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Chairman and Members of the
Development Management
Committee

Your contact: Peter Mannings
Extn: 2174
Date: 18 July 2013

cc. All other recipients of the
Development Management
Committee agenda

Dear Councillor,

DEVELOPMENT MANAGEMENT COMMITTEE – 17 JULY 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 – 10)

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 17 JULY 2013
TIME : 7.00 PM

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East Herts Council: Development Management Committee

Date: 17 July 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>5a, 3/13/0737/RP Longmead, Buntingford</p>	<p>Buntingford Civic Society consider that the further revised plans do not incorporate significant changes to relieve concerns. It points out that developers have the greater good of the community in mind and not be solely concerned with commercial gain. The Society also points out that the Council should recognise that these problems are a consequence of the lack of a District Plan.</p> <p>Two other residents have commented setting out that whilst the further changes are welcomed the development is still considered to be out of keeping with the surrounding area. In addition, it is considered that the developers have been unwilling to provide landscaping details or engage with neighbouring occupiers.</p>	<p>No comments in addition to those set out in the report.</p>

<p>5b, 3/13/0333/FP The Roebuck Hotel, Baldock Street, Ware, SG12 9DR</p>	<p>An amended layout plan has been submitted by the agent. It relates solely to Plots 2 and 3. Plot 3 is moved away from the boundary with No.37 Gladstone Road so that it adjoins with Plot 2 to create a pair of semi-detached dwellings. The garage to Plot 3 is relocated to the west side of the house.</p> <p>Further comments have been received from the <u>Environment Agency</u>. In response to the submitted Preliminary Risk Assessment (PRA), this has confirmed that there may be contamination on the site. The EA reaffirm that the development does not meet with the requirements of the National Planning Policy Framework Sequential Test in relation to flood risk. However, if the Council are minded to grant planning permission, planning conditions should be imposed.</p>	<p>Officers welcome this re-arrangement as it moves Plot 3 away from the boundary with No.37 Gladstone Road, thereby providing a more significant gap between the two dwellings and improving their relationship. The impact on No.37 is already addressed in paras. 7.34 and 7.35 of the report. No changes to the recommendation are proposed in this respect.</p> <p>An assessment of the flood risk associated with the development is contained within paras. 7.42-7.49 of the report. Officers recommended that the development proceed despite the site being partly within flood zone 3 due to mitigating factors detailed in the report. The concerns of the Environment Agency are noted and understood. However, Officers are satisfied that the conditions drafted by the Environment Agency would alleviate residual flood risk on the site and elsewhere and would also deal with contamination in the site which has been identified in the submitted PRA. As such, Officers recommend that the following conditions are imposed:</p> <p>23. The development hereby permitted shall not be commenced until such time as a scheme to provide compensatory storage of flood water has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing /</p>
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		<p>identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.</p> <p>Reason: To protect groundwater quality in accordance with Local Plan policy ENV20. Previous use of the site as a laundry may have led to contamination and the site is located within Source Protection Zone 2. This means any contaminants that enter the groundwater beneath the site will reach a public drinking water abstraction point at any time up to 400 days. Intrusive building works can remobilise contaminants and cause them to migrate into the underlying aquifer.</p> <p>25. Prior to commencement of development hereby permitted, a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for</p>
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		<p>contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.</p> <p>Reason To protect the quality of groundwater in accordance with Local Plan policy ENV20. This condition is necessary to verify any remediation work to confirm that all works have been satisfactorily carried out.</p> <p>26. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and had approved in writing from the Local Planning Authority a remediation strategy to detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.</p> <p>Reason To protect quality of groundwater by ensuring any contamination not previously identified is adequately addressed in accordance with Local Plan policy ENV20.</p> <p>In light of the recommendations of the Environment Agency, Officers recommend that Condition 21 relating to sustainable drainage is amended to read as follows:</p> <p>27. The development hereby permitted shall not</p>
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		<p>commence until details of a surface water drainage scheme have been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provisions for disposing of surface water by means of a sustainable drainage system and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:</p> <ol style="list-style-type: none"> 1. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; 2. include a timetable for its implementation; and 3. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. <p>The scheme shall also include provisions to prevent the infiltration of surface water into the ground unless it can be demonstrated to the satisfaction of the Local Planning Authority that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.</p>
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		<p>Reason: In the interests of the managements of surface water flows and to protect groundwater in accordance with Local Plan policies ENV20 and ENV21.</p> <p>Officers are content that the concerns raised by the EA have been covered in the report. Subject to the above conditions, no changes to the recommendation are proposed.</p>
<p>5c, 3/13/0711/FO Buildings 6 and 7, Bluecoats Avenue, Hertford</p>		<p>The plan No L900 PO on the approved plans condition needs to be substituted by L900 P6.</p>
<p>5d, 3/12/0834/FO St Mary's Catholic School, Bishop's Stortford</p>	<p>4 additional letters of representation have been received raising similar points to those covered in the main report.</p>	
<p>5f 3/13/0343/SV Wallace Land</p>	<p>The Councils Solicitor suggests a modification to the recommendation in relation to the trigger requiring a possible further viability assessment.</p>	<p>That the two sub parts of the recommendation are amended in line with the Solicitors suggestion to:</p>

<p>Buntingford Rd Puckeridge</p>		<p>If, After 18 months from the date of this resolution to grant permission for a variation to the S106 agreement the first residential dwellinghouse is not fully completed and made ready for occupation the reduction in the number of affordable houses required to be provided will revert to the original section 106 agreement;</p> <p>if the developer requires a further viability appraisal to be carried out the developer shall submit an updated viability appraisal to the Local Planning Authority and shall reimburse the Council for all its reasonable costs incurred in respect of its evaluation of such further viability appraisal</p>
<p>5g, 3/13/0616/FP Farthings, Station Road, Much Hadham</p>	<p>Officers understand that an email from Cllr Carver has been circulated to all members of the Committee which expresses his concerns with the application.</p>	<p>The concerns raised in this e-mail have been covered in the report.</p>