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Chairman and Members of the
Development Management
Committee

Your contact: Peter Mannings
Tel: 01279 502174
Date: 10 April 2024

cc. All other recipients of the
Development Management
Committee agenda

Dear Councillor,

DEVELOPMENT MANAGEMENT COMMITTEE - 10 APRIL 2024

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 applications:

3/19/0790/OUT and 3/23/0681/FUL

Please view these papers prior to and during the meeting this evening.
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 10 APRIL 2024
TIME : 7.00 PM

East Herts Council: Development Management Committee**Date: 10th April 2024****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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| 5b, 3/23/0681/FUL Land At Thorley House Thorley Street Bishop's Stortford | <p>Ecology – Hertfordshire County Council Following advice received from the Ecologist at Herts County Council, the applicant commissioned a Preliminary Bat Roost Assessment.</p> <p>The assessment outlines that no roosting bats or evidence of bats were seen during the inspection of the trees, and as no potential roost features were identified higher up in the tree crowns no climbing surveys are required. The Ecologist at the County Council has no reasons to disagree with the findings of the assessment, and subject to the mitigation measures identified has no objections to the proposal.</p> | It is recommended that condition 12 is amended to include a requirement for the mitigation measures outlined in the Preliminary Roost Assessment to be implemented as part of the development. |

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| | <p>2 Northwold Close</p> <p>Representations received from the owners of the property raising the following concerns regarding the development: Loss of privacy - impeding the use of the garden, loss of view and light, would detract from the character of the area, adverse impact of biodiversity particularly hedgehogs, would exacerbate traffic congestion, concerns regarding flooding and drainage, impact on infrastructure, design concerns and impact on property values. The Council is urged to explore alternative uses for the land that would have less impact on the surrounding area.</p> | <p>Officer Comments – the majority of these concerns are addressed within the report. The impact of the development on property values is not a material planning consideration. In terms of the exploring alternative uses for the land, the statutory role of the Council is to determine this planning application. Any alternative use of the land is for the landowner to pursue if they so wish.</p> |
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Table of errata and updates to reports submitted to Committee.

| Agenda No | Paragraph No | Updates |
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| 5a and 5b. | | Last month the Council published a new five-year land supply position statement which confirmed the Council was able to demonstrate a housing land |

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| | | supply of 5.57 years against the housing requirement of 5,560 dwellings across the five-year period 2023-2028. However, following the Government's recent publication of new affordability ratios, the Council's five-year housing land supply has further improved to 5.95 years . |
| 5a, 3/19/0790/OUT (HERT3) Archers Spring Land North of Welwyn Road Hertford | Paragraph 10.131 | Corrections inserted in text below in bold : Overall provision of open space would be likely to exceeds standards as set out in County's "Open spaces and Assessment" calculations by some 7000m2 . Not least, all parts of the site are within 250m or a 2- 3 minute walk of proposed play facilities and open space. The total open space is 38% of site (4.8 ha, of which nature reserve is 2.6 ha). Whilst there would be no allotment provision on site there, £60,484 would be secured by s.106 legal agreement for allotment delivery within the Herford. |
| 5a, 3/19/0790/OUT (HERT3) Archers Spring Land North of Welwyn Road Hertford | Paragraph 13.1 – Heads of Terms | The report refers to the Youth project as 'increasing capacity by sourcing a new Young People's Centre in Hertford and/or provision serving the development'. This was the project initially put forward. However, the project was updated to 'increasing the capacity of Ware youth centre and/or provision serving the development' . |
| 5a, 3/19/0790/OUT | Paragraph 13.1 – Heads of Terms | <ul style="list-style-type: none"> • Parks and Garden and Amenity Greenspace £337,133 – towards the costs of provision, improvement, and maintenance of parks and gardens <i>including Panshanger Park and Grounds</i> and amenity green space |

