

**To:** Members of the Development  
Control Committee

**From** COUNTY SECRETARY'S  
DEPARTMENT

Chief Officers

**Ask for** Adrian Service  
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**DEVELOPMENT CONTROL COMMITTEE  
8 JULY 2003  
MINUTES**

**ATTENDANCE**

**MEMBERS OF THE COMMITTEE**

N K Brook, G R Churchard, R N Copping, M Green, B N W Hammond (Chairman),  
D R Mc Manus, S J Mills, E N Singam, W A Storey (Vice-Chairman), J W A Usher.

**OTHER MEMBERS IN ATTENDANCE**

D W Clayton, M Downing, R J M Ellis, G D Game, M H T Janes, R Mays, M O'Neill.

Upon consideration of the agenda for the Development Control Committee meeting on  
8 July 2003, as circulated, copy annexed, action was taken or decisions were  
reached on individual items as recorded below.

**CHAIRMAN'S ANOUNCEMENTS**

The Chairman on behalf of the Committee referred to the death of George Wenham  
and paid tribute to the work and contributions of George Wenham, as a Committee  
Group Spokesman and Committee member.

The Chairman announced that Brian Owen had been appointed as Development Control  
Manager succeeding June Kelly.

He welcomed Councillor D R Mc Manus as a new Committee Member and Councillor  
M Green back as a Committee member.

**MINUTES**

That the Minutes of the meeting of the Committee held on 15 April 2003 were confirmed  
as a correct record.

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**PUBLIC PETITIONS**

None received

**NOTIFICATION OF OTHER BUSINESS**

No other business had been notified.

**QUESTIONS**

No questions had been submitted.

**PART I AGENDA**

**1. HERTSMERE BOROUGH – APPLICATION FOR THE ERECTION OF BUILDING AND CHANGE OF USE TO SKIP HIRE BUSINESS AND WASTE TRANSFER STATION AT LONDON ELECTRICITY COMPOUND, WELL END ROAD, BOREHAMWOOD**

[Officer contact: Clive Inwards Tel: 01992 556256]

The Chairman advised that the applicant had withdrawn their planning application and the planning application would not be considered by the Committee today.

**2. BROXBOURNE BOROUGH – PROPOSED RELOCATION OF ST MARY’S HIGH SCHOOL TO LAND AT BURY GREEN FARM, CHESHUNT**

[Officer contact Brian Owen Tel : 01992 556224]

John Reynolds gave a presentation on behalf of the Archdiocese of St Albans supporting the planning application.

In the absence of Jim Dalton, Dick Bowler gave a presentation supporting the planning application.

A copy of a letter from D Wilsher dated 14 May 2003 concerning this application was circulated at the meeting.

The Development Control Manager of the County Development Unit, Environment Department stated that two further representations had received since the dispatch of the agenda. The issues raised in these two further representations related to the isolation of the cycle lane in Theobalds Lane West, proposed dropping off points, parking and the amount of playing field space to be provided.

**RESOLVED**

That, subject to the Secretary of State not wishing to intervene, the Director of Environment be authorised to grant planning permission subject to conditions to include:

- i) completion of ecological evaluation;
- ii) detailed landscaping scheme taking into account the ecological evaluation;
- iii) materials;
- iv) provision of a 10 metre buffer zone to Theobald's Brook, free of fences, structures and hard surfacing;
- v) construction (access, hours of operation, compound areas);
- vi) no part of the development shall be constructed until the highway works and access arrangement as shown in principle in Appendix L of the Transport Assessment are in place;
- vii) approval of detailed design and construction phasing prior to commencement of off-site highway works;
- viii) design details of all pedestrian/cycle facilities including at grade crossings at A10, Lieutenant Ellis Way, Winston Churchill Way and Theobalds Lane East to be submitted and approved prior to construction;
- ix) construction of all pedestrian/cycle facilities including at grade crossings at A10, Lieutenant Ellis Way, Winston Churchill Way and Theobalds Lane East prior to occupation;
- x) no construction vehicles shall gain access/egress to and from the site via Bury Green Road;
- xi) the Applicant shall develop a traffic-calming scheme in consultation with the local residents for Bury Green Lane with the aim to implement the scheme prior to the occupation.
- xii) From first occupation to through out the lifetime of the development the applicant shall comply with the approved School Travel Plan with the aim to reduce the trips by private car. Prior to occupation of the development a School Travel Plan for the site shall be prepared and submitted to the highway authority. Thereafter the applicant shall ensure that the school comply with the approved travel plan.

