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Chairman and Members of the
Development Control Committee

Your contact: Peter Mannings
Extn: 2174
Date: 6 December 2012

cc. All other recipients of the
Development Control Committee
agenda

Dear Councillor,

DEVELOPMENT CONTROL COMMITTEE – 5 DECEMBER 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

MEETING : DEVELOPMENT CONTROL COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 5 DECEMBER 2012
TIME : 7.00 PM

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East Herts Council: Development Control Committee

Date: 5 December 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 |
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| <p>5a, 3/12/1657/FP North of Hare Street Road, Buntingford</p> | <p>An updated Ecological Assessment has been carried out and concludes that, subject to mitigation measures, there would be no significant impact on bats, dormice or reptiles. <u>Herts Biological Records Centre</u> comment that the results of the reptile survey have not been submitted and should be required prior to determining the application. They also make a number of recommendations to protect and enhance wildlife habitats.</p> <p><u>Hertfordshire Constabulary Crime Prevention Design Advisor</u> comments that although this is a well thought out scheme there are several areas within the scheme where dwellings are left with blank gable walls. These areas can become crime generators as groups can congregate leading to anti-social behaviour. This can be eased by the use of additional windows in the blank walls.</p> <p><u>Anstey Parish Council</u> object to the application on the grounds that the development is to be accessed via the B1038 which is Anstey's main access to their nearest</p> | <p>Recommend removal of reason for refusal 8 as sufficient information has now been received to address impacts on bats and dormice. As reptiles are not European Protected Species, Officers are satisfied that surveys and mitigation measures could be adequately controlled through condition.</p> <p>No further comment – the blank walls are included within the Officer's design considerations and form part of reason for refusal 4.</p> <p>No further comment – these issues have been addressed in the Officer report.</p> |

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| | <p>town, Buntingford, and is poor quality in terms of surfacing, width, visibility, speeding traffic, poor footpaths, no street lighting. Car parking on the site is inadequate, and public transport is inadequate. The letter from Buntingford Town Council should be given substantial weight in consideration of this application.</p> <p>A petition of 2,343 signatures has been received objecting to the proposal on the grounds that permission now would prevent sustainable decisions on the future of Buntingford and the surrounding villages, as well as the lack of safe transport access, destruction of landscape features, lack of service provision, intrusion of urban development into the countryside, and inability of local infrastructure to support a development on this unsustainable scale.</p> <p>Officers understand that the Buntingford Action for Responsible Development group (BARD) has circulated a letter dated 8 November 2012 to all DC Members. This is the letter received by Officers in objection to the proposal and summarised in the report.</p> | <p>No further comment – these issues have been addressed in the Officer report.</p> <p>Following further consideration of the reasons for refusal, Officers recommend that the first is amended as follows:</p> <p>The site lies in the Rural Area Beyond the Green Belt as defined in the East Herts Local Plan, Second Review, April 2007, where development will only be allowed for certain specific purposes. The</p> |
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| | | <p>proposals do not represent an acceptable form of development in that respect and are, therefore, contrary to the aims and objectives of policies GBC2 and GBC3 of the East Herts Local Plan Second Review, April 2007. Prior to the publication of the East Herts District Plan, Part 1: Strategy, development at this time would prejudice the assessment process currently underway which will lead to the identification of land and the preferred strategy for residential and other development across the district. The proposals are therefore contrary to the objectives set out in that respect in the National Planning Policy Framework.</p> |
| <p>5b, 3/12/0977/FP Lancaster Garage, London Road, Bishop's Stortford</p> | <p>Additional representations have been received from <u>Herts County Council</u> – in relation to planning obligations it will not be requesting any contributions in addition to those relating to highway matters. There will be no requirement for the provision of fire hydrants.</p> <p><u>English Heritage</u> Additional representations have been received from English Heritage in respect of the development proposals.</p> <p>English Heritage comment that the amended drawings do show an improvement in terms of a more unified overall design approach and the subdivisions of the main elevations into bays are of a more appropriate scale.</p> <p>English Heritage comment that the flat roof and general</p> | <p>Noted, Officer's recommend that the contribution relating to fire hydrants be omitted.</p> <p>Officer's note the comments from English Heritage. However, as is set out in the Committee Report, the amended proposals are considered to represent a significant improvement to the existing character of the site and therefore are beneficial to the character of the Conservation Area.</p> |