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| <p>(HERT3) Archers Spring Land North of Welwyn Road Hertford</p> | | <p>facilities at Farm Close Open Space and/or Hertford Castle Gardens and/ or other public parks, gardens and amenity greenspaces in Hertford as used by residents of the development including landscape planting and new access features such as gates, pathways and interpretation signage</p> <p>Officer Comment: The first phase of the HERT3 Site Allocation (for 254 homes on Thieves Lane) has secured non-financial contributions towards Panshanger Park comprising the provision of a new access/entrance to the Park. This will enable further permeability through the development site (at this part of the site allocation) and into Panshanger Park whose boundary adjoins this development which is currently under construction. The additional pedestrian access is proposed in the south western corner of the site and this has been secured via s.106 agreement.</p> <p>A late representation from CMS Cameron Mckenna Nabarro Olswang LLP has been received on behalf of the owners of Panshanger Park raising concern that the committee report has not addressed the requirement set out in HERT3 (n) which states that the development should make contributions towards Panshanger Park. Officers have set out in the report that the s106 agreement will secure financial contributions towards Parks and Gardens and Amenity Greenspaces including Panshanger Park. The Council will determine where to allocate the specific contributions to specific CIL compliant projects post planning stages in line with the allocations processes. The wording of the contribution is flexible to allow some or all of the contributions to be spent</p> |
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| | | towards Panshanger Park. Given the policy position set out in HERT3 (n), there is a good chance of securing a meaningful contribution towards Panshanger Park alongside the other stated projects which form confirmed schemes set out on the Council's Projects list. It should also be noted that the Policy requirement set out in HERT3(n) applies to the whole allocation site including the Thieves Lane component which is under implementation. This part of the site allocation has contributed towards Panshanger Park by securing a new entrance to the park by way of s106 agreement. Therefore, officers would argue that the objective of the policy (to contribute) towards Panshanger Park has already been met to some degree. |
| 5a, 3/19/0790/OUT (HERT3) Archers Spring Land North of Welwyn Road Hertford | Paragraph 13.1 – Heads of Terms | <ul style="list-style-type: none"> • Swimming Pool - £200,188 - towards the costs of provision of facilities, improvements, and maintenance of the swimming pool facilities) Grange Paddocks Leisure Centre Hartham Leisure Centre in Hertford and/or at the Ware Lido Pool as used by the residents of the development and/or alternative provision serving the Development as agreed between the Owners and the Council in writing |
| 5b, 3/23/0681/FUL Land At Thorley House Thorley Street Bishop's Stortford | | <p>Attenuation Basin</p> <p>The agent for the developer has confirmed the following: <i>Our drainage consultant has confirmed the basin would have the following water depths based on the 1 in 1, 30 and 100 year events. I have listed these below. I have also asked they indicated the depth of water the time it would remain in the basin for. As you will note it will drain relatively quickly so there</i></p> |

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| | | <p><i>will not be water of significant depth in there on a longer term basis. We would however be content with requirements for a fence if so required.</i></p> <p><i>1:1yr – 64.69m (0.39m deep) – Half Drain Time = 20hrs – Full Drain Time = 45hrs</i></p> <p><i>1:30yr – 65.04m (0.74m deep) – Half Drain Time = 34.6hrs – Full Drain Time = 46.15hrs</i></p> <p><i>1:100yr+Climate Change – 65.40m (1.1m deep) – Half Drain Time = 38.3hrs – Full Drain Time = 50hrs</i></p> |
| <p>5a, 3/19/0790/OUT (HERT3) Archers Spring Land North of Welwyn Road Hertford</p> | <p>Late Representation</p> | <p>Late representation sent in by the Chair of the Sele Farm Neighbourhood Association; we duly acknowledge the following areas of concern:</p> <ul style="list-style-type: none"> • Affordable Housing – shortfall in Affordable Housing • Existing Shops and Infrastructure – Increased demand on local resources and infrastructure • Section 106 Contributions – Where monies are to be allocated? • Section 278 works – concerns on link from no.162 Bentley Road. Additional s.278 requests. • Planning Conditions – location of green corridor. Decontamination, Access safety, Levels and shortcomings of shared footway/cycleway concerns. <p>Officer Comment: The above representations from SFCC are duly noted and the issues raised therein have been broadly addressed in the officer report and will be covered in the officer presentation to the DMC.</p> |

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| <p>5a, 3/19/0790/OUT (HERT3) Archers Spring Land North of Welwyn Road Hertford</p> | <p>Condition no. 2</p> | <p>The wording to Condition 2 will be amended to delete the references to the documents listed in the report. The Plans (submitted for Approval as set out in para 1.17 of this report) will form part of the decision notice and do not need to be listed in the condition. Parameter plans to be approved can be found at para. 1.17 of the Committee Report.</p> <p><u>Approved plans</u></p> <p>2. The development hereby approved shall be carried out in accordance with the approved plans listed at the end of the decision notice.</p> <p>Reason: To ensure the development is carried out in accordance with the approved plans, drawings and specifications.</p> |
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