

MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 14 JULY 2021, AT 7.00 PM

PRESENT: Councillor B Deering (Chairman)
Councillors D Andrews, T Beckett,
R Buckmaster, B Crystall, R Fernando,
I Kemp, S Newton, T Page, C Redfern,
P Ruffles and T Stowe

ALSO PRESENT:

Councillor J Goodeve

OFFICERS IN ATTENDANCE:

Paul Courtine	- Planning Lawyer
Steven King	- Finance Management Trainee
Peter Mannings	- Democratic Services Officer
Louise Newcombe	- Development Management Team Leader
Karen Page	- Planning Officer
Sara Saunders	- Head of Planning and Building Control

102 APOLOGIES

There were no apologies.

103 CHAIRMAN'S ANNOUNCEMENTS

The Legal Officer said that sometimes during the Member debate, conditions were discussed, the debate then moved on and a motion was proposed. He said that when the motion was to approve, the Democratic Services Officer would seek clarity from the proposer and seconder as to whether the motion to approve was as per the recommendation or with any other additional conditions or amendments.

The Legal Officer said that there would then be no question for the public or Members as to what exactly was being voted on by the Committee.

104 DECLARATIONS OF INTEREST

There were no declarations of interest.

105 MINUTES - 19 MAY 2021

Councillor Andrews proposed and Councillor Ruffles seconded, a motion that the Minutes of the meeting held on 19 May 2021 be confirmed as a correct record and signed by the Chairman, subject to the following amendments:

Minute 21 – Insert as 4th paragraph – ‘Councillor

Beckett endorsed the comments made by the Chairman in respect of the impartiality of the Development Management Committee'

Minute 25 – delete in last sentence, 15th paragraph – 'of'.

Replace with '...for'.

After being put to the meeting and a vote taken, this motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 19 May 2021, be confirmed as a correct record and signed by the Chairman, subject to the following amendments:

Minute 21 – Insert as 4th paragraph – 'Councillor Beckett endorsed the comments made by the Chairman in respect of the impartiality of the Development Management Committee'

Minute 25 – delete in last sentence, 15th paragraph – 'of'.

Replace with '...for'.

- 106 3/20/1953/FUL - CHANGE OF USE OF SCOTT HOUSE FROM OFFICE USE (E) TO DWELLING HOUSES (C3) TO CREATE 15 APARTMENTS, INCLUDING PART DEMOLITION AT GROUND FLOOR SIDE AND REAR AND ERECTION OF TWO AND A HALF STOREY SIDE AND REAR EXTENSIONS AND ALTERATIONS TO FENESTRATION. PROVISION OF CAR PARKING AND ASSOCIATED WORKS. NO CHANGE TO ADJACENT STABLES BUILDING FOR ZINC CONSTRUCTION LIMITED AT SCOTT HOUSE, HAGSDHELL ROAD, HERTFORD, SG13 8WA
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The Interim Development Management Team Leader recommended that in respect of application 3/20/1953/FUL, planning permission be granted subject to a Section 106 legal agreement and the conditions detailed at the end of the report submitted and delegated authority be granted to the Head of Planning and Building Control to finalise the detail of the Section 106 legal agreement and conditions.

The Interim Development Management Team Leader, on behalf of the Head of Planning and Building Control, said that Scott House was within the Hertford Conservation Area and made a positive contribution to the character, appearance and special interest of the conservation area.

The Interim Development Management Team Leader set out the location of the site, which was a short distance from Hertford Town Centre. She said that the key issues when assessing this application were the principle of the development, housing mix and density,

affordable housing, design and layout, archaeology, landscaping, access and sustainable transport matters, drainage and flooding, sustainability and climate change, biodiversity, contamination and infrastructure requirements and planning obligations.

Members were advised that the principle of the development was acceptable on this brownfield site within the urban area of Hertford and made good use of an existing vacant building to provide residential units.

The Interim Development Management Team Leader said that the proposed development was acceptable in respect of all of the key issues. She said that the site was sustainably located within Hertford and there was considered to be adequate car and cycle parking. Members were advised that there would be improvements to pedestrian access, provision of electric vehicle charging points and no adverse highways safety impact.

The Committee was advised that the viability considerations of the proposed development had resulted in no provision of the policy requirement of three affordable housing units and a shortfall of just under £105,000 towards identified infrastructure projects.

The Interim Development Management Team Leader said that Officers recommended that the available funding of £62,000 be secured towards primary and secondary education and libraries for Hertfordshire County Council. She said that a review mechanism was

proposed as part of the Section 106 agreement to allow the Council to benefit from any potential uplift in land value.

Members' attention was drawn to the late representations and in particular to a further comment from Hertford Town Council maintaining their objection to the proposed development. Members were advised of an additional neighbour representation covering parking concerns. The neighbour had also indicated that a previous boundary issue had been addressed.

The Interim Development Management Team Leader said that an additional condition was recommended to secure accessible and adaptable dwellings in terms of securing higher building regulation requirements. Members were advised that there were no identified conflicts with the development plan and no material considerations why planning permission should not be granted.

Members were advised that the proposals were considered to be a sustainable form of development that was in accordance with the development plan and the National Planning Policy Framework. The Interim Development Management Team Leader talked Members through the elevation drawings as well as the proposed plans and the overall location of the site.

