MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD IN THE COUNCIL CHAMBER, WALLFIELDS, HERTFORD ON WEDNESDAY 25 MAY 2011, AT 7.00 PM

<u>PRESENT:</u> Councillor W Ashley (Chairman). Councillors M R Alexander, E Bedford, S Bull, A Burlton, Mrs R Cheswright, G Lawrence, G Jones, M Newman, S Rutland-Barsby, J Taylor and B Wrangles.

# ALSO PRESENT:

Councillors M Carver, G McAndrew, T Page, N C Poulton, P Ruffles, N Symonds and N Wilson.

# **OFFICERS IN ATTENDANCE:**

Glyn Day	<ul> <li>Principal Planning Enforcement Officer</li> </ul>
Simon Drinkwater	<ul> <li>Director of Neighbourhood Services</li> </ul>
Tim Hagyard	<ul> <li>Development Control Team Leader</li> </ul>
Peter Mannings	<ul> <li>Democratic</li> <li>Services Assistant</li> </ul>
Kevin Steptoe	<ul> <li>Head of Planning and Building Control</li> </ul>
Alison Young	<ul> <li>Development</li> <li>Control Manager</li> </ul>

# 22 APPOINTMENT OF VICE CHAIRMAN

It was moved by Councillor Alexander and seconded by Councillor S Bull that Councillor S Rutland-Barsby be appointed Vice-Chairman of the Development Control Committee for the civic year 2011/12.

After being put to the meeting and a vote taken, Councillor Rutland-Barsby was appointed Vice-Chairman of the Development Control Committee for the civic year 2011/12.

> <u>RESOLVED</u> - that Councillor Rutland-Barsby be appointed Vice-Chairman of the Development Control Committee for the civic year 2011/12.

## 23 <u>APOLOGY</u>

An apology for absence was submitted on behalf of Councillor J Demonti. It was noted that Councillor E Bedford was in attendance as substitute for Councillor Demonti.

## 24 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed the press and public to the meeting and those who were watching the live webcast. He also welcomed Councillors E Bedford, G Jones and M Newman to their first meeting of the Development Control Committee.

The Chairman advised that training would be held in hourly sessions prior to meetings of the Development Control Committee. The first training session would take place on 20 July 2011 starting at 5.30 pm or 6.00 pm. Further training sessions would follow on throughout the 2011/12 Civic Year, probably taking place every other month.

The Chairman reminded the Committee of the Planning Tour of the District due to take place on Friday 2 September 2011. He requested that Members e-mail him or the Head of Planning and Building Control of any sites Members would like to be included in the tour.

The Head of Planning and Building Control updated Members on the current situation regarding the Asda Superstore in Ware. The decision of this Committee had not been released as Officers were discussing details of the legal agreement with the developers.

The Committee was advised that another landowner in Ware had notified the Authority of their intention to seek a judicial review of the Committee's decision from December 2010. Officers would be seeking legal advice and would report back at the next meeting of the Committee.

# 25 DECLARATIONS OF INTEREST

Councillor Mrs R Cheswright declared a personal interest in application 3/11/0065/FP in that she was an acquaintance of the architect on this application.

Councillor B Wrangles declared a personal interest in application 3/10/0249/FO in that she was an acquaintance of the applicant.

Councillor S Bull declared a personal interest in application 3/10/2040/OP in that he was an acquaintance of the applicant and some of the objectors on this application.

Councillor S Rutland-Barsby declared a personal and prejudicial interest in application 3/10/0249/FO in that her house overlooked the site and she was a customer of Riverside Garden Centre. She left the room whilst this matter was considered.

Councillor W Ashley declared personal interests in application 3/11/0347/FP and enforcement matter E/11/0127/B in that he was an acquaintance of the applicant on both of these matters.

## 26 <u>MINUTES</u>

<u>RESOLVED</u> - that the Minutes of the Development Control Committee meeting held on 24 March 2011 be confirmed as a correct record and signed

#### by the Chairman.

# 27 3/10/2040/OP - RESIDENTIAL DEVELOPMENT AT LAND OFF LONGMEAD, BUNTINGFORD FOR THE EXECUTORS OF MRS BAILEY DECEASED

Mr Jackson addressed the Committee in opposition to the application. Amy Richardson spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/10/2040/OP, subject to no objections being raised by the Secretary of State following referral to him as an application involving a departure from the Development Plan and 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 S Bull, as the local ward Member, stated that this site was not within the settlement boundary of Buntingford. He believed that the application was not sustainable due to the poor levels of public transport and employment opportunities in the vicinity of the site. He expressed concerns in relation to the impact on Monks Walk, particularly around school times as the site lines made this a dangerous access situation.

Councillor Bull commented that there was a much safer access onto Baldock Road and Greenways. He felt this could be more satisfactory for the residents of Longmead. He also stated that he was pleased that both the entrance and exit from the site would be available in future.

Councillor M Newman stated that the recommendation for approval set a worrying precedent, particularly in relation to paragraph 7.14 of the report now submitted. He referred to the East Herts Local Plan Second Review April 2007 as not being supportive of development in this location.

Councillor Newman further referred to other government

papers in support of such development. He stated that the Local Plan seemed to be in conflict with other legislation and this must be a significant concern to the Committee. He concluded that Members should take the current local plan as the basis for all the decisions made by the Committee.

The Director stated that there was currently not a particularly clean situation with regard to the status of the Local Plan in relation to other elements of the development plan. The East of England Regional Plan was still in force as the government had been successfully challenged in its attempts to abolish this document. The government had made clear its intention to revoke the Regional Plan and the courts had ruled that it was reasonable for Local Authorities to give this due weight in making decisions.

The Director stressed that , despite this, the main issue was policy PPS3, in which the government has made it clear that the Authority has to provide a meaningful and ongoing 5 year supply of housing. The government had also referred to the need for a buffer in excess of 5 years.

Members were advised that, in relation to housing supply, the figures on which this would be judged were contained in the East of England Regional Plan. Until the Authority produced its own targets, those in the Regional Plan had to be used and experience in other cases indicated that appeal inspectors would continue to refer to that document.

The Director stressed that each site released for development must be considered on its own merits. The situation in relation to land supply would have to be considered in every case and could not automatically be taken as a precedent. However, strong policy messages had come from the government, recently indicating that Local Authorities should be permitting development to go ahead unless there were fundamental problems with a particular scheme. Members would have to weigh up the policy approach of the Local Plan and East of England Plan and the more recent messages coming from central government. Officers had considered all these matters in reaching the recommendation detailed in the report now submitted.

Councillor A Burlton stressed that paragraph 7.2 of the report would tend to imply that this scheme constituted inappropriate development. He expressed concerns in relation to the first item of the section 106 legal obligation in relation to car parking. He also commented on whether the provision of 40% affordable housing included the provision of 15% of the dwellings being built to 'Lifetime Homes' standards.

The Director advised that the provision of 15% lifetime homes was not linked to the provision of 40% affordable housing. He stated that the lifetime home provision was across the entire development. In respect of car parking, Members were advised that the Council's policy was very much based on the number of spaces. A contribution of £500 per space was seen as a reasonable contribution for developers that was offset by the value such provision would add to any given property.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services that, subject to no objections being raised by the Secretary of State following referral to him as an application involving a departure from the Development Plan, application 3/10/2040/OP be granted subject to the conditions now detailed and the section 106 legal agreement.

> <u>RESOLVED</u> – that subject to no objections being raised by the Secretary of State following referral to him as an application involving a departure from the Development Plan and subject to the applicant entering into a Section 106 legal agreement of the Town and Country Planning Act 1990 to cover the following matters:

- The provision of a financial contribution per car parking space towards sustainable transport schemes and measures in the vicinity of the site in accordance with the standard charges in East Herts Council's Planning Obligations Supplementary Planning Document October 2008;
- The provision of a financial contribution towards recycling facilities in accordance with the standard charges in East Herts Council's Planning Obligations Supplementary Planning Document October 2008;
- 3. The provision of library contributions, in accordance with the current HCC Contributions Table;
- 4. The provision of Nursery, Middle and Upper Education contributions, in accordance with the current HCC Contributions Table;
- 5. The provision of Youth and Childcare infrastructure contributions, in accordance with the current HCC Contributions Table;
- The provision of parks and gardens and provision for children and young people contributions, in accordance with the standard charges in East Herts Council's Planning Obligations Supplementary Planning Document October 2008;
- The provision of 40% affordable housing comprising 75% rented and 25% intermediate market housing (if 15 or more dwellings are proposed);
- 8. The provision of 15% of the dwellings to be built to 'Lifetime Homes' standards and scaled drawings to be submitted at reserved matters stage of internal layout and external spaces

for these dwellings.

in respect of application 3/10/2040/OP, planning permission be granted subject to the following conditions:

- 1. Outline permission time limit (1T03)
- 2. Outline submission of details (2E01) (delete 'the means of access thereto)
- 3. The total number of residential units within the development hereby permitted in outline shall not exceed 26 as proposed within the submitted application.

