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Chairman and Members of the  
Development Management  
Committee

Your contact: Peter Mannings  
Extn: 2174  
Date: 28 April 2016

cc. All other recipients of the  
Development Management  
Committee agenda

Dear Councillor,

## **DEVELOPMENT MANAGEMENT COMMITTEE – 27 APRIL 2016**

Please find attached the Additional Representations Summary as circulated by the Head of Planning and Building Control prior to the meeting in respect of the following:

5. Planning Applications and Unauthorised Development for Consideration by the Committee (Pages 3 – 10)

Yours faithfully,

Peter Mannings  
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East Herts Council  
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**MEETING** : DEVELOPMENT MANAGEMENT COMMITTEE  
**VENUE** : COUNCIL CHAMBER, WALLFIELDS, HERTFORD  
**DATE** : WEDNESDAY 27 APRIL 2016  
**TIME** : 7.00 PM

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## East Herts Council: Development Management Committee

### Date: 27 April 2016

Summary of additional representations received after completion of reports submitted to the committee, but received by 5pm on the date of the meeting.

| Agenda No   | Summary of representations   | Officer comments   |
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| <p><b>5a</b><br/><b>3/15/1957/FUL</b><br/><b>Cricketfield Lane,</b><br/><b>Bishop's Stortford</b></p> | <p>The Councils property team have advised that the site for the proposed car park is within the ownership of the District Council.</p> <p>In response to requests from local residents, the Councils Arboricultural Officer has visited the site and advises that the trees around this site, the woodland of Ash Grove and the various trees around the access point do meet the criteria for the serving of a provisional Tree Preservation Order (TPO). However, he advises that it is not practical to serve an Order whilst a planning application is under consideration.</p> | <p>The applicant has been made aware of this and they have formerly served notice on the Council of the submission of the planning application. The Council are unable to determine the planning application within 21 days of that notification which expires on 17/05/2016. This does not impact on Members ability to consider this application now.</p> <p>Officers note the comments made and acknowledge that the development proposals will result in the loss of trees of significance which have an important role in the way in which the public rights of way and recreation area will be experienced and in terms of the impact on the character and appearance of the site and surroundings.</p> <p>The potential to serve a TPO is noted. The committee is able to full weigh in decision making the quality and value of trees, whether they are subject to TPO or not.</p> |

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|  | <p>2 additional representations in support of the application have been received. Two representations from third parties who have previously objected to the application have been submitted which largely reiterate concerns previously raised. 153 additional representations in objection have been received. Of those representations received in addition to the concerns that are summarised in the Officer Committee Report, concern is also raised in respect of the impact on parking along Cricketfield Lane (and a photograph of on street parking along that lane has been submitted) and as to whether alternative sites for the provision of hockey can be provided.</p> <p>A letter from the Silverleys and Meads Neighbourhood Plan Supporters Committee has been received which sets out that the Committee have taken legal advice subsequent to the publication of the Officers Committee Report and they set out a range of concerns with the considerations in that report which can be summarised as follows:-</p> <ul style="list-style-type: none"> <li>• The development is inappropriate in the Green Belt and is harmful in terms of openness and other harm. No demonstrable evidence to support very special circumstances has been provided which would outweigh the substantial harm associated with the development;</li> <li>• Planning permission has been refused and dismissed at appeal for a hockey pitch in 2009. Adopted policy has further reinforced the sites</li> </ul> | <p>The representations received are all noted and the concerns raised are all addressed in the Officers Committee Report. It is not appropriate for the committee to consider potential alternative sites in any level of detail. These proposals are to be determined on the basis of the issues that they raise.</p> <p>The letter from the supporters Committee has been received and the Councils Solicitor advises that the matters raised are not matters of law but a planning judgement.</p> <p>The concerns raised are all noted but it is considered that the report sets out Officers views on the various and relevant matters and has assigned weight to those issues as is considered to be appropriate.</p> |
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|   | <p>protection as open land within the green belt;</p> <ul style="list-style-type: none"> <li>• The development represents a departure to Green Belt Policy and paragraph 89 of the NPPF is not relevant;</li> <li>• The development represents a departure to the Neighbourhood Plan policy (GIP1);</li> <li>• No evidence has been submitted to demonstrate the very special circumstances or to substantiate the positive impact on the existing provision at the site;</li> <li>• No evidence or review of alternatives sites for sports provision for hockey has been provided;</li> <li>• Insufficient information regarding mitigation measures has been submitted and lack of consideration of the comments from Natural England;</li> <li>• No consideration of the impact on trees within the site and the comments from the Woodland Trust.</li> </ul> <p>Members will have received a number of direct submissions from local residents in objection to the proposals on the basis of a range of issues.</p> |  |
| <p><b>5b</b><br/><b>3/15/2531/FUL</b><br/><b>The Ridgeway</b></p> | <p>A further letter of objection has been received from the occupier of No.14 Thieves Lane reiterating previous objections:</p> <ul style="list-style-type: none"> <li>• Block 4 site is currently an open car park and is positioned only 7m from garden</li> </ul>  | <p>The main points are considered in the report.</p> <p>The submitted landscape proposals are an outline strategy only. Detailed landscape design is subject to the approval of details as required by the recommended landscape design condition.</p> |

