

MINUTES OF A MEETING OF THE
DEVELOPMENT CONTROL COMMITTEE
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON THURSDAY
24 MARCH 2011, AT 5.30 PM

PRESENT: Councillor W Ashley (Chairman).
Councillors M R Alexander, S A Bull,
A L Burlton, Mrs R F Cheswright,
R N Copping, J Demonti, R Gilbert,
Mrs M H Goldspink, P A Ruffles,
S Rutland-Barsby, J J Taylor, R I Taylor
and B M Wrangles.

ALSO PRESENT:

Councillors D Andrews, G McAndrew,
J O Ranger and G D Scrivener.

OFFICERS IN ATTENDANCE:

Fiona Brown	- Planning Technician
Glyn Day	- Principal Planning Enforcement Officer
Annie Freestone	- Senior Planning Technician
Peter Mannings	- Democratic Services Assistant
Kevin Steptoe	- Head of Planning and Building Control
Alison Young	- Development Control Manager

660 APOLOGIES

Apologies for absence were submitted on behalf of
Councillors K A Barnes and G E Lawrence. It was noted
that Councillor P A Ruffles was in attendance as

substitute for Councillor G E Lawrence.

661 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed the press and public to the meeting and those who were watching the live webcast.

The Chairman informed Members that Councillor John Hedley had passed away whilst on holiday with friends in Tunisia. He stated that Councillor Hedley had joined the Authority in 2003 and had served on this Committee for 3 consecutive civic years. The Chairman referred to Councillor Hedley's no nonsense approach and stated that he would be a character that would be surely missed. He advised that he would be sending the condolences of the Committee to Councillor Hedley's family and friends at this very sad time.

The Chairman stated that this was the final meeting of the civic year and paid tribute to the wealth of knowledge and experience of Councillors R N Copping and R Gilbert as they were not standing for re-election. Councillor Copping had served as a District Councillor for 28 years and Councillor Gilbert for 24 years. Both Members had contributed to Development Control for all of those years. The Chairman wished Councillors Copping and Gilbert all the best for the future.

The Chairman also expressed his thanks to the Committee for their support throughout the Civic Year. The Chairman also thanked the Committee Officer and the Planning Officers for their support.

The Chairman advised that he had agreed to accept an urgent item of business onto the agenda in respect of 3/11/0356/PT – Junction of Great Hadham Road and Oriole Way, Bishop's Stortford for Vodafone UK Ltd in the interests of the efficient operation of the service and to avoid delay. This item would be determined as item 5a.

Members supported Councillor Mrs M H Goldspink when

she thanked Councillor W Ashley for his Chairmanship of the Development Control Committee.

662 DECLARATIONS OF INTEREST

Councillor S A Bull declared a personal and prejudicial interest in application 3/11/0039/RP in that he was a member of the Charity Trust that owned the land on which the houses would be built. Councillor Bull left the room whilst this matter was considered.

663 MINUTES

RESOLVED - that the Minutes of the Development Control Committee meeting held on 9 March 2011 be confirmed as a correct record and signed by the Chairman.

664 3/11/0356/PT - REPLACEMENT OF EXISTING 10M LAMPPOST (612) WITH NEW 12.14M LAMPPOST TYPE T2 TELECOMMUNICATION POLE, 1NO. NEW EQUIPMENT CABINET AND 1NO. METRE PILLAR AT JUNCTION OF GREAT HADHAM ROAD AND ORIOLE WAY, BISHOP'S STORTFORD FOR VODAFONE LTD

Mrs Walton addressed the Committee in objection to the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0356/PT, prior approval be granted subject to the conditions now detailed.

The Director advised that Officers had received 158 representations on this application and Officers had summarised the comments in the additional representations schedule. Members were advised that Hertfordshire Highways had not objected to the application.

Councillor G McAndrew, as the local ward Member, referred to paragraph 1.3 of the report now submitted in

that the proposed installation was actually 30 metres from the public space containing a children's play area. He commented that a majority of the users of the playground were children aged 2 – 5 years old.

Councillor McAndrew referred Members to paragraph 1.6 in that this application was for a new column, so that Vodafone and O2 would occupy two separate structures in the area. He stressed that the reasons for refusal under application 3/10/0326/PT were all still relevant and all the reasons for rejected permissions in paragraphs 2.2 - 2.5 were also still relevant for this application.

Councillor G McAndrew expressed concerns that this application was before Members for a decision whilst the consultation process was still ongoing. He stated his strong concern that Development Control and other committee meetings were not being held during Purdah.

Councillor McAndrew was particularly concerned that a decision could be reached on this application without the usual timescales for consultation and scrutiny. He referred to paragraph 3.2 of the report and stressed that the Committee must give very clear and concise direction to the Chairman and the Director prior to the issue of the decision.

Councillor McAndrew stated that it was often unclear what consultation process had been followed in selecting sites for telecommunication masts. He stressed that it was unclear which sites had been ruled in or ruled out by the applicant.

Councillor McAndrew commented on whether the cumulative impact of two masts complied with the national guidelines on the potential health risks in respect of emissions. He stated that the application should be refused on the grounds of the perceived health risk and for all the reasons detailed in paragraphs 2.2 to 2.5 in relation to previously refused applications.

The Director confirmed that the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines did take into account the cumulative impact of any other masts in close proximity to a proposed site.

Councillor R Gilbert expressed his frustration that the phone companies often took no notice of the public's views when selecting locations for telecommunication masts. He stated his concern that this new mast was to be located in close proximity to an existing mast. He commented that mobile phone operators were not fully examining the opportunities for sharing masts.

Councillor Gilbert stressed that previous applications had been refused on health grounds even though this was not a valid planning reason. He failed to see how Members could refuse the application. In response to a query from Councillor M R Alexander, the Director confirmed that no representation had been received from Bishop's Stortford Town Council.

