

MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 16 JANUARY 2019, AT 7.00 PM

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

ALSO PRESENT:

Councillors Mrs R Cheswright

OFFICERS IN ATTENDANCE:

Simon Aley	- Interim Legal Services Manager
Peter Mannings	- Democratic Services Officer
Lucy Pateman	- Planning Officer
Kevin Steptoe	- Head of Planning and Building Control Services

340 CHAIRMAN'S ANNOUNCEMENTS

The Chairman referred to a number of housekeeping issues in relation to the fire alarm, exits, the need to silence mobile devices and the unisex toilets outside of the Council Chamber.

341 MINUTES - 5 DECEMBER 2018

Councillor J Jones proposed and Councillor M Allen seconded, a motion that the Minutes of the meeting held on 5 December 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 5 December 2018, be confirmed as a correct record and signed by the Chairman.

342 3/18/1776/FUL - DEMOLITION OF GARAGES. ERECTION OF AN EXTENSION TO CHELSING HOUSE COMPRISING A TWO-STOREY COMMERCIAL BUILDING (USE CLASS B1(C) - LIGHT INDUSTRIAL AND B8 - STORAGE AND DISTRIBUTION) WITH SINGLE STOREY LINK. RECONFIGURATION OF CAR PARKING AND ASSOCIATED WORKS AT CHELSING HOUSE, MEAD LANE, HERTFORD, SG13 7AW

The Head of Planning and Building Control recommended that in respect of application 3/18/1776/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head of Planning and Building Control summarised the application and detailed the relevant planning history. Members were advised that a number of garage buildings would be removed to make way for the erection of a modern commercial storage building and office space.

The Head advised that the site was located within the designated employment area of Mead Lane, Hertford. The policy position dictated that commercial development in this area should be supported. Members were reminded that the adopted District Plan had identified land to the north of this site for a mixed use development and the relationship between these sites should be carefully considered.

The Head advised that the residential element of the mixed development extended to the north of this site. Officers considered however that an acceptable relationship could be achieved between the 2 sites.

Members were advised that, despite the proposed increase in floor space, the site would achieve the required number of spaces based on the parking standards that the Authority would seek to achieve.

The Head confirmed that some trees would be removed to accommodate car parking. Members were advised however that following further consideration of the issue of the loss of landscaping at the site, the applicant had offered the provision of replacement planting on the south east corner of the site.

The Chairman confirmed that he had received an email from the Mayor of Hertford asking that Members be careful in their deliberations in respect of car parking. Councillor J Jones commented that there was an under provision of car parking on Mead Lane car and there was no mention of any proposed cycle storage. He believed that there would be an under provision of car parking.

Councillor P Boylan commented that the current staff volume on site of 42 would increase to 86 and there would be a reduction in car parking. He had observed the car park being well used when visiting the site and the surrounding roads were also being used for parking. He stated that a travel plan could be submitted and agreed before development commenced on this site.

Councillor P Ruffles commented on a number of matters that he liked in respect of this application. He was concerned in relation to the context of the locality in respect of Highways matters and the access to this site. He referred to the likely reaction to more traffic which would be increased further by the District Plan site. He commented on the year on year increases in road traffic in this location. He sought clarification on the designation of this site as a trips attractor and not a trips generator.

Councillor J Kaye referred to the importance of encouraging employment with a company such as this. He commented on whether more information was available in respect of the fundamental matter of a travel plan to mitigate the impacts of this application on traffic and car parking.

Councillor M Casey expressed concerns that moving to a position of 1 parking space for every 2 employees would introduce the danger of access for residents of neighbouring properties being blocked by cars. He questioned whether any investigation had been done to explore how the employees got to work in terms of

using the private car or public transport in relation to the use of the car park.

The Head referred Members to paragraph 48 of the report and he provided a detailed breakdown of the numbers in respect of the car parking standards. Officers had applied a reduction of 10%, considered reasonable on the basis that the site was not remote from the town centre with its bus and rail services.

Members were advised that the highway authority had suggested a travel plan with alternatives to the car as there was currently no disincentive using cars as motorists could reasonably expect to park when they arrived. The Head explained the purpose of the travel plan in that it was a promotional document setting out the measures this employer would take to promote alternatives to cars and reduce the burden on local roads.

The Head referred to the definition of a trips attractor site and the difference between this and a trips generator. A place of work was a trips attractor for example as employees arrived there at the end of a journey to a place of work. Members were advised that residential dwellings were classified as trips generators as the starting place for journeys to work or to local shops or other locations.

