the Conservation Area, the setting of the listed building Seed Warehouse and the amenity of future residents, in accordance with policies BH6, BH 12 and ENV1 of the East Herts Local Plan Second Review April 2007.
5. Lighting details (2E27)
6. Details of entrances for the houses and flats directly to Maidenhead Yard shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The dwellings shall be provided in accordance with the approved details prior to the first occupation of the development and thereafter maintained to the satisfaction of the local planning authority.
Reason: In the interests of the convenience or residents and perceived safety for users of Maidenhead Yard and in accordance with policies ENV1 and ENV3 of the East Herts Local Plan Second Review April 2007.

7. Landscape design proposals (4P12 - b, e, l, k,).
8. Landscape works implementation (4P13)
9. Construction hours of working- plant & machinery (6N07)
10. Removal of permitted development rights Class A.
11. No part of the development shall be occupied unless and until the applicant has submitted valid planning and other related applications as necessary for CCTV installations for the site.

Reason: In order to secure the provision of CCTV in the interests of public safety.

12. Prior to first occupation of the development, the access from The Wash serving the development shall be resurfaced and completed in accordance with details to be submitted and approved in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the development and appropriate pedestrian and vehicular access to the development.

13. The presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the Local Planning Authority and a scheme for mitigation shall be agreed in writing.

Reason: To ensure adequate protection of human health, the environment and water

courses in accordance with policies SD5 and ENV20 of the East Herts Local Plan Second Review April 2007.

Directives:

1. Other Legislation (01OL)
2. Planning Obligation (08PO)
3. Street Naming and Numbering (19SN)
4. The applicant is advised that it will be necessary for the developer to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access works. The applicant is advised to contact the Eastern Herts Highways Area Office, Hertford House, Meadway Corporate Centre, Rutherford Close, Stevenage SG1 3HL (Telephone 01438 757880) to obtain the requirements on the procedure to enter into the necessary agreement with the highway authority prior to commencement of development.

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 East Herts Local Plan Second Review April 2007), and in particular SD2, SD5, HSG1, HSG3, HSG4, HSG6, TR1, TR2, TR7, TR14, ENV1, ENV2, ENV4, ENV10, ENV11 and ENV20. The balance of the considerations having regard to those policies is that permission should be granted.

338 UPDATE ON ENFORCEMENT STATISTICS AND AUTHORIZED ACTION

The Director of Neighbourhood Services submitted a report updating Members on recently authorised enforcement action.

The Committee noted the report as now detailed.

RESOLVED – that the report be noted.

339 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 9.52 pm

| |
|----------------|
| Chairman |
| Date |