Councillor Mrs M H Goldspink acknowledged the difficult position the Committee was in. She referred to the precautionary approach taken by Members in refusing the previous application with very sensible reasons for refusal, only to have the decisions overturned on appeal. She agreed with Councillor McAndrew that all the previous reasons for refusal were still valid.

Councillor Goldspink commented on whether the Committee could still refuse the application on the grounds of precautionary health principles. The Chairman stated that Members should be cautious as the applicant had complied with all the ICNIRP guidelines when submitting this application.

Councillor Goldspink commented on whether Members could refuse the application on the grounds of visual amenity concerns given that there would now be two masts and two separate sets of street furniture.

Councillor J Demonti commented that Bishop's Stortford Town Council would be debating the application on Monday evening. Councillor Alexander queried whether there were any other locations in the District where two masts were located in such close proximity to each other.

The Director stressed that the issue of visual impact was a matter of judgement for Members. Members were advised that Officers considered this to be a weak argument in light of the appeal inspectors report on an adjacent site.

Councillor A L Burlton commented on whether the applicant had stated why this mast was necessary in this location. Councillor McAndrew queried whether the Committee could refuse the application on section 237a of the Town and Country Planning Act and policy GBC8 of the Local Plan on the grounds that insufficient evidence had been submitted in relation to coverage in the area and the shared operation of masts.

Councillor McAndrew referred to unsuitable siting and design as another possible reason for refusal, as well as the proposed development being visually intrusive and detrimental to the area.

The Director referred to policy GBC8 of the East Herts Local Plan Second Review April 2007, and informed the Committee that the applicant had submitted evidence detailing the need for the telecommunications mast. Officers had been provided with details of alternative sites that had been justifiably discounted by the applicant.

The Director urged Members to carefully consider the comments of the appeal inspector in relation to the siting and design issues as well as the issue of clutter.

Members were advised to consider whether replacing a lamp post with a higher structure would genuinely create clutter on the roundabout.

The Director stressed that as Members had concerns on this application, very clear substantive reasons must be given should the Committee vote against the application.

The Committee was advised that mobile phone operations were in continuous demand, particularly with the introduction of 3G and 4G services. The Government had always been supportive of such development and this remained the reason why this scheme had been classed as permitted development.

The Committee was reminded that applicants for telecommunication masts did not have to justify the need for the proposals in principle, in much the same way as most applicants did not have to provide such justification.

Councillor Goldspink sought clarification as to whether Members could reasonably refuse the application on the grounds that the scheme would create clutter that was detrimental to the visually amenity of the area.

The Director advised caution in that the Committee could very well be judged to be acting unreasonably in light of the previous appeal decision.

Councillor R N Copping commented on whether the views of Bishop's Stortford Town Council would be taken into consideration following the meeting that was due to take place next week.

The Director stressed that the Authority must determine the application within 8 weeks of submission and if further representations were made, these would be considered by the Director in consultation with the Chairman prior to any decision being issued.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that application 3/11/0356/PT be granted prior approval subject to the conditions now detailed.

RESOLVED – that in respect of application 3/11/0356/PT, planning permission be granted subject to the following conditions:

1. Prior to the commencement of the development hereby approved, details of the colour of the installations shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with those approved details.

Reason: In the interests of the appearance of the development, and in accordance with policy ENV28 of the East Herts Local Plan Second Review April 2007.

2. Within 2 months of the erection of the telecommunications pole hereby permitted, the existing lamppost No. 612 shall be removed from the site and the land restored to its previous undeveloped condition to the satisfaction of the Local Planning Authority.

Reason: To avoid unnecessary clutter in the interests of the appearance and character of the site, having regard to national guidance in PPG8 and in accordance with policy ENV28 of the East Herts Local Plan Second Review April 2007.

Directives:

1. Other legislation (01OL)
2. Highway Works (05FC)

665 3/11/0160/FP - CONSTRUCTION OF ACCESS ROAD AND ERECTION OF 3 NO. 2 STOREY OFFICE BUILDINGS AND 6 NO. DETACHED 4 BEDROOM HOUSES ON LAND AT JEANS LANE, BISHOP'S STORTFORD, HERTS, CM23 2NN FOR ARLBERG PROPERTIES LIMITED

Mr Fairbrass addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0160/FP, planning permission be refused for the reasons now detailed.

The Director advised that Officers had summarised the additional comments in relation to the character of and relationship between the buildings in the additional representations schedule.

Councillor R Gilbert stated that he was not supportive of the Officer's recommendation for refusal. He referred to the less than attractive location of the site and the current collection of poor quality buildings. He commented that the application would not be detrimental to the character and appearance of the area.

Councillor Gilbert stressed that the land around the site rose in all directions and the site was in a hollow and the Landscape Officer had considered the scheme to be acceptable in landscape terms. He commented that the application would provide more employment than was currently provided in this location.

Councillor Mrs M H Goldspink stated she was glad the site was to be tidied up with a development that was mixed use. She expressed concerns in relation to the layout of the site and the amenity space in terms of an extremely small garden for house number 6.

Councillors Gilbert and Goldspink also expressed concerns in respect of the very narrow access road and suggested that this should be widened. Councillor

Goldspink commented on whether Officers could comment on the possibility of a pavement being introduced along Jeans Lane.

The Director advised that widening the access or introducing a pavement might be possible, although there might be difficulties due to land ownership constraints.

Members were reminded that a deferral was a possibility so that the issue of the access could be explored further. The Director stressed that the Highway Authority was supportive of the proposals as they stood.

In response to a query from Councillor A L Burlton, the Director advised that the Highway Authority's approach to transport infrastructure improvements included financial contributions to support infrastructure improvements in this area.

