

MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 10 OCTOBER 2018, AT 7.00
PM

PRESENT: Councillor T Page (Chairman)
Councillors D Andrews, P Ballam,
R Brunton, S Bull, M Casey, B Deering,
J Jones, D Oldridge, P Ruffles and T Stowe

ALSO PRESENT:

Councillors S Rutland-Barsby

OFFICERS IN ATTENDANCE:

Simon Aley	- Interim Legal Services Manager
Liz Aston	- Development Team Manager (East)
Jenny Hendle	- Planning and Building Control Apprentice
Peter Mannings	- Democratic Services Officer
Stephen Tapper	- Senior Planning Officer

211 APOLOGIES

Apologies for absence were submitted on behalf of

Councillors P Boylan and K Warnell. It was noted that Councillors D Oldridge and P Ballam were substituting for Councillors P Boylan and K Warnell respectively.

212 DECLARATIONS OF INTEREST

Councillor S Bull declared a disclosable pecuniary interest in application 3/16/1939/FUL, on the grounds that he was Chairman of the Trustees that had purchased the land for Buntingford Town Council and he was also a Member of Buntingford Town Council. He left the room whilst this application was determined.

213 MINUTES - 12 SEPTEMBER 2018

Councillor P Ruffles proposed and Councillor M Casey seconded, a motion that the Minutes of the meeting held on 12 September 2018 be confirmed as a correct record and signed by the Chairman. After being put to the meeting and a vote taken, this motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 12 September 2018, be confirmed as a correct record and signed by the Chairman.

214 3/18/0031/FUL - RESIDENTIAL DEVELOPMENT COMPRISING 35 UNITS IN TOTAL, WITH 12 AFFORDABLE HOMES, SERVICED BY A NEW ESTATE ROAD ACCESSED FROM FARNHAM ROAD AT LAND AT JUNCTION OF RYE STREET AND FARNHAM ROAD, BISHOP'S STORTFORD

The Head of Planning and Building Control

recommended that in respect of application 3/18/0031/FUL, subject to a legal agreement, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head referred to the late representations summary including an update from the applicant and a consultation response from Thames Water. Members were advised that the principal policy issues had been well rehearsed in respect of application 3/16/0452/FUL.

The Head referred to the prominence of the site and reminded Members that elements of the first application were being implemented. The design of the scheme was linked to the elevated position of the site above Rye Street and also in relation to the slope of Farnham Road.

Members were advised that negotiations with the applicant had resulted in more landscaping and tree planting to soften the impact of the proposed development. Certain permitted development (PD) rights would be removed for the properties that would face onto the new roundabout between the site and the Mountbatten Indian Restaurant.

The Head concluded that the application was acceptable with the above constraints and the scheme represented a good standard of design. Farnham Parish Council had objected on highways grounds regarding the proposed access to the site and the width and alignment of Farnham Road. The Parish Council was also concerned regarding safety when large vehicles had to pass each other.

Members were advised that the Highways Authority were content with the site access and were happy with the visibility. The Highways Authority also welcomed the proposed cycle path and the pedestrian crossing on Rye Street.

The Head commented on the linkages to the Town Centre via Grange Paddocks and advised Members that discussions were underway to deliver the proposed cycle route. Officers felt that the housing mix was satisfactory and the housing units were better aligned with the Strategic Housing Market Assessment than in the original application for 30 dwellings.

Members were advised of a strategy for surface water drainage in respect of drainage flows. The Head referred to details of foul water drainage disposal and the position of the Environment Agency and Thames Water.

The Head referred to the provisions of the Section 106 agreement which closely met the toolkit requirements of the District and County Councils. He stated that the reduced affordable housing provision (34% as opposed to 40% in the existing permission for 30 dwellings) had been predicated upon a viability assessment. The main points at issue were the threshold land value and construction costs. The Head also referred to the public benefit of the proposed cycle path and Rye Street crossing.

Members were advised that the 12 affordable homes were of good quality and a reasonable compromise

had been achieved. The Head referred to other positive aspects of the Section 106 agreement and the design and landscaping of the scheme. Officers felt that on balance, the application was acceptable and could be supported by the Committee.

Councillor D Andrews referred to paragraph 8.18 on page 34 of the report submitted and expressed concerns regarding the proposed foul water pumped solution currently being finalised with Thames Water. He was concerned regarding the strength of condition 7b in securing a satisfactory and reliable pumped foul drainage system connecting into an adopted gravity system.

Councillor P Ruffles commented that the affordable housing was clustered in a separate cul-de-sac and he emphasised that this might be unchallengeable due to the approval of the previous planning application. He referred to the treatment of back gardens facing the roundabout and the augmentation of conditions 8 and 18 to future proof the boundaries so that they remained green boundaries as opposed to fencing.

