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Chairman and Members of the
Development Control Committee

Your contact: Peter Mannings
Extn: 2174
Date: 23 May 2013

cc. All other recipients of the
Development Control Committee
agenda

Dear Councillor,

DEVELOPMENT CONTROL COMMITTEE – 22 MAY 2013

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:

6. 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 22 MAY 2013
TIME : 7.00 PM

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East Herts Council: Development Control Committee

Date: 22 May 2013

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>6a, 3/13/0118/OP Land south of Hare Street Road, Buntingford</p>	<p>A petition with 990 names has been received in objection to the proposals. They are considered to prevent sustainable decisions on the future of the town and surrounding villages through district and neighbourhood planning. Objection is also made on grounds of lack of safe access, impact on landscape, lack of service and infrastructure provision and intrusion into the countryside.</p> <p>A further letter has been received from CPRE (Campaign to Protect Rural England) commenting that the legal opinion has not been placed in the public domain and hence cannot be debated or challenged. They comment that taken with the land north of Hare Street Road, the proposals would represent an increase of approximately 13% of the population of Buntingford. Policies in the Local Plan should continue to be given due weight, and development that conflicts with the Local Plan should therefore be refused.</p> <p>A further letter has also been received from BARD</p>	

	<p>(Buntingford Action for Responsible Development) suggesting that the application be refused on the grounds that the application is premature, is inappropriate in the Rural Area, would cause harm to the landscape, the access would cause transport problems, new residents would be reliant on cars due to lack of rail station and little local employment, and local schools and health services are already under stress.</p> <p>5 other letters of representation have been received raising similar points to those covered in the main report, but also concerned that local opinion has not been given enough weight, that Buntingford will become swamped with developments, and the proposals do not fit with the NPPF or the Local Plan. Concerns have also been raised over errors in the report, particularly the planning history.</p> <p>Officers understand that the applicant has circulated a briefing paper to all DC Members in relation to the proposals.</p>	<p>With respect to the planning history of the site, paragraph 2.1 should read as follows: There have been a number of applications submitted and refused, and appeals dismissed for residential development of this site in 1967, 1974, 1979, 1981 and 1986. The reasons for refusal related to the site being located in the Rural Area with no requirement for additional housing allocations at the time, loss of agricultural land, inadequate vehicular access and pressure on local roads prior to the by-pass being constructed and inadequate sewage provision. It is important, however, to consider the present proposal in light of current planning policy framework.</p>
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<p>6b 3/12/1417/RP Longmead, Buntingford</p>	<p>A further application for the Approval of Reserved Matters; Access, Appearance and Layout (revised scheme) following outline permission approved under 3/10/2040/OP for 26 dwellings (Ref. 3/13/0737/RP) was received on 1 May 2013. This application differs from the current application in respect of the reduction in width of house type B (4 dwellings in total); reduction in the height of dwellings on plots 2 and 5 from 2.5 storey to 2 storey and the increase in the height of the dwelling on plot 24 from two storey to 2.5 storey. The consultation period on this application runs until 6 June 2013.</p> <p>The applicant has confirmed that they would wish for the County Council to adopt the proposed footpath from the site to Baldock Road and thus maintain it. If however the County Council do not wish to adopt this footpath, a management company would be established to deal with the maintenance of it.</p>	
<p>6e 3/12/1955/FP and 3/12/1956/LB Musley School, Ware</p>	<p>Following the drafting of the committee report, the applicants submitted amended plans (ref PL.09 B and PL.03 F) showing an increased number of parking spaces for the nursery school - from 6 to 9. Further consultation was carried out on these amended plans.</p> <p>Councillor J. Wing has written to object as he remains concerned that the parking and amenity space for the school building is inadequate and will lead to additional pressure on parking in the adjoining streets. He also considers that the residents of those properties fronting Sandeman Gardens would be likely to park in that road</p>	

