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Chairman and Members of the  
Development Control Committee

Your contact: Peter Mannings  
Extn: 2174  
Date: 8 November 2012

cc. All other recipients of the  
Development Control Committee  
agenda

Dear Councillor,

## **DEVELOPMENT CONTROL COMMITTEE – 7 NOVEMBER 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 – 10)

Yours faithfully,

Peter Mannings  
Democratic Services Officer  
East Herts Council  
[peter.mannings@eastherts.gov.uk](mailto:peter.mannings@eastherts.gov.uk)

**MEETING** : DEVELOPMENT CONTROL COMMITTEE  
**VENUE** : COUNCIL CHAMBER, WALLFIELDS, HERTFORD  
**DATE** : WEDNESDAY 7 NOVEMBER 2012  
**TIME** : 7.00 PM

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## East Herts Council: Development Control Committee

### Date: 7 November 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><b>5a, 3/12/1150/FP Grass Warren, Tewin</b></p>	<p>For clarity, amended plans have been received of the proposed first and second floor layouts which now correctly show the revised site layout below.</p> <p>Officers understand that the Parish Council have circulated an e-mail with attached photographs to all DC Members dated 5 November 2012 which reiterates the key elements of their objections to the proposal.</p>	<p>Condition 2 to be amended to delete reference to plan numbers 1477/101; 102 and 103 and replace with plan numbers 1477/101 Rev A; 102 Rev A and 103 Rev A.</p> <p>In response to the comments from the Environmental Health Unit, an additional condition is recommended in respect of soil decontamination as follows:-</p> <p>2E33 – Contaminated land survey and remediation</p> <p>Offices can confirm that part of the site is within the ownership of the District Council (that covered by the existing garage blocks and access).</p> <p>The other matters raised in this e-mail are considered within the report.</p>

	Officers also understand that a local resident has circulated an e-mail to all DC Members dated 1 November 2012 commenting on the Highway Authority's response to the application.	The Highway Authority's comments are set out within the report and the parking/highways matters are considered in section 7.0.
<b>5b, 3/12/1075/FP 3/12/1076/LB Home Farm, Moor Place, Much Hadham</b>	<p>Officers understand that two local residents have circulated e-mails with attached letters, photographs and in one case a petition to all DC Members dated the 5<sup>th</sup> and 6<sup>th</sup> of November 2012.</p> <p>Para. 7.39 of the report states that Officers would update Members at the meeting about the requirement for S106 obligations. Unfortunately a formal response on the requirement for S106 obligations has not been received from Much Hadham Parish Council and Officers are therefore unable to update Members further on this matter.</p>	
<b>5c, 3/12/1409/FP 3/12/1410/LB 6 &amp; 7 Bluecoats Avenue, Hertford</b>	Amended plans have been received to clarify the extent of land within the applicants ownership and the proposed boundary treatment to Mill Road	<p>Condition 2 to be amended to delete reference to plan numbers L900 P0 and L500 P6 and replace with amended plan numbers L900 P1 and L500 P7.</p> <p>No other change to recommendation.</p>
<b>5d, 3/12/1440/FP Glebe Lane, Acorn Street, Hunsdon</b>	Officers understand that both the Parish Council and the applicant have circulated letters to all DC Members. That from the Parish Council is undated, but circulated on 2 Nov 2012. The applicants letter is also undated, but circulated on 6 November 2012.	

	<p>Members will also have received the letter from the applicant dated 29 October 2012, with accompanying commentary on the report circulated, by Cllr Newman.</p> <p>The Councils <u>Landscape Officer</u> has made an addition to his previous response commenting on the landscaping scheme put forward as part of the application. He comments that the new planting proposed offers little in terms of mitigation, when considered within the context and scale of the overall development proposal.</p>	
<p><b>5e</b> <b>3/12/1325/FP</b> <b>Priory Farm</b> <b>Widford</b></p>	<p>The Council’s Solicitor has commented that rather than condition 2, a s106 agreement is the most effective method of securing affordable housing.</p>	<p>Officers note this comment but consider that an amended version of condition 2 (as below) would adequately secure the required affordable housing provision and its transfer to an RSL. The suggested condition is used regularly by the Planning Inspectorate and has previously been used by officers on other developments within the District:-</p> <p>The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:</p> <p>i. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of 2 dwellings;</p>

		<ul style="list-style-type: none"> <li>ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;</li> <li>iii. the arrangements for the transfer of the affordable housing to an affordable housing provider[or the management of the affordable housing] (if no RSL involved) ;</li> <li>iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and</li> <li>v. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.</li> </ul> <p>Reason To ensure that the development, meets and continues to meet a local need for affordable housing, in accordance with policy HSG5 of the East Herts Local Plan Second Review April 2007.</p>
<p><b>5f</b> <b>3/12/1318/FP</b> <b>Warrengate Farm, Tewin</b></p>	<p>A further letter has been received from a neighbouring occupier setting out the following points:</p> <ul style="list-style-type: none"> <li>1. COU is to B1 but intended end user not B1. Can the use be clarified and if not B1(c) made clear to the applicant that they are outside of B1(c)?</li> <li>2. The agricultural use ceased at least 10 years ago – no overlap between the active farm use and the converted barns being used as residential. Has the former use become redundant and whole site as residential?</li> <li>3. As the residential units were not there when the</li> </ul>	<p>Response as follows:-</p> <ul style="list-style-type: none"> <li>1. Noted but not relevant to the planning considerations of the site.</li> <li>2. Whilst the agricultural use may have ceased at that time, the entire site would not be classed as residential.</li> <li>3. Noted that the agricultural use may not have existed at same time as barns converted, however still consider that a B1(c) use to be compatible with neighbours. Do not consider</li> </ul>

