

MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 5 APRIL 2017, AT 7.00 PM

PRESENT: Councillor T Page (Chairman)
Councillors M Allen, D Andrews, R Brunton,
M Casey, S Cousins, B Deering, M Freeman,
J Goodeve, J Jones, J Kaye and K Warnell.

ALSO PRESENT:

Councillors P Boylan, G Cutting and
P Ruffles.

OFFICERS IN ATTENDANCE:

Victoria Clothier	- Legal Services Manager
Peter Mannings	- Democratic Services Officer
Martin Plummer	- Senior Planning Officer
Kevin Steptoe	- Head of Planning and Building Control Services
Alison Young	- Development Manager

673 APOLOGY

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

674 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Councillor S Cousins as this was his first meeting of the Committee.

Members were reminded that the Planning Policy Team had published a series of topic papers that explained the process for the publication of the emerging District Plan. These papers provided a succinct introduction to planning with many valuable reference points to assist Members when determining applications.

Finally, the Chairman advised that a coach trip was being arranged for either Thursday 13 or Friday 14 July 2017 and this was being hosted by Nick Wright, Deputy Leader of South Cambs District Council. The tour would include Members of the Hertfordshire Infrastructure Planning Partnership.

675 DECLARATIONS OF INTEREST

Councillor K Warnell declared that he would remain in the room whilst application 3/14/0395/FP was considered but would take no part in the debate or vote. He explained that the Animal Rescue Charity was one of his charities as the Mayor of Bishop's Stortford and he had been involved in a number of fundraising events in his capacity as the Mayor.

676 MINUTES – 8 MARCH 2017

RESOLVED – that the Minutes of the meeting held on 8 March 2017 be confirmed as a correct record and signed by the Chairman.

677 3/16/2311/OUT – OUTLINE PLANNING FOR THE ERECTION OF 15 DWELLINGS WITH ALL MATTERS RESERVED EXCEPT ACCESS AT LAND AT STORTFORD ROAD/TOWN FARM CRESCENT, STANDON, SG11 1NA FOR MR DAN LIVINGS

Mr Griffiths addressed the Committee in objection to the application. Mr Livings spoke for the application.

The Head of Planning and Building Control recommended that in respect of application 3/16/2311/OUT, subject to a

Section 106 legal agreement, outline planning permission be granted subject to the conditions detailed in the report now submitted.

The Head summarised the outline application where all matters were reserved apart from the access. He confirmed that the Council remained in the position where it was unable to demonstrate the availability of sufficient land for house building, therefore, in accordance with the NPPF, it was appropriate to support proposals for sustainable developments unless significant harmful impacts could be identified as a result.

Councillor D Andrews welcomed the additional car parking and referred to his concerns regarding the highways impact. He emphasised the importance of the development being well landscaped and expressed concerns that the existing footway was barely adequate. He also expressed concerns regarding the safety of pedestrians and referred to the loss of the open aspect for the residents of Town Farm Crescent.

Councillor J Kaye commented on the issue of biodiversity and referred to the comments of Thames Water as detailed in paragraph 6.6 of the report submitted.

Councillor M Casey referred to the 8 parking spaces for residents and how these would be controlled as they would be available for the residents of more than 8 existing properties. Councillor J Jones queried why a financial contribution of £2,742 was being sought towards the improvements to the Children's area at Bishop's Stortford instead of improvements to Buntingford Library. Councillor K Warnell referred to amenity and sustainability and stated that he was unclear regarding these aspects of the proposed development.

The Head explained that there were a number of dimensions to the issue of sustainability. He referred to the National Planning Policy Framework (NPPF) terminology for sustainability and explained that East Herts was not an unsustainable area and the villages

were classified as sustainable locations in policy terms.

The Head stated that the bulk of development would always be concentrated in towns with other development permitted to be focussed in the villages. Members were reminded that a resident travelling out of a village by car to access education and other services was acceptable in sustainability terms.

Members were reminded that this was an outline scheme and the site and the unit sizes could be reconfigured in the reserved matters application. The Committee need not concern itself unduly therefore, with the relationship with the proposed development and the properties in Town Farm Crescent.

The Head concluded that drainage engineers were satisfied that there was an acceptable Sustainable Urban Drainage Solution (SUDS) and landscaping and biodiversity matters would be resolved via the detailed reserved matters proposal. Officers were aware that there was a way forward to achieve clear landscape boundaries and a condition could be applied in respect of the allocation of car parking. Officers could also have a further dialogue with Hertfordshire County Council (HCC) in respect of youth and library services.

The Head responded to a query from Councillor J Goodeve regarding the parking of commercial vehicles. The Committee accepted the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED – that in respect of application 3/16/2311/OUT, subject to a Section 106 legal agreement, outline planning permission be granted subject to the conditions detailed in the report submitted.

678 3/16/2817/FUL – DEMOLITION OF THREE CLASSROOM BLOCKS AND THE CREATION OF NEW BLOCK TO HOUSE 17 CLASSROOMS WITH 6 TEMPORARY CLASSROOMS AT THE LEVENTHORPE SCHOOL, CAMBRIDGE ROAD, SAWBRIDGEWORTH, HERTFORDSHIRE, CM21 9BX FOR THE LEVENTHORPE SCHOOL

The Head of Planning and Building Control recommended that in respect of application 3/16/2817/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head summarised the application and advised that whilst there would be no immediate increase in pupil numbers, the increase in floor space would assist the Leventhorpe School's future plans to increase to 8 forms of entry (8FE).

