

MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT COMMITTEE
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON WEDNESDAY
13 NOVEMBER 2024, AT 7.00 PM

PRESENT: Councillor S Watson (Chair)
Councillors R Buckmaster, R Carter,
M Connolly, S Copley, I Devonshire,
J Dunlop, Y Estop, G Hill, A Holt, S Marlow
and T Stowe

ALSO PRESENT:

Councillors S Bull, V Burt, V Glover-Ward,
S Nicholls and D Woollcombe

OFFICERS IN ATTENDANCE:

Neil Button	- Interim Development Management Team Leader
Steve Fraser-Lim	- Principal Planning Officer
Rani Ghattoura	- Planning Lawyer
Peter Mannings	- Committee Support Officer
Martin Plummer	- Service Manager (Development Management and Enforcement)
Sara Saunders	- Head of Planning and Building Control

An apology for absence was submitted from Councillor Burt. It was noted that Councillor Connolly was substituting for Councillor Burt.

229 CHAIRMAN'S ANNOUNCEMENTS

The Chair reminded everyone to use the microphones when speaking as the meeting was being webcasted.

230 DECLARATIONS OF INTEREST

There were no declarations of interest.

231 MINUTES - 23 OCTOBER 2024

Councillor Devonshire proposed and Councillor Buckmaster seconded, a motion that the Minutes of the meeting held on 23 October 2024 be confirmed as a correct record and signed by the Chair.

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

RESOLVED – that the Minutes of the meeting held on 23 October 2024, be confirmed as a correct record, and signed by the Chair.

232 3/24/0294/FUL - OUTLINE APPROVAL FOR A RESIDENTIAL DEVELOPMENT FOR AROUND 200 NEW MARKET AND AFFORDABLE HOMES AND FULL PLANNING APPROVAL FOR THE CONSTRUCTION OF NEW MEDICAL CENTRE, CAR PARKING AREA, RELATED DRAINAGE, AND SUDS INFRASTRUCTURE, WITH ASSOCIATED ACCESS TO HARE STREET ROAD AND ENABLING WORKS TO THE EXISTING HIGHWAY, AS DEFINED ON THE LAND USE PARAMETER AND DETAILED ACCESS PLANS AT LAND NORTH OF HARE STREET ROAD, BUNTINGFORD, HERTFORDSHIRE

The Chair invited Members to consider whether they wished to extend public speaking timed slots to 6 minutes. He said that under paragraph 6.5.5 of the constitution, the committee can depart as it sees fit from the speaking arrangements on certain applications. The Committee Support Officer explained that the extended timed slots would be shared in the usual way and all speakers were aware of this. He said that the committee would need to vote on a formal motion if they wished to extend the time.

Councillor Copley proposed and Councillor Stowe seconded, a motion that in accordance with paragraph 6.5.5 in Section 6 (Regulatory Committees) of the constitution, the committee agree to depart from the speaking arrangements of the Development Management Committee, to increase the total speaking time to 6 minutes for the objectors, the applicant, and the town council speaker in respect of application 3/24/0294/FUL.

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

RESOLVED – that in accordance with paragraph 6.5.5 in Section 6 (Regulatory Committees) of the constitution, the committee agreed to depart from the speaking arrangements of the Development Management Committee, to allow public speakers to address the committee for 6 minutes in respect of application 3/24/0294/FUL.

The Head of Planning and Building Control recommended that in respect of application 3/24/0294/FUL, planning permission be granted subject to the conditions set out at the end of the report.

The Principal Planning Officer said that the application proposals were a hybrid planning application with part of

the proposals submitted in full details. He referred to the vehicle entrance into the site and the medical centre, and the details of the associated drainage attenuation basin. The remaining outline details were the proposed 200 dwellings.

The Principal Planning Officer set out in detail the key issues for Members to consider. As part of this summary, Members were presented with a series of plans and elevation drawings and the Principal Planning Officer detailed the planning history of the site and referred Members to the late representations.

