

MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 6 DECEMBER 2017, AT 7.00
PM

PRESENT: Councillor T Page (Chairman)
Councillors M Allen, D Andrews, M Casey,
S Cousins, B Deering, M Freeman,
J Goodeve, D Oldridge, P Ruffles,
R Standley and K Warnell.

ALSO PRESENT:

Councillors I Devonshire, P Phillips and
S Rutland-Barsby.

OFFICERS IN ATTENDANCE:

Elaine Bell	- Solicitor
Thomas Howe	- Planning Student
Hazel Izod	- Senior Planning Officer
Peter Mannings	- Democratic Services Officer
Femi Nwanze	- Development Management Team Manager
David Snell	- Senior Planning Officer
Stephen Tapper	- Senior Planning Officer

277 APOLOGIES

Apologies for absence were submitted on behalf of
Councillors R Brunton and J Jones. It was noted that
Councillors D Oldridge and P Ruffles were substituting for
Councillors R Brunton and J Jones respectively.

278 CHAIRMAN'S ANNOUNCEMENTS

The Chairman commented on this being the last meeting of the Committee before Christmas. He wished Members and Officers a very happy Christmas.

The Chairman thanked Elaine Bell for her support in covering for the Legal Services Manager. He also invited Members to thank Hazel Izod and wish her well as she was leaving the Authority after 11 years in Development Management.

279 DECLARATIONS OF INTEREST

Councillor P Ruffles mentioned that, in respect of application 3/17/2349/FUL, he would take no part in the debate or vote as 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.

280 MINUTES – 8 NOVEMBER 2017

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

281 3/17/1811/OUT – LAND OFF LUYNES RISE, BUNTINGFORD – OUTLINE APPLICATION WITH ALL MATTERS RESERVED, EXCEPT FOR ACCESS, COMPRISING: I. UP TO 400 DWELLINGS (C3). II. 2.0 HECTARES OF LAND FOR USE CLASS B1 EMPLOYMENT (UP TO 9,000 SQ METRES). III. FORMAL AND INFORMAL OPEN SPACES INCLUDING CHILDREN'S PLAYSPACES. IV. STRUCTURAL LANDSCAPING AND INTERNAL ROADS. V. FORMATION OF A NEW JUNCTION ON THE A10. VI. SURFACE AND FOUL WATER DRAINAGE INFRASTRUCTURE FOR BOVIS HOMES LTD AND WATTSDOWN DEV LTD C/O AGENT

The Head of Planning and Building Control recommended

that in respect of application 3/17/1811/OUT, planning permission be refused for the reasons detailed in the report now submitted.

Officers summarised the outline application and detailed the relevant planning history. Members were advised that the application would lead to a significant housing contribution and would also provide employment land. Officers concluded that the potential adverse impacts outweighed the benefits of the proposed development.

Mrs Tomlinson addressed the Committee in objection to the application. Mr Ryley spoke for the application. Councillor M Casey commented that he had been struck by paragraph 10.11 of the report regarding the percentage increase in the population of Buntingford. He felt that a doubling of the population in such a short time was too much too quickly. He believed that more time should be allowed for the housing to bed down before more dwellings were imposed on the town.

Councillor K Warnell commented on the fundamental issue of education provision. He referred to the importance of avoiding the need to bus pupils to schools if they could not be accommodated in a particular area. Councillor M Allen referred to the negative weight Officers had assigned to the sustainability of the proposals in general terms.

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 3/17/1811/OUT, planning permission be refused for the reasons detailed in the report submitted.

282 3/17/2112/OUT – ERECTION OF 35NO. DWELLINGS
(OUTLINE APPLICATION – ALL MATTERS RESERVED) AT
DOLANS FIELD, LAND OFF BROMLEY LANE, MUCH
HADHAM FOR CHALDEAN PROPERTIES LTD OF THE OLD
GRAIN STORE, BROMLEY LANE, MUCH HADHAM

The Head of Planning and Building Control recommended that in respect of application 3/17/2112/OUT, planning permission be refused for the reasons detailed in the report now submitted.

Officers summarised the outline application which had been submitted for 35 homes with all matters reserved. Members were reminded of the National Planning Policy Framework (NPPF) and the view of Officers that the harm of the proposed development would significantly and demonstrably outweigh the benefits.