Members were advised that the recommendation was that planning permission be granted subject to a Section 106 legal agreement and the conditions detailed at the end of the report and delegated

authority be granted to the Head of Planning and Building Control to finalise the detail of the Section 106 legal agreement and conditions.

Helen Lowe, Agent addressed the Committee in support of the application. Councillor Ruffles said that given the planning history of the site and clarity of the report, he was broadly supportive of the application. He asked for some clarity from the Officer as to why she felt that the noise issues within the property had been satisfactorily dealt with. He referred to paragraph 8.24 of the report and commented on problems of noise between flats in converted buildings.

Councillor Kemp said that it was very good to see a historic building which appeared to have a sympathetic plan for its continued long term use. He said that given that there was a significant planning history to this site, it would be helpful if the Officer could give Members a summary of the differences between this scheme and the previous application. Councillor Kemp referred in particular to additional car parking and the provision of electric vehicle charging points.

The Interim Development Management Team Leader said that she did not have plans available for the previous scheme. She said that this was for 12 new residential apartment units and the parking provision was for 14 spaces for 13 residential units. Members were advised that the proposed provision now was for 26 spaces for 15 units.

The Interim Development Management Team Leader said that details of the mechanical ventilation and

sound insulation were set on page 45 of the report. She said that the recommendations of Environmental Health Officers would be secured by condition.

Members were advised that the proposed layout of the site provided for the infrastructure for electric vehicle charging points. The Planning Agent had advised Officers that this would allow for the subsequent installation of charging points at a nominal cost to the occupiers and these details would be covered by conditions and Officers were satisfied that this met the policy requirement.

Councillor Andrews commented on the importance of protecting residents by ensuring suitable hours of working, suitable dust control and various other aspects linked to demolition works such as the removal of materials from the site and also details in relation to external lighting.

Councillor Redfern asked about details of how the building was to be heated and said that she was very disappointed about the lack of affordable housing.

Councillor Beckett made a number of points about the sustainability statement for this application. He said that his biggest issue was the comparisons being made in the sustainability statement against the code for sustainable homes. He talked about the claims that had been made that the building was to be level four compliant. He said that nothing had been said about improvements to the existing building and he had not seen anything as to how the rates of compliance would be achieved in terms of air tightness or insulation.

The Interim Development Management Team Leader said that details on hours of working, external lighting and dust control would all be secured by the implementation of standard conditions. She said that details of the heating of the building had been set out in the sustainable construction energy and water statement. Members were advised that there would be a zoned heating and load weather compensators controlled heating system and there would also be solar thermal systems for hot water.

Members were advised that a policy compliant scheme would have provided three affordable housing units as consideration had to be given to vacant building credit as this was known. The viability assessment that had been provided had been checked by the Council's own viability advisors. Members were advised that the conclusions were as had been detailed in the report now submitted.

The Interim Development Management Team Leader said that the application had been submitted prior to the adoption of the Sustainability Supplementary Planning Document (SPD) in March 2021. Members were advised that this proposal met the policies that were set out in the District Plan.

Members were also reminded of the prior approval application for 12 residential units did not require any sustainability benefits or improvements. The scheme before Members this evening was therefore beneficial in sustainability terms compared to the prior approval scheme.

The Head of Planning and Building Control responded to a number of concerns raised by Members in respect of the full details of the conditions. She said that there would be a number of standard conditions that could be made available to the Committee. She pointed out that the approach taken in this report of summarising the condition subjects only was one that had been adopted by other local authorities.

The Interim Development Management Team Leader apologised and said that the first page of the sustainable construction energy and water statement had clearly stated that the heating would be provided by low/zero carbon ground/air source heat pumps.

The Legal Officer said that Members did need to be very clear as to the reasons why they might be seeking a deferral in terms of the specific information they needed in order to make a decision on the application. He said that a compromise this evening would be for Members to delegate the finalisation of the conditions to the Head of Planning and Building Control in consultation with the Chairman and Vice-Chairman of the Committee.

Councillor Crystall asked if the provision of bird, bat and swift boxes could be included in the conditions. He also asked if the applicant could be encouraged to provide some standing water in the form a shallow pond in order to secure benefits in terms of biodiversity and also health and wellbeing.

He also said that it was really important that Members

had full access to key and important sections of sustainability information on planning applications.

Councillor Andrews proposed and Councillor Fernando seconded, a motion that application 3/20/1953/FUL be granted planning permission subject to a Section 106 legal agreement and with delegated authority being granted to the Head of Planning and Building Control to finalise the detail of the conditions, in consultation with the Chairman and Vice-Chairman of the Development Management Committee, with the inclusion of conditions for the provision of bird, bat and swift boxes and also for the provision of standing water or a shallow pond to secure benefits in terms of biodiversity and also health and wellbeing.

After being put to the meeting and a vote taken, this motion was declared CARRIED.

RESOLVED –that (A) in respect of application 3/20/1953/FUL, planning permission be granted subject to a Section 106 legal agreement; and

(B) delegated authority be granted to the Head of Planning and Building Control to finalise the detail of the conditions, in consultation with the Chairman and Vice-Chairman of the Development Management Committee, with the inclusion of a condition for the provision of bird, bat and swift boxes and also a condition for the provision of standing water or a shallow pond in order to secure benefits in terms of biodiversity and also health and wellbeing.

107 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.

108 URGENT BUSINESS

There was no urgent business.

The meeting closed at 8.09 pm

Chairman
Date