

MINUTES OF A MEETING OF THE  
DEVELOPMENT MANAGEMENT  
COMMITTEE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
WEDNESDAY 2 NOVEMBER 2022, AT 7.00  
PM

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PRESENT: Councillor B Deering (Chairman)  
Councillors D Andrews, T Beckett,  
R Buckmaster, B Crystall, I Kemp,  
S Newton, T Page, P Ruffles, S Rutland-  
Barsby (substitute for R Fernando) and  
T Stowe

ALSO PRESENT:

Councillors E Buckmaster, J Goodeve and  
C Rowley

OFFICERS IN ATTENDANCE:

Richard Freeman	- Interim Development Management Team Leader
Steven King	- Finance Management Trainee
Peter Mannings	- Democratic Services Officer
Karen Page	- The Service Manager (Development Management and Enforcement)
Victoria Wilders	- Legal Services Manager

191 APOLOGIES

An apology for absence was submitted on behalf of Councillors Fernando and Redfern. It was noted that Councillor Rutland-Barsby was substituting for Councillor Fernando.

192 CHAIRMAN'S ANNOUNCEMENTS

There were no Chairman's Announcements. The Chairman mentioned that there would be a training item which would immediately follow the meeting.

193 DECLARATIONS OF INTEREST

There were no declarations of interest.

194 MINUTES - 10 AUGUST 2022

Councillor Crystall proposed and Councillor Andrews seconded, a motion that the Minutes of the meeting held on 10 August 2022 be confirmed as a correct record and signed by the Chairman.

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

**RESOLVED** – that the Minutes of the meeting held on 10 August 2022, be confirmed as a correct record and signed by the Chairman.

- 195 A) 3/21/2615/FUL AND B) 3/21/2616/LBC - PART DEMOLITION OF BUILDING AND PART DEMOLITION TO THE REAR; CONVERSION OF THE BASEMENT AND GROUND FLOOR TO PROVIDE CLASS E (C & (G)(I)) USE: CHANGE OF USE TO CLASS C3 USE (RESIDENTIAL) AT FIRST AND SECOND FLOORS WITH ACCESS FROM THE GROUND FLOOR; CREATION OF FIVE 1 BEDROOM APARTMENTS AND TWO 2 BEDROOM APARTMENTS; CONVERSION OF THE BARN TO THE REAR TO TWO 2 BEDROOM DWELLINGS; CONSTRUCTION OF 8 NEW DWELLINGS TO REAR (6 X THREE BEDROOM AND 1 X 4 BEDROOM TERRACED HOUSES WITH ROOF TERRACES AND CAR PORTS, AND ONE TWO-STOREY 3 BEDROOM HOUSE WITH ROOF TERRACE AND GARAGE). ASSOCIATED DRAINAGE, CYCLE STORES, BIN STORES, CAR PARKING AND LANDSCAPING AT 27 - 29 HIGH STREET, WARE, HERTFORDSHIRE, SG12 9BQ \_\_\_\_\_

The Head of Planning and Building Control recommended that in respect of application 3/21/2615/FUL, planning permission be granted subject to the conditions detailed in the report and subject to a Section 106 legal agreement.

The Head of Planning and Building Control recommended that in respect of application 3/21/2616/LBC, listed building consent be granted subject to the conditions detailed in the report and subject to a Section 106 legal agreement.

The Development Management Team Leader presented the reports in respect of the full permission and listed building applications.

The Development Management Team Leader detailed the planning history of the site and updated Members in respect of the late representations. He said that condition 26 would be expanded to include a biodiversity improvement measure for nesting swifts.

The Development Management Team Leader corrected an error in the report in respect of the number of trees on the site.

Mr Goodey addressed the Committee in support of the application. Councillor Ruffles mentioned that he was a member of the Ware Society. He spoke about the historic built environment with particular reference to the special historic buildings that ran the full length of Ware High Street.

Councillor Beckett asked for some clarity as to the impact of the overshadowing from the proposed development on the solar panels on a neighbouring property in terms of whether there had been a loss of efficiency impact assessment.

The Development Management Team Leader said that the impact on the solar panels was a material consideration and there had not been a detailed technical assessment of the impact on energy efficiency of the solar panels. He advised that Officers were satisfied with the proposed development due to the location and orientation of the solar panels.

