



Chairman and Members of the  
Development Management  
Committee

Your contact: Peter Mannings  
Tel: 01279 502174  
Date: 4 November 2020

cc. All other recipients of the  
Development Management  
Committee agenda

Dear Councillor,

**DEVELOPMENT MANAGEMENT COMMITTEE - 4 NOVEMBER 2020**

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 - 8)

Yours faithfully,

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**MEETING** : DEVELOPMENT MANAGEMENT COMMITTEE  
**VENUE** : THIS MEETING WILL BE HELD VIRTUALLY VIA ZOOM  
**DATE** : WEDNESDAY 4 NOVEMBER 2020  
**TIME** : 7.00 PM

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**East Herts Council: Development Management Committee****Date: 4<sup>th</sup> November 2020**

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
5a, 3/20/0151/OUT	<p>Drafting error regarding education contributions at pages 62 and 67 and Hertfordshire County Council requesting the specific projects to which contributions in the Section 106 agreement refer. These are as follows:</p> <p><b>Childcare</b> Towards childcare provision in the new primary school at Bishop's Stortford South (BISH5)</p> <p><b>Nursery and Primary School</b> Contributions towards the new 3FE primary school at the Bishops Stortford South development (BISH5). Correct index IQ2019 BCIS All in TPI.</p> <p><b>Secondary School</b> Contributions for the future expansion of the Bishop's Stortford High School is £928,837. Contributions for the expansion of the Hertfordshire &amp; Essex High School and Science College (for the female yield) of £903,836. Both contributions index linked IQ2019, BCIS All in TPI.</p> <p><b>Library Facilities</b> Towards additional capacity at Bishop's Stortford Library.</p>	<p>Hertfordshire County Council has requested that these details be included to ensure that the contributions can be appropriately secured and allocated and it is appropriate to amend the wording of the Section 106 requirements accordingly.</p>

	<p><b>Youth Services</b> Increasing provision at the Bishop’s Stortford Young People’s Centre.</p>	
	<p>Further representation received following drafting of the report and before 5pm. Summarised as follows:</p> <ul style="list-style-type: none"> <li>• Bishop’s Stortford Town Council considers the Masterplanning required by Policy DES1 did not involve relevant key stakeholders.</li> <li>• Bishop’s Stortford Civic Federation (sent to members of DMC) request the application is refused for the following reasons:             <ol style="list-style-type: none"> <li>1. Non-compliance with BISH6 I as HCC forecast a demand for an additional 12 Forms of Entry and only 10 Forms of Entry is proposed and planning permissions elsewhere in Bishop’s Stortford would require a further 1 Form of Entry.</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>• The Steering Group for the Masterplan had 3 meetings in 2109 involving key stakeholders. The minutes of the meetings have been provided to the Town Council, who had a representation at the third meeting. In addition to the Steering Group, the applicant held a public exhibition in July 2019 and undertook pre-application with the Highway Authority. Paras 8.4 – 8.6 of published report addresses Policy DES1.</li> <li>• Response to comments of Bishop’s Stortford Civic Federation numbered below:             <ol style="list-style-type: none"> <li>1. The contribution sought for the development includes 2FE for Bishop’s Stortford South and 2FE for Hertfordshire and Essex High School. In addition, the relocation of Bishop’s Stortford South will increase places from 165 to 180 when it opens. HCC have advised that the Civic</li> </ol> </li> </ul>