<u>Reason:</u> To ensure the provision of an appropriate form of development that is compatible with the context of the surrounding area; in accordance with the parameters set out within the application and accompanying Design and Access Statement, and in accordance with policy ENV1 of the Local Plan.

- Approved Plans (2E10) Loc Plan, 01, IT963/TA/01 (SCHEME 05), IT963/TA/01 (SCHEME 06)
- 5. Programme of archaeological work (2E02)
- 6. Prior to the commencement of any works on the site, an ecological survey of the site, shall be carried out and details including an assessment of the impact of the proposed development and any appropriate measures to alleviate such impact, shall be submitted to for the written approval of the Local Planning Authority. Mitigation measures shall be carried out in accordance with the approved scheme prior to any works commencing and thereafter be retained where appropriate.

<u>Reason:</u> To enable proper consideration of the effect of the development on the contribution of nature conservation interests to the amenity of the area, in accordance with PPS 9 Biodiversity and Geological Conservation.

- 7. Construction parking and storage (3V22)
- 8. Wheel washing facilities (3V25)
- 9. Contaminated Land survey and remediation (2E332)
- 10. Construction hours of working- plant and machinery (6N07)
- The development shall not be brought into use until all highway works on the site access and Longmead as shown in principle drawing no:IT963/TA/01 (or as otherwise previously agreed in writing by the local planning authority) have been constructed.

<u>Reason:</u> To ensure the access is constructed to the current Highway Authority's specification in the interest of highway safety and amenity in accordance with Policy TR2 of the East Herts Local Plan Second Review April 2007.

12. The access works shall not commence until detailed plans of the site access junction, internal road and car parking have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

<u>Reason</u>: To ensure the access is constructed to the current Highway Authority's specification in the interest of highway safety and amenity in accordance with Policy TR2 of the East Herts Local Plan.

13. The construction of the development shall not commence until details of construction vehicle movements and traffic management measures are submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

<u>Reason:</u> To ensure the impact of construction vehicles on the local road network is minimised.

### **Directives:**

- 1. Planning Obligation (08PO)
- 2. Please note that if either before or during construction works it is discovered that the site is contaminated the responsibility for safe development and secure occupancy of the site lies with the developer.

## 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 SD1, SD2, HSG3, HSG4, HSG6, GBC2, GBC3, TR2, TR7 ENV1, ENV2, ENV11, ENV16, ENV17, BH1, BH2, BH3 and IMP1 and PPS 1: Delivering Sustainable Development, PPS 3: Housing and PPS 9 Biodiversity and Geological Conservation. The balance of the considerations having regard to those policies and other material considerations is that permission should be granted. 28 3/11/0249/FO - VARIATION OF CONDITION A OF THE PLANNING INSPECTORATE'S DECISION OF PLANNING PERMISSION 3/10/0704/FO AT THE RIVERSIDE GARDEN CENTRE, LOWER HATFIELD ROAD, BAYFORD, HERTFORD, HERTS, SG13 8XX FOR RIVERSIDE GARDEN <u>CENTRE</u>

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0249/FO, planning permission be granted subject to the conditions now detailed.

In response to a concern from Councillor A Burlton, the Director confirmed that an appeal inspector had indicated that the variation of condition A was acceptable in relation to planning application 3/10/0704/FP.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that application 3/11/0249/FO be granted subject to the conditions now detailed.

> <u>RESOLVED</u> – that in respect of application 3/11/0249/FO, planning permission be granted subject to the following conditions:

- 1. No external lighting (2E26)
- 2. The previously approved external extractor vents, condenser units, heater flues and meter boxes shall be retained and maintained unless otherwise agreed in writing by the Local Planning Authority.

<u>Reason:</u> 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.

3. The permission hereby granted relates to the provision of 428sq.m. floorspace for the

restaurant use. The creation of any additional restaurant floorspace within the building shall not be undertaken without the prior written consent of the Local Planning Authority.

<u>Reason:</u> In order to control any intensification of the restaurant use and subsequent impact on the Green Belt.

4. The use of the restaurant by customers shall be restricted to the hours of 08.00 to 01.00 on the following day on Mondays to Saturdays and to the hours of 10.00 to 22.00 on Sundays and Bank Holidays. Notwithstanding those restrictions, the restaurant may be used by customers on New Year's Eve on whatever day that falls until 01.00 on the following day.

<u>Reason:</u> In the interests of the amenities of neighbouring occupants.

5. The doors and windows between the restaurant and the riverside terrace on the northern elevation of the building shall be kept closed after 22.00 on any day on which the restaurant is in use.

<u>Reason:</u> In the interests of the amenities of neighbouring occupants.

6. The doors and windows to the restaurant kitchen on the eastern elevation of the building shall be kept closed after 22.00 on any day on which the restaurant is in use.

<u>Reason:</u> In the interests of the amenities of neighbouring occupants.

 The development hereby approved shall be carried out in accordance with the following plans HD09014/01 B, HD09014/02, HD09014/03 C, HD09014/10, HD09014/24, HD09014/25, HD09014/26 A, HD09014/27 A, HS/1 and HS/2 as approved on 23rd September 2009 under planning ref. 3/09/0939/FP.

<u>Reason:</u> To ensure the development is carried out in accordance with the approved plans, drawings and specifications.

29 3/11/0520/FP - CHANGE OF USE OF LAND TO HORSE KEEPING. ERECTION OF STABLE BLOCK AND NEW VEHICULAR ACCESS AT LAND AT SACOMBE CORNER WOOD, FROGMORE HILL, WATTON-AT-STONE FOR MR GARY MADGIN

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0520/FP, planning permission be granted subject to the conditions now detailed.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that application 3/11/0520/FP be granted subject to the conditions now detailed.

> <u>RESOLVED</u> – that in respect of application 3/11/0520/FP, planning permission be granted subject to the following conditions:

- 1. Three year time limit (1T12)
- 2. Approved plans (2E10) P001A, P002A, P003A, P004A, P005A, P006A
- 3. Materials of construction (2E11)
- 4. Access gradient 1 in 20 (3V12)
- 5. Private use of stables (5U11)
- No works or development shall take place until full details of both hard and soft landscape proposals have been submitted to

and approved in writing by the Local Planning Authority. These details shall include: (a) Hard surfacing materials and surface water drainage (b) Minor artifacts and structures (e.g. refuse or lighting) (c) Planting plans including written specifications, schedules of plants, noting species, planting sizes, proposed numbers/densities and implementation timetables.

<u>Reason:</u> To ensure the provision of amenity afforded by appropriate landscape design, in accordance with policies ENV1, ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

- 7. Landscape Works implementation (4P13)
- 8. Prior to the commencement of the creation of the new vehicular access (unless undertaken between the months of October-February), a qualified ecologist shall undertake observations and recording for nesting birds within the immediate area of the proposed access. A record and observations and results shall be submitted to and approved in writing by the Local Planning Authority and any subsequent mitigation shall be undertaken in accordance with the findings of the survey.

<u>Reason:</u> To protect the habitats of breeding birds which are protected under the Countryside and Rights of Way Act 2000, and in accordance with Policy ENV16 of the East Herts Local Plan Second Review April 2007 and PPS9: Biodiversity and Geological Conservation.

**Directives:** 

- 1. Other legislation (010L)
- 2. Where works are required within the public

highway to facilitate vehicle access, the Highway Authority require the construction of such works to be undertaken to their specification and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Eastern Herts Highways Area Office, Hertford House, Meadway Corporate Centre, Rutherford Close, Stevenage SG1 3HL (Telephone 01438 757880) for further information and to determine the necessary procedures.

3. Groundwater Protection Zone (28GP) insert 'Whitehall'

## 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, ENV11, ENV16 and PPS7 and PPS9. The balance of the considerations having regard to those policies is that permission should be granted.

