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Chairman and Members of the
Development Control Committee

Your contact: Peter Mannings
Extn: 2174
Date: 18 November 2010

cc. All other recipients of the
Development Control Committee
agenda

Dear Councillor,

DEVELOPMENT CONTROL COMMITTEE – 17 NOVEMBER 2010

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

MEETING : DEVELOPMENT CONTROL COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 17 NOVEMBER 2010
TIME : 7.00 PM

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East Herts Council: Development Control Committee

Date: 17 November 2010

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>5b Wallace Land, Buntingford Road, Puckeridge 3/10/1522/FP</p>	<p>A letter of objection has been received from the Thatching and Building Company commenting that the loss of areas of land such as the application site from agriculture makes the production of thatching materials more difficult. It also points out that the lack of use of local trades people or materials in the construction renders the proposals less sustainable. Concern is also raised with regard to parking and traffic issues.</p> <p>Officers understand that three further letters of objection dated 15, 16 and 17 November 2010 respectively, from local residents, and a letter of support from GKA Ltd on behalf of the applicant, dated 15 November 2010 have been circulated by e-mail to all DC Members.</p> <p>A letter of support from a local resident has been received pointing out that a locally circulated but unnamed letter is inaccurate and that local services and facilities can accommodate the demands of the development.</p> <p>A further letter has been received from the applicant which</p>	<p>In relation to the Cala Homes case, the issues raised are relevant to all planning applications that are considered by the Council and officers will submit comments to the committee prior to the consideration of the matters on the agenda at this meeting.</p>

	<p>relates to a recent High Court judgement in a case brought by Cala Homes and which relates to the Regional Plan. The applicant also confirms that the extent of land ownership has been carefully considered and the scheme designed accordingly.</p> <p>The Highway Authority has confirmed that it has no further comments on amended plans that introduce further parking spaces near to the entrance of the site.</p> <p>A local resident has indicated that protected roman snails are present on his domestic site and has forwarded an e-mail on the matter to him from the Herts Biological Records Centre (HBRC). The HBRC officer indicates that there is no onus on the LPA to take account of this species prior to determining the application (given their status of protection). However, the LPA could apply a condition seeking further information. This would not seem unreasonable and if the HBRC had been aware of their presence would suggest such a condition.</p>	<p>The presence of this protected species has not been confirmed independently and, given its status, it is not necessary for the LPA to assign weight to the matter. However, it is suggested that an additional condition is applied to any permission seeking necessary survey work and mitigation processes as appropriate.</p>
<p>5c Central Maltings, Ware 3/10/1466/FP</p>	<p>Advice from the Council’s solicitor indicates that the works required to the access do not need to be specified in both condition 12 and within the s.106 agreement as this duplicates the requirement.</p>	<p>Officers recommend deleting item 4 from the s.106 recommendation and amending condition 12 to replace “Prior to the commencement of development hereby permitted” with “No development shall take place unless and until details have been submitted...”</p>