	<ol style="list-style-type: none"> <li>2. Non-compliance with BISH6 II as the number of homes exceeds 150, which is a 50% increase in the number allocated in the Plan.</li>   <li>3. Non-compliance with BISH6 IV (d) as part of the western parcel is not provided as open space.</li>   <li>4. Future occupants of site will have to drive to access new primary school at Bishop’s Stortford South instead of Thorley Hill Primary School not expanding.</li> </ol>	<p>Federation has raised similar points previously and the assumptions made are not correct. HCC have confirmed that whilst the level of yield is now closer to 12FE they are confident as Education Authority they can meet the requirements without the site. Therefore Policy BISH6 I is met.</p> <ol style="list-style-type: none"> <li>2. The proposal is an outline for up to 223 dwellings. The policy states “around 150 new homes”. The published report addresses the increase in the number of dwellings at para 1.3 and 8.11.</li>   <li>3. This is an outline application and the Masterplan, which is a material consideration, shows open space on site. In addition, a LEAP is required on site as set out in the report at 8.39, condition 33 and the Section 106 Heads of Terms.</li>   <li>4. Bishop’s Stortford South Primary School will be approximately a 10 minute walk from the western and eastern sides of the development site. Future residents would be encouraged through the school and residential travel plans and the Sustainable Transport Plan to access the school via sustainable travel modes such</li> </ol>
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	<p>5. A Health Impact Assessment was not submitted as requested by HCC Healthy Places Officer.</p> <p>6. Contrary to NPPF Para 109 as the cumulative impact on the local road network will be severe and should be taken into consideration rather than the development of the site being viewed as free standing.</p>	<p>as walking or cycling.</p> <p>5. A letter was submitted by the applicant detailing the information submitted with the outline application and addressing PolicyCFLR9 and NPPF Chapter 8 (Promoting healthy and safe communities). The Healthy Places Officer did not object to the application and the information provided.</p> <p>6. The site is not being viewed in isolation. The Highways Authority requested further information for the modelling to determine the impact of the development without other approved developments coming forward and therefore without the required mitigation measures of these developments. This is set out in the Highways Authority response. The 'sensitivity test' modelling to measure the impact on Pig Lane as a rat-run indicated that there would not be a severe impact at Hallingbury Road and the existing known issues at the junction of London Road and Pig Lane require mitigation measures, which are being explored separate to this application. Para 110 of the NPPF addresses highway safety and cumulative impacts and prioritises pedestrian and</p>
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	<p>7. Other planning applications have been granted permission without the full traffic consequences being taken into consideration and the withdrawal of the objection from Highways will create further impacts. Unacceptable congestions from planning permissions is not justification for approving this application.</p> <ul style="list-style-type: none"> <li>• In response to the Committee notification a resident who had objected advised that they wished to protest about the application.</li> <li>• Thorley Parish Council confirmed its objection raising concern with biodiversity net gain, no ecology improvement and no innovative energy supply system.</li> </ul>	<p>cycle movements, then public transport. The scheme is consistent with these requirements and the Local Transport Plan.</p> <p>7. The Highway Authority has advised that mitigation measures are being explored to address known issues separate to this application. This includes the Hertfordshire Eastern Area Growth and Transport Plan, which covers Bishop’s Stortford that is currently out to consultation.</p> <p><a href="https://www.hertfordshire.gov.uk/about-the-council/consultations/transport-and-highways/eastern-area-growth-and-transport-plan.aspx#">https://www.hertfordshire.gov.uk/about-the-council/consultations/transport-and-highways/eastern-area-growth-and-transport-plan.aspx#</a></p> <ul style="list-style-type: none"> <li>• Objection considered in report.</li> <li>• The biodiversity net gain is addressed in the report. Condition 11 requires an updated biodiversity assessment and an Energy and Sustainability Statement. A Section 106 contribution towards off-site habitat creation is required to address any shortfall. The net</li> </ul>
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		<p>loss of 30.58% in the report is based on the indicative masterplan and the net loss has been reviewed (See Addendum Technical Note of Biodiversity Gain below). Condition 26 requires bird and bat boxes.</p>
	<p>An Addendum Technical Note of Biodiversity Net Gain and Revision B of the Biodiversity Net Gain calculations have been submitted by the applicant:</p> <ul style="list-style-type: none"> <li>• red line area was calculated at 6.83ha instead of 6.64ha</li> <li>• drafting error in spreadsheet in calculation of woodland creation being 0.02ha instead of 0.04ha delivered in the Masterplan.</li> <li>• Overall the biodiversity net loss based on the Masterplan is 19.28%. This will be updated with the reserved matters details.</li> </ul>	<p>Herts Ecology were consulted on this change and confirmed that there was no objection and the increase in biodiversity value is a positive outcome.</p> <p>Any biodiversity net loss will be required to be addressed by off-site habitat creation, secured in the wording of the Section 106.</p>