

MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 11 OCTOBER 2017, AT 7.00
PM

PRESENT: Councillor T Page (Chairman)
Councillors M Allen, D Andrews, P Ballam,
R Brunton, B Deering, M Freeman,
J Goodeve, J Jones, P Ruffles, R Standley
and K Warnell.

ALSO PRESENT:

Councillors P Boylan, S Bull, S Cousins,
S Rutland-Barsby and M Stevenson.

OFFICERS IN ATTENDANCE:

Thomas Howe	- Planning Student
Peter Mannings	- Democratic Services Officer
Kevin Steptoe	- Head of Planning and Building Control Services
Victoria Wilders	- Legal Services Manager

179 APOLOGY

An apology for absence was submitted on behalf of Councillor M Casey. It was noted that Councillor P Ballam was substituting for Councillor M Casey.

180 CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that Councillor J Jones had arranged the latest in a series of ward walks at 10 am on Friday 13 October 2017.

He also advised that a master planning workshop regarding the Bishop's Stortford South site had been arranged in the Charis Centre, Bishop's Stortford at 7 pm on Thursday 19 October 2017.

181 DECLARATIONS OF INTEREST

Councillor P Ruffles declared a disclosable pecuniary interest in application 3/170392/OUT on that the grounds that he had reacted to the application at an early stage in the consultation and was now fettered. He left the room whilst this application was determined.

Councillor Ruffles also mentioned that, in respect of application 3/17/1010/FUL, he was an old boy of Richard Hale School and retained social links with the school. Councillor J Goodeve commented that her son was a pupil at Richard Hale School.

Councillor Goodeve also mentioned that she was the East Herts representative for Hertford Museum which had written to Officers to comment on application 3/17/0392/OUT.

182 MINUTES – 13 SEPTEMBER 2017

RESOLVED – that the Minutes of the meeting held on 13 September 2017, be confirmed as a correct record and signed by the Chairman.

183 3/17/0392/FUL – MIXED-USE REDEVELOPMENT, INCLUDING PARTIAL DEMOLITION OF EXISTING BUILDINGS, TO PROVIDE UP TO 4,694 SQM RETAIL FLOORSPACE (USE CLASSES A1 TO A5), AN 86-BED HOTEL (USE CLASS C1), 70 RESIDENTIAL FLATS (USE CLASS C3), REFURBISHMENT OF EXISTING CAR PARK TO PROVIDE 143 PAY AND DISPLAY, 40 RESIDENTIAL, 5 CAR CLUB (TOTAL OF 188) PARKING SPACES, ENHANCEMENT OF BUS STATION FACILITIES, NEW PUBLIC REALM AND LANDSCAPING TO RIVERSIDE, AND ASSOCIATED WORKS AND IMPROVEMENTS AT BIRCHERLEY GREEN SHOPPING CENTRE, HERTFORD FOR DIAGEO PENSION TRUST LTD

The Head of Planning and Building Control recommended that in respect of application 3/17/0392/FUL, subject to a legal agreement, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head introduced the application and detailed the context of the site and the relevant planning history. He also detailed the layout of the existing site and the proposed development. He referred to the proposed enhancements to the bus station and the retention of the car park and the greater focus on the riverside location. Members were shown a number of plan elevation drawings and the Head summarised the proposals for new residential and hotel uses.

Miss Potter and Mr Norman addressed the Committee in objection to the application. Mr Harris spoke for the application.

Councillor S Rutland-Barsby addressed the Committee in support of the application as a local ward Member. Councillor M Freeman read out a statement in objection to the application on behalf of local ward Member Councillor L Radford. He stressed that these points represented the views of Councillor Radford and were not his own.

Councillor B Deering emphasised that his aspiration was for the best that could be achieved on this site. He stated that he had walked around Bircherley Green and the surrounding streets on a very regular basis. He referred to the division of opinion regarding this application and commented on the views expressed by the Hertford Civic Society and Hertford Town Council. He also referred to comments he had received from residents and, in particular, from residents of Folly Island.

