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Chairman and Members of the
Development Management
Committee

Your contact: Peter Mannings
Extn: 2174
Date: 9 January 2014

cc. All other recipients of the
Development Management
Committee agenda

Dear Councillor,

DEVELOPMENT MANAGEMENT COMMITTEE – 8 JANUARY 2014

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,

Peter Mannings
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MEETING : DEVELOPMENT MANAGEMENT COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 8 JANUARY 2014
TIME : 7.00 PM

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East Herts Council: Development Management Committee

Date: 8 January 2014

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>5a, 3/13/1721/FP 102-124 Cozens Road, Ware</p>	<p>A letter of support has been received from the owner of a lease of one of the maisonettes to be demolished. The owner gives support for the application, as the proposals will help reduce the difficulty that couples (old or young), with or without children, have in finding affordable accommodation in Ware.</p> <p>The <u>Councils Solicitor</u> indicates that a condition, restricting the use of the units as affordable housing, should be imposed.</p> <p>Officers understand that a local resident has circulated an email to Members on 3rd January raising various matters in relation to the application.</p>	<p>If Members are minded to support the proposals then such a condition would be appropriate. Delegation to Officers to formulate an appropriate condition, in consultation with the applicant, is sought. This approach is suggested so that any condition does not have unforeseen consequences with regard to the development and management of the units.</p> <p>In respect of the matters raised, Officers would comment as follows:</p> <ul style="list-style-type: none"> • Notwithstanding the details supplied by the agent in respect of biodiversity, the Council's

		<p>ecological advisers were consulted on the application and raised no concerns with regard to ecology on the site apart from requesting an initial bat survey.</p> <ul style="list-style-type: none"> • The proximity of Priors Wood School is considered within the submitted Transport Statement and both Highways and Planning Officers have considered the impact of the proposals on pedestrian and vehicular safety in the area - for all sections of the community, and for future occupiers of the site. • The Highway Authority has confirmed that the proposed access to the existing garage at 100 Cozens Road is adequate to allow a vehicle to enter and exit with reasonable ease. • The reference made in the report to a scheme at Calton Court in Hertford was in response to representations received stating that there had been no Housing Association schemes in the District recently for new residential development that involved the demolition of existing dwellings. Officers accept that the particular type of residential accommodation is different in each case and must be considered on their own merits of course. The example was to highlight that the Council has previously supported the demolition and redevelopment of residential
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	<p>Councillor C. Rowley has sent an email to Officers today which has been forwarded to the members of the committee. In summary, he raises the following matters:-</p> <ul style="list-style-type: none"> • The development at Calton Court in Hertford is not similar to the current proposal • He considers that the report places an over-reliance on the NPPF. • He considers that the views of the School should have been sought directly • The confusion over site notice dates has caused concern for local residents 	<p>accommodation within the District.</p> <ul style="list-style-type: none"> • No works of demolition have been carried out at the site. Some clearance of hedgerows/shrubs may have occurred but these are not protected and not therefore subject to planning control. • A bat survey has recently been carried out at the site in anticipation of the imposition of condition 17. However, that survey will require assessment by the Council's ecological advisers and officers therefore recommend that condition 17 remains necessary and appropriate. <p>There is a typographical error in the description of the development on page 11 which, in line 3, should refer to 8 affordable flats and not 7.</p> <p>In response Officers would comment as follows;-</p> <ul style="list-style-type: none"> • The reference to Calton Court is discussed above • The NPPF is a material consideration of significant weight in the determination of this case. Members will be aware of the weight to be attached to it where there is a lack of a current 5 year land supply (para. 7.3 of the report refers) • Highway safety for all pedestrians and vehicles have been considered within the report – including that associated with the School • Replacement site notices were put up by officers
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	<ul style="list-style-type: none"> • Insufficient weight has been given to the harm caused by the relocation of residents in the maisonettes. 	<p>and the application was also publicised by press notice and by individual notification letters.</p> <ul style="list-style-type: none"> • The relocation of the residents by the applicant is not a material planning consideration of any weight. <p>Those interested parties who responded to the public consultation exercise were advised by letter dated 23rd December 2013 that this application was to be reported to this meeting.</p>
<p>5b, 3/13/1399/OP Land east of Aspenden Road, Buntingford</p>	<p>Additional responses have been received from 3 local residents, along with Councillor Paul Spears of Aspenden Parish Council raising further concerns over prematurity, the restricted width of Aspenden Road and pavement, and highway safety and capacity issues, high levels of car ownership, potential widening of Aspenden Bridge, flooding, lack of jobs in Buntingford, poor design and amenity considerations, impact on infrastructure, and questions over how the S106 money would be spent on sustainable transport.</p> <p>The <u>Highway Authority</u> has responded to local resident Mr. Cocker and confirm that they do not consider that the volumes or nature of traffic will introduce significant new problems on the road. They comment that the existing road layout is not ideal, but has been operating adequately for a number of years. The condition requiring road widening will ensure adequate and safe access to the site</p>	<p>Officers consider that these concerns have been adequately addressed in the Committee report. The application does not propose any widening of Aspenden Bridge, and any such works would need to be subject to listed building consent. Concerns over highway safety and capacity are addressed in the Highway Authority’s email summarised below.</p>