Please note that under new regulation 11D of the Town and Country Planning (fees for applications and deemed applications) (amendment) (England) Regulations 2008, a fee is chargeable of £85 per request (or £25 where the related permission was for extending or altering a dwelling house) for the discharge and/or confirmation of compliance with a condition. To avoid any unnecessary cost we would recommend that you submit all the required information for discharge of conditions in one application as the fee is payable per request.

30 3/11/0115/FP- ERECTION OF FREE STANDING HOTEL EXTENSION TO PROVIDE 42 EN-SUITE GUEST BEDROOMS AND 5 STAFF BEDROOMS AT MANOR OF GROVES HOTEL, HIGH WYCH LANE, HIGH WYCH, CM21 0JU FOR MR STEPHEN HUNG

Jane Orsborn addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0115/FP, subject to no objections being raised by the Secretary of State following referral to him as an application involving a departure from the Development Plan, planning permission be granted subject to the conditions now detailed.

Councillor M Carver, as the local ward Member, stated his support for the economic benefits and employment opportunities of this application, in line with the views of High Wych Parish Council. His main concern was that the development was unsustainable within the local community. He referred to local problems with sewage disposal and also water pressure and supply, both on site and within the village.

Councillor Carver highlighted the importance of conditions to address these issues. He also expressed concerns in relation to the lack of detail in the application in respect of refuse disposal facilities. He stated that he hoped the application could be granted subject to the issues he had raised being covered by planning conditions.

The Director reminded Members of the need for any conditions to meet the standard tests advised nationally, in particular, conditions must be necessary and relevant to the planning application. Officers felt that conditions to regularise existing problems were not in accordance with those tests.

In response to further comments from Councillor Carver in relation to Officers of the Authority engaging with Veolia Water and the applicant and residents, the Director stated that Officers did not have enough evidence or information to frame planning conditions in respect of the concerns raised by the local Member.

In response to a suggestion by the Director that the application could be deferred for the concerns in relation to water supply, refuse and sewage to be addressed, Councillor Carver stated that he felt the application should not be held up providing that it was made clear to Veolia Water by Officers and the Chairman that there was an expectation that these matters would be addressed.

The Director stated that the issue of refuse collection from the new development was a matter that could be covered by planning conditions. He indicated that directives could be attached to a planning permission if the scheme was approved; dealing with the water supply and drainage matters but that these would not carry the same weight as conditions. He also commented that a deferral would delay the scheme for sometime and the applicant might not be very satisfied with that approach.

Councillor Carver stressed that his view was that the application should be approved subject to a directive that the applicant engaged with the appropriate water supply and disposal organisation to identify any existing problems and, where they may be exacerbated by the development, to seek to identify and implement solutions to solve them.

The Committee accepted the recommendation of the Director of Neighbourhood Services that, subject to no objections being raised by the Secretary of State following referral to him as an application involving a departure from the Development Plan, application 3/11/0115/FP be granted subject to the conditions now detailed and subject to a directive that the applicant engages with the appropriate water supply and disposal organisation to identify any existing problems and where they may be exacerbated by the development, to seek to identify and implement solutions to solve them.

<u>RESOLVED</u> – that, subject to no objections being raised by the Secretary of State following referral

- 1. Three Year Time Limit (1T12)
- Approved plans (2E10) MG 684/19, MG 684/20, MG 684/21FMG 684/22B, MG 684/23A, MG 684/24A, MG 684/25B, MG 684/26A, MG 684/27A, MG 684/28A, JCA-01
- 3. Sample of materials (2E12)
- 4. Lighting details (2E27) insert 'and to ensure that identified bat foraging areas are not unduly affected' 'ENV16'
- 5. Cycle Parking Facilities (2E29)
- New Doors and Windows -unlisted buildings (2E34)
- Sample Brickwork Panel- unlisted buildings (2E35)
- 8. External details of extraction equipment (2E37)
- 9. Wheel washing facilities (3V25)
- 10. Tree retention and protection (4P05)
- 11. Landscape design proposals (4P12) a,b,c,d,e,f,g,h,l,j,k,l
- 12. Landscape works implementation (4P13)
- 13. Landscape maintenance (4P17)
- 14. Prior to the commencement of development

details of construction vehicle movements and construction access arrangements shall be submitted to an approved in writing by the Local Planning Authority. The construction of the development shall thereafter be undertaken in accordance with the approved details

<u>Reason</u>: In the interests of highway safety and to ensure the impact of construction vehicles is minimised.

15. Refuse disposal facilities (2E24)

#### Directive:

1. The applicant is requested to engage with the appropriate water supply and disposal organisation to identify any existing problems, and where they may be exacerbated by the development to seek to identify and implement solutions to them.

#### 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, ENV11, ENV16, ENV17, SD1, LRC10, TR2, TR3, TR4, TR7, TR20 and IMP1 and PPG2, PPS5 and PPS4. The balance of the considerations having regard to those policies is that permission should be granted.

31 3/11/0370/FP - SEPARATION OF PLOTS 7 AND 8 SHOWN AS A PAIR OF SEMI-DETACHED DWELLINGS ON THE APPROVED SCHEME UNDER REF. 3/09/1370/FP TO PROVIDE 2 NO. DETACHED DWELLINGS. ALTERATIONS AND EXTENSIONS TO ENABLE USE OF ROOF SPACES FOR ADDITIONAL ACCOMMODATION TO INCLUDE 2NO. ADDITIONAL BEDROOMS FOR EACH DWELLING AT LAND AT GRAVELLY LANE, BRAUGHING FOR LINDEN HOMES

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0370/FP, subject to the applicant entering into a deed of variation in respect of the S106 legal obligation that was entered into for the planning permission granted for 17 dwellings under LPA reference 3/09/1370/FP, planning permission be granted subject to the conditions now detailed.

Councillor Mrs R Cheswright, as the local ward Member, referred to problems with suppliers' lorries travelling through Braughing rather than using the A10 or B1368. She stated her concern that the 2004 housing needs survey being used by Officers was out of date.

Councillor Cheswright referred to the 2007 Braughing Community Plan that had highlighted the need for 1, 2 and 3 bedroom houses. She also commented that the current parking standards were out of date and should be amended. She expressed her hope that developers would listen to the needs of local people when submitting planning applications.

Councillor Cheswright highlighted that larger executive houses were out of reach for most young people and were not suitable for older people who wanted to downsize. She stated that local people were very aware of the need for 1, 2 and 3 bed houses in Braughing. She expressed concerns that developers often sought to maximise profit rather than providing the housing that was really needed.

Councillor S Bull expressed concerns that 3 storey houses of this scale were way out of context in a village like Braughing. He also stated that insufficient car parking was proposed, considering this application was for 5 bedroom houses. The Chairman stressed that the extra 3<sup>rd</sup> storey was within the roof space so the dwellings would not be any higher than the existing houses. He also stated that Hertfordshire County Council Highways had not objected to the application in relation to the proposed parking provision.

The Director stated that the key issue was the change now proposed to the scheme and whether this would have been acceptable had it originally come forward in this way. He commented that Officers felt the scale and impact of the proposed changes were modest in nature. Members were advised to limit their considerations to judging what harm would be caused by the proposed development.

The Director stressed that Members should not give any weight to the issues around developers providing certain types of housing in relation to profit. The policy approach was for 40% affordable housing to meet affordable housing need and the committee must consider whether it is that need, or one for smaller but open market houses, that it considers most important.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services that, subject to the applicant entering into a deed of variation in respect of the S106 legal obligation that was entered into for the planning permission granted for 17 dwellings under LPA reference 3/09/1370/FP, application 3/11/0370/FP be granted subject to the conditions now detailed and the section 106 legal agreement.

> <u>RESOLVED</u> – that subject to the applicant entering into a deed of variation in respect of the S106 legal obligation that was entered into for the planning permission granted for 17 dwellings under LPA reference 3/09/1370/FP subject to the following matters:

1. The development of Plots 7 and 8 shall be

carried out in accordance with the details to be agreed under the conditions of planning permission reference 3/09/1370/FP;

- 2. An additional financial contribution of £750 towards Sustainable Transport Programs;
- An additional financial contribution of £4,454 towards Middle Tier Education, £4,080 towards Upper Tier Education, £212 towards Childcare, £110 Youth and £134 towards Libraries;
- 4. An additional financial contribution of £180 towards recreation facilities for children and young people.

in respect of application 3/11/0370/FP, planning permission be granted subject to the following conditions:

- 1. Three year time limit (IT121)
- 2. Approved plans (2E10) POla; P02b

# Directive:

 This planning permission is also subject to the Planning Obligation under S106 of the Town and Country Planning Act 1990 (as amended) and the conditions attached to the planning permission granted under lpa reference 3/09/1370/FP.

