



Chairman and Members of the
Development Management
Committee

Your contact: Peter Mannings
Extn: 2174
Date: 14 February 2019

cc. All other recipients of the
Development Management
Committee agenda

Dear Councillor,

DEVELOPMENT MANAGEMENT COMMITTEE - 13 FEBRUARY 2019

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:

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

Yours faithfully,

Peter Mannings
Democratic Services Officer
East Herts Council
peter.mannings@eastherts.gov.uk

MEETING : DEVELOPMENT MANAGEMENT COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 13 FEBRUARY 2019
TIME : 7.00 PM

This page is intentionally left blank

East Herts Council: Development Management Committee

Date: 13 February 2019

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
<p>6a 3/18/0432/FUL Northgate End, Bishop's Stortford</p>	<p>Submissions have been received from a further 20 local residents or members of the public. These are in objection and largely cover the same issues as those set out in the report, focussing on:</p> <ul style="list-style-type: none"> - Impact on the character and appearance of the Conservation Area (by virtue of height, scale and design of the proposed buildings); - Increased and exacerbated traffic congestion; - Pollution and air quality impacts; - Pedestrian safety; 	<p>As indicated, the further submissions refer to issues that have already been raised in consultation responses and which have been addressed in the report (and/ or in the earlier reports to the June and July 2018 meetings of the committee).</p> <p>With regard to the specific points:</p> <ul style="list-style-type: none"> - Scale of the Waitrose and car dealership buildings. It is considered that a multi storey description is not inappropriate. The car dealership

	<ul style="list-style-type: none"> - Lack of substantive change to the proposals; - Lack of consideration of alternative schemes; - That the proposals do not meet the Councils sustainable transport aspirations. <p>Some residents have raised concerns whether the stated benefits outweigh the harmful impact of the proposals.</p> <p>Some specific points raised:</p> <ul style="list-style-type: none"> - The reference in the Built Heritage Statement that the Waitrose and car dealership buildings are multi storey is incorrect; - There has been a lack of meaningful consultation; - The proposals set a precedent for more multi storey development in 	<p>building clearly contains two conventional floors and use of the roof occurs for parking. The Waitrose building displays a ground and first floor adjacent to Link Road and a roofscape of some significant scale;</p> <ul style="list-style-type: none"> - Consultation has taken the form of contact with local residents and members of the public. There are no statutory consultation requirements when an amendment to an application submission is being considered. The approach has been effective; - Precedent: whilst the proposals, if granted permission and implemented will be taken into account when assessing the relationship and acceptability of future development proposals, all such proposals will be considered in accordance with all relevant policy and material issues and
--	---	---

	<p>the town;</p> <ul style="list-style-type: none"> - The main objective of the applicant is to maximise housing development; - That more onerous controls are in place with regard to development in the Conservation Area through the Article 4 Direction; - That supporting documents have been removed from the Councils website and site notices not displayed. <p>Firstplan, on behalf of Waitrose have commented that it maintains an objection based on the impact of the proposals on the operation of the highway network. It suggests that, if development proceeds, a condition should be applied requiring the future performance of the highway network to be monitored.</p>	<p>there will be no blanket approach to building height acceptability;</p> <ul style="list-style-type: none"> - Housing numbers: it is assumed that this relates to proposals for the ORL site. There is no information to indicate that the proposals are seeking to do this; - Article 4 Direction: whilst in place in the Conservation Area, this removes permitted development rights for various forms of development in the Conservation Area. This does not mean that development cannot take place, but that there is a requirement for applications to be made, through which process all material issues will be considered. That process is taking place in relation to these current proposals; - Removal of documents: the website has been checked and all documents
--	---	---

	<p>Thames Water has submitted comments. It suggests specific details regarding drainage arrangements and sets out its requirements in relation to ground water and surface water drainage.</p> <p>A letter has been submitted from a neighbouring residential occupier raising concerns with regard to the impact on their property (due to level changes) and access arrangements if the proposals are to proceed. They raise a concern that they have not been consulted in respect of these matters.</p> <p>The following submissions have been circulated to some or all of the members of the committee directly.</p> <p>A letter (undated) on behalf of Yew Tree Place residents. This covers the issues of</p>	<p>remain available for public view.</p> <p>The comments of Firstplan on behalf of Waitrose are noted. The Highway Authority has considered the detailed submissions made on behalf of the applicant and has concluded that the highway will operate acceptably. The conditions sought by the Highway Authority are to be applied where they meet the tests.</p> <p>The neighbouring resident concerns regarding impact on their property and access have been considered. It appears that access is gained from the existing parking area to the rear of the Youth Service building. Access will still be available from this location. There is no information to suggest that there will be any harmful impact as a result of changes to levels in this area however a further informative is</p>
--	---	--