**3. HERTSMERE BOROUGH – REQUEST TO VARY CLAUSE 3(e) and 3(f) OF SECTION 106 AGREEMENT CONTROLLING THE LORRY ROUTEING RELATED TO THE RECONTOURING OF BRIDGEDOWN GOLF COURSE, ST ALBANS ROAD, POTTERS BAR / BARNET**

[Officer contact:

Richard Greaves

Tel: 01992 556225]

**RESOLVED**

That the Director of Environment be authorised to approve the amendment to clause 3 (e) and 3 (f) of the Section 106 Agreement, dated 4 June 2001, by the substitution of the existing clauses 3(e) and 3 (f) with the following :

- (e) to implement in full the Environmental Management Plan attached to this agreement for the duration of the development and aftercare except for the

provisions in the first 2 paragraphs of Section 1.3 for which obligations shall be included in para (f) of this agreement below

(f) To ensure that

- (i) in every contract (whether written or oral) that it enters into with a contractor and/or contractors or suppliers to bring materials (including but not limited to waste or/and hardcore) to the Land for the purposes of re-contouring the golf course it shall include provisions which shall be binding on those contractors that their heavy goods vehicles with a gross vehicle weight of 7.5 tonnes or more ("Contractors HGVs") shall enter the Land from and leave the Land in a north westerly direction using the A1081 St Albans Road as indicated in blue on The Plan; and
- (ii) in every contract (whether written or oral) that it enters into with a contractor and/or contractors or suppliers to bring materials (including but not limited to waste or/and hardcore) to the Land for the purposes of re-contouring the golf course it shall include provisions which shall be binding on those contractors that the Contractors HGVs shall not pass through or come from within the area identified by the blue line on Plan S106/1 ("Northern Barnet Area") on the way to or from the Land; and
- (iii) in the event that a contractor or/and contractors or suppliers breach the requirements of sub clauses (i) and (ii) above the Developer shall first issue a written warning to the contractor and/or contractors or suppliers concerned and in the event of a subsequent breach the Developer shall prohibit that Contractors HGVs from entering the Land for the purposes of the Development and terminate the said contractors or suppliers contract forthwith; and
- (iv) it prohibits any Contractors HGVs from entering the Land except an identified Contractors HGV which belongs to a contractor or supplier who has entered into a contract (either verbal or written) which accords with (i) and (ii) above and whose contract has not been terminated; and
- (v) it insists that a contractor or/and contractors or suppliers enter into a contract in accordance with this clause; and
- (vi) it keeps copies of all such contracts;
- (vii) it insists that Contractors HGVs are clearly identified; and
- (viii) it keeps a written record of Contractors HGVs; and
- (ix) it obtains written confirmation from each driver of a Contractors HGV on each trip that he has not passed through or from within the Northern Barnet Area on his/her way to the site and that he will not pass through or within the Northern Barnet Area on his journey from the Land, unless the driver has been authorised in advance by the County Council in accordance with provisions set out below in this clause; and
- (x) it keeps written records of all such warnings and terminations of contracts; and

- (xi) it provides to the County Council on request details of the Contractors HGVs that are permitted to enter the site and copies of the associated contracts written warnings and sackings

SAVE THAT the County Council may consent in advance in writing such consent not to be unreasonably withheld or delayed that where a contractor(s) and or suppliers import(s) materials (including waste and hardcore) emanating from a particular site within the Northern Barnet Area where the Contractors HGVs delivering materials may pass through the Northern Barnet Area and may enter the Land from the A1081 St Albans Road from a south westerly direction via a left turn into the Land via the site access road.

PROVIDED THAT the Developer makes at least 48 hours in advance to the County Council any request for authorisation for Contractors HGVs emanating from sites within the Northern Barnet Area to travel to the Land from a south-westerly direction on the A1081 St Albans Road and enter the Land via a left turn AND THAT such a request shall includes details specifying

- aa) the source of materials from within the Northern Barnet Area (“the Source Site”); and
- bb) the number of daily Contractors HGV movements to enter and leave the Land from the Source Site; and
- cc) the length of time (including dates) the Contractors HGV movements would be continuing; and
- dd) the contractor or supplier responsible for the Contractors HGV movements; and
- ee) the proposed Contractors HGV route utilising primary distributor roads where possible.