The Head confirmed the position being taken by Hertfordshire Highways in respect of this application. The Head explained that a pre-commencement condition could not unilaterally imposed without the applicant first being consulted by the Authority in line

with new regulations that had been introduced in 2018.

Following a request from Councillor P Boylan, the Chairman read out the email he had received from the Mayor of Hertford as referred to earlier on in the debate. The Head reiterated the status of supplementary planning documents in respect of parking following comments from Councillor D Andrews.

The Interim Legal Services Manager responded to a query from Councillor M Allen regarding the prospect of success of any appeal.

Councillor J Jones proposed and Councillor R Brunton seconded, a motion that in respect of application 3/18/1776/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 3/18/1776/FUL, planning permission be granted, subject to the conditions detailed in the report submitted.

343 3/18/2367/HH - DEMOLITION OF 1 NO. CHIMNEY. GARAGE CONVERSION. SINGLE STOREY FRONT EXTENSION. FIRST FLOOR SIDE EXTENSION. TWO STOREY REAR EXTENSION. ALTERATIONS TO FENESTRATION AT 44 CHURCH ROAD

The Head of Planning and Building Control recommended that in respect of application 3/18/2367/HH, planning permission be refused for the reasons detailed in the report now submitted.

The Head of Planning and Building Control summarised the application and detailed the relevant planning history. Members were advised that the site was located in the green belt and where there was an identified harm this had to be given substantial weight in decision making. Members had to consider the size and scale of the proposed development and whether this was disproportionate.

The Head referred to paragraphs 8.4, 8.5 and 8.6 of the report and advised that extensions over and above a 100% increase in the size of a property were very much in the range of a disproportionate increase and was therefore inappropriate development in the green belt. Members had to consider whether there were any benefits to which weight could be assigned to clearly outweigh the harm.

The Head reminded Members that there were no public benefits to which the Committee could assign any weight and there were no very special circumstances to outweigh the harm. Officers had therefore recommended the application for refusal of planning permission.

Councillor M Allen commented on permitted development rights regarding the rear extension in terms of whether this would be approved. He also sought clarification in terms of whether the 157% increase was over and above the property as it stands today or over and above the property as it was first constructed.

Councillor R Brunton commented on the green belt policies with particular reference to the loss of openness. He referred to a comment by the Officer in the report that the extensions would not be overbearing and did not extend beyond the rear building line. He felt that the houses to either side of this dwelling were of sufficient size for the extensions to be not overbearing in nature.

Councillor Brunton believed that it was not appropriate in this case to be so rigid in the application of green belt policy. He concluded that he would not be supporting the recommendation for refusal as the proposed extensions were no higher or wider than the existing neighbouring properties and he felt the harm was marginal in this case.

Councillor P Boylan stated that this property was relatively small compared to other properties around it and any increase in percentage size would appear large in relation to surrounding properties.

Following a number of other comments from Members, the Head reminded the Committee that green belt was one of the most consistently applied set

of policies and one of the most long standing policy positions. Members should ensure consistency in the application of green belt policy due to the significant number of properties in East Herts that were located in the green belt.

The Head advised that the fact that an inappropriate development was located in the Green Belt was harmful in itself regardless of the scale or design of what was proposed. Members were reminded that national policy dictated that this must be given substantial harmful weight in decision making. This position was also reflected in the Council's very recently adopted District Plan policy.

The Head referred to other harm and the commentary in the report in respect of openness. Members were advised that the application would result in new built form around the rear and the side of the house and there proposed increases in both height and the forward elevation.

The Head emphasised that even if no one could see the proposed development, this would still be considered harmful on openness. The matters raised by Members were compliant in other policy areas but were not matters to which positive weight could be applied in policy terms on this application.

Members were reminded that permitted development rights had been significantly relaxed in recent years and householders could now add quite significant extensions without having to apply for planning permission. The rules around this were complicated

and detailed matters in this area would have to be addressed outside of the meeting.

Councillor M Allen proposed and Councillor J Jones seconded, a motion that in respect of applications 3/18/2367/HH, the Committee support the recommendation for refusal, subject to the reasons detailed in the report submitted.

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

RESOLVED – that in respect of application 3/18/2367/HH, planning permission be refused, for the reasons detailed in the report submitted.

344 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 8.06 pm

Chairman

Date