	<p>the impact on adjacent residents, the conservation area, traffic congestion, air quality, lack of justification in advance of the proposals for the main ORL site and a concern that the location is poor on the outer side of Link Road causing all users to cross the road.</p> <p>The Solicitor acting on behalf of local residents refers to the changes in the scheme since the previous determination, which he considers makes the scheme poorer.</p> <p>Shortcomings in the scheme are identified as;</p> <ul style="list-style-type: none"> - Limited net gain (197 additional parking spaces) for the impact which results; - That the affordable housing provision is not in accordance with 	<p>recommended to advise the applicant to liaise with the neighbouring owner to avoid any harmful impact to their property and to ensure that access is maintained.</p> <p>With regard to the circulated submissions, the letter on behalf of the Yew Tree Place residents covers issues which are canvassed in the report.</p> <p>In response to the comments from the Solicitor the changes to the scheme are referred to in the report and the weight to be assigned to issues is amended as a result. It remains necessary for the committee to consider all relevant issues before a decision is reached.</p> <p>With regard to the issues identified as shortcomings:</p> <ul style="list-style-type: none"> - The net gain of parking is
--	--	--

	<p>policy requirements;</p> <ul style="list-style-type: none"> - That little certainty can be assigned to the prospect of proposals coming forward on the main ORL site; - That green belt impact has not been properly considered; - That the NPPF requires schemes to be properly weighed against heritage policies; - That there is no evidence of a sequential test (relating to flood issues) being undertaken. <p>Lastly, a local resident has circulated members with concerns relating to the impact of the proposals on the operation of the highways. He has set out that previous objections remain, that the concerns of Waitrose have not been addressed and that the impact of the scheme will be worse than severe.</p>	<p>acknowledged;</p> <ul style="list-style-type: none"> - Affordable housing: this issue was covered at para 2.1 and 2.2 of the report to the July 2018 committee. This followed amendment to the scheme to increase the number of affordable units from 3 to 6. It was clarified that the additional units were to be provided as a form of shared ownership unit and therefore complied with the relevant policy. It has been confirmed that this remains the proposal. - ORL site: members are entitled to reach a view and give weight as they feel appropriate to the likelihood of the ORL proposals coming forward. The steps that the Council has taken to bring the site forward are set out in the report; - Green Belt: this issue is covered in paras 8.129 – 8.137 of the report. It is
--	--	---

	<p>In relation to the Planning Framework, the residents points out that this will be compromised as no new access is to be created to Waitrose. Therefore, a pedestrianised space cannot be created as part of the ORL proposals.</p> <p>The proposals will also have a detrimental impact on sustainable transport use/ operation (buses and cycling), exacerbate air quality impacts and the positive weight given to commercial space should be tempered by the possible loss of Charrington House.</p>	<p>considered that the matter has been appropriately considered;</p> <ul style="list-style-type: none"> - NPPF and heritage policies; the report sets out a full consideration of the proposals against the relevant heritage policies; - Sequential test: this has been undertaken and is set out by the applicant in the originally submitted Planning Statement. Officers are satisfied that the assessment carried out is acceptable. <p>The last points relate again to highway issues which have been addressed in the report.</p>
<p>6b 3/18/1760/FUL SAWB2, West Road</p>	<p>A further 16 responses have been received from residents reiterating points of objection as summarised in the report.</p>	

Sawbridgeworth		
<p>6c 3/18/1922/FUL Castle Gardens, Waytemore Castle, Bishop's Stortford</p>	<p>The <u>Lead Local Flood Authority</u> has submitted further comments. It suggests specific conditions with regard to sustainable drainage to ensure that the most appropriate drainage scheme is implemented.</p> <p>A resident has raised objection to timber cladding of the Markwell Pavilion, concerned that it will look out of place "like a monster garden shed" in the historic part of the town. Also concerned at the internal changes to the facility and the loss of the scented garden. Would prefer the application determined by a neutral Authority.</p>	<p>The suggested conditions are necessary and it is recommended that they are added.</p> <p>The changes to the pavilion have been addressed in the report.</p>