	<p>and he also raises concern that no fenced area of play is shown for the school.</p> <p>Two additional representations have been received as a result of the further consultation. One objects on the grounds that there is still insufficient parking for the nursery. The other recognises the need for a significant development to fund the restoration of the school building but considers that additional parking should be provided for the nursery and that if no nursery is willing to use the building then another community use should be found for it.</p> <p>The Council's solicitor has suggested alternative wording for condition 3 in order to strengthen the requirement and has also suggested that there may be other unforeseen difficulties with regard to the provision of funding for the school building that would be resolved through the use of a legal agreement.</p>	<p>Officers recommended that the proposal was acceptable with 6 parking spaces for the school, as set out in the report. The provision of 9 spaces is welcomed however and Officers consider that this would achieve an improvement in parking provision without compromising the layout of the scheme. No change to the recommendation is proposed.</p> <p>Officers consider that the suggested condition is sufficient and appropriate in order to ensure a satisfactory development of the whole site in the interests of amenity and the historic character and appearance of the site. However, the advice of the Solicitor is noted in respect of the wording of the condition and Officers therefore suggest a revised wording of condition 3 as follows:</p> <p><i>None of the residential units hereby approved shall be occupied unless and until the listed school building has been fully repaired and refurbished to the satisfaction of the local planning authority in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority.</i></p>
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	<p>The <u>Highway Authority</u> have confirmed that they have considered the junction/table/bus stop implications of the proposal in Homefield Road, but consider that there are no safety issues arising from the location of the proposed access and consider this the most appropriate access point to the site.</p>	<p>The applicant's agent has confirmed that such a condition is acceptable to the applicant who is committed to the repairs to the school and considers this a key element to attracting potential buyers for the housing.</p>
<p>6f 3/13/0204/FP Brickendon Grange Golf Club, Brickendon, Hertford, SG13 8PD</p>	<p>In response to the Officer's Report, a letter has been received from Clifford Chance LLP on behalf of one of the neighbours.</p> <p>The letter disputes the Report's interpretation of 'small dwellings' and cites an appeal decision at Home Farm, Little Hadham in which the Inspector concluded that the 4 bed detached houses 'could not reasonably be described as small'. The letter disputes whether the dwellings proposed are in fact smaller than the majority of those dwellings that front Brickendon Green.</p> <p>The letter raises concerns regarding 'inconsistent decision making' that will cause permanent harm to the green belt and reiterates an earlier view that the development does not represent 'limited infill' in the built up area.</p>	<p>These matters are covered in the report.</p>

<p>6g 3/13/0101/FP, The Red Cow Public House and land to rear of 58 Dunmow Road, Bishop's Stortford, CM23 5HL</p>	<p>The Council's <u>Conservation Officer</u> advises that the amendments to the elevational treatment of the buildings are acceptable and have little or no impact on the character or appearance of the Conservation Officer.</p> <p>Officers understand that an email dated 22nd May 2013 has been circulated to all members of the committee on behalf of The Grange Walk Management Committee.</p> <p>One additional letter of objection has been received which expresses concern regarding the height of the proposed dwellings; overdevelopment of the site; increased noise; increased traffic; loss of views from Hillside Avenue; overlooking; loss of light and privacy.</p>	<p>In respect of knotweed, there is other legislation available to deal with any contamination issues from this plant and therefore a condition would not meet the test of Circular 11/95.</p> <p>The other matters raised are covered in the report. Fencing and Landscaping issues are the subject of conditions requiring further details to be agreed.</p> <p>These matters are covered in the report.</p> <p>Officers recommend that a further directive be added to the recommendation:-</p> <p>32BA Bats - which advises that if bats are found the developer should contact a suitably qualified ecologist prior to proceeding with any works.</p>
<p>6o E/13/0012/B 7a Currie Street, Hertford</p>	<p>The site owner has written to indicate that the view from inside the flat through the open top hung windows hardly allows any vision into the adjacent garden. They have however offered to further restrict the opening.</p>	<p>As set out in the report, Officers do not consider that the existing unauthorised windows adequately safeguard the privacy of neighbouring properties nor prevent a perception of being overlooked. The proposed further restriction to the opening of the</p>

		<p>windows is not considered to be an appropriate or enforceable limitation.</p> <p>No change to recommendation suggested.</p>
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