	<p>farm was operating, no judgement can be made as to neighbour impact from that former use. The access road runs the length of the property and it has low levels of noise insulation. Noise of vans etc at gate to ten yard is disturbing. Seeking to obtain a noise survey and request decision be delayed until the result of this can be considered.</p> <ol style="list-style-type: none"> <li>4. There are no restrictions on open windows or doors. A business such as Evanta would be audible to neighbours.</li> <li>5. Future signage will be harmful to setting of listed buildings</li> <li>6. Consider that bats previously nested in the south barn but ceased in 2010 when the current occupants enclosed the space.</li> </ol> <p>A letter has been received from Oliver Heald MP on behalf of local residents raising concern with regard to the potential for the proposals to have a harmful impact on the amenity of residents.</p> <p>An email has been received from neighbour and circulated to all Members and includes a video of the event - A large lorry came to site on 06 November and blocked the road for 40minutes. Concerns of inconvenience to neighbours, safety concerns and damage to road.</p> <p>The agent has responded to this incident and said it should not have occurred and would not in the future – indeed they have used this size lorry only once before, in 2005. Would normally use a standard car trailer. State that</p>	<p>that a noise survey is necessary.</p> <ol style="list-style-type: none"> <li>4. It would be unreasonable to restrict door openings and windows, given the location of these on the buildings, the relationship with neighbours and given the B1(c) use.</li> <li>5. Future signage and impact upon setting would be considered if advertisement consent required/sought.</li> <li>6. Noted. No further comments to make.</li> </ol>
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	<p>they would be agreeable to having a condition imposed to restrict the size of delivery vehicles.</p>	
<p><b>5h</b> <b>3/12/1485/SV</b> <b>Stocking Hill,</b> <b>Cottered</b></p>	<p><u>Cottered and Throcking Parish Council</u> have lodged an objection to the proposal citing three reasons:</p> <ul style="list-style-type: none"> <li>• The development was only granted on the condition that the age restriction be placed on the site;</li> <li>• No evidence to warrant the removal of the S106 agreement except that the developers have been unable to sell/let the remaining dwellings; and</li> <li>• Is manifestly unfair on existing residents who have purchased the dwellings knowing the restrictions that exist.</li> </ul> <p>One further letter of objection has been received from a neighbouring occupier raising the following concerns:</p> <ul style="list-style-type: none"> <li>• Extra traffic movements would threaten highway and pedestrian safety;</li> <li>• Serious impact on residents' enjoyment of their properties by virtue of increased noise.</li> </ul>	<p>The matters raised are referred to in the report and no change to the recommendation is suggested.</p>
<p><b>5j</b> <b>3/12/1290/FP</b> <b>Unit 2</b> <b>Crane Mead</b> <b>Business</b> <b>Park, Ware</b></p>	<p>A further representation has been received from a local GP in support of the proposal and the applicant, indicating that his work is of high quality in practical and academic terms.</p> <p>Officers also understand that the applicant has circulated an undated letter and details of the proposed use at the</p>	



	site to all DC Members.	
<b>5l E/11/0137/B Punchley, Levens Green</b>	Officers have been advised that an appeal has been lodged against the refusal of retrospective planning permission for this development (ref: 3/12/0974/FP)	No change to recommendation. This may enable a joint appeal to be heard in respect of both the planning refusal and the enforcement notice.
<b>5m, E/12/0257/A 36 Ermine Street, Thundridge</b>	Officers have been advised that an appeal is to be lodged against the refusal of listed building consent for this development (ref: 3/12/1061/LB).	No change to recommendation. This may enable a joint appeal to be heard in respect of both the listed building consent refusal and the enforcement notice.
<b>5n, E11/0392/A Stocking Pelham Hall</b>	Officers have been advised that the occupier of the relevant unit has now found another unit outside the District and took possession of it on 1 November 2012. He is now in the process of vacating the unit at Stocking Pelham Hall and that the move will be completed by Thursday (8 November 2012).	No change to recommendation. However, officers will not serve the enforcement notice in the event that the unauthorised use has ceased as stated.
<b>5o E/11/0397/B Musley Hill Infants School</b>	The owner's agent has advised Officers that works will commence on an agreed scheme of repairs to the building in the next two weeks.	No change to recommendation. However, officers will not serve the Urgent Works notice in the event that the agreed repairs schedule is carried out and completed within a satisfactory timescale.

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