Members were reminded that they might wish to seek security in respect of the provision of office space if the Committee was minded to approve the application. The Director reminded Members that local plan policy sought to retain employment land across the District. Members were advised that Bishop's Stortford was a more constrained location in respect of employment land.

Councillor Gilbert stressed that the provision of the office element of the application, in conjunction with 1 or 2 houses, was important. He stated that the planning conditions could be delegated to the Officers in consultation with the Chairman.

The Director commented that a concurrent 50% split between office provision and housing would be a reasonable approach. Members were also advised that Officers would be happy to work up appropriate conditions. The Director stressed that the possibility of affordable housing provision would be lost if the application was approved by Members.

Councillor R Gilbert proposed and Councillor J Demonti seconded, a motion that application 3/11/0160/FP be granted on the grounds that the application would not be detrimental to the character and appearance of the area and the proposed development was a good quality design with 100% lifetime homes.

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

The Committee rejected the recommendation of the Director of Neighbourhood Services that application 3/11/0160/FP be refused planning permission for the reasons now detailed.

RESOLVED – that in respect of application 3/11/0160/FP, planning permission be granted subject to the following conditions:

1. Three Year Time Limit (1T121)
2. Approved Plans (2E102)
3. Samples of Materials (2E12)
4. The approved offices shall be completed and ready for occupation prior to the substantial completion of no more than 50% of the dwellings hereby approved.

Reason: To ensure that an acceptable employment provision is made at the site, in accordance with Policy EDE2 of the East Herts Local Plan Second review April 2007.

5. Boundary Walls and Fences (2E07)
6. Hard surfacing (3V213)
7. Landscape Design Proposals (4P12)

8. Landscape works implementation (4P13)
9. Levels (2E051)
10. Prior to the commencement of development details of Sustainable Drainage Systems (SUDs) shall be submitted to and approved in writing by the Local Planning Authority. The agreed SUD's shall be implemented and thereafter retained at the site unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce surface water run off and the risk of flooding in accordance with Policy ENV21 of the East Herts Local Plan Second review April 2007.

11. Contaminated land survey and remediation (2E332)
12. Piling Works (2E392)
13. Hours of working - plant and machinery (6N053)
14. Prior to commencement of development above ground level full engineering details of the proposed improvements to Jeans Lane and junction onto Bells Hill shall be submitted to and approved by the Local Planning Authority. The approved details shall be carried out to the satisfaction of the Local Planning Authority prior to the occupation of development.

Reason: To ensure that the access is constructed to an appropriate specification in the interests of highway safety and convenience.

15. Prior to the first occupation of the development hereby permitted, the access road and parking spaces shall be provided within the application site as shown on the plans accompanying the application and such spaces shall be retained at all times for use in connection with the development hereby permitted.

Reason: To ensure adequate off street parking provision and manoeuvring space for the development, in the interests of highway safety, in accordance with policy TR7 and Appendix II of the East Herts Local Plan Second Review April 2007.

16. Vehicular use of garage (5U103)
17. Construction parking and storage (3V221)

Directives:

1. The applicant is advised that that work undertaken on the highway must be constructed to the current Highway Authority's specification, to an appropriate standard and by a contractor who is authorised to work in the public highway. All works to be undertaken on the adjoining highway shall be constructed to the satisfaction of the Highway Authority and in accordance with Hertfordshire County Council publication "Roads in Hertfordshire - A Guide for New Developments". Before proceeding with the proposed development, the applicant should contact the East Herts Highways Area Office (01992 526900) to obtain their permission and requirements.
2. The site is located within the groundwater protection zone of The Causeway pumping station. The construction works and operation of the proposed development should be done

in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the ground water pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken. For further information please refer to CIRIA Publication C532 'Control of water pollution from construction- guidance for consultants and contractors'.

3. Street Naming and Numbering (19SN4)

666 3/11/0039/RP - ERECTION OF 11 RESIDENTIAL DWELLINGS, INCLUDING 6 X 4 BEDROOM UNITS, 2 X 3 BEDROOM UNITS AND 3 X 2 BEDROOM UNITS WITH ASSOCIATED LANDSCAPING, CAR PARKING AND PRIVATE AMENITY SPACE AT ALLOTMENT GARDENS, ERMINE STREET, BUNTINGFORD, SG9 9AZ FOR WESTON HOMES PLC

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0039/RP, planning permission be granted subject to the conditions now detailed.

Councillor R N Copping commented on how vehicular and pedestrian access to the allotment gardens to the west would be maintained once the proposed development had been completed.

The Director confirmed that there was a requirement that this access to be maintained in the long term. The developer had also undertaken to try to ensure access to the adjoining allotments was not comprised during implementation should the application be approved.

The Committee supported the recommendation of the

Director of Neighbourhood Services that application 3/11/0039/RP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/11/0039/RP, planning permission be granted subject to the following conditions:

1. Three Year Time Limit (1T12)
2. Boundary walls and fences (2E07)
3. Approved plans (2E10)
WH131/11/P/05.01, WH131/11/P/10.01,
WH131/11/P/25.01, WH131/11/P/25/02,
WH131/11/P/25/03, WH131/11/P/25.04,
WH131/11/P/25.05, WH131/11/P/25/06,
WH131/11/P/35/01, 30110R
4. Samples of Materials (2E13)
5. Refuse disposal facilities (2E24)
6. Completion of Roads (3V13)
7. Hard Surfacing (3V21)
8. Tree Retention and Protection (4P05)
9. Hedge Retention and Protection (4P06)
10. Tree/Natural feature protection: fencing (4P07)
11. Tree protection: excavations (4P09)
12. Landscape design proposals (4P12)
a), b), d), e), f), i), j), k), l)
13. Landscape Works Implementation (4P13)

14. Retention of landscaping (4P21)
15. Construction hours of working – plant and machinery (6N07)

Directives:

1. Other Legislation (01OL)
2. Highway Works (05FC)
3. Outline permission relationship (07OP)
Insert 20 May 2010' '3/09/0101/OP'
4. Street Naming and Numbering (19SN)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies TR2, TR3, ENV1, ENV2, ENV3, ENV11, ENV16 and PPS1, PPS3 and PPS9. The balance of the considerations having regard to those policies and LPA Ref 3/09/0101/OP is that permission should be granted.

