

To: Members of the Development
Control Committee
Chief Officers

From COUNTY SECRETARY'S
DEPARTMENT

Ask for Adrian Service

Ext 25564

Minicom 6611

My Ref AS/ahp

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**DEVELOPMENT CONTROL COMMITTEE
20 APRIL 2004
MINUTES**

ATTENDANCE

MEMBERS OF THE COMMITTEE

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

OTHER MEMBERS IN ATTENDANCE

D Clayton, A K Gray, S Quilty.

Upon consideration of the agenda for the Development Control Committee meeting on
20 April 2004, as circulated, copy annexed, action was taken or decisions were
reached on individual items as recorded below.

CHAIRMAN'S WELCOME

The Chairman welcomed residents of Potters Bar and Hatfield and law journalist students
from Harlow College to the meeting and hoped the proceedings would be of interest to
them.

MINUTES

That the Minutes of the meeting of the Committee held on 24 February 2004 were
confirmed as a correct record.

PUBLIC PETITIONS

None received.

NOTIFICATION OF OTHER BUSINESS

None notified.

QUESTIONS

None notified.

1. HERTSMERE BOROUGH– APPLICATION FOR THE ERECTION OF BUILDING AND CHANGE OF USE TO SKIP HIRE BUSINESS AND WASTE RECLAMATION AND RECYCLING FACILITY AT LAND OFF A1000 GREAT NORTH ROAD, BENTLEY HEATH, NR POTTERS BAR

[Officer contact Richard Greaves Tel : 01992 556225]

Mrs L Hails presented a petition containing 1780 signatures and spoke on behalf of Residents Against Inappropriate Development [R.A.I.D.] opposing the planning application.

Mr E Haynes on behalf of the applicant made a presentation supporting the planning application.

Mr R James, a local resident made a presentation opposing the planning application.

Mr T Standen on behalf of R.A.I.D. made a presentation opposing the planning application.

The Head of County Development Unit, Environment Department, stated that since the dispatch of the agenda, two further letters of objection and three letters of support had been received covering similar points to those listed in paragraphs 2.15 and 2.16 of the submitted report respectively.

She advised that Hertsmere Borough Council's Potters Bar / Shenley Plans Committee at its meeting on 7 April 2004 had objected to the application on the grounds as stated in paragraph 2.1 on pages 4 and 5 of the submitted report and had made additional comments recommending that the County Council commission its own objective assessment of the environmental and highways issues arising from the development before reaching a final decision.

In response to a question asking where the boundary of the Green Belt was, she explained that the boundary of the Green Belt followed the urban area of Potters Bar to the north of the application site.

In response to a further question concerning the minimum height of the waste processing building she stated that the height of the building proposed in this application, 12.4 metres to its apex, was less than similar waste processing buildings the Development Control Committee had permitted for similar developments in Maxted Close, Hemel Hempstead and Colne Way, Watford which had heights of 14 metres to their apex.

The local County Councillor, A K Gray stated that he supported the views of the affected residents who had objected to the planning application and outlined the reasons why he objected to the proposals. He outlined the history of the land at Bentley Heath over the last 50 years which had recognised the land in question as green belt land. He expressed his concerns over the likely flooding problems that would occur if this proposal was approved given that 56,000 gallons of water would have to be managed. He stated that there was an existing skip hire business operational in Cranborne Road, Potters Bar having an abundance of skips available for hire.

The Committee noted that whilst this proposed site would serve Hertfordshire, 80% of the waste imported would come from London. It was also noted that much of the waste collected in Hertfordshire was transported and disposed of at sites outside of Hertfordshire.

Some Committee members expressed their dislike of pressurised approaches they had received from some of the objectors.

RESOLVED

That for the reasons set out in the officer's report planning permission be refused on the grounds that :

