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Chairman and Members of the
Development Control Committee

Your contact: Peter Mannings
Extn: 2173
Date: 1 March 2012

cc. All other recipients of the
Development Control Committee
agenda

Dear Councillor,

DEVELOPMENT CONTROL COMMITTEE – 29 FEBRUARY 2012

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
peter.mannings@eastherts.gov.uk

MEETING : DEVELOPMENT CONTROL COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 29 FEBRUARY 2012
TIME : 7.00 PM

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East Herts Council: Development Control Committee

Date: 29 February 2012

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, 3/11/1616/FP, 306-310 Ware Road, Hertford</p>	<p>The applicant has requested that the item be deferred to allow further review and negotiation regarding the provision of affordable housing as further information has come forward.</p>	<p>Officers recommend deferral.</p>
<p>5b, 3/11/1927/FP Land south of 10 Acorn Street, Hunsdon</p>	<p>The applicant has raised concern with condition 16 recommended by Officers. The condition requires the implementation of traffic calming measures prior to first occupation of the development. The applicants is concerned that the occupation of the development is dependent on the Highway Authority implementing the traffic calming measures which is outside the control of the</p>	<p>The first item to be included in the S106 agreement should read:</p> <p>The provision of six affordable dwellings comprising of 4 no. 2 bed units and 2 no. 3 bed units, of which 75% should be fore rental and 25% shared ownership</p> <p>The condition is recommended by Highways Officers and is considered to be necessary and reasonable. Without the condition the development could potentially be implemented without the traffic calming measures being implemented, to the detriment of highway safety.</p>

	<p>applicant.</p> <p>The applicant is also concerned with condition 8 recommended by Officers. This condition requires that at least 10% of the energy supply of the development should be from decentralised, renewable or low carbon sources. The applicant is concerned that such a requirement was not attached within the previous outline planning permission and the condition is therefore unreasonable. The applicant has also raised concern that the condition is based upon the East of England Plan 2008 which has been superseded by other legislation.</p>	<p>During discussions leading up to the Committee, the applicant has however confirmed that the condition will be acceptable on the basis that a clause is attached within the S106 requiring a timetable of implementation of the financial contributions - £28,000 towards traffic calming and safety enhancement measures. Officers consider that this is an appropriate approach and will give reasonable assurances of the timetable of implementation of the traffic calming measures. Officers therefore recommend that Members resolve to agree that the S106 includes such a clause.</p> <p>The application the applicant refers to is 3/08/0569/OP – which is referred to in the Officers Committee Report (para 2.1). Members resolved to grant planning permission for that application before the East of England Plan 2008 was adopted. Since that time, the East of England Plan 2008 has been adopted and it forms part of the Development Plan. Paragraph 7.28 of the Officers Committee Report explains the reasoning behind the condition in more detail; the condition is considered to be necessary and reasonable. The East of England Plan 2008 forms part of the Development Plan and has not, as yet, been superseded by any other legislation.</p>
<p>5d, 3/11/2050/FP North Street,</p>	<p>One additional letter of representation has been received which raises concerns in respect of the locations at which the traffic survey was undertaken; fire and emergency</p>	<p>The issues raised have been addressed in the report.</p>

Bishop's Stortford	access has not be adhered to; it is not commercially viable for markets traders in North Street; parking restrictions on Thursdays has turned away custom and impacted upon the viability of the town centre and the market is not needed in North Street as there is only one stall there on Thursdays.	
5e, 3/11/2216/FO Land adj, to River Stort, Bishop's Stortford		Members' attention is drawn to a typographical error within the report at para. 1.2 (p.78). The report should read 'this application seeks an extension of the use of the temporary car park until the end of April 2012', and not '1 April 2012'.
5h, 3/11/2156/FP Rear of 14-21 Kecky's, Sawb'worth	Officers understand that Nick Jones, Group Scout Leader 1 st Sawbridgeworth, has circulated a letter to all DC Members dated 25 February 2012.	
5k 3/11/2006/FP High Hedges, The Street Haultwick	<p>Officers understand a letter has circulated to members form the Chairman of Parish Council that the application should be deferred to allow consultation with Thames Water due to the strain on the sewage system and pumping station.</p> <p>11 residents and one friend of a villager have written with objections that repeat those of overdevelopment , harm to the hamlet, the harm to the neighbour at No 2 Farm Cottages and an additional objection that there is harm to</p>	<p>There would be no policy basis to object on these grounds. Water utilities are obliged to meet demands, there are no areas in East Hertfordshire where development is embargoed due to water constraints and this could only occur by a change of policy. Not grounds for refusal or deferral.</p> <p>Officers refer to comments in the report. It is not considered there would be harm to the setting of the listed building although the proposed roof to the extension would be visible from the listed house at</p>

	the setting of Haultwick Hall a Grade II listed building.	Haultwick Hall across neighbouring gardens.
5p, 3/11/2048/FP Baker Street, Hertford	Two additional representations have been received in objection to the proposals. Both raise concern in relation to the loss of the current parking facilities and the inconvenience this will cause. One is concerned in relation to the impact on privacy and overshadowing to the residents in Hampton House. They are raise concern in relation to the visual impact of the building in the Conservation Area. They refer to the refusal of a previous proposal in 2002.	These issues are dealt with in the submitted report. With regard to historical applications, Officers believe this may relate to a development at 22 Baker Street for 6 flats. This was refused by the Council in 2002 and subsequently permitted on appeal.
Item 7 TPO P/TPO 558 15 Hanbury Close, Ware	<p>The respondent referred to in the report is concerned that a further letter of objection has not been referred to in the report. That additional letter raises concerns in relation to:</p> <ul style="list-style-type: none"> - size of tree in relation to its setting; - proximity of tree to the Vicarage property on the site; - objections form neighbouring occupiers; - nuisance of the tree. <p>He also points to the date of service of the TPO given in the report concluding this must be a second TPO of which he has not been informed. The respondent has been informed of the correct date of service (see officers comments) and, as a result is concerned that the provisional TPO must therefore have lapsed.</p>	<p>Officers confirm that a second letter of objection was received in relation to the serving of the TPO. However the issues raised in it are similar to those dealt with in the report and do not, in any event, persuade officers that the provisional order should not be confirmed.</p> <p>The correct date of service of the TPO is in fact 10 February 2011. Whilst the Council should confirm a provisional order within 6 months, the guide to law and best practice indicates that confirmation can take place at any time thereafter.</p> <p>No second TPO has been served.</p>