Members were advised that the application constituted inappropriate development in the metropolitan green belt and should only be approved if very special circumstances could be demonstrated to outweigh the harm. The parking remained in accordance with adopted and emerging standards and the drainage issue could be secured by conditions.

The Head concluded that Officers felt that the positive impacts clearly outweighed the harm to the green belt and the application had subsequently been recommended for approval subject to conditions. 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 in respect of application 3/16/2817/FUL, planning permission be granted subject to the conditions detailed in the report.

679 3/14/0395/FP – CHANGE OF USE OF LAND TO EAST OF FARNHAM ROAD FROM DISUSED QUARRY/LIME WORKS TO ANIMAL RESCUE CENTRE AND ASSOCIATED LANDSCAPING. REDEVELOPMENT OF OLD LIME WORKS BUILDING TO CARETAKER ACCOMMODATION. ERECTION OF NEW KENNEL AND CATTERY BUILDING AND ASSOCIATED OUTBUILDINGS, PARKING AREAS AND ACCESS ROADS. ERECTION OF FIELD SHELTER AND OUTDOOR CATTERY AREA AT THE OLD LIME WORKS, FARNHAM ROAD FOR THE ANIMAL RESCUE CHARITY

Councillor G Cutting addressed the Committee in support of the application as an adjacent ward Member to the ward where this site was located. He detailed his reasons for supporting the application and urged Members to approve planning permission.

The Head of Planning and Building Control recommended that in respect of application 3/14/0395/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head confirmed to Councillor J Jones that policy GIP1c related to green lungs and this policy stipulated that no development was to take place in these areas. Officers were of the view that the application would have a very modest impact that could not be classed as significant.

The Head responded to a comment from Councillor J Goodeve by advising that the distance between the proposed new housing and the proposed animal rescue centre was in the region of 100 to 150 metres. 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 in respect of application 3/14/0395/FP, planning permission be granted subject to the conditions detailed in the report.

680 3/16/1348/FUL – DEVELOPMENT OF FOUR SPECIALIST BUNGALOWS WITH A SINGLE STOREY OFFICE LINK AND NEW CAR PARKING AT ST ELIZABETHS SCHOOL AND HOME, SOUTH END, PERRY GREEN, MUCH HADHAM, HERTFORDSHIRE, SG10 6EW FOR MR JAMES CONNOLLY, ST ELIZABETH'S CENTRE

The Head of Planning and Building Control recommended that in respect of application 3/16/1348/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head summarised the application and stated that the number of residents was not proposed to increase. Members were advised that the limited harm would be mitigated by controls secured through conditions. Officers considered that the positive impact of the proposals outweighed the potential for harm to the rural area. Members were referred to the late representation summary and comments from the Council's engineering advisor.

Councillor R Brunton referred to the fantastic work carried out by the St Elizabeth's School and Home. 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 in respect of application 3/16/1348/FUL, planning permission be granted subject to the conditions detailed in the report.

681 ITEMS FOR REPORTING AND NOTING

At the invitation of the Chairman, the Head of Planning and Building Control highlighted a number of recent appeal decisions and referred in detail to a number of points of interest.

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.

682 ESBIES ENFORCEMENT UPDATE, SAWBRIDGEWORTH

The Legal Services Manager submitted a report updating Members on the current situation regarding enforcement matters at the Esbies Site and to seek authorisation for the Head of Planning and Building Control to consider the additional matters which Counsel had raised following the Members' resolution to seek an injunction in December 2016.

The Head of Planning and Building Control emphasised the importance of Officers having regard to the circumstances of any occupants, any material changes in circumstances, human rights issues, issues relating to the best interests of children and matters under the Equality Act when continuing the process of obtaining an injunction. Officers must also consider any changes in circumstances on the Esbies Estate.

Members were advised that such changes could include changes in the needs of occupants and residents. Having regard to all of the above would help Officers avoid any delays in injunction proceedings. The Legal Services Manager confirmed to Councillor B Deering that this report was not inviting Members to revisit their decision in December 2016 to seek the injunction as other options had been considered at that point.

Members were advised that the Counsel advice given to Officers in December 2016 had not changed and seeking

an injunction therefore remained an appropriate course of action. The Legal Services Manger confirmed that this was the latest situation in an ongoing historical issue and multiple attempts had been made to engage with residents since 2011/12.

The Legal Services Manger confirmed that Officers had yet to receive a statement of account from the Counsel who had been advising Officers on injunction proceedings. Members received the report and approved the recommendation now detailed.

RESOLVED – that the Head of Planning and Building Control be authorised to determine whether to proceed with seeking an injunction in relation to the Esbies Estate after having regard to the circumstances of any occupants, any material changes in circumstances, human rights issues, issues relating to the best interests of children and matters under the Equality Act.

The meeting closed at 8.22 pm

Chairman
Date