<p>5e The former Cock PH, Stocking Pelham</p>	<p>Six additional letters of representation have been received from third party representations. The letters largely reflect the concerns as outlined in section 5.2 and 5.3 of the Officers Committee Report. There is some support for the provision of a new pub, but concerns that viability has not been fully tested and also concerns with regard to the amenity impact of the two house scheme.</p> <p>An additional letter has been received from the applicant which responds to the Officers Report in respect of financial viability matters. The letter sets out that the information and figures put forward within the application are supplied by the applicants accountant and chartered quantity surveyors. It confirms the applicants view that a new pub cannot be considered financially viable in isolation.</p> <p>Letters of representation in respect of the two planning applications have been received from Hertfordshire County Highways. The Highways Officer does not wish to restrict the grant of permission in either application.</p> <p>The Highways Officer acknowledges that the applications are for outline permission only with all matters reserved. However, in respect of the application for a single dwelling on the site (3/10/1582/OP), the Highways Officer comments that the use of the existing access into the site is not a situation which should be retained within any subsequent reserved matters application. With regard to application 3/10/1583/OP, the Highways Officer comments</p>	<p>Officers consider that the issues raised are considered appropriately within the Committee Report.</p> <p>Officer's comments in the Committee Report address these issues.</p> <p>Officers note the comments from the Highways Officer, matters of access are reserved and do not form part of the planning considerations for the current applications.</p>
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	<p>that the indicative layout proposes the access to the public house from within the radius of the existing road junction to the benefit of highway safety. In addition, the 2 new dwellings are provided with appropriate access, parking and turning arrangements.</p> <p>Officers understand that the Chairman of the PC has circulated an e-mail to all DC members, dated 15 November 2010.</p>	
<p>5f Edwards Green Farm, Brickendon Lane, Brickendon 3/10/1526/FP</p>	<p>Letter received from the applicant's agent, Jeffrey Haggerty, dated 11th November clarifying the following points:</p> <ul style="list-style-type: none"> - The applicant's home is a private dwelling not forming part of the farm holding - The second home is a four-bedroom property occupied by the applicant's daughter and four children - Details of the farm accounts are to follow, but the letter states that the farm does not generate a sufficient profit to employ a key worker who lives off-site <p>Officers also understand that the applicant has circulated an e-mail to all DC Members dated 12th November 2010 enclosing a copy of the above letter.</p>	<p>Officers do not consider that this additional information constitutes the very special circumstances required to justify the proposed development in the Green Belt.</p>
<p>5g Tewin Bury Farm Hotel 3/10/1200/FP</p>	<p>Officers understand that the applicant has circulated a letter to all DC Members dated 11th November 2010.</p> <p>An additional letter has been received from the</p>	<p>Officers can confirm that a bat and great crested Newt Survey has been received which concludes that the proposed development would have no direct adverse impact on these two species. The</p>

	<p>Hertfordshire Chamber of Commerce dated 11th November 2010 indicating that it considers it essential that the Council supports energetic and innovative businesses to grow, especially when they add to the amenity of the area and provide much wanted jobs.</p> <p>Officers also understand that an e-mail from a local resident in Burnham Green Road has been circulated to all DC members dated 16th November 2010</p>	<p>report recommends enhancements to the site to include more sympathetic lighting; improved landscape management and new bat boxes. These could all be controlled via planning conditions.</p> <p>Officers consider that the remaining matters raised are considered appropriately within the committee report.</p>
<p>5k 3a Bull Plain 3/10/1686/FP</p>	<p>Two letters of objection have been received which raise concerns that there are too many nail bars in the town already and this will affect the viability of existing businesses.</p>	
<p>5m A414 Timber, Stanstead Abbotts E/09/0010/B</p>	<p>Officers understand that the applicant has circulated an e-mail to all DC Members dated 16th November 2010.</p>	<p>Officers consider that the unauthorised works require planning permission and no change to the recommendation is considered appropriate.</p>
<p>5o The Beeches, Westmill E/10/0275/B</p>	<p>A letter has been received on behalf of an adjacent occupier. It is considered that the reasons for issuing the enforcement notice should specifically refer to the development being contrary to national policy PPS1 and local plan policy SD2</p> <p>They also consider that the second reason given for</p>	<p>Officers consider that the reasons given in the report for issuing the enforcement notice are sufficiently clear and robust. These can of course be expanded upon in any subsequent appeal together with any necessary references to national policy and policy SD2.</p> <p>Officers are also of the view that it is not possible,</p>

	<p>issuing the notice should state that the use <i>will</i> result in detriment to the adjoining residents due to the more intensive use and increase in traffic.</p> <p>Officers have been informed that there is now a second occupant in residence and there is a potential of a third occupant by the end of November 2010.</p>	<p>from the information currently available, to accurately assess the impact that the development may have on adjacent residential properties. In such circumstances Officers do not consider that it is appropriate to state that the use would result in such harm as this may prove difficult to justify on any subsequent appeal. Clearly, the matter will be reviewed if and when any additional information becomes available and if necessary the matter will be reported back to the committee.</p> <p>This information has been checked and confirmed as being correct. No change to Officers' recommendation.</p>
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