

EAST HERTS COUNCIL

DEVELOPMENT CONTROL COMMITTEE – 29 JULY 2009

REPORT BY DIRECTOR OF INTERNAL SERVICES

7. PLANNING OBLIGATIONS UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990

'D' RECOMMENDATION – that (A) an extension of time of six months from the date of this meeting be granted for the completion of the planning obligations pursuant to Section 106 of the Town and Country Planning Act 1990, in respect of the following applications and, if an obligation is completed, the Director of Internal Services be authorised to grant permission in respect of the following planning applications:

<u>Planning Reference</u>	<u>Site and Proposals</u>
1. 04.06.692	Pentlows Farm, Braughing Retirement dwellings; manager's flat
2. 04.06.702	Seven Acres 49, 54 & 56 Upper Green Road, Tewin 18 Dwellings, Associated Parking and other works.
3. 04.06.709	10 Acorn Street, Hunsdon Erection 16 dwellings and creation of access.
4. 04.06.716	Land to south of Station Road, Watton-at-Stone Residential development, community uses (doctor's surgery and early years and associated parking
5. 04.06.718	Land west of Sele Farm Estate, Welwyn Road, Hertford Tennis centre incorporating indoor courts; pool; gym and outdoor facilities including outdoor swimming pool, tennis courts and golf range

6. 04.06.619 Trinity Centre, Fanhams Hall Road, Ware
Residential development of 11 dwellings
and deed of release to S106 agreement,
schedule 2 relating to community use land
7. 04.06.719 Land off Tylers Close, West of
Greenways, Buntingford
Outline application for 50 dwellings

(B) the Director of Internal Services report back following the grant of planning permission, or within 6 months of this meeting, whichever is the sooner.

1.0 Background

1.1 The Development Control Committee has resolved to grant planning permission, subject to planning obligations under Section 106 of the Town and Country Planning Act 1990, in the above cases, subject to conditions. It has not been possible to complete negotiations for the obligations within the six-month period. The delays in these cases have been due to various circumstances and a short explanation is set out below.

1. Pentlows Farm Braughing – retirement dwellings;
manager’s flat

The developer went into administration. It is recommended that an extension is granted in case the matter can be completed.

2. Seven Acres, 49, 54 & 56 Upper Green Road, Tewin
18 Dwellings, Associated Parking and other works

Some affordable housing issues have cropped up and an extension of time is needed to resolve.

3. 10 Acorn Street, Hunsdon
Erection 16 dwellings and creation of access

There are some matters currently being finalised with HCC. The draft is nearing completion but an extension of time will be needed for the matter to complete.

4. Land to the South of Station Road, Watton at Stone Residential development, community uses (doctor's surgery and early years and associated parking)

HCC is the applicant and landowner, as well as an authority to receive planning gain from the site. This has created legal issues which are still with HCC being resolved in addition to the draft. An extension of time to complete is required.

5. Land West of Sele Farm Estate, Welwyn Road, Hertford. Tennis centre incorporating indoor courts; pool; gym and outdoor facilities including outdoor swimming pool, tennis courts and golf range

The matter is currently being pursued vigorously but requires an extension of time to permit completion.

6. Trinity Centre, Fanhams Hall Road, Ware Residential development of 11 dwellings and deed of release to S106 agreement, schedule 2 relating to community use land

HCC is applicant, landowner and planning gain recipient. The problems highlighted in the Watton site also relate to this site. Additionally there have been many complications affecting the draft which has been edging towards agreement. An extension of time is required to complete this agreement.

7. Land off Tylers Close, West of Greenways, Buntingford Outline application for 50 dwellings

The draft is actively being pursued and it is hope to be agreed soon. An extension of time is recommended to ensure the matter can be completed.

1.2 The following agreements have been completed:

<u>Planning Reference</u>	<u>Site and Proposals</u>
1. 04.06.713	Whitehall House, Bishop's Stortford Completed: 6 January 2009
2. 04.06.721	Station Yard, Aspenden Road, Buntingford Completed: 12 February 2009
3. 04.06.727	Woodside Industrial Estate, Dunmow

Road, Bishop's Stortford
Completed: 20 May 2009

- 1.3. An updated schedule detailing progress on outstanding planning obligations can be found at Appendix 'A' on pages 113 - 116.

Background Papers

The various planning obligation files.

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