667 3/10/1147/FN - RENEWAL OF PLANNING PERMISSION GRANTED UNDER REF 3/07/0935/FP FOR THE DEMOLITION OF EXISTING LIGHT INDUSTRIAL BUILDINGS AND CONSTRUCTION OF 182 NEW RESIDENTIAL UNITS WITH CAR PARKING AND LANDSCAPING AT LAND OFF MARSHGATE DRIVE, HERTFORD FOR ZOG 2 LTD

Mr Holland addressed the Committee in objection to the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/10/1147/FP, subject to the applicant entering into a legal agreement pursuant to section 106 of the Town and Country Planning Act 1990, planning permission be granted subject to the conditions now detailed.

Councillor P A Ruffles expressed sympathy with the views of Hertford Town Council. He stressed that there was one single route into this area of Hertford via Hertford East Station. He expressed concerns in relation to the commercial and industrial aspects of the application.

Councillor R N Copping expressed strong concerns in respect of an 8% provision of affordable housing against a policy of 40%.

Councillor S Rutland-Barsby concurred with the comments of the public speaker in relation to car clubs. She stated that the Committee was trapped in making a decision in the sense that a previous application on this site had been approved on appeal.

Councillor Rutland-Barsby expressed concerns in relation to the parking and highways situation on this site. She emphasised that although she was against this application, there were no sound reasons in planning law for refusing it.

The Director reminded Members that developers were increasingly challenging the Authority on percentages of affordable housing in relation to the viability of developments. He stressed that in the current financial climate, this was to be expected. Members were advised that planning inspectors were now accepting these viability assessments.

The Director cautioned Members that although the Committee had previously refused this application, the Authority had lost the subsequent appeal. The Committee would have to articulate very clearly why

Members remained unsupportive of this application given the appeal decision.

The Director stated that the Authority could be judged to be acting unreasonably should this application be refused for reasons that could not be substantiated.

The Committee accepted the recommendation of the Director of Neighbourhood Services that application 3/10/1147/FP be granted subject to the conditions now detailed and the section 106 legal agreement.

Councillor S Rutland-Barsby requested that her abstention from voting be recorded.

RESOLVED – that subject to the applicant entering into a Section 106 legal agreement of the Town and Country Planning Act 1990 to cover the following matters:

1. The provision of a minimum 8% affordable housing to be provided in accordance with the following mix:- Socially rented as 2 x 1 bed 2 person flat, 4 x 2 bed 4 person flat, 2 x 3 bed 4 person flat and 1 x 3 bed 5 person flat, and shared ownership as 2 x 1 bed 2 person flat and 3 x 2bed 3 person flat. This level of affordable housing is, however, subject to a review mechanism requiring the appraisal to be carried out again prior to the implementation of the permission (no earlier than 6 months and no later than 4 months prior to the implementation date (to be defined)).
2. £126,722 for Primary Education
3. £51,092 for Secondary Education
4. £25,364 for Nursery Education

5. £7,671 for Childcare
6. £1,415 for Youth
7. £16,797 for Libraries
8. £45,000 for transport provision
9. £20,000 for controlled parking zone
10. £120,990 for outdoor sports facilities
11. £8,935 for children and young people
12. £300 standard monitoring fee per clause
13. Provision of Fire Hydrants
14. The provision of a car club

in respect of application 3/10/1147/FP, planning permission be granted subject to the following conditions:

1. Three year time limit (1T12)
2. Before site clearance is commenced, areas shall be provided on site for the delivery and storage of construction materials and the parking of construction vehicles, together with the means of access thereto, in accordance with a plan to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure adequate off-street parking facilities in the interests of highway safety and traffic flows.

3. Programme of archaeological work (2E02)

4. Before the development hereby permitted begins, a soil survey of the site shall be undertaken to assess the degree of contamination of the site and of existing groundwater contamination, and to determine its water pollution potential risk located on site and off-site, the methods and extent of the investigation having first been agreed with the Planning Authority, and as scheme of measures to prevent pollution of ground water and surface water, including provision for monitoring, shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented and completed before any dwelling (or any dwelling in a specified phase, if a phasing programme has been approved) hereby permitted is first occupied and a report certifying this has been submitted to the Local Planning Authority.

Reason: To minimise and prevent pollution of the land and the water environment and in accordance with PPS23 – Planning and Pollution Control.

5. Development shall not begin until surface water drainage works have been carried out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed taking into account assessment of storm periods and intensity and methods to delay and control the surface water discharged from the site. If, in light of such assessment, it is concluded that a Sustainable Urban Drainage System (SUDS) should be implemented, consideration should be given to groundwater quality and the scheme shall specify:

- i) A management and maintenance plan,

which shall include the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime; and

- ii) The responsibilities of each party for implementation of the SUDS scheme, together with a timescale for that implementation.

Reason: To protect the quality of groundwater and surface water and in accordance with PPS25.