Members were also advised that the Lead Local Flood Authority had maintained an objection to the application. Mr Sutton addressed the Committee in objection to the application. Mr Davis spoke for the application.

Councillor Ian Hunt addressed the Committee on behalf of Much Hadham Parish Council. Councillor I Devonshire addressed the Committee as the local ward Member. Officers confirmed to Councillor D Oldridge that no weight could be applied to the emerging Neighbourhood Plan as this had not been fully drafted.

Councillor M Allen commented on the poor access to Much Hadham 2 km away. He also referred to the marginal footpaths that were available to pedestrians and referred to footpath improvements beyond the boundary of the site.

Officers commented on whether the land containing the footpaths was controlled by the applicant or by Hertfordshire Highways. Members were advised that there might be limited scope for improvement of the footpaths. 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 3/17/2112/OUT, planning permission be refused for the reasons detailed in the report submitted.

283 3/17/2349/FUL – ERECTION OF A SPORTS HALL (1,049 SQUARE METRES) TO THE NORTH WEST OF THE SCHOOL SITE WITH ANCILLARY SPACES AND ASSOCIATED EXTERNAL WORKS BY RICHARD HALE SCHOOL, HALE ROAD, HERTFORD, SG13 8EN

The Head of Planning and Building Control recommended that in respect of application 3/17/2349/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

Officers summarised the application and explained that the proposed sports hall was in place of existing tennis courts and the loss of this play space was mitigated by the new facilities for the school. Sport England was supportive of the application and the scheme might result in a community use agreement.

Mr Neate addressed the Committee in support of the application. Councillor S Rutland-Barsby addressed the Committee as a local ward Member. Councillor D Oldridge expressed support for the application and referred in particular to the mix of old and new in the proposed development. He also commented on the importance of considering the impact of the hours of use on the road directly outside of the school.

A number of Members commented on the community use agreement, the advantages of the proposed development for the school and the size of the proposed courts within the sports hall and the position of Sport England in this respect.

Officers stated that Hertfordshire Highways had considered the application and a condition had been applied requiring the submission of a car park management plan. A condition stipulating a requirement for a construction management plan had also been applied.

Members were also advised that the details of the community use could be controlled by 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, with authority being delegated to Officers, in consultation with the Chairman, to attach conditions in respect of the appropriate size of courts within the proposed sports hall.

RESOLVED – that in respect of application 3/17/2349/FUL, planning permission be granted subject to the conditions detailed in the report submitted and the additional conditions in respect of the appropriate size of courts within the proposed sports hall, being delegated to the Head of Planning and Building Control, in consultation with the Chairman.

284 3/17/1670/REM – APPLICATION FOR THE DISCHARGE OF RESERVED MATTERS REGARDING DETAILS OF THE LAYOUT AND LANDSCAPING OF HAZEL RISE PARK (3/13/0886/OP CONDITIONS 1 AND 12) FOR COUNTRYSIDE PROPERTIES LTD

The Head of Planning and Building Control recommended that in respect of application 3/17/1670/REM, reserved matters planning permission be granted subject to the conditions detailed in the report now submitted.

Officers summarised the application and stated that Hazel Rise Park was one of 3 parks at St Michael's Hurst as this area was now known. Members were advised that Officers were satisfied with all of the elements of this reserved matters scheme and were recommending the

application for approval.

Councillor K Warnell commented that the applicant had done a very good job for the future residents in respect 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 3/17/1670/REM, reserved matters planning permission be granted subject to the conditions detailed in the report submitted.

- 285 3/17/1716/REM – LAND BETWEEN HAZELEND ROAD AND FARNHAM ROAD BISHOP'S STORTFORD, HERTFORDSHIRE, CM23 1JJ – RESERVED MATTERS RELATING TO PHASE B HOUSING DEVELOPMENT FOR 128 DWELLINGS, INCLUDING DETAILS OF ACCESS, LANDSCAPING, PARKING PROVISION AND 33 AFFORDABLE UNITS PURSUANT TO CONDITIONS 1, 2, 4 (A), (B), (C), (D), (E), (F), (G), (H), 5, 8, 10, 11, 12 AND 24 OF OUTLINE PLANNING PERMISSION 3/13/0886/OP, AS AMENDED BY LETTER RECEIVED ON 09 NOVEMBER 2017 FOR COUNTRYSIDE PROPERTIES LTD
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The Head of Planning and Building Control recommended that in respect of application 3/17/1716/REM, reserved matters planning permission be granted subject to the conditions detailed in the report now submitted.

