

# Public Document Pack



Chairman and Members of the  
Development Management  
Committee

Your contact: Peter Mannings  
Tel: 01279 502174  
Date: 7 December 2022

cc. All other recipients of the  
Development Management  
Committee agenda

Dear Councillor,

## **DEVELOPMENT MANAGEMENT COMMITTEE - 7 DECEMBER 2022**

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 for Consideration by the Committee (Pages 2 - 6)

Yours faithfully,

Peter Mannings  
Democratic Services Officer  
East Herts Council  
[peter.mannings@eastherts.gov.uk](mailto:peter.mannings@eastherts.gov.uk)

**MEETING** : DEVELOPMENT MANAGEMENT COMMITTEE  
**VENUE** : COUNCIL CHAMBER, WALLFIELDS, HERTFORD  
**DATE** : WEDNESDAY 7 DECEMBER 2022  
**TIME** : 7.00 PM

## East Herts Council: Development Management Committee

**Date: 7<sup>th</sup> December 2022**

**Summary of additional representations received after completion of reports submitted to the committee but received by 5pm on the date of the meeting & additional considerations**

Agenda No	Summary of representations	Officer comments & additional considerations
5a. 3/21/1756/FUL	<p>A further 31 letters of representation have been received. These consist of an additional 20 in support of the proposal, 10 objecting to the proposal and 2 neutral.</p> <p>Additional issues are raised as follows:</p> <ul style="list-style-type: none"> <li>- Proposals are not substantially different from previous versions of the scheme</li> </ul> <p>Transport</p> <ul style="list-style-type: none"> <li>- Comparisons of traffic generation to the existing use are not appropriate</li> <li>- Traffic generation mis-assessed (photos supplied of congestion); the local highway authority will have to carry out alterations to the road network in the future.</li> <li>- Position of local highway authority as being “no longer a capacity-based authority” queried</li> </ul>	<p>The application was readvertised as a Departure from the development plan in order to comply with article 15(3) of the Development Management Procedure Order 2015 (as amended). Some additional information was provided regarding the economic impact of the proposal.</p> <p>The Local Highway Authority have considered the proposal carefully and do not wish to restrict the granting of planning permission (subject to conditions and obligations). The reference to no longer being a capacity-based authority relates to the focus on sustainable travel and putting sustainable and active travel modes first. Visibility splays would be controlled by condition and landscaping conditions would include requirements for soft landscaping and boundary treatment to maintain</p>