- 6. No development hereby permitted shall commence until details of proposed finished floor levels, and the means of protecting units numbered D.01 and D.02 from the ingress of flood water, have been submitted to and approved in writing by the Local Planning Authority. In particular:
 - i) With the exception of the lower floors of units numbered D.01 and D.02, no unit shall have a floor level lower than 39.3metres AOD; and
 - ii) The lower floor units D.01 and D.02 shall be no lower than 35.5 metres AOD and they shall have no structural openings in their external walls lower than 38.03 metres AOD. Below this latter level, these two units shall be fully 'tanked' to avoid the ingress of water through the floors, drains, walls, ventilation ducts, cavities and all other openings.

The development shall be constructed in accordance with all of these details, as approved.

Reason: To reduce the risk of flooding to the proposed development and in accordance with PPS25.

7. No development shall commence until details of the basement car parking access ramp have been approved by the Local Planning Authority. The scheme shall be constructed in compliance with the approved plans, with the top of the access ramp set at a height of 38.78 metres AOD.

Reason: To reduce the risk of flooding to the proposed development and in accordance with PPS25.

8. The development permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:
 - i) Provision of compensatory flood storage on the site to a 1 in 100 year plus climate change standard; and
 - ii) Identification and provision of safe routes into and out of the site to an appropriate safe haven.

Reason: To reduce the risk of flooding to the proposed development and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided, and in accordance with PPS25.

9. No development shall take place until full details of both hard and soft landscaping works (the 'landscaping' of the site as defined in Article 1 of the Town and Country Planning

(General Development Procedure) Order 1995 notwithstanding the reference therein to outline planning permission) have been submitted to and approved in writing n by the Local Planning Authority. These shall include, in addition:

- i) details of all materials to be used for hard surfaced areas within the site including roads, driveways, pedestrian routes and car parking areas, including those beneath the proposed flats;
- ii) the location and design of any barriers required to be erected at access points from the site onto the River Lee towpath for public safety reasons; and
- iii) a buffer zone 8 metres wide for wildlife alongside the River Lee for the full extent of the site, in accordance with application drawing 3005-27-AP.

Reason: To ensure the provision of amenity afforded by appropriate landscape design and in the interests of wildlife habitats, in accordance with policy ENV2, ENV17 and ENV18 of the East Herts Local Plan Second Review April 2007.

10. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas including the buffer zone (other than small, privately owned, domestic gardens) shall be submitted to and approved in writing by the Local Planning Authority before the development commences.

Reason: To ensure the provision of amenity

afforded by appropriate landscape design and in accordance with policy ENV2 of the East Herts Local Plan Second Review April 2007.

11. Landscape works implementation (4P13)
12. That part of the landscaping scheme referring to the 8 metre wide wildlife buffer zone shall not incorporate any built development including hard standings, fences or formal/ornamental gardens except for the public towpath running north to south.

Reason: In the interests of wildlife habitats, in accordance with policy ENV17 and ENV18 of the East Herts Local Plan Second Review April 2007.

13. Before any of the flats in Block A and B are occupied a continuous screen boundary wall shall be erected from the back of block D along the whole of the southern boundary of the site, including the return behind 2-12 Spencer Street, in accordance with details of height, design and materials to be first submitted to and approved by the Local Planning Authority. The wall shall thereafter be retained in its entirety unless the Local Planning Authority agrees otherwise.

Reason: To safeguard the privacy of occupiers of adjoining properties, in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

14. Prior to the first occupation of any of the flats hereby permitted, the children's play area shown on drawing 2936/L/01F shall be laid out, equipped and made available for use in accordance with details to be first submitted to and approved in writing by the Local Planning

Authority.

Reason: In the interests of the appearance of the development, and in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

15. Details of any external lighting proposed in connection with the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and no external lighting shall be provided without such written approval.

Reason: In the interests of the appearance of the development, and in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

16. The basement car park shall not be brought into use until a scheme of lighting and CCTV surveillance has been introduced in accordance with plans which shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of safety and in accordance with Policy ENV3 of the East Herts Local Plan Second Review April 2007.

17. Notwithstanding the details shown on drawing 3005-21-AP, before development is commenced a revised basement plan shall be submitted to and approved in writing by the Local Planning Authority showing the proposed vehicle and cycle parking layout for the site. Prior to the first occupation of the development hereby permitted, the spaces so shown and approved shall be provided and thereafter kept available at all times for

vehicles and cycle parking in connection with the development hereby permitted.

Reason: To encourage the use of cycles as means of transport, in accordance with policies TR13 and TR14 and in the interests of highway safety, and in accordance with policies TR2 and TR7 of the East Herts Local Plan Second Review April 2007.

18. No dwelling shall be occupied until visibility splays have been provided at the junction of the car park access road with the public highway as shown in drawing 3005-22-P. The minimum dimensions to provide the required splays lines shall be 2.4 metres measured along the centre line of the proposed access road from their junction with the channel of Marshgate Drive and 43 metres from the centre line of the proposed access road along the line of the channel of the public highway. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be kept free of any obstruction above 600mm in height.

Reason: To provide visibility for drivers of vehicles entering and leaving the site.

19. Development above ground level shall not begin until details of the proposed 2 metre wide footway along the Marshgate Drive frontage of the site and footpath links through the site linking Marshgate Drive with the tow path alongside the River Lee Navigation have been submitted to and approved in writing by the Local Planning Authority.

Reason: To provide adequate routes for pedestrians movement through the site.

20. Before the new vehicular accesses shown on drawing 3005-22-AP are first brought into use, any existing access to Marshgate Drive from the site, which is not incorporated into those new accesses shall be permanently closed in a manner to be first agreed with the Local Planning Authority in writing.

Reason: In the interests of highway safety and amenity.

21. Detailed plans, showing the existing and proposed ground levels of the site relative to adjoining land, together with the slab levels and ridge heights of the proposed buildings, shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: To ensure that the development is properly related to the levels of adjoining development in the interests of amenity.