Mr Stephen Baker and Hertfordshire County Councillor Jeff Jones addressed the Committee in objection to the application. Mr Steven Kosky and Mr Kumar Muhkajee addressed the Committee in support of the application.

Councillors Burt, Nicholls and Woollcombe addressed the committee as the local ward Members.

The Committee debated the application and asked questions of the Planning Officers. The Officers responded in detail to the questions raised by Members. The Principal Planning Officer explained that the tilted balance was a big consideration for the Committee in terms of the 5-year housing land supply.

Councillor Copley asked about the possibility of a deferral pending further discussions with the Integrated Care Board (ICB) regarding whether the medical centre would go forward. She also mentioned the consultation in respect of the agricultural land.

The Principal Planning Officer said that the consideration of other sites for the medical practice had been ongoing for some time, and this would not be sufficient grounds for a deferral. Members were reminded the Committee had to consider the application that was before them. He

said that Members were being asked to consider whether this site on Land North of Hare Street Road was suitable for a medical centre.

Councillor Carter proposed and Councillor Connolly seconded, a motion that condition 40 be amended to stipulate that no above ground works can take place until details of the ecological enhancements on that phase of the site, including bat boxes, bird boxes, swift boxes, bee bricks and hedgehog nest domes, as outlined in the submitted Ecological Appraisal, are submitted to, and approved in writing by the Local Planning Authority. No occupation / first use for that phase shall take place until the approved details have been implemented in full.

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

The Planning Solicitor said that Members were not bound to accept the Officer recommendation. However, she advised that if the Officers professional and technical advice was not followed, Members needed to demonstrate reasonable planning grounds and citing the relevant planning authority policies for taking a contrary decision. Members were reminded that they might called on to give evidence to support their decision at any appeal.

The Head of Planning and Building Control reminded Members that there was a District Plan, albeit one that was out of date. She said that it was very normal for sites to come forward that were not allocated for Members to determine as windfall speculative applications. Members had to determine applications that were put before them, and schemes could not be put on hold pending a review of the District Plan.

At this point in the meeting, 9:47 pm, Councillor Watson proposed, and Councillor Buckmaster seconded, a motion

that the meeting would continue beyond 10 pm and until the remaining business of the agenda had been determined.

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

RESOLVED – that the meeting would continue beyond 10 pm and until the remaining business of the agenda had been determined.

The Committee continued to debate the application. The Head of Planning and Building Control reminded Members that during the lifespan of the District Plan and the plan period, circumstances change, and a good plan was there to provide some certainty and flexibility for changing circumstances. Members were reminded to recognise that and to recognise the situation that the council was currently in.

The Interim Development Management Team Leader reminded Members that they had to be satisfied that the harms significantly and demonstrably outweigh the benefits, to use the term contained in the National Planning Policy Framework (NPPF).

Councillor Devonshire and Councillor Holt seconded, a motion that application 3/24/0294/FUL be refused planning permission, on the grounds that the application did not with policies DES1, BUNT1, GBR2 and the Neighbourhood Plan. The speculative application would conflict with the development plan strategy and would result in the loss of a large open area on the outside of a town development, loss of agricultural land, the lack of sustainability as there was only one school within the walking area of the site. The application would have a significant visual impact on the rural landscape and a wider impact on the whole area.

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

RESOLVED – that application 3/24/0249/FUL be refused planning permission for the following reasons:

1. The application did not with policies DES1, BUNT1, GBR2 and the Neighbourhood Plan.
2. The speculative application would conflict with the development plan strategy and would result in the loss of a large open area on the outside of a town development.
3. Loss of agricultural land.
4. The lack of sustainability as there was only one school within the walking area of the site.
5. The application would have a significant visual impact on the rural landscape and a wider impact on the whole area.

233 URGENT BUSINESS

There was no urgent business.

The meeting closed at 10.18 pm

Chairman
Date