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Chairman and Members of the
Development Control Committee

Your contact: Peter Mannings
Extn: 2174
Date: 21 June 2012

cc. All other recipients of the
Development Control Committee
agenda

Dear Councillor,

DEVELOPMENT CONTROL COMMITTEE – 20 JUNE 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 – 8)

Yours faithfully,

Peter Mannings
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East Herts Council
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MEETING : DEVELOPMENT CONTROL COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 20 JUNE 2012
TIME : 7.00 PM

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East Herts Council: Development Control Committee

Date: 20 June 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
5b, 3/12/0495/FP Tesco store, Bishops Stortford	A letter has been received from a local resident expressing concerns about the retrospective nature of the application and the late working hours during the recent refurbishment work.	The application was submitted prior to works commencing on site although the works have been carried out during the process of considering the application. It is therefore now retrospective. However, planning considerations remain the same, and no change to the report is required.
5c, 3/12/0596/FP Bourne Lane, Much Hadham	Officers understand that the applicants agent has circulated an e-mail to all DC Members today enclosing a statement of support for the proposal	
5d, 3/12/0661/FP	The Council's <u>Landscape Officer</u> comments that the indicative layout is acceptable, but that hard	Noted – Landscape conditions imposed.

New Mead Nursery, Walkern Rd	and soft landscape details are still required. Overall, the proposal is non contentious in landscape terms and approval is recommended with landscape conditions’.	
5e 3/12/0574/FP Blind Fiddler PH Anstey	The <u>Councils Solicitor</u> that the terms of the legal agreement currently set out in the committee report fall outside of the scope of the Act. As a result, it is suggested that any legal agreement is worded on the basis that, prior to the commencement of development a viability scheme shall be prepared and agreed by the Council setting out proposals for the application of the proceeds from the potential sale of the property. It is advised that implementation may require the formulation of a trust of management body.	It the light of this additional advice, the recommendation from Officers remains unchanged. However, Members are asked, for the avoidance of doubt, to delegate the matter of the detail of the legal agreement to the Councils Legal Service Manager on the basis that the most appropriate format of agreement is put in place to ensure that funds from the potential sale of the residential property are invested in the public house business.
5f, 3/12/0076/FP The Catherine Wheel, Albury	One additional letter has been received which indicates general support for the provision of a play area but concern regarding the size of the structures; visual intrusion, noise and distance from the PH which makes supervision difficult.	Noted. No change to report.

	<p>Officers understand that a local resident has circulated an e-mail to all DC Members today referring to the operating profits of TLC Inns</p> <p>Officers also understand that another local resident has circulated an e-mail to all DC Members today referring to a retrospective application for a marquee at the site.</p>	<p>Noted but no change to report.</p> <p>An application for the marquee was received on 14th June 2012 and is currently being considered by officers as a separate planning matter.</p>
<p>5I, 3/12/0461/FP Broadeaves, Perry Green, Much Hadham</p>	<p>The applicants agents have written to advise Officers that they have contacted two local venues/enterprises and that they have indicated that they would happy to add the barn at Broadeaves to their list of local B & B's/holiday lets which they send out when they have special events.</p> <p>A local resident has suggested additional conditions to:-</p> <ul style="list-style-type: none"> a) reduce noise from the existing swimming pool area when it is in use by visitors to the accommodation; b) preventing visitors to the self-catering accommodation from taking part in shooting, motor-cross or similar noisy activities within 300 	<p>Noted. No change to report.</p> <p>Officers do not consider that these conditions would be fairly and reasonable related to the development proposed and would not be enforceable. They would not therefore be in accordance with the advice given in Circular 11/95</p>

	<p>metres of the site and c) preventing the use of radios or amplified music on the site outside the building.</p> <p>The <u>Councils Solicitor</u> suggests that condition 3 could be worded to enable conversion back to an ancillary curtilage dwelling. The building would need to remain within the curtilage of the main property to enable this.</p>	<p>Whilst mindful of this advice, Officers consider that it would be appropriate to seek a further application to facilitate this potential reversion. This will avoid any doubt in relation to the extent of the curtilage.</p>
<p>5m, 3/2/0543/LB and 3/12/0542/FP – New Hall Farmhouse, Wareside</p>	<p><u>English Heritage</u> – Comment that while the addition of such a structure would be unlikely to be objectionable in principle, concerns are raised with the design of the proposed extension. English Heritage considers that the proposed extension would appear alien in its form, massing and detailing in relation to the character of the traditional dwellinghouse. EH therefore consider that the proposal is inappropriate and suggest that the application be withdrawn or refused.</p> <p><u>The County Archaeologist</u> has commented that following additional information received from the applicant's agent concerning previous</p>	<p>The comments from English Heritage reiterate their previous concerns with the proposal (LPA ref. 3/12/0071/LB) and also support the objection from and the concerns raised by the Conservation Officer.</p> <p>The building is Grade II* Listed. Therefore, as English Heritage has objected to the proposal, any grant of consent would first require referral to the Secretary of State.</p> <p>Noted. No change to the report.</p>

	<p>disturbances to the site of the proposed orangery and foundation details for the scheme, it seems less likely that it will have an impact on heritage assets of archaeological and historic interest. Therefore, should the scheme be granted consent an archaeological condition would not be required to be placed on the grant of consent.</p>	
<p>5r 3/11/2209/FP 3/11/2210/L B Pentlows Farm, Braughing</p>	<p>The applicant has confirmed offer of the transfer of the land which forms the west part of the site to the Parish Council</p> <p><u>Braughing Parish Council</u> has agreed to a transfer option that sees the land transferred to the Parish Council but with responsibility for the maintenance of the balancing pond being passed to a management company. The Parish Council has sought assurances from the developer in relation to liabilities and action which may be required in default of maintenance.</p> <p>Two further representations have been received from local residents. One suggests that an review of the outcome of the development on the Gravelly Lane site is undertaken before further development is permitted. It is also suggested</p>	<p>The confirmed offer of the transfer of land to and acceptance by the Parish Council is noted. This is accommodated within the legal agreement as currently proposed in the addendum report. It would be expected that liability and action in default matters that the Parish refer to are properly dealt with in a separate agreement amongst those parties.</p> <p>The further local representations are noted. It is not considered that the matter should be further deferred or that, whilst valid, a consideration of the Gravelly Lane site should inform the decision here.</p>

	<p>that a construction consultation arrangement could be set up with a village representative present to enable the integration of the development.</p> <p>The second response asks that the matter be further deferred from a decision.</p> <p>The applicant, in a further response, indicates a change can be made to the properties proposed for plots 22 and 28. This would provide that access is made at ground level at the front of the properties. Previously proposed steps would be not be implemented.</p>	<p>The suggested change is noted. If Members are minded to accept this, the approved plans would be updated by the substitution of plan 739/PL/21C in place of 739/PL/21B</p> <p>On a related point plan DFD/PENT/LIA is deleted from the list of approved plans as it is based on a superseded layout. The plan relates to landscape strategy and the need for an updated plans is covered by the requirements of proposed condition 14.</p>
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