	<ul style="list-style-type: none"> <li>- Visibility splays at access need to be maintained</li> <li>- Bridge to connect cyclists across Birchanger Woods requested</li> </ul> <p>Economic</p> <ul style="list-style-type: none"> <li>- Job creation is unlikely to be locally significant. Loss of 29 FTE jobs on the site needs to be considered as does quality of jobs on offer.</li> <li>- Low level of current unemployment should be taken in to consideration</li> </ul> <p>Environmental and sustainability</p> <ul style="list-style-type: none"> <li>- More solar panels requested</li> <li>- More trees at front of site requested</li> <li>- The increase in biodiversity is positive</li> </ul> <p>Other</p> <ul style="list-style-type: none"> <li>- Local housing creation results in the need for further shops</li> <li>- Reading the objections is painful when people are struggling to put food on the table</li> </ul>	<p>visibility splays.</p> <p>The loss of existing jobs is considered carefully in the report. The need to advertise jobs locally in advance of wider recruitment would be secured should planning permission be granted and the applicant's submission suggests that approximately 30% of jobs could be local.</p> <p>Similarly, the sustainability considerations of the scheme have been carefully considered. The proposals are considered acceptable in terms of sustainability measures and include a significant biodiversity net gain.</p>
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	<p>Bishop’s Stortford Town Council reiterate their lack of objection but note that:</p> <ul style="list-style-type: none"> <li>- The application contravenes TP1 of the Neighbourhood Plan as the Transport Plan is insufficient and there are not safe pedestrian crossings</li> <li>- It contravenes ED1 of the District plan</li> <li>- It would result in noise and light pollution to nearby residents</li> </ul> <p>A further letter of objection on behalf of Tesco Stores Ltd has been sent to members of the Committee. Its main points are:</p> <ul style="list-style-type: none"> <li>- The proposal is contrary to policy ED1</li> <li>- Balance of benefits do not outweigh breach of policy</li> <li>- Turnover of the store will be higher than represented</li> </ul>	<p>Officers disagree with this assessment and consider that these measures are acceptable.</p> <p>The considerations regarding ED1 are covered from para 10.4 of the report.</p> <p>Considerations relating to noise and light are covered at 10.60 and 10.69 of the report</p> <p>This is covered from para 10.4 of the report.</p> <p>This is covered from para 10.13 of the report and at part 11</p> <p>The Council’s independent review of the Retail Impact Assessment accepted the figures provided in the applicant’s sensitivity test to the retail impact assessment (a sales density of £8,637m2) as it derives from recent market data.</p>
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	<ul style="list-style-type: none"> <li>- The officers report is out of date as it uses figures of local trade diversion from the original Retail Impact Assessment; the sensitivity test increases these by 15 and 18% and would be higher if a higher turnover were included.</li>   <li>- Local Highway Authority's position misrepresented.</li>   <li>- Assessment of impact on planned investment; confused with the Sequential Test</li> </ul>	<p>The figures used in the report are from the original Retail Impact Assessment. The sensitivity test was undertaken to show to what extent adopting the Council's figures would change the retail impact. The sensitivity test does show that adopting these figures would increase the convenience trade diversion from Centres, but is well within an acceptable level. A comparison of the figures is included below:</p> <table border="1" data-bbox="1249 579 2056 826"> <thead> <tr> <th style="text-align: center;">Centre</th> <th style="text-align: center;">WP NOV 2021 RIA</th> <th style="text-align: center;">WP NOV 2022 Sensitivity Test</th> </tr> </thead> <tbody> <tr> <td>Bishop's Stortford Town Centre</td> <td style="text-align: center;">4.7%</td> <td style="text-align: center;">5.5%</td> </tr> <tr> <td>Thorley District Centre</td> <td style="text-align: center;">2.6%</td> <td style="text-align: center;">3.0%</td> </tr> <tr> <td>Bishop's Park Neighbourhood Centre</td> <td style="text-align: center;">4.6%</td> <td style="text-align: center;">5.3%</td> </tr> <tr> <td>Snowley Local Parade</td> <td style="text-align: center;">2.2%</td> <td style="text-align: center;">2.6%</td> </tr> <tr> <td>Havers Lane Local Parade</td> <td style="text-align: center;">3.1%</td> <td style="text-align: center;">3.6%</td> </tr> </tbody> </table> <p>To provide additional clarity, it is noted that the Retail Impact Assessment is not based on a 2013 household survey but rather a more recent one as set out in the Retail Impact Assessment.</p> <p>The local highway authority do not wish to restrict the grant of planning permission (subject to conditions and obligations). Their full response included commentary is available on the Planning Register.</p> <p>Paragraph 10.33 of the report addresses this issue. The reference to the Sequential Test is only in regards to demonstrating that the nature of this proposal is different</p>	Centre	WP NOV 2021 RIA	WP NOV 2022 Sensitivity Test	Bishop's Stortford Town Centre	4.7%	5.5%	Thorley District Centre	2.6%	3.0%	Bishop's Park Neighbourhood Centre	4.6%	5.3%	Snowley Local Parade	2.2%	2.6%	Havers Lane Local Parade	3.1%	3.6%
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		from other planned investments.
5b. 3/22/1142/HH	No further representations received	<p>Paragraph 8.1 of the report explains that a condition is not necessary to prevent the outbuilding being used as a separate house or a commercial unit. For the avoidance of doubt an informative is recommended to be added to a Decision Notice should the application be approved informing the landowner of this. The wording would be as follows:</p> <p><i>The development hereby permitted shall only be used for ancillary residential purposes in connection with the main dwelling known as Sequoia, Elton Road; and shall not be used for any purpose that would constitute a material change of use, such as a self-contained residential dwelling or a commercial use independent of the main dwelling which would require separate planning permission.</i></p>