# 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 OSV1, ENV1, ENV2, ENV5, ENV6, BH5, IMP1 and TR7. The balance of the considerations having regard to those policies and the planning permission that was granted for 17 dwellings under lpa reference 3/09/1370/FP is that permission should be granted.

32 3/11/0350/FP - NEW DWELLING WITH PART FORMED OF CONVERSION OF EXISTING STABLE, ATTACHED GARAGE AND PARKING. LAND ADJACENT TO 99 HIGH STREET, WATTON AT STONE, HERTS SG14 3SZ FOR PAUL SPEARMAN

Mr Romanos addressed the Committee in opposition to the application. Mr Spearman spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0350/FP, planning permission be granted subject to the conditions now detailed.

Councillor N Poulton, as the local ward Member, stated that Watton at Stone Parish Council, local residents, in particular the adjacent land owner, objected to this application. He stressed that the Committee must determine this application on its merits now, rather than taking into account what had taken place previously.

Councillor Poulton stated that there was little, if any, amenity space proposed as part of the scheme. He also referred to concerns in relation to car parking provision, particularly in reference to White House Close. Members were urged to consider the concerns of the Parish Council, the Conservation Officer, local residents and the local ward Member and refuse the application.

The Director stressed that the same policy issues were as relevant now as when the application had been approved previously. He stated that all of the relevant issues were before Members and it would be necessary to articulate what had changed that would merit refusing the application now. He emphasised that Members must consider what weight to attach to the issues for and against this scheme given the previous approval.

Councillor M Alexander commented that the Committee had, in the past, taken great care to listen to the comments of Town and Parish Councils. He emphasised that Watton at Stone Parish Council was clearly concerned about this application and had put forward a number of constructive reasons for refusal.

The Director stated that any refusal reasons that related to listed structures should be restricted to the listed stable rather than buildings in the wider area. He indicated that issues around overdevelopment of the plot and the scale of the building were matters of judgement.

The Director emphasised that the issue of amenity space and proximity to nearby dwellings was a weaker argument. He stated that the distance between plots and buildings was similar to many locations across the District.

Councillor J Taylor proposed and Councillor B Wrangles seconded a motion that application 3/11/0350/FP be refused on the grounds of overdevelopment, the proposed development would be detrimental to the setting of the listed stable building by virtue of the scale and mass of the proposed development and is therefore contrary to national planning guidance in PPS5, the proposal would be detrimental to the area of the site and that part of the Watton at Stone Conservation Area by virtue of its scale and massing, and would therefore be contrary to Policy BH6 of the East Herts Local Plan Second Review April 2007.

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

The Committee rejected the recommendations of the Director of Neighbourhood Services that application 3/11/0350/FP be granted subject to the conditions now detailed.

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

<u>RESOLVED</u> – that in respect of application 3/11/0350/FP, planning permission be refused for the following reasons:

- 1. Overdevelopment (B021)
- The proposed development would be detrimental to the setting of the listed stable building by virtue of the scale and mass of the proposed development and is therefore contrary to national planning guidance in PPS5.
- The proposal would be detrimental to the area of the site and that part of the Watton at Stone Conservation Area by virtue of its scale and massing, and would therefore be contrary to Policy BH6 of the East Herts Local Plan Second Review April 2007.
- 33 3/11/0423/FP CONSTRUCTION OF PRE-SCHOOL NURSERY INCLUDING SINGLE-STOREY BUILDING, SITE ACCESS, CAR PARK, BOUNDARY FENCING, LANDSCAPING AND ASSOCIATED WORKS AT COX'S GARDENS, ELIZABETH ROAD, BISHOP'S STORTFORD FOR THE BLUES PRE-SCHOOL NURSERY

Mr Hobart addressed the Committee in opposition to the application. Laura Griffiths spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0423/FP, planning permission be granted subject to the conditions now detailed.

Councillor J Taylor expressed concerns that Cox's Gardens was a small road and there would be an increase in the volume of traffic as with any nursery type school. She referred to the narrow road and the 9 letters of representation from local residents.

Councillor Taylor commented that some debate was needed as parents did congregate in groups outside preschools at the same time and this would occur 4 times a day. She stressed that the report highlighted a problem in Cox's Gardens with cars parked on the footpath.

The Director stated that the main issue was the likely traffic generation although Hertfordshire Highways had not raised any concerns. He stated that there was a level of parking proposed within the site, although this would not cater for every vehicle turning up at the same time, which was very much the worst case scenario.

The Director referred to some users of the existing preschool walking to that site. He stressed that this could increase for the new location as the supporting speaker had stated that this was closer to the client base for the pre-school.

The Director advised that Members must make a judgement as to whether the traffic impacts of the proposed scheme were acceptable. He referred to the highways considerations as to whether additional traffic movements were acceptable as these would take place when the road was generally less busy.

Councillor A Burlton commented on the width of Cox's Gardens. He stated that this site was an improvement on the existing location for the Blues Pre-School. He commented that the school was a thriving community facility and he would be sorry to see it go.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that application 3/11/0423/FP be granted subject to the conditions now detailed.

<u>RESOLVED</u> – that in respect of application 3/11/0423/FP, planning permission be granted

subject to the following conditions:

- 1. Three Year Time Limit (1T121)
- 2. Approved Plans (2E102)
- 3. Prior to the first occupation of the approved development, the access roads and parking areas within the site shall be provided and thereafter maintained in accordance with the approved plans.

<u>Reason:</u> To ensure that the development makes adequate provision for the off-street parking and manoeuvring of vehicles likely to be associated with its use.

- 4. Materials of construction (2E113)
- 5. Hours of working plant and machinery (6N053)
- 6. Cycle Parking Facilities (2E293)
- 7. Green Travel Plans (3V272)

#### Directive:

 You are advised to contact Hertfordshire Highways at Highways House, 41-45 Broadwater Road, Welwyn Garden City, Herts SG7 3SP, tel: 01992 356343, with regard to the carrying out of any works on any footway, carriageway, verge or other land forming part of the highway.

#### 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, TR2, TR7, TR4, TR13 and LRC1. The balance of the considerations having regard to those policies is that permission should be granted.

34 3/11/0530/SV - 1 MODIFICATION OF SECTION 2(D) OF SECTION 106 AGREEMENT PURSUANT TO PLANNING APPLICATION 3/92/0226/FP AT LAND ADJOINING WALKERN ROAD BETWEEN WALKERN AND WATTON AT STONE FOR MR GEOFFREY FEARY

Mrs Ansell addressed the Committee in opposition to the application. Mr Feary spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0530/SV, planning permission be granted subject to the conditions now detailed.

Councillor B Wrangles commented that she hoped the applicant would adhere to the rules set out in the report now submitted as model aircraft could prove to be a nuisance to residents. In response to a query from Councillor S Bull, the Chairman confirmed that no representation had been received from Benington Parish Council.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that application 3/11/0530/SV be granted subject to the conditions now detailed.

> <u>RESOLVED</u> – that in respect of application 3/11/0530/SV, the Director of Neighbourhood Services be authorised to approve the modification of Section 2(d)(i) of the Section 106 agreement pursuant to planning application 3/92/0226/FP to read as follows:

1. "not to suffer nor permit the flying of internal

combustion powered model aircraft or running of engines thereof at any time except Monday to Saturday between the hours of:- (I) 9.00am to 1.00pm and (II) 3.00pm to 7.00pm", subject to the following additional clause:

 The flying of Silent Flight models (e.g. Gliders and electronic powered model aircraft generating a maximum volume of 65dB(A) at 7m) be permitted between 9am and sunset from Monday to Saturday, and not at all on Sundays.

#### Directive:

 This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body eg. Fire Officer, Health and Safety Executive, Environment Agency (Water Interest) etc. Neither does this permission negate or override any private covenants which may affect the land.

#### 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 and LRC5 and Planning Policy Guidance 2 – Green Belts and 17 – Planning for open space, sport and recreation. 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. DC

EXISTING BUILDINGS AND THE ERECTION OF FIVE HOUSES WITH ASSOCIATED PARKING (RENEWAL OF PERMISSION 3/08/0940/OP) AT 65 AND 67 NORTH ROAD, <u>HERTFORD, SG14 1NF FOR DAVID MCDONNELL</u>

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0377/FN, planning permission be granted subject to the conditions now detailed.