22. Prior to any building works being commenced, samples of the external materials of construction for the buildings hereby permitted shall be approved in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the development, and in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

23. The balcony to flat A.3.2 shall not at any time be extended over block D unless with the prior permission, in writing, of the Local Planning Authority.

Reason: To safeguard the privacy of occupiers of adjoining properties, in

accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

24. Before the development hereby permitted is commenced, details of the proposed enclosure of the recycling compound at the southern extremity of block C shall be submitted to and approved in writing by the Local Planning Authority and the compound shall be constructed in accordance with those details before any flat in Block C is first occupied.
25. Notwithstanding the details shown in 3005-42-AE, a revised elevation 6 shall be submitted to and approved in writing by the Local Planning Authority to omit the balcony shown for flat B.2.6 and to show substitute fenestration.

Reason: In the interests of amenity, in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

26. The proposed development shall be carried out and completed in all respects in accordance with the access, siting and layout illustrated on the approved plan and defined by this permission and, notwithstanding the provisions of Article 3 of the Town and Country Planning General Permitted Development order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

Reason: To comply with the requirements of the Town and Country Planning (General Permitted Development) Order 1995.

27. Approved plans (2E10): - 3005-01-LOC, 3005-03-SUR, 3005-08-COMP, 3005-06-

COMP, 3005-04-FG, 3005-07-COMP, 3005-05-COMP, 3005-10-BP, 3005-30-KEY, 3005-09-3D, 3005-02-PH, 3005-20-SP, 3005-21-AP, 3005-22-AP, 3005-23-AP, 3005-24-AP, 3005-25-AP, 3005-26-AP, 3005-27-AP, 2936\L\01F, 3005-40-AE, 3005-41-AE, 3005-42-AE, 3005-43-AE, 3005-44-AE

Directives:

1. Other Legislation (01OL)
2. Footpath crossing (05FC)
3. Street Naming and Numbering (19SN)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the 'saved' policies of the East Herts Local Plan Second Review April 2007), and in particular policies SD1, SD2, HSG6, TR1, TR2, TR7, TR14, ENV1, ENV2, ENV3, ENV17, ENV18, ENV20, BH1, BH2, BH3, LRC3 and LRC1, and PPS1, PPS3, PPG13, and PPS23 and PPS25. The balance of the considerations having regard to those policies and the permission granted under ref LPA 3/07/0935/FP, is that permission should be granted.

668 3/11/0145/FP - CHANGE OF USE TO EQUINE USE - RETROSPECTIVE, AT LAND ADJACENT TO COTTERED ROAD, THOCKING FOR MRS AMANDA BELL

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0145/FP, planning permission be granted subject to the conditions now detailed.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/11/0145/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/11/0145/FP, planning permission be granted subject to the following conditions:

1. 3 year time limit (1T12)
2. Approved plans (2E10):- 1

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular Policies GBC2, GBC3 and GBC14. The balance of the considerations having regard to those policies is that permission should be granted.

669 3/10/2214/FP - DEMOLITION OF EXISTING FOOTBRIDGE AND CONSTRUCTION OF NEW VEHICLE AND FOOTBRIDGE AT EHDC CAR PARK, ST ANDREWS STREET, HERTFORD, SG14 1JA FOR EAST HERTS COUNCIL

The Director of Neighbourhood Services recommended that, in respect of application 3/10/2214/FP, planning permission be granted subject to the conditions now detailed.

Councillor P A Ruffles, as the local ward Member, stated that he would almost certainly abstain from voting as he could not find any planning reasons for going against the Officer's recommendation for approval. He stated that

there was no conservation area improvement resulting from this application.

Councillor Ruffles commented that access via the existing footbridge had been in place without complaint for many years. He stated that this was not the only disabled access to the adjacent land.

Councillor Ruffles pointed out that there were alternative routes for vehicles or for grass cutting.

Councillor Ruffles stressed the importance of the condition in respect of flood compensation measures, due to the increased footprint of the proposed development. Councillor R N Copping agreed with the views of Councillor Ruffles. He also supported the views of the Conservation Officer.

In response to concerns from Councillor Copping in relation to night time security, the Director stressed that although this was not a material planning issue, Officers had stated in the report that details of any gates or other security measures be provided and agreed via a planning condition.

Councillor R Gilbert expressed concerns that access to the bridge was often compromised due to parked cars. He commented on whether parking would have to be restricted in part of St Andrews Street Car Park to ensure disabled access to the bridge.

The Director stressed that there was a keep clear zone marked out on the car park and drew attention to this on the plans displayed in the meeting. Members were advised that this application would not result in the loss of any parking spaces.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/10/2214/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/10/2214/FP, planning permission be granted subject to the following conditions:

1. Three year time limit (1T12)
2. Approved Plans (2E10) 3515 – 01, HFB/001/A; TH1
3. Programme of archaeological works (2E02)
4. Tree retention and protection (4P05)
5. Prior to the first use of the bridge hereby permitted, details of any gates or similar measures to secure the bridge and prevent general vehicle access into Castle Grounds shall be submitted and as approved by the local planning authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: In order to ensure that any measures required to secure the Castle Grounds at night are appropriately designed in the interests of the appearance and character of this part of the Conservation Area and in accordance with Policies ENV3 and BH6 of the adopted East Herts Local Plan 2007.

6. Prior to the commencement of works, detailed drawings of the new ramp to the car park indicating levels, gradient and surface materials shall be provided at scale not less than 1:20. The development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of clarity and to ensure the crossing is satisfactorily designed

and usable by wheelchair users and in accordance with policies ENV1 and ENV4 of the adopted East Herts Local Plan 2007.