**4. NORTH HERTFORDSHIRE DISTRICT AND STEVENAGE BOROUGH – TWO PLANNING APPLICATIONS - ONE FOR THE DEVELOPMENT OF 3,600 AND ONE FOR 5,000 DWELLINGS, TOGETHER WITH OTHER ASSOCIATED DEVELOPMENT ON LAND WEST OF THE A1(M) AT STEVENAGE**

[Officer contact: Sue Davidson Tel: 01992 556265]

The Head of County Development Unit, Environment Department advised of the following two amendments to the submitted report : -

- i) paragraph 1.6, second sentence – deletion of the words ‘have either been put forward by the applicants or’
- ii) Appendix 2, on page 18 – in relation to Dyes Lane Gypsy Site – information had now been received from the applicants which now enabled an assessment of the likely impact of the development proposals on the Gypsy Site and its residents to be made.

In response to a question concerning the interim view of the County Council, as highway authority, the Head of Transportation Planning & Policy, stated that given that the traffic forecasting model for this large scale development was still being put together and would probably take another 2 / 3 months to be fully assessed, there were likely to be concerns regarding the adequacy of the proposed accesses, arrangements and in particular where the accesses met the existing roads.

The Committee noted the degree of uncertainty about these development proposals plus the possible development of Luton Airport and having regard to the Council's existing policies, the proposals would have to be resisted.

## RESOLVED

That the Director of Environment be authorised to pursue the objections to the applications on the basis of conflict with policy, together with the transport and land use matters identified in the schedule attached as Appendix 2 of the report.

### 5. ST ALBANS DISTRICT – RETROSPECTIVE APPLICATION FOR TEMPORARY PERMISSION FOR THE STOCKPILING OF ROAD PLANINGS FOR RECYCLING AND RE - USE AS SECONDARY AGGREGATE AT HARPER LANE QUARRY COMPLEX, LONDON COLNEY

[Officer contact: Dan Szymanski Tel: 01992 556267]

## RESOLVED

That the Director of Environment be authorised to grant planning permission subject to conditions relating to:

- i) a temporary period to end on 31 December 2003;
- ii) noise;
- iii) dust;
- iv) hours of working;
- v) use of noise emitting devices;
- vi) no part of the stockpile encroaching on rights of way;
- vii) no storage of materials within 10 metres of the River Colne; and
- viii) the submission and approval of a final restoration scheme within 4 months of planning permission being granted or prior to 31 December 2003 whichever is the earlier.

### 6. HERTSMERE BOROUGH – REMEDIATION AND RESTORATION OF LAND AT PATCHETTS EQUESTRIAN CENTRE, ALDENHAM

[Officer contact: Richard Greaves Tel: 01992 556225]

(See Part II Agenda Item 1 below)

The Head of the County Development Unit, Environment Department, advised that the proposed target contour levels to be set for the restoration of the site had not yet been agreed and it was proposed that the levels would be agreed following consultation with the Development Control Committee Chairman and Spokesmen.

**RESOLVED**

a) That the Director of Environment be authorised to accept Patchetts Green Ltd's (the leaseholder) offer to spend £350,000 to secure restoration works at the site subject to Patchetts Green Ltd and the freeholder (Exchange Ltd) first entering into a Section 106 planning agreement to carry out the £350,000 worth of works to achieve proposed target contour levels which will be set out in the agreement, after consultation with the Development Control Committee Chairman and Spokesmen before agreeing such contour levels.

And

b) That following the completion of the proposed remediation works, the Enforcement Notice be varied to reflect the actual contour levels achieved.

**EXCLUSION OF PRESS AND PUBLIC****RESOLVED**

That under Section 100 (A) (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 12 of Part I of Schedule 12 to the said Act.'

**PART II AGENDA****1. HERTSMERE BOROUGH - LEGAL ADVICE IN RELATION TO REMEDIATION AND RESTORATION OF LAND AT PATCHETTS EQUESTRIAN CENTRE, ALDENHAM**

[Officer contact: Ros Nuttall Tel: 01992 556242]

(See Item 6 above)

**RESOLVED**

That the report be received.

**A L Laycock  
County Secretary**