Councillor Deering felt that it was significant that the Independent Design Panel was now supportive and he considered it significant that no historic buildings were being demolished and no new roadways were being created. He pointed out that this was a discrete site and approval would not represent a Gascoyne Way moment. He stated that the application would create modern retail floor space whilst opening up the river and improving facilities for bus passengers.

Councillor Deering concluded that the views of the Conservation and Heritage adviser were significant. He referred to the change in parking demand due to the lack of the food store and commented on spare capacity at Gascoyne Way. He highlighted a number of important conditions in the report before stating that he was supportive of the application.

Councillor D Andrews expressed concerns regarding work that had been undertaken with the Environment Agency. He referred to the importance of the area as a habitat and wildlife corridor. He expressed concerns that not enough had been done to improve sustainable transport. He acknowledged that the proposed development would be more attractive than what was already there.

Councillor Andrews commented on a strict time limit for narrow boats being moored close to this site. He commented on the cafe area being in shadow and supported the concerns expressed by the residents of

Folly Island. He expressed support for the proposed development of this site and was pleased that the application had matured to its current form.

Councillor K Warnell commented on the 10% affordable housing contribution and referred to the application being not policy compliant with any viability assessment. He highlighted the views of the Landscape Advisor and referred to the policy of the Authority for 40% affordable housing. Councillor J Jones commented on the proposed health centre and whether there had been any dialogue with the health care provider since the report had been published.

The Head referred Members to the additional representations summary. He highlighted a number of key points and referred to discussions that had taken place between GP surgeries and the Clinical Commissioning Group (CCG). He commented on the likely impacts of a shared health facility on the proposed development. Members were advised of the incompatible objective of the Environment Agency in respect of soft riverside environments given that this was not easily achieved in relation to these proposals which sought to retain the car park buildings on the site.

The Head stated that Officers had and would continue to ensure that the best elements of the scheme were retained in terms of landscaping. Members were advised that very detailed and thorough viability assessments had been carried out in relation to affordable housing provision on this site.

The Head reminded Members of policy tests that had to be met with regard to Section 106 agreements and conditions. He concluded by seeking to assure Members that all of the understandable nervousness and concerns of residents should be managed by the range of conditions proposed. He sought delegated authority to further tweak the conditions and matters covered in the legal agreement, subject to consultation with the

Chairman of the Development Management Committee and at least one local ward Member.

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 3/17/0392/FUL, subject to a legal agreement, planning permission be granted subject to the conditions detailed in the report submitted, with authority delegated to the Head of Planning and Building Control to amend, add or delete conditions and matters covered in the legal agreement, subject to consultation with the Chairman of the Development Management Committee and at least one local ward Member.

184 3/17/1055/OUT – OUTLINE APPLICATION FOR UP TO 93 DWELLINGS AND ASSOCIATED PUBLIC OPEN SPACE WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS AT CAFÉ FIELD WEST AT LAND TO NORTH OF STANDON HILL PUCKERIDGE FOR MR J BOND

The Head of Planning and Building Control recommended that in respect of application 3/17/1055/OUT, subject to a legal agreement, outline planning permission be granted subject to the conditions detailed in the report now submitted.

The Head summarised the application which was in outline form with access being the only detailed matter for Members to consider. Members were advised that the application site was slightly larger than that proposed to be allocated in the emerging Standon Neighbourhood Plan.

The Head explained that the completion of the District Plan process and the emerging Standon Neighbourhood Plan would be the best control over the future of development in the village and around the site. Members

were reminded that matters such as planting and dwelling sizes would be covered by the reserved matters application.

Mr Davies addressed the Committee in support of the application. Councillor D Andrews praised the applicant for making the application better than that which had been previously refused by the Committee. He welcomed the contribution towards the bus stops in the vicinity of the site and potential future contributions towards affordable housing and other matters. He referred to potential improvements to the Cambridge Road junction and concluded that he now felt in a position to support this application.

Councillor M Freeman referred to Section 278 agreements and the maintenance of roads to acceptable standards. The Head explained the policy approach of Hertfordshire County Council. Members were advised that building roads to an acceptable standard was the best chance of giving the County Council the option of adopting a road.