Councillor S Rutland-Barsby stated she had been concerned about application 3/08/0940/OP and her concerns remained on this application to renew the previous planning permission. She stressed that she would abstaining from voting.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that application 3/11/0377/FN be granted subject to the conditions now detailed.

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

<u>RESOLVED</u> – that in respect of application 3/11/0377/FN, planning permission be granted subject to the following conditions:

 Application for approval in respect of all matters reserved in this permission shall be made to the Local Planning Authority within a period of 3 years commencing on the 27<sup>th</sup> August 2011. The development to which this permission relates shall be begun by not later than the expiration of a period of 2 years commencing on the date upon which final approval is given by the Local Planning Authority or by the Secretary of State, or in the case of approval given on different dates, the final approval of the last such matter to be approved by the Local Planning Authority or by the Secretary of State.

<u>Reason:</u> To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

 The development hereby permitted shall not be carried out otherwise than in accordance with detailed plans and drawings showing the layout, scale, appearance, access and landscaping of the site, which shall have been approved in writing by the Local Planning Authority before any development is commenced.

<u>Reason:</u> To comply with the provisions of the Town and Country Planning (Development Management Procedure) Order 2010.

 Details of facilities to be provided for the storage and removal of refuse from the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

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

4. No development shall take place until the Local Planning Authority has received, and approved in writing, a detailed scheme for the preservation during construction of the historic milestone adjacent to the site. The development shall take place in accordance with the requirements of the scheme unless otherwise agreed in writing with the Local Planning Authority.

<u>Reason:</u> In the interests of preserving this heritage asset in accordance with the

requirements of Planning Policy Statement 5 – Planning for the Historic Environment.

#### **Directives:**

- This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety.
- 2. The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.

#### 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 East Herts Local Plan Second Review April 2007), and in particular policies HSG1, HSG7, ENV1, ENV2, ENV9, TR2 and TR7 and the requirements of national Planning Policy Statements 3 – Housing and 5 – Planning for the Historic Environment. The balance of the considerations having regard to those policies is that permission should be granted.

36 3/11/0267/FP - CONSTRUCTION OF 3 NO. DETACHED DWELLINGS, INCLUDING 1 NO. AFFORDABLE UNIT AT 37 LOWER ROAD, GREAT AMWELL, WARE, SG12 9SZ FOR MR JIM DEFILLIPO

> The Director of Neighbourhood Services recommended that, in respect of application 3/11/0267/FP, subject to the applicant or successor in title signing a legal agreement pursuant to S106 of the Town and Country Planning Act

1990, planning permission be granted subject to the conditions now detailed.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services that, subject to the applicant or successor in title signing a legal agreement pursuant to S106 of the Town and Country Planning Act 1990, application 3/11/0267/FP be granted subject to the conditions now detailed and the section 106 legal agreement.

> <u>RESOLVED</u> – that subject to the applicant or successor in title signing a legal agreement pursuant to S106 of the Town and Country Planning Act 1990 to cover the following matters:

1. To provide 1 no. unit as affordable housing.

in respect of application 3/11/0267/FP, planning permission be granted subject to the following conditions:

- 1. Three Year Time Limit (1T12)
- 2. Levels (2E05)
- 3. Boundary walls and fences (2E07)
- 4. Approved Plans (2E10 20~10.1 B, 20~10.6, 20~10.7)
- 5. Materials of construction (2E11)
- 6. The proposed window openings in the first floor northwest elevation of Plot A, and the first floor southeast elevation of Plot C shall be fitted with obscured glass, and shall be permanently retained in that condition.

<u>Reason:</u> To safeguard the privacy of occupiers of the adjoining property, in

- 7. Refuse disposal facilities (2E24)
- 8. Wheel washing facilities (3V25)
- 9. Landscape design proposals (4P12 e, i, j, k, l)
- 10. Landscape works implementation (4P13)
- 11. Prior to first occupation of the development hereby permitted space shall be provided within the application site, in accordance with a plan to be submitted to and approved in writing by the Local Planning Authority, to enable vehicles to stand clear of the highway.

<u>Reason:</u> In the interests of highway safety, and in accordance with policies TR2 and TR7 of the East Herts Local Plan Second Review April 2007.

12. Prior to first occupation of the development hereby approved, the amended vehicular access arrangements, including dropped kerbs at each crossover, shall be carried out in accordance with the approved plans.

<u>Reason:</u> To secure a satisfactory access appropriate to the development, in the interest of public safety and convenience.

13. Construction hours of working - plant and machinery (6N07)

## **Directives:**

- 1. Other Legislation (01OL)
- 2. Street Naming and Numbering (19SN)

3. The presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the Local Planning Authority, and appropriate mitigation measures implemented as approved in writing.

#### 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 SD2, HSG7, GBC1, TR2, TR7, ENV1, ENV2, OSV2, and PPS1, PPS3 and PPS23. The balance of the considerations having regard to those policies is that permission should be granted.

37 3/11/0065/FP - CHANGE OF USE FROM CHURCH (D1) TO RESIDENTIAL DWELLING (C3) WITH NEW ACCESS AND ASSOCIATED PARKING AT ST ANNE'S CHURCH, SLOUGH ROAD, ALLENS GREEN, SAWBRIDGEWORTH, HERTS, CM21 0LR FOR PHILIP CHAMBERLAIN, PAROCHIAL PARISH COUNCIL OF HIGH WYCH

Philippa Reed addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0065/FP, planning permission be refused for the reasons now detailed.

Councillor M Carver, as the local ward Member, stated that this application addressed the cornerstone of joined up community thinking. He commented that this application introduced the use of community assets in an imaginative manner in that a redundant listed building was being brought back into use. DC

Councillor Carver stated that the proposed change of use would sit comfortably within the residential envelope of Allens Green and also facilitated the enhancement of another key community facility in High Wych. He referred to the strong parish council backing for this application.

The Director stressed that it was for Members to weigh up all the issues raised by the public speaker and Councillor Carver. He stated that the application did not sit fully with the identified policy approach in these cases.

The Director stressed that the Member's supporting arguments in favour of the applicant's aspirations for the site were entirely reasonable. It would be necessary however to ensure that proceeds from the sale of this building would go towards the maintenance of another similar church building.

Councillor J Taylor proposed and Councillor S Bull seconded a motion that application 3/11/0065/FP be approved and the conditions and, if required, a section 106 legal agreement be delegated to the Head of Planning and Building Control in consultation with the Chairman of the Development Control Committee.

The Committee rejected the recommendation of the Director of Neighbourhood Services that application 3/11/0065/FP be refused for the reasons now detailed.

<u>RESOLVED</u> – that in respect of application 3/11/0065/FP, planning permission be granted subject to the conditions and, if required, a section 106 legal agreement being delegated to the Head of Planning and Building Control in consultation with the Chairman of the Development Control Committee.

38 3/11/0347/FP - ERECTION OF SCAFFOLD STORAGE BUILDING, OFFICE BUILDING AND CHANGE OF USE OF PART OF SITE FOR ASSOCIATED PARKING WITH SITE LANDSCAPING AT FOXHOLES FARM, LONDON ROAD, The Director of Neighbourhood Services recommended that, in respect of application 3/11/0347/FP, planning permission be granted subject to the conditions now detailed.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that application 3/11/0347/FP be granted subject to the conditions now detailed.

> <u>RESOLVED</u> – that in respect of application 3/11/00347/FP, planning permission be granted subject to the following conditions:

- 1. Three Year Time Limit (1T12)
- Approved Plans: 2E10: FF/01, CS1, NH/422/01, NH/422/02, NH/422/03, 140.09.1D, 140.09.2D, 140.09.3E, 140.09.4B.
- 3. Materials of construction (2E11)
- 4. External timberwork (2E16)
- 5. External lighting details (2E27)
- 6. Retention of parking space (3V20)
- 7. Landscaping works implementation (4P13) insert ' as shown on drawing no. 140.09.2D
- 8. Landscape maintenance (4P17)
- 9. Retention of landscaping (4P21)
- 10. Restriction of use (Buildings B8) (5U02)
- 11. Prior to the first use of the buildings hereby approved all existing buildings and structures marked for demolition on the approved

plan140.09.1D shall be demolished and the debris removed from the site.