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| | <p>form produce a monolithic feature. The revised scheme does not acknowledge the character of the site and the immediate surroundings. There are no active frontages and the overall effect would be inimical and would not respond to the other buildings in the locality.</p> <p>English Heritage considers that the amended scheme fails to preserve or enhance the character and appearance of the conservation area and does not respond to the NPPF, in the desirability of new development making a positive contribution to local character and distinctiveness.</p> <p>English Heritage recommend that planning permission be refused.</p> <p>Two further letters have been received from local residents. One indicates that, whilst some aspects of the amended design are considered to be improvements, many previous concerns remain. The second expresses a degree of support for the revised proposals but with two comments – space should be allowed for the possible future widening of Station Road and more landscaping should be included in the proposals.</p> <p>Officers understand that the applicant has circulated a letter and sketches of the proposals, dated 30 November 2012, to all DC Members.</p> | |
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| <p>5c, 3/12/1584/SV Burrowfield, Hertford</p> | <p>Bayford Parish Council have written to say they do not oppose the removal of this condition on the understanding there is no permission for any commercial activity on this site but that careful thought should be given to the reasons why it has been submitted.. The site has in the past been untied from the adjoining garden centre. They would oppose any person attempting to start a new business on this site.</p> <p>The applicant has written to say there are no proposals for any retail use or any commercial use of the site.</p> | <p>Noted. The issue of controls of future use are addressed in the officer report.</p> <p>Noted.</p> |
| <p>5e, 3/12/1551/FP Bourne Lane Much Hadham</p> | <p>Officers understand that the applicants agent has circulated an e-mail to all DC Members dated 30 November 2012</p> <p>The <u>Council's Solicitor</u> has drawn attention to the National Planning Policy Framework in relation to this application.</p> | <p>The matters raised in that e-mail are addressed within the report</p> <p>Noted – it is considered that the policy considerations remain those set out in the report.</p> |
| <p>5f, 3/12/1463/FP Freman College, Buntingford</p> | <p>Two further representations in support of the application have been received. These refer to benefits that would arise to the students and the local community from this proposed new facility.</p> <p>A letter has been received from the head teacher of Freman College which indicates that, upon completion, the sports building would provide a community use, benefiting the wider community. It is considered that this commitment addresses the requirements of condition 7.</p> | <p>Noted.</p> <p>Noted - whilst this information helps to support the application, the community use scheme cannot be discharged until planning permission has been granted and officers have been able to fully consider the proposed community use details.</p> |

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| | | <p>No change is recommended to the report.</p> |
| <p>5g, 3/12/1395/FP Kick and Dicky PH, Wellpond Green</p> | <p>A letter in support of the application has been received from a resident in Aston. They outline that the applicants have made every effort to keep the business viable. They further comment that the site gets no passing trade and that it has not been supported by local residents. A further letter in support of the application sets out that the Council's policy approach is considered to be out of date.</p> <p>Officers understand that the applicants agent has circulated an e-mail to all DC Members dated 04 December 2012</p> <p>A letter to the applicants from a Commercial and Residential Property Agent has been received which endorses a valuation at £525.000</p> <p>Two further letters in objection have been received from residents of Wellpond Green who indicate that it was the change from a local pub into a restaurant that led to a decline in its use by locals. They do not consider that it has been on the market at a realistic price for a sufficient amount of time.</p> <p>The <u>Council's Solicitor</u> has drawn attention to the National Planning Policy Framework (NPPF) in relation to this application.</p> | <p>Noted. In relation to the policy matter, Members are advised (below) that the recently published NPPF retains a reference to the need to retain valued services and facilities.</p> <p>The matters raised are covered in the report.</p> <p>Noted – para 70 of the NPPF indicates that the planning system should guard against the unnecessary loss of valued facilities and services.</p> |

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| <p>5j, E/12/0115/A Foxdells Farm, Foxdells Lane, Bishop's Stortford</p> | <p>A surveyor appointed by the owners has e-mailed the case officer stating that it is his intention to commence works on Monday 10th December 2012 to erect a new scaffold and temporary roof to the building as the existing roof is not of sufficient strength to take any roof coverings.</p> | <p>Noted. It would appear that the proposed works, if carried out, would address some of the concerns expressed in the officer's report by making the building watertight and allowing it to start drying out. However officers still request authority to take enforcement action if required. No formal notice would be served if the works take place as agreed.</p> |
| <p>5k, E/12/0277/A The Red Lodge, Little Hadham</p> | <p>A letter has been received from the applicants agent dated 4 December 2012 stating that an application for a replacement dwelling on the site will be submitted as soon as possible.</p> | <p>Noted. However, officers still request authority to take enforcement action if required. No formal notice would be served if the required application is submitted in a timely manner and subsequently approved.</p> |

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