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Chairman and Members of the  
Development Control Committee

Your contact: Peter Mannings  
Extn: 2174  
Date: 15 September 2011

cc. All other recipients of the  
Development Control Committee  
agenda

Dear Councillor,

## **DEVELOPMENT CONTROL COMMITTEE – 14 SEPTEMBER 2011**

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 – 6)

Yours faithfully,

Peter Mannings  
Democratic Services Officer  
East Herts Council  
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**MEETING** : DEVELOPMENT CONTROL COMMITTEE  
**VENUE** : COUNCIL CHAMBER, WALLFIELDS, HERTFORD  
**DATE** : WEDNESDAY 14 SEPTEMBER 2011  
**TIME** : 7.00 PM

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## East Herts Council: Development Control Committee

### Date: 14 September 2011

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><b>5e, 3/11/1239/FP, Land to the rear of 20 – 22 Sayesbury Avenue</b></p>	<p>It has been noted that the wording of Condition 13 is not in accordance with the recommendation outlined in paragraph 3.4 of the report regarding site clearance prior to the commencement of development.</p> <p>A letter has been received from a local resident who feels that no consideration has been given to the bat population and in particular to the possible disturbance to their roosts. Pre-emptive clearance of the site has also taken place without any regard to the wildlife population.</p> <p>They also comment that government policy restricts “garden grabbing” with its unfavourable impact on local amenities.</p>	<p>This condition should read “site clearance should take place during the period October to February inclusive”.</p> <p>Officers consider that issues concerning bats have been addressed in paragraph 7.14 of the report. With regards to pre-emptive site clearance, this can take place without the consent of the LPA, particularly as the application site does not contain any designated TPOs and does not fall within a designated wildlife site.</p> <p>Officers would remind Members that as the development is located within the town boundary there is no local plan policy objection to development and the changes to PPS3 (removing gardens from the definition of ‘previously developed land’) does not alter this policy.</p>

<p><b>5e, 3/11/1239/FP, Land to the rear of 20 – 22 Sayesbury Avenue</b></p>	<p>Concerns are also raised regarding the accuracy of the Tree Survey and the protection of trees within the gardens surrounding the proposed development.</p> <p>The resident also queries the distances between neighbouring dwellings as stated within the report and raises concerns regarding the impact of the development on Nos. 12 and 13 Stoneleigh.</p> <p><u>Mark Prisk MP</u> comments that a number of his constituents have contacted him regarding the above planning application. He asks the Development Control Committee to carefully consider the concerns raised by his constituents.</p> <p><u>The Council's Arboricultural Officer</u> advises that he received a request to serve a provisional Tree Preservation Order (TPO) on trees at 12 and 13 Stoneleigh, Sawbridgeworth. He comments that the relevant legislation only allows Council's to serve TPOs on trees that are under threat of removal/damage or are under poor management. From a brief inspection these trees appear to be under good management and it is his opinion that they are not currently threatened by the development proposals. These trees are not of significant public amenity value as they are not of great size or easily viewed until in close proximity of the trees. In that sense</p>	<p>Officer considerations concerning trees have been outlined in paragraph 7.13 of the report. No evidence has been provided to suggest that the Tree Survey is incorrect or inaccurate and the Council's Landscape Officer also raised no objections to the proposal.</p> <p>Officers consider that the distances stated within the report are accurate and the issues concerning neighbouring amenity have been addressed in paragraph 7.7 of the report.</p> <p>Those issues and concerns raised by neighbours have been noted and addressed within the committee report.</p> <p>The Council's Landscape Officer comments and recommendations have been noted within the committee report.</p>
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<p><b>5e, 3/11/1239/FP, Land to the rear of 20 – 22 Sayesbury Avenue cont'd</b></p>	<p>they do not meet one of the major criteria for the serving of a provisional TPO. At the present time there would appear little justification for the serving of a provisional TPO.</p> <p><u>The Council's Landscape Officer</u> has made additional comments in response to neighbour representations. He reiterates that the key phrase in his previous advice relates to no adverse impact on 'significant trees'. The development site is not in the conservation area and there are no protected trees (trees the subject of a TPO) on or adjacent to the site. There is therefore no restriction in place to prevent the pre-development tree work described by residents as no application for tree work is required by the owner/occupier.</p> <p><u>County Highways</u> comment that the proposal does not represent a significant increase in traffic movements on Atherton End or through the junction with West Road. Car parking provision accords with the requirements of the planning authority. He acknowledges that there may well be an existing issue with school traffic and parking but, of fundamental importance when considering the planning application, the development will not make the situation worse. With regard to refuse collection, he questions the need for collection vehicles to enter the spur road. The furthest dwelling is located less than 40 metres from the main carriageway of Atherton End and less than 20 metres from the end of the spur road. It is not uncommon for residents to transport their refuse bin to the edge of the highway for collection. In which case the bins would be</p>	<p>These issues have already been noted within the committee report.</p> <p>Issues concerning car parking, access and highway safety have been addressed within the committee report.</p>
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<p><b>5e, 3/11/1239/FP, Land to the rear of 20 – 22 Sayesbury Avenue</b></p> <p><b>Avenue</b></p>	<p>located well within the recommended carry distance of 25 metres negating the need for the collection vehicle to enter the spur road.</p> <p>Officers also understand that a resident of Atherton End, Sawbridgeworth has circulated an e-mail to all Development Control Committee Members dated 13<sup>th</sup> September which raises similar concerns to those contained within the report relating to non-compliance with HSG7; 'garden grabbing'; adverse impact on 22 Atherton End; inadequate consideration of impact on trees; highways impact and maintenance; impact on wildlife and sewerage infrastructure</p>	<p>Officers have addressed these issues within the committee report.</p>
<p><b>E/11/0037/B Units 4a and 4b Star Street, Ware, Herts.</b></p>	<p>The owner of the business submitted an application for advertisement consent for illuminated shop signage on the 13<sup>th</sup> September 2011</p>	<p>This application has not yet been validated and registered. Offices consider that the enforcement report recommendation should be endorsed. If authorisation is given to take action, however, Officers will defer such until the application is determined provided that it has been validated and registered as complete.</p>