<u>Reason:</u> Having regard to Green Belt policy and the needs of very special circumstances to justify the development; and in the interests of the appearance of the site in accordance with policies GBC1 and ENV1 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, GBC7, GBC8, GBC14, TR7 and TR20 and national planning guidance PPG2. The balance of the considerations having regard to those policies and the withdrawn application 3/09/1653/FP is that permission should be granted.

39 3/11/0514/FP - CHANGE OF USE OF PART OF RESIDENTIAL GARDEN AND ERECTION OF 25 FREE STANDING PENS IN TWO BLOCKS TO FORM A BOARDING HOME FOR CATS AT WARESIDE LODGE, WARE ROAD, WARESIDE, SG12 7RB FOR MRS CAROL PENNINGTON

Carol Pennington addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0514/FP, planning permission be granted subject to the conditions now

Councillor M Newman proposed and Councillor J Taylor seconded a motion that the Committee accept the Officer's recommendation for approval in respect of application 3/11/0514/FP.

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

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/11/0514/FP be granted subject to the conditions now detailed.

<u>RESOLVED</u> – that in respect of application 3/11/0514/FP, planning permission be granted subject to the following conditions:

- 1. Three year time limit (1T12)
- Approved plans (2E10) (Location Plan, 01, 03, 04, Photo 1)
- 3. Materials of construction (2E13)
- 4. Lighting details (2E27)
- 5. The cattery pens hereby approved shall be used for the occupation of boarding cats only and for no other use of purpose.

<u>Reason:</u> To ensure that the Local Planning Authority retains control over the development.

6. Prior to the commencement of development hereby permitted, a detailed method statement of the customer delivery and collection service shall be submitted to, and approved in writing by the Local Planning Authority. The proposed development hereby approved shall only operate in accordance with the detailed method statement pursuant to this condition.

<u>Reason:</u> To ensure the number of vehicle movements to and from the site is minimised in the interest of highway safety and capacity, in accordance with Policy TR20 of the East Herts Local Plan Second Review April 2007.

7. Advance/screen planting (4P14)

#### **Directives:**

- 1. Other legislation (01OL)
- 2. You are advised that an Animal Boarding Establishment License is required to run a boarding cattery. You are therefore advised to contact the Council's Environmental Health department on 01279 655261 for further information.

#### 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 East Herts Local Plan Second Review April 2007), and in particular GBC3, TR7, TR20, ENV1, ENV2, ENV23 and Planning Policy Statement 5: Planning for the Historic Environment. The balance of the considerations having regard to those policies is that permission should be granted.

40 3/11/0274/FP - ENTRANCE LOGGIA, FIRST FLOOR FRONT AND SIDE EXTENSIONS AT COLTSFOOT COTTAGE, 10 COLTSFOOT LANE, DATCHWORTH, SG3 6SB FOR MARK <u>NEGRI</u>

Debbie Negri addressed the Committee in support of the

application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0274/FP, planning permission be granted subject to the conditions now detailed.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that application 3/11/0274/FP be granted subject to the conditions now detailed.

> <u>RESOLVED</u> – that in respect of application 3/11/0274/FP, planning permission be granted subject to the following conditions:

- 1. Time limit (1T121)
- Approved plans (2E102; 10031-01, 10031-02-A, 10031-BP-A and 10031-LP received on the 18<sup>th</sup> February 2011)

# Directive:

1. Other legislation (01OL1)

# 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, ENV5, ENV6 and GBC1. The balance of the considerations having regard to those policies and national policy guidance in Planning Policy Guidance 2 – Green Belts is that planning permission should be granted.

41 3/11/0272/FP - CHANGE OF USE FROM 1ST FLOOR OFFICE USE TO RESIDENTIAL AT 18 BELL STREET,

# SAWBRIDGEWORTH, CM21 9AN FOR MRS SUSAN DEWBREY

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0272/FP, planning permission be granted subject to the conditions now detailed.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that application 3/11/0272/FP be granted subject to the conditions now detailed.

> <u>RESOLVED</u> – that in respect of application 3/11/0272/FP, planning permission be granted subject to the following conditions:

- 1. Three year time limit (1T12)
- 2. Approved plans (2E10) (Location Plan, Plan 01, Plan 02)

# 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 saved policies of the East Herts Local Plan Second Review April 2007), and in particular Policies EDE2, ENV1, TR7 and Planning Policy Statement 5: Planning for the Historic Environment. The balance of the considerations having regard to those policies and the circumstances of the case is that permission should be granted. LONDON ROAD, BISHOP'S STORTFORD, CM23 5ND FOR MR ANDREW MAHONEY, ITVET

Mr Fountain addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0244/AD, planning permission be refused for the reasons now detailed.

In response to a query from Councillor Mrs R Cheswright on the size of the proposed signage, the Director confirmed that the length would be 4.3 metres whilst the height would be 1.1 metres.

Members commented on whether Officers could have a further dialogue with the applicant to address their concerns. Councillor B Wrangles commented on whether a deferral was appropriate as the applicant had gone to some lengths to get this application right.

The Director emphasised that Officers had been in dialogue with the applicant between the submission of a previous scheme and this application being submitted. Members were advised that further discussion would be unlikely to progress matters.

Councillor Cheswright expressed concerns in relation to the size of the proposed signage.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services that application 3/11/0244/AD be refused planning permission for the reasons now detailed.

> <u>RESOLVED</u> – that in respect of application 3/10/0244/AD, planning permission be refused for the following reasons:

1. The proposed signage, by reason of its materials of construction and its size in

relation to the proportions of the frontage of the property would have a detrimental effect on the visual amenity of the street scene, and the character of this part of the Conservation Area. If permitted it would thereby be contrary to policy BH15 of the East Herts Local Plan Second Review April 2007.

43 3/11/0266/FP - SINGLE STOREY REAR EXTENSION AT 49 CROMWELL ROAD, HERTFORD, SG13 7DP FOR MR AND MRS ANDREW BLACKETT

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0266/FP, planning permission be granted subject to the conditions now detailed.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that application 3/11/0266/FP be granted subject to the conditions now detailed.

> <u>RESOLVED</u> – that in respect of application 3/11/0266/FP, planning permission be granted subject to the following conditions:

- 1. Three year time limit
- 2. Matching Materials
- 3. Approved Plans (2E10) (Drawing no's 100712.01, 100712.02A and 100712.05A)

**Directive**:

1. Other legislation (01OL1)

#### 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, ENV5 and ENV6. The balance of the considerations having regard to those policies is that planning permission should be granted.

44 3/11/0333/FP - TWO STOREY SIDE EXTENSION, RAISE ROOF TO PROVIDE FIRST FLOOR ACCOMMODATION AND INSERTION OF FRONT AND REAR DORMER WINDOWS AT 131A, HADHAM ROAD, BISHOP'S STORTFORD, CM23 2QD FOR MR B JAGGERS

Mr Anderson addressed the Committee in objection to the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0333/FP, planning permission be granted subject to the conditions now detailed.

Councillor G McAndrew, as the local ward Member, expressed concerns that this application would transform what was a modest bungalow into a substantial 4 bedroom house. He stressed that the proposal would be overbearing and was detrimental to the character and appearance of the locality.

Councillor McAndrew stated that the proposed dormer windows would be very close to 11 and 12 Dane Acres, meaning that these dormer windows would look straight into the upstairs windows of these two houses. He stressed that the reduction in the roof height of 0.5 metres should be clarified as the proposed reduction was a modest one.

Councillor McAndrew emphasised that the application was out of keeping with the environment of this site and was contrary to policy ENV6e of the East Herts Local Plan Second Review April 2007. He also stated that the application was contrary to policy ENV5 and would be detrimental the quality of life of the occupants of 11 and 12 Dane Acres. He urged the Committee to refuse the application.

Councillor G Jones referred to the proposed dwelling as being 2 metres higher than existing houses. He expressed concerns that the application would adversely affect the privacy of neighbouring dwellings in all directions.

The Director stated that Members needed to consider and weigh up the issues on this application and whether the impact went beyond what was acceptable in this location. The Director referred to the reduction in the roof height of 0.5 metres from the previously refused application as being an issue for Members to consider.

The Committee was advised that Officers felt that the changes in design of the proposed dwelling and the reduction in the roof height made this proposal one that Officers felt they could support in terms of an acceptable impact on the locality. The Director stated that the distance between the properties was similar to many other locations across the District.