7. Prior to the commencement of above ground building, details of the timber side panels for the bridge shall be provided and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of the appearance and design of the development within the Conservation Area and in accordance with policies ENV1 and BH6 of the adopted East Herts Local Plan 2007.

8. Details of provisions to reuse the existing stone steps either within the development or in the vicinity of the site shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of the appearance and design of the development within the Conservation Area and in accordance with policies ENV1 and BH6 of the adopted East Herts Local Plan 2007.

9. Prior to the commencement of works a scheme to provide Flood Compensation measures within the vicinity of the site to a standard of 1 in a 100 year plus climate change shall be submitted and approved in writing by the local planning authority. The bridge soffit level shall be set no lower than 39.25m above ordnance datum (AOD). The development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of providing mitigation for flooding within the area as part of the development and in accordance with policy ENV19 of the adopted East Herts Local Plan 2007.

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies ENV1, ENV4, BH6 and national guidance in PPS1, PPS5 and PPG13. The balance of the considerations having regard to those policies and the other material considerations relevant in this case is that permission should be granted.

670 3/11/0086/SV - MODIFY THE S106 AGREEMENT ATTACHED TO PLANNING PERMISSION 3/06/0314/FP TO REMOVE THE ELDERLY PERSONS AGE RESTRICTION (DEFINED AS BEING OVER 50 YEARS OF AGE) AT LAND AT STOCKING HILL LANE, COTTERED FOR DARLING HOMES LLP

Mr Hargreaves addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0086/SV, planning permission be granted subject to the conditions now detailed.

Councillor J O Ranger, as the local ward Member, gave a brief historical introduction to the application. He stressed that there was a significant strength of local feeling that the age restriction must be retained. He stated that he had been asked by a number of local residents to request

that the Committee refuse this application.

Councillor Ranger summarised the planning history of the site. He stressed that Darling Homes were aware of the age restriction and should have constructed homes that were compatible with that restriction. He also pointed out that the people who brought such houses were often not on the Authority's housing register.

Councillor Ranger referred to a local concern in respect of a loss of peace and quiet for residents, should this application be approved. He stated that this application would not set a precedent as all the properties in the area had a similar age restriction.

Councillor Ranger commented that local residents felt that this application contravened a number of local plan policies. He requested that Members refuse the application in light of the local need for housing for the elderly and also in acknowledgement of the local feeling that this age restriction must be retained.

The Director advised that there was no local plan policy on which Officers could have recommended this application for refusal. There was no policy that could be applied to retain the elderly person's age restriction. Members were reminded to consider relevant planning issues only.

The Committee was advised that Members must clearly articulate the requirements and planning need for an elderly person's enclave in this location. The Director advised that justifying the retention of this restriction would be a very difficult case to sustain.

Councillor J J Taylor queried why the Authority did not have a local plan policy to cover this situation. She stressed the importance of retaining quiet peaceful areas for the elderly to reside.

The Director commented that the Authority now had far

less involvement in housing matters than would have been the case 20 or more years ago when it was a direct provider.

He stressed that the approach of the District Council was now very much a case of working with Hertfordshire County Council and the social landlords in seeking to influence housing policy to meet the needs of residents.

The Director stated this approach was now common place in ensuring provision for various groups within the community. He commented that an age restriction of 50 plus was a particularly blunt instrument as many people of that age were financially capable of meeting their own accommodation requirements.

The Director advised that the Committee's decision must be made on planning grounds. The Director reiterated that there was no planning policy backing for seeking to retain an enclave of this nature. The East Herts Local Plan Second Review April 2007 sought to achieve cohesive, inclusive and mixed communities where all ages could live together.

Councillor Ranger stated that it was the quiet enjoyment of property that was a key issue in this situation. The Director stressed that it while it was the role of the planning system to ensure that every resident could enjoy residential amenity at a reasonable level, it could not maintain it unchanged.

The Director stated that if a refusal decision were challenged, an appeal inspector could reasonably refer to any typical residential development where no age restriction had been applied but amenity was acceptable.

Councillor J J Taylor pointed out that such a view could be prejudicial against the elderly. She stressed that to live in peace and quiet was a basic human right. The Director advised that the only policy basis that could be applied was ENV1 in that removing the restriction could

lead to a harmful impact on the residential amenity of existing and adjacent properties.

Councillor J J Taylor proposed and Councillor M R Alexander seconded, a motion that application 3/11/0086/SV be refused on the grounds that removing the restriction could lead to a harmful impact on the residential amenity of existing and adjacent properties contrary to policy ENV1 of the East Herts Local Plan Second Review April 2007.

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

The Committee rejected the recommendation of the Director of Neighbourhood Services that application 3/11/0086/SV be granted subject to the conditions now detailed.

Councillors W Ashley and S Rutland-Barsby requested that their votes against the motion be recorded.

RESOLVED – that in respect of application 3/11/0086/SV, planning permission be refused for the following reason:

1. The Council is of the view that removing the restriction could lead to a harmful impact on the residential amenity of existing and adjacent properties contrary to policy ENV1 of the East Herts Local Plan Second Review April 2007.

671 3/10/2213/FP - ERECTION OF 1 NO SOLAR THERMAL COLLECTOR ON STABLE ROOF AND ERECTION OF 10 KWP GROUND MOUNT SOLAR PV SYSTEM AT DASSELS BURY, DASSELS, BRAUGHING, SG11 2RW FOR MR MARTIN SLACK

The Director of Neighbourhood Services recommended that, in respect of application 3/10/2213/FP, planning

permission be granted subject to the conditions now detailed.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/10/2213/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/10/2213/FP, planning permission be granted subject to the following conditions:

1. Three year time limit (1T12)
2. Approved plans (2E102) (FM1, FM2, FM3)
3. Hedge Retention and Protection (4P06)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular Policies SD3, GBC3, ENV1, PPS5 'Planning for the Historic Environment', and PPS22 'Renewable Energy'. The balance of the considerations having regard to those policies is that permission should be granted.