Officers reminded Members that phase A was under construction and the split phase B had been approved in terms of the access. The development was following the pattern of the outline application and the affordable housing and highways matters were in accordance with the plans. Officers were confident that this would be a satisfactory development.

Councillor K Warnell commented on whether condition 7 be amended regarding the completion of a noise survey

for the area to ameliorate significantly higher than expected noise levels. Officers stated that noise had been thoroughly assessed by the Applicant and this issue had also been thoroughly looked at by the Authority.

Members were advised that so long as the properties were well attenuated and inspections carried out to ensure that full sound attenuation was implemented, then the application was acceptable and could be supported by the Committee. 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 3/17/1716/REM, reserved matters planning permission be granted subject to the conditions detailed in the report submitted.

286 3/17/0411/HH – BUTLERS HALL, BUTLERS HALL LANE, THORLEY, BISHOP'S STORTFORD, CM23 4BL – PROPOSED FIRST FLOOR REAR EXTENSION. DEMOLITION OF ANCILLARY BARN AND PROPOSED SINGLE STOREY SIDE / REAR EXTENSION ON SAME FOOTPRINT OF FORMER BARN FOR MR M SHARMAN

The Head of Planning and Building Control recommended that in respect of application 3/17/0411/HH, planning permission be refused for the reasons detailed in the report now submitted.

Officers summarised the application and explained that the eastern and southern boundaries of the site had been the subject of previous extensions. The proposed development would increase the floor space of the dwelling by 17.5%. Members were reminded that the main characteristic of the green belt was openness with an absence of built development.

Officers considered that there was no justification for permitting this development and the proposal would be

visually disproportionate to the character of the property and was therefore inappropriate development.

Jackie Pepper addressed the Committee in support of the application. Councillor I Devonshire addressed the Committee as the local ward Member in respect of the application. Councillor J Goodeve commented on the slope of the land and how this contributed to the acceptability of the application.

Officers confirmed to Councillor M Allen that pre-application advice did not bind the Council to any decisions and this advice did not prejudice Members in determining applications.

Following a comment from Councillor M Casey, Officers confirmed the dimensions of the original house as well as the proposed increase to these figures. Members were advised that the impact was more than just numbers and should be considered in terms of visual effect.

Following a number of other comments from Members regarding what volume of extension would be considered 'proportinate' Officers stated that an extension of up to 50% of the size of the original dwelling would normally be acceptable. However reliance should not be place on % increases alone and it was also necessary to consider the visual impact of the proposal. Whilst this scheme equated to an increase of 17.5%; it was the visual impact of this large extension at first floor level that was the concern. Members were reminded that Green Belt policy was clear in that visual openness should be maintained. The Legal Advisor reminded Members that any departure from policy would require clear reasons to be articulated as to why the Committee was going against policy.

Councillor D Andrews proposed and Councillor D Oldridge seconded, a motion that application 3/17/0411/HH be granted on the grounds that the loss of openness of the Green Belt was not significant and the increased massing of the building was not inappropriate

in this location.

After being put to the meeting and a vote taken, this motion was declared CARRIED. The Committee rejected the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED – that in respect of application 3/17/0411/HH, planning permission be granted subject to the following conditions:

1. 3 year time limit (1T12)
2. Approved plans (2E10)
3. Matching materials (2E13)

Informatives:

1. Other legislation
2. The attention of the applicant is drawn to condition 2 of this permission which includes the demolition of the barn as detailed in the description of the application and on the approved drawings.

Summary of Reasons for Decision

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan; the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The balance of the considerations having regard to those policies is that permission should be granted.

287 ITEMS FOR REPORTING AND NOTING

RESOLVED – that the following reports be noted:

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

The meeting closed at 8.27 pm

Chairman
Date