Councillor Mrs R Cheswright proposed and Councillor J Taylor seconded a motion that application 3/11/0333/FP be refused on the grounds that the application would result in unacceptable overlooking and loss of amenity to neighbouring properties and the proposed development by reason of its size, scale and massing would result in a dwelling of excessive proportions uncharacteristic to the surrounding built form and detrimental to the character and appearance of the locality and was thereby contrary to policies ENV1, ENV5 and ENV6 of the East Herts Local Plan Second Review April 2007.

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

The Committee rejected the recommendation of the Director of Neighbourhood Services that application 3/11/0333/FP be granted subject to the conditions now

detailed.

<u>RESOLVED</u> – that in respect of application 3/11/0333/FP, planning permission be refused for the following reasons:

- The proposed development by reason of its size, scale and massing would result in a dwelling of excessive proportions uncharacteristic to the surrounding built form and detrimental to the character and appearance of the locality. The proposal is thereby contrary to policies ENV1, ENV5 and ENV6 of the East Herts Local Plan Second Review April 2007.
- 2. Loss of privacy (B023).

# 45 E/09/0363/A - THE UNAUTHORISED ERECTION OF A DWELLINGHOUSE AT VALLEYFIELDS, WESTLAND GREEN, LITTLE HADHAM, SG11 2AE

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/09/0363/A, enforcement action be authorised on the basis now detailed.

After being put to the meeting and a vote taken, the Committee supported the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/09/0363/A on the basis now detailed.

> <u>RESOLVED</u> – that in respect of E/09/0363/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 any such further steps as may be required to secure the cessation of the unauthorised use and the removal of the physical elements of the development that form part and parcel of, and an integral part of, the use.

Reason why it is expedient to issue an enforcement notice:

- 1. The site lies within the Rural Area as defined in the East Herts Local Plan wherein there is a presumption against development other than required for agriculture, forestry, small scale local community facilities or other uses appropriate to a rural area. The development is prejudicial to this policy, set out at policies GBC2 and GBC3 within the East Herts Local Plan Second Review April 2007.
- The development results in the creation of an isolated residential dwelling in the countryside which is contrary to the Council's aim of providing a sustainable pattern of development across the district and is thereby contrary to policy SD2 of the East Herts Local Plan April 2007 and national planning policy contained in paragraph 9(ii) of PPS7.
- 46 E/11/0020/B UNAUTHORISED ERECTION OF A SECOND STOREY REAR EXTENSION AT 15 LONDON ROAD, <u>HERTFORD, SG13 7LE</u>

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/11/0020/B, enforcement action be authorised on the basis now detailed.

The Director confirmed that no appeal had been submitted against the refusal of retrospective application 3/11/0277/FP. In response to a query from Councillor S Rutland-Barsby, the Director confirmed that the unauthorised development did not comply with the general permitted development order 1995.

Councillor Rutland-Barsby stated that the applicant on

application 3/11/0277/FP should consider submitting appeals on the refused application and the enforcement matter so that both proceedings could run concurrently.

The Committee supported the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/11/0020/B on the basis now detailed.

> <u>RESOLVED</u> – that in respect of E/11/0020/B, 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 any such further steps as may be required to secure the removal of the unauthorised development from the land.

Period for compliance: 6 Months.

Reason why it is expedient to issue an enforcement notice:

- The development by reason of its height, scale and design has an overbearing appearance and is out of keeping with and detrimental to the character and appearance of the dwelling, the pair of dwellings of which it forms part, the street scene and fails to take the opportunities available for improving the character and quality of the area contrary to saved policies ENV1, ENV5 and ENV6 of the East Herts Local Plan Second Review April 2007 and national planning guidance in PPS1 'Delivering Sustainable Development' para 34.
- 47 E/10/0397/A UNAUTHORISED ATTACHMENT AND DISPLAY OF AN ADVERTISING FASCIA SIGN ON A GRADE II LISTED BUILDING AT 4 HIGH STREET, <u>BUNTINGFORD, SG9 9AG</u>

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/10/0397/A,

enforcement action be authorised on the basis now detailed.

The Director advised that no applications had been submitted to regularise this unauthorised development.

The Committee supported the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/10/0397/A on the basis now detailed.

> <u>RESOLVED</u> – that in respect of E/10/0397/A, the Director of Neighbourhood Services, in conjunction with the Director of Internal Services, be authorised to take enforcement action under Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and any such further steps as may be required to secure the removal of the unauthorised advertisement from the land.

Period for compliance: 1 month

Reasons why it is expedient to issue an enforcement notice:

- The advertisement, by reason of its size, design and materials of construction, is detrimental to the historic and architectural character and appearance of this Grade II listed building and its setting within the Conservation Area. It is thereby contrary to policy HE9 of PPS5.
- 48 E/10/0422/A UNTIDY CONDITION OF THE LAND AND BUILDING AT 64 DUNMOW ROAD, BISHOP'S STORTFORD CM23 5HL

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/10/0422/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/10/0422/A on the basis now detailed.

> <u>RESOLVED</u> – that in respect of E/10/0422/A, the Director of Neighbourhood Services, in conjunction with the Director of Internal Services, be authorised to take enforcement action under s.215 of the Town and Country Planning Act 1990 and to take any other steps as may be required to secure:

- a) The repair of the roof at the north east corner;
- b) The repair or replacement of the fascia board and guttering on the front and side of the property;
- c) The removal of the overgrowing vegetation, covering the front and side of the property to include the walls and roof;
- Any other works required to ensure the property is water tight; and to leave the site in a clean and tidy state.

Period of compliance: 3 Months

Reasons why it is expedient to issue a s.215 Notice:

- 1. The condition of the land and the building is detrimental to the amenity of the surrounding area, and thereby contrary to policy ENV1 of the East Herts Local Plan Second Review April 2007.
- 49 E/09/0245/B UNAUTHORISED CHANGE OF USE OF LAND TO RESIDENTIAL AND CONSTRUCTION OF A REINFORCED PIT FOR A TRAMPOLINE ON LAND REAR OF JASMINE COTTAGE, BROADFIELD, THROCKING, BUNTINGFORD, SG9 9RD

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/09/0245/B, enforcement action be authorised on the basis now

DC

The Director advised that an application had been received on 16 May 2011 for the retention of the existing garden and an extension for a limited period of two years. Members were advised that no determination date was available on this application.

The Committee was reminded that this application might not be approved as the previous retrospective application was refused in February 2010. Members were requested to consider a period for compliance of 24 months if they felt the application received on 16 May 2011 should be approved for a limited period only.

Councillor M Newman stated that he saw no need to extend the 3 month period of compliance as this would be sufficient to determine the planning application that had been recently submitted.

The Committee supported the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/09/0245/B on the basis now detailed.

> <u>RESOLVED</u> – that in respect of E/09/0245/B, the Director of Neighbourhood Services, in conjunction with the Director of Internal Services, be authorised to take enforcement action under s.172 of the Town and Country Planning Act 1990 and any such further steps as may be required to cease the unauthorised use of the land, the removal of the reinforced pit and play equipment, and the reinstatement of the land to its former state.

Period for compliance: 3 months

Reason why it is expedient to issue an enforcement notice:

1. The unauthorised change of use of the land from agriculture to residential garden land

represents an incursion into the countryside which has an adverse effect on the character and appearance of the local landscape, and therefore is contrary to polices GBC3, ENV1, ENV2 and ENV7 of the East Herts Local Plan Second Review April 2007 and national planning statements PPS1and PPS9.

50 E/11/0127/B - UNAUTHORISED RESIDENTIAL USE OF A CARAVAN ON LAND AT HIGHBURY FARM, WOOD END, ARDELEY, SG2 7BD

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/11/0127/B, enforcement action be authorised on the basis now detailed.

The Director reminded Members that Officers had served an urgent enforcement notice under delegated authority, in consultation with the Chairman on 9 May 2011, requiring the cessation of the unauthorised use and the removal of the caravan from the land. Members were being asked to endorse such action

The Committee supported the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/11/0127/B on the basis now detailed.

> <u>RESOLVED</u> – that (A) in respect of E/11/0127/B, service of an urgent enforcement notice under delegated authority, in consultation with the Chairman on 9 May 2011 requiring the cessation of the unauthorised use and the removal of the caravan from the land was noted and endorsed; and

(B) the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to take any such further steps as may be required to secure compliance with the requirements of the notice served.

Period for compliance given: 3 months.