672 3/10/2054/FP - REPLACEMENT BUNTINGFORD SCOUT GROUP HEADQUARTERS AT BUNTINGFORD SCOUT GROUP, BOWLING GREEN LANE, BUNTINGFORD, SG9 9BT FOR MRS JOANNE MCNAMARA

The Director of Neighbourhood Services recommended that, in respect of application 3/10/2054/FP, planning permission be granted subject to the conditions now detailed.

Councillor S A Bull briefly summarised the planning history of the site.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/10/2054/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/10/2054/FP, planning permission be granted subject to the following conditions:

1. Three year time limit (1T12)
2. Sample of materials (2E12)
3. Lighting details (2E27)
4. Hard surfacing (3V21)
5. Landscape design proposals (4P12) (Criteria (b) (c) (d) (f) (i) (j) (k) (l))
6. Landscape works implementation (4P13)
7. Approved plans (2E102) (09.14077.2, 09.14077.3, 09.14077.4, 09.14077.6, BSHQ3A, BSHQ4, Location Plan, Block Plan, Existing Site Plan)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies GBC3, LRC1, ENV1, ENV2, ENV23 and TR7. The balance of the considerations having

regard to those policies is that permission should be granted.

673 3/11/0239/FP - TWO STOREY SIDE EXTENSIONS AND BASEMENT WITH LIGHTWELLS AND GUARDRAILS AT 35 BURNHAM GREEN ROAD, TEWIN, AL6 0NL FOR MR PAUL SMITH

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0239/FP, planning permission be granted subject to the conditions now detailed.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/11/0239/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/11/0239/FP, planning permission be granted subject to the following conditions:

1. Three Year Time Limit (1T12)
2. Approved plans (2E10 – 11_139/PL01, 11_139/PL02, 11_139/PL03, 11_139/PL04, 11_139/PL05, 11_139/PL06, 11_139/PL07, 11_139/PL08)
3. Materials of construction (2E11)
4. Tree Survey (4P01)
5. Tree retention and protection (4P05)
6. Tree protection: restrictions on burning (4P08)
7. Tree Protection: Earthworks (4P10)
8. Tree surgery (4P11)

9. Landscape design proposals (4P12 e,i,j,k)
10. Landscape works implementation (4P13)
11. Tree Planting (4P15)
12. Trees: protection from foundations (4P20 – amend for foundations of front porch only)
13. Retention of landscaping (4P21)
14. Following implementation of this permission and notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order, 1995, the enlargement, improvement or other alteration of the dwelling house as described in Schedule 2, Part 1, Class A of the Order shall not be undertaken without the prior written permission of the Local Planning Authority.

Reason: To ensure the Local Planning Authority retains control over any future development as specified in the condition in the interests of amenity and in accordance with policy ENV9 of the East Herts Local Plan Second Review April 2007.

Directive:

1. Other Legislation (01OL)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the 'saved' policies of the East Herts Local Plan Second Review April 2007), and in particular policies GBC1, ENV1, ENV2, ENV5,

ENV6, ENV9, ENV11 and PPS1 and PPG2. The balance of the considerations having regard to those policies, and permission 3/09/0841/FP, is that permission should be granted.

674 3/11/0027/FP - ERECTION OF DOUBLE GARAGE AT DANESWOOD COTTAGE, STANSTED HILL, PERRY GREEN, MUCH HADHAM, SG10 6DT FOR MR MALCOLM WHARMBY

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0027/FP, planning permission be granted subject to the conditions now detailed.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/11/0027/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/11/0027/FP, planning permission be granted subject to the following conditions:

1. Three year time limit (1T12)
2. Sample of materials (2E12) – amend to include garage door
3. Approved plans (2E102) DG1, DG1A, DG2, DG3, DG4, DG5, DG6
4. Vehicular use of garage (5U103)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local

Plan Second Review April 2007), and in particular policies GBC3, ENV1, ENV2, ENV5, ENV6 and TR7. The balance of the considerations having regard to those policies is that permission should be granted.

675 E/08/0300/A - THE UNAUTHORISED CONSTRUCTION OF A REAR DORMER WINDOW AFFECTING A GRADE II LISTED BUILDING WITHOUT LISTED BUILDING CONSENT AT WHITE HORSE COTTAGE, WARESIDE, WARE, SG12 7QX

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/08/0300/A, enforcement action be authorised on the basis now detailed.

The Committee supported the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/08/0300/A on the basis now detailed.

RESOLVED – that in respect of E/08/0300/A, the Director of Neighbourhood Services, in conjunction with the Director of Internal Services, be authorised to take enforcement action under Section 172 of the Town and Country Planning Act 1990 and/or Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and any such further steps as may be required to secure:

1. the removal of the unauthorised rear dormer and either:
 - the reinstatement of the roof (in accordance with a detailed schedule of works to be set out in the enforcement notice in consultation with the Conservation officer); or
 - the construction of the rear dormer in accordance with the planning permission

and listed building consent granted under references 3/06/2356/FP and 3/06/2357/LB.

Period for compliance: 6 months

Reason why it is expedient to issue an enforcement notice:

- 1. The unauthorised rear dormer window, by reason of its scale, form, design and detailing, is detrimental to the historic and architectural character and appearance of this Grade II listed building contrary to policies HE7 and HE9 of Planning Policy Statement 5: Planning for the Historic Environment.

676 ITEM FOR REPORTING AND NOTING

RESOLVED – that the following report be noted:

- (A) Planning Statistics.

The meeting closed at 7.28 pm

Chairman
Date