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|  | <ul style="list-style-type: none"> <li>• Overlooking, loss of privacy, overshadowing and noise from Block 4</li> <li>• Inconsistencies in tree strategy and in the case of Block 4 the screening trees proposed are deciduous and will only have effect during the summer</li> <li>• Blocks 2, 3 and 4 contravene Policy ENV1 in terms of overlooking, overshadowing and noise</li> <li>• Inadequate and poorly located parking</li> <li>• Concern regarding excavations and ground stability</li> </ul> <p><u>Councillor Henson</u> has written in support of the above objection.</p> <p>A resident of Longwood Road objects to the proposal on the following grounds:</p> <ul style="list-style-type: none"> <li>• Loss of 50% of their parking area</li> <li>• Impact on House Martins/Swallow that nest on the walls of the flat blocks</li> </ul> <p>The Business Manager of <u>Sele School</u> has written in support of the application in that the school supports:</p> <ul style="list-style-type: none"> <li>• The provision of new affordable homes</li> <li>• The improvement to the quality of life of many families</li> <li>• Environmental improvement</li> <li>• Increased support for local businesses and services</li> <li>• Potential for increased student numbers and</li> </ul> |  |
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|   | <p>improved quality of education as at present the school is under subscribed</p> <p>Officers note a correction required to the report: At Page 50 para. 2.2 - The existing blocks are described as '5-storey blocks' they are 'part 5, part 6 storey blocks'</p>  |  |
| <p><b>5c<br/>Ashpoles,<br/>Southmill<br/>Road,<br/>Bishop's<br/>Stortford</b></p> | <p>The Legal Agreement should make provision for up to 40% affordable housing provision with a 75/25 tenure mix, as well as fire hydrant provision.</p> <p>Thames Water comments regarding a waste water drainage scheme have not been included in conditions.</p> <p>The Housing Team comment that a 39% provision of affordable housing (27 units) is acceptable as a result of viability testing. The split is also 75% rent and 25% shared ownership in line with our requirements. They had initially raised concerns that a number of the affordable units were below space standards but the unit sizes have been agreed with the Registered Provider and no objection is</p> | <p>These points should be included in the recommendation on pages 91-92.</p> <p>A condition is recommended as follows:</p> <p>Prior to the commencement of development, a scheme to deal with foul water drainage from the development shall be submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.</p> <p><u>Reason:</u> To ensure the waste water needs of the development are met in accordance with the NPPF.</p> <p>No further comment.</p> |

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|   | <p>therefore raised on this.</p> <p>Herts County Council have updated their Planning Obligation requirements based on the latest affordable housing provision of 39%, as follows:<br/>         Primary education £63,849<br/>         Youth facilities £988<br/>         Library facilities £7,951</p> <p>Further viability discussions have occurred.</p> <p>Members will be aware that emails have been circulated by Councillor George Cutting and Councillor Gary Jones regarding parking issues.</p> <p>Council Engineers confirm that they have nothing more to add and maintain their objection as set out in the report.</p> | <p>Page 91 should be updated accordingly. This totals £72,788 compared to £70,331 set out in the agenda.</p> <p>Officers have had on-going discussions with viability consultants regarding affordable housing provision and S106 contributions. Based on the latest calculations, 39% affordable housing provision is still deemed to be viable as agreed with viability consultants, and this is as set out in the report.</p> <p>Officers consider that these issues are fully assessed in paragraphs 10-37-10.43 of the report.</p> <p>No further comment.</p> |
| <p><b>5f</b><br/> <b>110-114 South Street,</b><br/> <b>Bishop's Stortford</b></p> | <p>Error in report</p>   | <p>The description of the original permission refers to the provision of 19no.1 bed units and 29no. 2 bed units (48 units in total). Such a description was not consistent with the approved plans and should have referred to the provision of 21no. 1 bed units and 27no. 2 bed units (also 48 units in total).</p> <p>The description of the application should therefore</p>   |



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|  |  | <p>be amended accordingly and, this also has the following effect on the requirement for parking provision:-</p> <p>Having regard to policy TR7 of the Local Plan, the provision of 21no 1 bed units and 27no 2 bed units has a requirement for 66.75 parking spaces (as a maximum) and, having regard to the emerging parking standards and the accessibility reduction of 50%, the provision of 42.75 parking spaces.</p> <p>The development proposes 43 parking spaces and the development therefore accords with the emerging parking standard.</p> |
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