Reasons why it is expedient to issue an enforcement notice:

- 1. The site lies within the Rural Area as defined in the East Hertfordshire Local Plan wherein there is a presumption against development other than required for agriculture, forestry, small scale local community facilities or other uses appropriate to a rural area. The residential development is contrary to this policy, set out at saved policies GBC2 & GBC3 within the East Herts Local Plan Review April 2007.
- The development, by reason of its materials and detailed appearance is of a poor standard of design, detrimental to the character and appearance of the Conservation Area and contrary to policies ENV1 and BH6 of the East Herts Local Plan Second Review April 2007 and national planning guidance in PPS1 'Delivering Sustainable Development' para 34 and PPS5.
- 51 E/11/0060/B INCLUSION OF COMMUNAL LAND INTO PRIVATE RESIDENTIAL GARDEN AND THE UNAUTHORISED ATTACHMENT OF FENCING TO A LISTED WALL AT 6 WALLED GARDEN, GOLDINGS ESTATE, HERTFORD SG14 2WS

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/11/0060/B, enforcement action be authorised on the basis now detailed.

The Director confirmed that Officers had invited the submission of an application to regularise the development. Members were advised that, to date, no application had been submitted.

The Committee supported the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/10/0060/B on the basis now detailed.

> <u>RESOLVED</u> – that in respect of E/10/0060/B, 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 Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and any such further steps as may be required to secure the cessation of the use of the communal land as private residential garden and the removal of the attachment of fencing from the listed wall.

Period for compliance: 1 month

Reason why it is expedient to issue an enforcement notice:

 The unauthorised change of use of the land from communal to residential garden is contrary to saved Policy ENV1 of the East Herts Local Plan 2007; and the fixing of fencing to the listed wall has caused harm to the historic character and appearance of the Grade II listed building, contrary to policy HE8.1 of Planning Policy Statement 5: Planning for the Historic Environment (2010).

# 52 PROPOSED MIXED USE REDEVELOPMENT AT FORMER HERTFORD POLICE STATION, WARE ROAD, HERTFORD: PLANNING APPEAL

The Head of Planning and Building Control submitted a report to enable the Committee to review its position in relation to the refusal of the proposal now detailed, which was now the subject of an appeal. This application had been determined in December 2010 and the key issue during that debate was PPS4 and the issues around the

test on sequentially preferable sites for the development.

Members were advised that this policy focussed on uses that represent services and facilities which should be located in town centre locations that were readily accessible to a majority of people. The Committee was reminded that this proposal had been refused by Members in December 2010 and an appeal had been submitted with hearing dates anticipated for August 2011.

The Director advised that there was little case law in relation to PPS4 and the sequential test and Officers now had to make a judgement as to how to respond to the appeal. He stated that the advice Officers had received indicated that a considerable amount of further work may be required to amplify the Councils case at appeal. Officers had reassessed the case and felt that spending what would be a significant amount of resources and Officer time on this work, which may ultimately not support the Councils case was not the best way forward.

The Director stated that Officers felt that the Council should not continue to contest the issue of the sequential test for the proposed hotel at appeal and the Committee should confirm to the Planning Inspectorate that it will be offering no evidence in relation to this matter. Officers were also seeking authority to invite the appellant to resubmit the planning application for consideration.

Councillor N Wilson, as the local ward Member, requested that Members uphold the Officer's recommendations as now detailed. He stressed that reasons must be set out as to why the Authority could not defend arguments in support of the residents of the Kingsmead Ward.

Councillor Wilson stated that the applicant had failed to meet the requirements of the local plan. He expressed concern that not defending the appeal could result in the appeal being allowed for a hotel close to an existing school and against the wishes of local residents. Councillor Wilson emphasised the acceptance that the site must be developed, but questioned to what cost to Kingsmead Ward.

Councillor J Taylor stated that Members should remember that this was an appeal for a proposed development in Hertford, the County Town. She stressed that she would like to see the Committee's decision defended vigorously at appeal with local Councillors attending to speak, as this often carried great weight at appeal hearings.

The Chairman reminded Members that the only reason the application had been refused was in relation to PPS4 and the sequential test and this was an argument that Officers could not, at this stage, be sure could be sustained at appeal. The Authority would not be able to introduce fresh reasons as to why the application had been refused.

Councillor B Wrangles stated that she felt that residents of Kingsmead Ward were being let down by the Authority not contesting the appeal. She stated that she would not be supporting the Officer's recommendation and would be asking for her vote to be recorded.

The Director stated that PPS4 was a new policy area that the Authority was still very much finding its way with, in terms of the level of evidence that must be supplied in relation to any given site. Members were advised that it appeared the test was of a very high level in these cases.

The Committee was advised that the current risk to the Authority was low, but this could increase significantly if the Council continued with its current position. The costs of defending the appeal could be added to by costs being awarded against the Authority if further work only demonstrated that it was in an unreasonable position. Officers were unsure whether the appellant would pursue the appeal or resubmit a further planning application. Officers had tried to balance all the risks in relation to the way forward for the Authority. Members were urged to consider issues carefully in reaching their view. After being put to the meeting and a vote taken, the Committee supported the Director's recommendation that the Council should not continue to contest the issue of the sequential test for the proposed hotel at appeal and the Committee should confirm to the Planning Inspectorate that it will be offering no evidence in relation to this matter. The Committee also authorised Officers to invite the appellant to resubmit the planning application for consideration.

Councillor B Wrangles requested that her vote against the recommendation be recorded.

<u>RESOLVED</u> – that (A) the Council does not continue to contest the issue of the sequential test for the proposed hotel at appeal and confirms to the Planning Inspectorate that it will be offering no evidence in relation to this matter; and

(B) the appellant be invited to resubmit the planning application for consideration by the Committee.

At this point (9.50 pm), the Committee passed a resolution that the meeting should continue until the completion of the remaining business on the agenda.

## 53 SCHOOLS RELOCATION AND ASSOCIATED REDEVELOPMENT PROPOSALS, BISHOP'S STORTFORD: PLANNING APPEALS

The Head of Planning and Building Control submitted a report to update the Committee in relation to the appeals submitted in respect of the Bishop's Stortford Schools Relocation and Associated Redevelopment Proposals.

Members were advised that Officers were reviewing the position of the Authority to ensure that there was a sound case for the appeal to be contested on behalf of the Committee. The first recommendation was in relation to the highways issues in that the Council continues to include, as part of its case, the unacceptable impact of the proposed development in relation to highway matters.

Officers believed that, although the highway authority did not object to the applications, independent assessors considered that the Local Planning Authority did have a case to advance at the planning enquiry on the grounds that there were shortcomings in the transport assessments undertaken on behalf of the appellant.

The Committee was advised that the decision on the planning proposals in relation to the relocation of the Blues pre-school may not now form part of the case advanced by the Council, as this application had now been approved by the Committee.

Members were also advised that, given the complex nature of the appeal proposals and because of the requirement to ensure that the Council's case at appeal reflected any changes in circumstances in the run up to the inquiry, the Head of Planning and Building Control was seeking authority to make any further changes to the case submitted by the Council as necessary and appropriate, subject to agreement with the Chairman of the Committee and a Committee Member representing a Bishop's Stortford ward.

Councillor J Taylor commented that this was significant responsibility for a single Bishop's Stortford Member. The Committee agreed that Councillors A Burlton, G Jones and the Chairman of the Development Control Committee assist the Head of Planning and Building Control in making any further changes to the case to be submitted by the Council at the forthcoming public enquiry.

Finally, the Committee expressed its view that the public inquiry should be held in a Bishop's Stortford venue because of the considerable local interest in the proposals and the significant impact of them in relation to the town.

After being put to the meeting and a vote taken, the

Committee supported the Director's recommendations as now detailed.

<u>RESOLVED</u> – that (A) in relation to the proposals for the development of the relocated schools at Whittington Way, Bishop's Stortford, the Council continues to include, as part of its case, the unacceptable impact of the proposed development in relation to highway matters;

(B) as the decision on the planning proposals in relation to the relocation of the Blues pre-school had now been determined, this matter does not continue to form part of the case advanced by the Council;

(C) the Head of Planning and Building Control be authorised to make any further changes to the case submitted by the Council as necessary and appropriate, subject to agreement with the Chairman of the Development Control Committee and Councillors A Burlton and G Jones; and

(D) the public inquiry should be held in a Bishop's Stortford venue because of the considerable local interest in the proposals and the significant impact of them in relation to the town.

#### 54 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 (March).

(E) Planning Statistics (April).

The meeting closed at 9.57 pm

Chairman ..... Date ....