Councillor Kemp said that there were many good features of the proposed development but he had a number of concerns including overshadowing of solar

panels and the impact on the properties in George Walk. He referred in particular to loss of light and damage to those houses due to foundation works on this site. He expressed a number of concerns in respect of car parking provision and referred to the required provisions set out in the East Herts Vehicle Parking Supplementary Planning Document (SPD).

Councillor Kemp asked how the proposed housing density compared with the adjacent residential areas in this part of Ware. He said that he had some considerable concerns about the new build element of the application.

The Development Management Team Leader mentioned the party wall act and spoke at length about the impacts of the proposed development on the surrounding residential areas. He said the vehicle parking standards were maximum standards and the general thrust of planning and national policy was to limit parking especially in sustainable locations.

Councillor Crystall commented on the possibility of Section 106 monies towards a car club in terms of alleviating parking problems for other residents of Ware. He asked if a condition could be applied requiring a shade analysis to be carried out in respect of the impact on the solar panels.

The Development Management Team Leader said that there would be a reduction in commercial floor space. He confirmed that Officers were satisfied that the commercial offer was viable. He said that sustainability was fully incorporated in the planning system in

ensuring that developments were directed to more sustainable locations.

The Development Management Team Leader said that a Section 106 requirement for the establishment of a management company would not be required for a scheme of this size. He advised that there were requirements for the provision of landscaping details and this would include maintenance. He said that condition four covered the provision of a disabled parking space.

Councillor Andrews questioned the sustainability of the proposed development and he expressed concerns in respect of the ability of existing residents along the eastern side of George Walk to access the eastern walls and roofs of their properties for maintenance. He talked about the importance of drainage with particular reference to the potential for sycamore trees to impact on the drainage.

The Development Management Team Leader pointed out the disabled parking space and said that Part H of the building regulations covered maintenance requirements. Members were advised that a condition covering guttering would not meet the tests for planning conditions and the application did demonstrate how roofs would be drained.

Councillor Beckett asked if a condition for obscured glazing could be added to address the concerns from residents regarding overlooking of roof lights of cottages. He also asked if there had been a demolition audit in respect of the material due to be removed

from the site and whether this could be used to repair existing buildings in Ware.

The Development Management Team Leader referred to conditions in the report regarding opaque windows and the demolition plans and construction materials. The Service Manager (Development Management) said that condition 12 could be amended in respect of construction materials.

The Development Management Team Leader and the Service Manager (Development Management) set out the additional conditions and amendments to the wording of existing proposed conditions that could be applied to meet the tests for reasonableness.

Councillor Andrews proposed and Councillor Rutland-Barsby seconded, a motion that application 3/21/2615/FUL be granted planning permission, subject to the conditions detailed in the report and subject to a Section 106 Legal Agreement 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 in respect of the following matters:

- tactile paving
- guttering
- opaque windows
- demolition plans (with particular reference to heritage items)
- swift boxes
- protection of artwork

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

**RESOLVED** – that (A) in respect of application 3/21/2615/FUL, planning permission be granted subject to the conditions detailed in the report and subject to a Section 106 Legal Agreement 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 in respect of the following matters:

- tactile paving
- guttering
- opaque windows
- demolition plans (with particular reference to heritage items)
- swift boxes
- protection of artwork

Councillor Ruffles proposed and Councillor Newton seconded, a motion that application 3/21/2616/LBC be granted listed building consent, subject to the conditions detailed in the report and subject to a Section 106 Legal Agreement and that delegated Authority be granted to the Head of Planning and Building Control to finalise the detail of the Legal Agreement and conditions and to refuse the application in the event that a legal agreement (to the satisfaction of the LPA) is not completed within 3 months of the committee's decision.



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

**RESOLVED** – that (B) in respect of application 3/21/2615/FUL, listed building consent be granted, subject to the conditions detailed in the report and subject to a Section 106 Legal Agreement and that delegated Authority be granted to the Head of Planning and Building Control to finalise the detail of the Legal Agreement and conditions and to refuse the application in the event that a legal agreement (to the satisfaction of the LPA) is not completed within 3 months of the committee's decision.

196 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.

197 URGENT BUSINESS

There was no urgent business.

The meeting closed at 8.58 pm

Chairman .....

Date .....