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Chairman and Members of the
Development Management
Committee

Your contact: Peter Mannings
Extn: 2174
Date: 20 June 2013

cc. All other recipients of the
Development Management
Committee agenda

Dear Councillor,

DEVELOPMENT MANAGEMENT COMMITTEE – 19 JUNE 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:

5. Planning Applications and Unauthorised Development for Consideration by the Committee (Pages 3 – 4)

Yours faithfully,

Peter Mannings
Democratic Services Officer
East Herts Council
peter.mannings@eastherts.gov.uk

MEETING : DEVELOPMENT MANAGEMENT COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 19 JUNE 2013
TIME : 7.00 PM

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East Herts Council: Development Management Committee

Date: 19 June 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>5b, 3/13/0528/SV 95-97 London Road, Bishop's Stortford</p>	<p>The <u>Councils Solicitor</u> refers to comments made by the Solicitor on behalf of the County Council with regard to the application process. The County Solicitor comments that documents certifying the service of appropriate notices have not accompanied the application. The County Solicitor indicates that it would be appropriate for a new application to be submitted with necessary documentation rather than to allow additional documents now to be provided to accompany this application.</p> <p>The Councils Solicitor suggests that additional wording be inserted in to the recommendation to avoid a situation where individual leaseholders are released from restrictive covenants that are capable of affecting an individual dwelling unit.</p>	<p>The comments of the County Solicitor are noted. It is considered that no party would be prejudiced if appropriate certification were to be provided and a further 21 day period for comment were allowed to expire before any decision on the matter is made.</p> <p>It is considered that Members of the committee can continue to consider this matter and determine their decision. To reflect this, and the further comment of the Councils Solicitor, the recommendation is amended to read as follows:</p> <p>That, subject to the expiry of a 21 day period subsequent to the date of notification of the application by the applicant and as provided in an appropriate certificate to the Council and, subject to no new and substantive matters of objecting being raised as a result, the legal agreement be varied to add a clause to effect that:</p>

		<p>Except for restrictive covenants capable of affecting an individual dwelling unit the reference to 'successors in title' in the agreement does not include leaseholders.</p>
<p>5c, 3/13/0513/FP 3/13/0518/LC Former Co-op site, Star Street, Ware</p>	<p>The Councils Solicitor advises of the need to ensure that planning obligation commitments should be justified.</p> <p>Further correspondence has been received from the <u>Herts Biological Records Centre (HBRC)</u> in response to their own discussions with the Butterfly Conservation Group. HBRC comment that in respect of butterfly conservation ideally the existing Elm trees would be retained, however bearing in mind the reasonably widespread nature of the butterfly in North and East Herts, it would be difficult to justify their retention on this basis alone. If the trees are lost then there are ways by which elm continuity locally can be achieved.</p>	<p>This matter is addressed at para 7.29 of the report and no amendment is proposed as a result.</p> <p>Para. 7.20 of the report addresses the concerns in respect of butterflies. Officers advise that the option of potentially planting new Elm Trees can be considered within the submission of a landscape scheme, which would be submitted under the requirements of condition 10 at the head of the report.</p> <p>The proposal is not considered to result in the irreplaceable loss of a wildlife habitat and therefore it would not be appropriate to refuse planning permission on those grounds.</p>