The Head stated that he could give no advice in respect of sewage and water treatment works other than an assurance that a management arrangement would be in place to ensure that the pumping system was maintained.

He emphasised that the further pepper potting of affordable housing was not now possible as the original application had stipulated the location for the affordable housing. The Head referred to guidance

that stated that there should be no more than 15 affordable housing units in one cluster. Housing associations preferred to keep affordable housing units together for management purposes. Members were advised that Officers could look at suggestions regarding the control of rear boundaries with trees and hedging. It might be possible to impose Tree Preservation Orders (TPOs) in future.

Councillor D Andrews expressed concerns that if a management company failed, then the proposed non-standard sewage system would have to be funded by the Environment Agency or East Herts Council. He commented on whether condition 17 should be drilled down to cover this issue.

The Head referred to the wording of condition 17 in respect of detailed drawings in consultation with Thames Water and/or the Environment Agency.

Councillor D Andrews proposed and Councillor P Ruffles seconded, a motion that in respect of application 3/18/0031/FUL, subject to a legal agreement, the Committee support the recommendation for approval subject to the conditions detailed in the report submitted.

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

RESOLVED – that in respect of application 3/18/0031/FUL, subject to a legal agreement

under Section 106 of the Town and Country Planning Act 1990 (as amended) and Section 278 of the Highways Act 1980, planning permission be granted subject to the conditions detailed in the report submitted.

215 3/16/1939/FUL - CHANGE OF USE FROM AGRICULTURAL LAND TO CEMETERY INCLUDING ACCESS AT LAND ADJACENT TO CEMETERY AT ST BARTHOLOMEW'S CHURCH, THE CAUSEWAY, BUNTINGFORD

The Head of Planning and Building Control recommended that in respect of application 3/16/1939/FUL, 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. The application would provide space for approximately 1460 burial spaces and space for cremated remains. The application had been submitted a number of years previously and was before Members for a decision now that the concerns of the Lead Local Flood Authority and the Environment Agency had been resolved.

Members were advised that the site was located outside the settlement boundary of Buntingford and in the rural area beyond the Green Belt. The application was therefore contrary to rural area policy. Officers had not however, identified any visual harm regarding the proposed development or any harm in relation to highways matters, proposed drainage or in respect of any neighbouring properties.

The Head emphasised that there was an identified need for further burial space in the local area and another application for a cemetery had been approved a number of years ago. That application had not been implemented however due to it not being the preferred site and this application had been submitted to meet the identified need. Officers had recommended approval as there was no other identified harm and the conflict with rural area policy was outweighed by the benefits of the application.

Councillor M Casey expressed concerns that this was a vulnerable ground water area and there was a risk of pollution of the water table and of drinking water. He commented on the conditions stipulating that all burials must be at least 250 metres from a well and at least 30 metres from any other spring or watercourse. He stated that he had not seen any wells and questioned whether there were any springs. He sought clarification on the expected demand of up to 10 burials a year.

Councillor D Andrews commented on what would take place if the entrance gates did not open automatically and a vehicle needed to access the site. He believed that the gates should be sufficiently set back so as to avoid vehicles overhanging the road.

Councillor J Jones, as the local ward Member, referred to the identified need for extra burial capacity as the nearby burial ground had 6 spaces left. He stated that he would be supporting the application and referred to the purchase of land from a local charity for

Buntingford Town Council. He emphasised that New Homes Bonus funds had already been spent on potential flooding and drainage issues.

The Head confirmed that condition 7 in the report submitted was linked to the consultation response from the Environment Agency and related to a flood mitigation strategy for this site. Officers believed that there would be no impact on groundwater and the technical advice from the Environment Agency was that the application was acceptable subject to this condition being accepted.

The Head advised that condition 5 required the gate to remain open from 7 am to 7 pm and given the nature of the road and traffic and the expected number of burials, a significant impact on highway safety was not anticipated.

Members discussed the restriction of 10 burials a year. The Head advised that the figure of 10 burials a year had been included in the documents that had been circulated to the statutory consultees and that there was not a condition which restricted the number of burials to 10 a year. Councillor T Stowe commented on the provision of water sinks in the soil substructure and a soakaway or French drain on the perimeter of the site.

Councillor D Andrews proposed and Councillor D Oldridge seconded, a motion that in respect of application 3/16/1939/FUL, the Committee support the recommendation for approval subject to the conditions detailed in the report submitted.

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

RESOLVED – that in respect of application 3/16/1939/FUL, planning permission be granted subject to the conditions detailed in the report submitted.

The meeting closed at 7.42 pm

Chairman
Date