	<p>and where space permits the proposals also include new / alternative footway provision away from the main road. The applicant is also providing further financial contributions towards sustainable transport measures to help mitigate the impact of the development. It would be unreasonable to ask the developer to consider traffic management measures along the whole length of Aspenden Road or to seek to impose a requirement to widen the carriageway beyond the limit of the applicants land ownership.</p> <p>Copy of emails between the <u>Environment Agency</u> and applicant's flood risk consultant have been received which confirm that the EA require the existing track to be retained for access to the watercourse.</p>	<p>No further comment – full details of the layout would be subject to a reserved matters application.</p>
<p>5d, 3/13/1866/FP GSK, Priors Street, Ware.</p>	<p>The applicant's agent has queried condition 8 which, as drafted, requires the closure of the temporary construction access prior to the occupation of the building. It should however require the closure of the existing emergency access onto Harris' Lane. The new temporary construction access is proposed to be retained after the construction of the building for emergency access only.</p> <p>The applicant has also submitted a brief statement indicating the various Sustainable Drainage Schemes (SUDs) that were considered in the design of the proposals and the reasons why these were not considered appropriate in this case. They also indicate that the</p>	<p>Officers acknowledge this drafting error and recommend the following replacement condition:-</p> <p>Occupation of the building hereby permitted shall not take place until the existing emergency access onto Harris' Lane has been closed and the kerb and footway reinstated to the satisfaction of the Local Planning Authority.</p> <p>The Council's Engineer has reviewed this statement and considers that, whilst the lack of a SUDs scheme is regrettable in this case, the difficulties are understood and he concludes that the proposal would neither reduce flood risk in the area nor result</p>

	<p>proposal will incorporate other sustainability measures such as low pressure hot water system heated by the waste heat produced by the site's Combined Heat and Power (CHP) plant, temperature control systems, high efficiency LED lighting and a 10% reduction in CO2 emissions as a result of the on-site CHP plant.</p>	<p>in any increase in flood risk. On balance, therefore, given the other sustainability and economic benefits of the proposals, Officers are satisfied that condition 9 is not longer required in order to make the scheme acceptable overall and it is therefore recommended that it is deleted.</p> <p>Condition 7 is also recommended to be amended to remove the words 'demolition or' from the standard condition, as no further demolition works are proposed.</p>
<p>5e 3/13/1631/FP Clusterbolts Stapleford</p>	<p>A further representation in objection has been received.</p> <p>The <u>Councils Solicitor</u> notes that the scale of development is such that it would not normally require the provision of affordable housing. However, the proposed use is a consideration.</p>	<p>No new issues are raised</p> <p>As per item 5a above, an appropriate condition restricting use will be applied if Members support these proposals.</p>
<p>5i, E/12/0314/B Monks Green Farm, Hertford</p>	<p>The landowner has written to confirm that he has attempted to reach an amicable agreement with his tenant relating to the cessation of the car storage on the site. He states that he has been provided with both written and verbal assurances of his tenant's intention to relocate. He also states that the tenant company was provided with six months notice to vacate the site and its failure to cease the use in that time has resulted in legal action being taken to secure their vacation of the site, with a confirmed court date later in January 2014.</p>	<p>The points raised are noted. The committee is recommended to grant authority for action to be commenced if it remains necessary.</p>