Councillor J Jones commented that access onto the A10 would have been more acceptable than the proposed access. He expressed concerns regarding the impact of the application on Puckeridge GP Surgery. He referred in particular to the lack of a figure in the Section 106 agreement for medical infrastructure. The Head advised that Officers had pursued the healthcare provider and the use of the word “potential” in the report allowed Officers the flexibility to continue to explore this with the relevant provider.

Councillor K Warnell emphasised that it was good to see the reduction in units from 160 to the proposed 93. He referred to the sustainability of the application regarding transport and in light of the available employment and other facilities in the town. He sought and was given an explanation as to why this application was judged to be sustainable by Officers when they felt that the previous

scheme had not been sustainable.

The Head assured Members that Officers would be chasing the healthcare provider in respect of the Section 106 provision towards healthcare. 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 3/17/1055/OUT, subject to a legal agreement, outline planning permission be granted subject to the conditions detailed in the report submitted.

- 185 3/17/1222/VAR – VARIATION OF CONDITION 2 (APPROVED PLANS) OF 3/14/1369/FP - DEMOLITION OF FILLING STATION CANOPY, KIOSK, WORKSHOP AND PART OF FORMER GROUND FLOOR SHOWROOM. CHANGE OF USE OF FORMER COACHWORKS AND SHOWROOM BUILDING TO 4 HOUSES AND 9 NEW-BUILD HOUSES. NEW OFFICE BUILDING. ASSOCIATED CAR PARKING, REFUSE AND ACCESS - AMENDMENTS TO APPROVED PLOTS 03 AND 04 DUE TO THE STRUCTURAL INTEGRITY OF THE EXISTING CONSTRUCTION OF THE FIRST FLOOR UPWARDS BEING CONDEMNED. CONVERSION OF FIRST FLOOR UPWARDS NOT VIABLE. REPLACE REVISION 'A' DRAWINGS WITH REVISION 'B' AT FORMER WATERS GARAGE SITE, 9 NORTH ROAD HERTFORD FOR MR N TEDDER
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The Head of Planning and Building Control recommended that in respect of application 3/17/1222/VAR, subject to the completion of a deed of variation under Section 106 of the Town and Country Planning Act assigning the obligations entered into in relation to application 3/14/1369/FP to this application, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head summarised the application and detailed the relevant planning history. He stated that the applicant

considered that the conversion of the whole building was not structurally or financially viable. The upper floors were to be demolished and replaced with replica new build and the conditions had been transposed from the previous application. Officers were now seeking authority to fine tune the conditions as many or all of the original conditions had been complied with and, therefore, did not need to be reapplied.

Councillor P Ruffles commented that on the west face of the building there was a chimney stack with 4 pots that was significant in that it led into the Georgian regency style development that was evident in North Crescent. He emphasized the importance of these features being reproduced due to their local importance in this area.

The Head assured Members that Officers could ensure that a suitable replica chimney feature was included as part of this application. 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 3/17/1222/VAR, subject to the completion of a deed of variation under Section 106 of the Town and Country Planning Act assigning the obligations entered into in relation to application 3/14/1369/FP to this application, planning permission be granted subject to the conditions detailed in the report submitted and authority delegated to the Head of Planning and Building Control to amend, add or delete conditions and matters covered in the legal agreement subject to consultation with the Chairman of the Development Management Committee and at least one local ward Member.

- 186 3/17/1010/VAR – VARIATION OF CONDITION 4 (LANDSCAPING BUNDS) OF 3/14/0924/FP – ARTIFICIAL TURF PITCH WITH ASSOCIATED FENCING, 6 X14 METRE HIGH FLOODLIGHT COLUMNS AND STORAGE CONTAINER. CREATION OF BUNDS AND AMENDMENTS TO PARKING PROVISION TO PROVIDE 34 PARKING SPACES – PROPOSE TO ALTER AND EXTEND BUNDS AT RICHARD HALE SCHOOL, HALE ROAD, HERTFORD, SG13 8AU FOR MR M BROTHERS
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The Head of Planning and Building Control recommended that in respect of application 3/17/1010/VAR, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head summarised the application for a number of modest elements of development on this site. He detailed the relevant planning history. Councillor P Ruffles commented on the current scruffy appearance of the bunds. He stressed the importance of landscaping and planting as well as the importance of the bunds being mowed and maintained.

