

Minutes



To: All Members of the
Development Control
Committee, Chief Officers, All
officers named for 'actions'

From: Legal, Democratic & Statutory Services
Ask for: Deborah Jeffery
Ext: 25563

DEVELOPMENT CONTROL COMMITTEE

26 APRIL 2017

ATTENDANCE

MEMBERS OF THE COMMITTEE

G R Churchard, D S Drury, M J Cook, M D M Muir, S Quilty, I M Reay (Chairman),
P A Ruffles, A D Williams

Upon consideration of the agenda for the Development Control Committee meeting on 26 April 2017 as circulated, copy annexed, conclusions were reached and are recorded below:

Note: There were no declarations of interest.

CHAIRMAN'S ANNOUNCEMENTS

- (i) If a Member wished their particular view on an item of business to be recorded in the Minutes, it would be recorded on request by that Member.
- (ii) Members were reminded of their obligation to declare interests at the start of the meeting.

PART I ('OPEN') BUSINESS

MINUTES

The minutes of the Committee meeting held on 22 March 2017 were confirmed as a correct record.

PUBLIC PETITIONS

There were no public petitions.

ACTION

1. APPLICATION TO ENHANCE THE RESTORATION OF PHASES F AND H AT PANSHANGER QUARRY THROUGH THE IMPORTATION OF INERT RESTORATION MATERIALS VIA A PROPOSED NEW ACCESS OFF PANSHANGER LANE TOGETHER WITH CREATION OF A NETWORK OF PATHS AND USE OF AN OLD BARN FOR COMMUNITY USE AT PANSHANGER PARK, PANSHANGER, HERTFORD SG14 2NL

[Officer Contact: Felicity J Hart, Principal Planning Officer, Tel: 01992 556256]

- 1.1 The Committee considered planning application reference number 3/0527-15 CM090 which proposed the importation of 940,000 cubic metres (around 1.6 million tonnes) of inert restoration materials to fill mineral voids known as Areas F and H at Panshanger. It also proposed to create a new vehicular access for HGVs into Phase H off Panshanger Lane close to the junction with the A414, and erect ancillary facilities (weighbridge and site offices).
- 1.2 Planning permission for this application was originally submitted and resolved for this proposal in 2015, subject to a S106 agreement requiring the payment of £200,000 to a Heritage Fund to be used to enhance historic features within the Cole Green estate for public benefit. The amended application included the creation of a network of footpaths and bridleways throughout the Cole Green estate linking into the Country Park, together with the proposed use of an old barn on the Cole Green estate for community use.
- 1.3 The S106 Head of Terms were highlighted as per the report, including 5, 6 and 7 below, which had been missed from the report:
 - 5. Ensuring that the owner would use their best endeavours to ensure that an appropriate community use could take place if the barn has had at least £20,000 of Heritage Fund monies spent on it.
 - 6. To require the main North-South and East-west routes to become Definitive Bridleways.
 - 7. For the remaining network of paths (footpaths, cycle tracks and Bridleways) to be created and maintained as permissive paths.
- 1.4 Prior to questions and debate the Committee were addressed by Gary O’Leary from Hertingfordbury Parish Council, mostly in support of the application, however, raising concerns in relation to some areas of the application proposals and Alan Everard representing Tarmac in support of the application.
- 1.5 During general debate, it was clarified that the Heritage Committee

CHAIRMAN’S INITIALS

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would oversee the spending of the £200k Heritage Fund to make improvements to heritage assets and the old barn, with the possibility of expert advice from a conservation expert officer or Historic England officer. Discussions would take place with regards to specific community use of the barn once £20,000 had been spent towards its repair. It was also clarified that the barn was an unlisted building within a listed Park.

- 1.6 Members considered that, dependent on what the barn was to be used for, a governance clause should be put in place within the S106 agreement to include representation from local people to run the barn as a Community Facility if it was more than a visitor shelter. Members also considered that Area G should be totally removed from the Minerals Local Plan, which officers confirmed was currently under review.

CONCLUSION

- 1.7 Subject to the comments at 1.6, the Committee recommended that the application be approved subject to the conditions listed below and the completion of a S106 agreement following the Heads of Terms also set out below. In the event that the S106 Agreement is not concluded within 6 months of the date of consideration of this report then planning permission should be refused.

S106 Heads of Terms

1. Following commencement of development:
No future extraction at Area G;
2. Following commencement of importation:
No further mineral extraction of F & H.
3. Payment of £200,000 to be paid in 3 instalments (for works associated with the conservation and enhancement of heritage features in the Cole Green estate which are related to the development proposals and to be made available for public benefit).
4. Setting up a Heritage Committee which would oversee the spending of the Heritage Fund to make improvements to heritage assets including the old barn.
5. Ensuring that the owner would use their best endeavours to ensure that an appropriate community use could take place if the barn has had at least £20,000 of Heritage Fund monies spent on it.
6. To require the main North-South and East-West routes to become Definitive Bridleways.
7. For the remaining network of paths (footpaths, cycle tracks and Bridleways) to be created and maintained as permissive paths.

**CHAIRMAN'S
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Planning Conditions [should there be a condition relating to s278 agreement access?]

1. Implementation period
2. Approved plans and documents
3. Working programme and phasing
4. Duration and completion of restoration works
5. Hours of working
6. Submit new HGV access details
7. Submit details of network of footpaths, cycletracks and bridleways
8. Number of lorry movements limited to 160 movements per day
9. Mud on road and cleaning of vehicles
10. Dust management
11. Noise limits
12. Bunding of fuel tanks
13. Details of and location of wheel wash, site offices and weighbridge
14. Submit landscaping scheme
15. Conservation, landscape, ecology and biodiversity
16. Replacement of any trees planted
17. Lighting
18. Fencing /gate details
19. Footpath routing and crossing safety measures including signage
20. Soil handling and soil specification and final levels
21. Aftercare
22. Archaeology
23. Record of waste source
24. Mud on road and wheel cleaning [see also condition 9 above?]
25. Detailed landscaping scheme for land surrounding Cole Green Barn.
26. Detailed landscaping scheme for each of the entrances/exits on to the highway for each new route to include gates and signs.
- 26 Detailed scheme for restoration of all areas to be removed prior to completion of restoration e.g. haul road, vehicular access, site cabin
27. Bat and bird survey and mitigation at Cole Green barn.

KATHRYN PETTITT
CHIEF LEGAL OFFICER

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