- a) The application proposes inappropriate development in the Green Belt for which no very special circumstances have been demonstrated to justify granting planning approval and as such will cause harm by reason of its inappropriateness and other harm as it would have a detrimental impact on the openness of the site. The proposal is thereby contrary to Policy 5 of the Hertfordshire Structure Plan Review 1991 - 2011, Policy 16 of the Hertfordshire Waste Local Plan 1995 – 2005 and Policy C1 of the Hertsmere Local Plan 2003.
- b) The proposals are not considered to strictly meet the objectives of achieving regional, county or local self-sufficiency for the waste streams proposed. The need for the facility, as a more sustainable method of waste management, is not considered in this instance to outweigh the harm that will be caused to its Green Belt location. It is not considered that this demonstrated need, taking into account the lack of alternative sites and the restoration of part of the Wrotham Park estate, is sufficient to warrant the very special circumstances required to justify a departure from Green Belt Policy. On this basis the proposal is considered to conflict with Policy 5 of the Hertfordshire Structure Plan Review 1991 - 2011, Policies 13 and 16 of the Hertfordshire Waste Local Plan 1995 – 2005 and Policy C1 of the Hertsmere Local Plan 2003.
- c) The proposed development would result in visual intrusion being positioned in an attractive rural location in the Green Belt. The proposal is thereby contrary to Policy 55 of the Hertfordshire Structure Plan Review 1991 - 2011, Policies 13 of the Hertfordshire Waste Local Plan 1995 – 2005 and Policies C4 and B9 of the Hertsmere Local Plan 2003.
- d) The proposed development is contrary to Policies 12 and 13 of the Waste Local Plan in that insufficient justification has been given to the rejection of the preferred search areas for such sites and because the proposal would have a detrimental visual and landscape impact, would not principally cater for waste arising from Hertfordshire and does not fall into the land designations specified under Policy 13.

2. WELWYN HATFIELD DISTRICT - APPLICATION FOR TWO FORM ENTRY PRIMARY SCHOOL WITH WIND TURBINE, EARLY YEARS' FACILITY AND COMMUNITY HALL ON LAND AT THE RUNWAY, HATFIELD

[Officer contact Katharine Ingram Tel : 01992 556254]

Mrs H Foster on behalf of Arlington Property Development Ltd made a presentation opposing the planning application.

Mrs S. Somerville, Head Teacher of Howe Dell School made a presentation supporting the planning application.

Mr Shackell on behalf of residents of the Bryant Homes site made a presentation opposing the planning application.

The Development Control Manager of the County Development Unit, Environment Department stated that an independent visual impact assessment of the proposals commissioned by the Council had not raised any significant concerns.

The Development Control Manager of the County Development Unit, Environment Department stated that Welwyn Hatfield District Council had no objection to make on the proposals and no new issues had been raised at their Planning Control Committee meeting on 14 April 2004.

The Development Control Manager, in response to a question stated that there had been no reported incidents of wind turbine blades debris or blades coming loose causing injury to members of the public.

Reference was made to the site visit to the wind turbine at Kings Langley and based on this it was considered that the noise from the proposed wind turbine which was smaller and less powerful than the one at Kings Langley should not be overbearing. This was consistent with the independent noise survey commissioned by the Council which assessed that it would not give rise to significant noise impact on surrounding properties.

Given the cost of providing a wind turbine and the desire that it should be a sustainable feature, doubt was expressed as to whether this would be the case if it proved necessary to restrict the hours that it could be used because of the noise nuisance during strong winds or during dusk / dawn times. It was felt that advice should be sought from specialist consultants on suggested hours of use of the wind turbine.

It was noted that any excess electricity generated was proposed to be fed into the national grid system.

RESOLVED

That for the reasons set out in the officer's report, the Director of Environment be authorised to grant permission, subject to conditions including:

- i) management of the community hall,
- ii) operational parameters of the wind turbine,
- iii) implementation of a school travel plan,
- iv) limit of the height of the hard play area landform,
- v) archaeological monitoring,

- vi) surface water management methods,
- vii) approval of building materials,
- viii) approval of landscaping details and
- ix) hours of construction.

3. HERTSMERE BOROUGH - PROPOSED SINGLE STOREY CLASSROOM BLOCK AND LINK CORRIDORS AND THE CREATION OF A HARD PLAY AREA AT FALCONER SCHOOL, FALCONER ROAD, BUSHEY

[Officer contact Dan Szymanski Tel : 01992 556267]

The Development Control Manager of the County Development Unit, Environment Department, advised that Hertsmere Borough Council had objected to the proposals as they were concerned about the location of the classroom block, on the grounds that it was in the green belt, the impact on the openness of the site, it should be sited where the temporary mobile unit had been located, the roof pitch did not reflect the roof pitches of adjoining properties, the dormer windows were weak in architectural terms and there was concern about the details of the materials to be used.

Given the narrowness of the road in Falconer Road near to the school it was felt that the use of this road should be monitored whilst the works were undertaken.

It was noted that the local County Councillor M D Colne supported this proposal.

RESOLVED

That for the reasons set out in the officer's report, subject to the Secretary of State not wishing to intervene, the Director of Environment be authorised to grant planning permission subject to conditions including :-

- i) the commencement of development,
- ii) details of materials including window frames,
- iii) submission of a landscaping scheme,
- iv) hours of delivery and construction working,
- v) completion of the duration of the temporary access
- vi) the submission of a School Transport Plan
- vii) removal of the existing mobile unit prior to the occupation of the new building.

A L Laycock
County Secretary