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 3/17/1010/VAR, planning permission be granted subject to the conditions detailed in the report submitted.

- 187 3/17/1601/FUL – CONSTRUCTION OF A NEW SCIENCE BLOCK AT HOCKERILL ANGLO EUROPEAN COLLEGE, BISHOP'S STORTFORD FOR HOCKERILL ANGLO-EUROPEAN COLLEGE
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The Head of Planning and Building Control recommended that, in respect of application 3/17/1601/FUL, either delegated authority be granted to the Head of Planning and Building Control to further explore the surface water

drainage issues associated with the development and, subject to their satisfactory resolution, planning permission be granted subject to the conditions detailed in the report now submitted; or, if the issues relating to surface water drainage had been satisfactorily resolved as at the date of the Committee meeting, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head summarised the application for a new science teaching space on the northern side of the western element of the site. He referred to a building on the site that was of heritage interest as well as other buildings that were either listed or curtilage listed. He stated that a modern building would be introduced into an area of heritage and conservation area interest.

The Head advised that the relationship of the proposed development to residential areas was also relevant. He referred to the proximity of the northern boundary of the site to residential areas with particular reference to Foxley Drive. The application was in 2 phases and no new access was proposed.

The Head referred to the dual recommendation detailed in the report and detailed the reasons for this. Members could proceed to approve the first recommendation if they were comfortable with this approach. Mr Markham and Mr Wyard addressed the Committee in support of the application.

In response to a query from the Chairman, the Head advised that the latest drainage scheme proposed a connection to the main sewer which required Thames Water approval. Officers believed that, if this was agreed, then it was understood that the issue would be resolved. If however, Thames Water refused to grant consent for the connection then a further amended drainage scheme would be required. It was, therefore, still suggested that Members grant delegated authority for Officers to continue these discussions and proceed to determine the

application.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Head of Planning and Building Control that delegated authority be granted to the Head of Planning and Building Control to further explore the surface water drainage issues associated with the development and, subject to their satisfactory resolution, planning permission be granted subject to the conditions detailed in the report submitted.

RESOLVED – that in respect of application 3/17/1601/FUL, delegated authority be granted to the Head of Planning and Building Control to further explore the surface water drainage issues associated with the development and, subject to their satisfactory resolution, planning permission be granted subject to the conditions detailed in the report submitted.

188 3/17/1882/HH – SINGLE STOREY REAR EXTENSION AT 18 CHANTRY ROAD, BISHOP'S STORTFORD CM23 2SF FOR MR A BROWN

The Head of Planning and Building Control recommended that in respect of application 3/17/1882/HH, planning permission be granted subject to the conditions detailed in the report now submitted.

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 3/17/1882/HH, planning permission be granted subject to the conditions detailed in the report.

189 ITEMS FOR REPORTING AND NOTING

The Head apologised that he had highlighted an incorrect appeal decision at the 19 July 2017 meeting and the

appeal had in fact been allowed at a property known as Highfield Barns. A previous appeal had indeed been dismissed for the conversion of an agricultural building to a residential use. A subsequent challenge had led to that decision being quashed and the appeal was reconsidered and allowed on 22 May 2017.

The Head confirmed to Councillor P Ballam that the two appeal decisions relating to 8 Millbrook Court, Collett Road, Ware, differed in that the application where the appeal was dismissed included a dormer window that was significantly larger than what was proposed by the application where the appeal had been allowed.

RESOLVED – that the following reports be noted:

- (A) Appeals against refusal of planning permission / non-determination;
- (B) Planning Appeals lodged; and
- (C) Planning Appeals: Inquiry and Informal Hearing Dates
- (D) Planning Statistics.

The meeting closed at 9.23 pm