

# Public Document Pack



Chairman and Members of the  
Development Management  
Committee

Your contact: Peter Mannings  
Ext: 2174  
Date: 7 November 2013

cc. All other recipients of the  
Development Management  
Committee agenda

Dear Councillor,

## **DEVELOPMENT MANAGEMENT COMMITTEE – 6 NOVEMBER 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 – 8)

Please bring these papers with you to the meeting next Wednesday.

Yours faithfully,

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

**MEETING** : DEVELOPMENT MANAGEMENT COMMITTEE  
**VENUE** : COUNCIL CHAMBER, WALLFIELDS, HERTFORD  
**DATE** : WEDNESDAY 6 NOVEMBER 2013  
**TIME** : 7.00 PM

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## East Herts Council: Development Management Committee

### Date: 6 November 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><b>5a,</b> <b>3/13/1215/RP</b> <b>Terlings Park</b> <b>Eastwick</b></p>	<p>The County <u>Highway Authority</u> has indicated that it does not wish to restrict the grant of planning permission</p> <p><u>Eastwick and Gilston Parish Council</u> has asked to be consulted on the details of the condition in relation to boundary treatments and the structure and terms of reference of the Management Plan.</p> <p>The Parish Council refers to concerns that it has previously raised with regard to the impact of the development on the local roads and schools.</p>	<p>Appropriate consultation can be undertaken</p> <p>These matters have been addressed at the outline permission stage.</p>
<p><b>5b,</b> <b>3/13/1042/FP,</b> <b>Land at Crane</b> <b>Mead</b></p>	<p>In respect of Refusal Reason 2, the applicant has reviewed their viability appraisal and confirmed that they are prepared to provide 12 affordable units with a tenure split of 75% affordable rented and 25% shared ownership.</p>	<p>Officers have considered this proposal in the context of the overall provision of 113 units and its own independent advice received from the <u>District Valuation Service (DVS)</u>. 12 units would equate to 10.6% of the total build.</p> <p>The DVS had previously advised that 18 affordable units can be provided, or 16% of the total build. On</p>

<p><b>5b, 3/13/1042/FP, Land at Crane Mead cont'd..</b></p>	<p>In seeking to address Refusal Reason 3, the applicant has provided a plan which indicates that a pedestrian/cyclist route can be physically provided between Crane Mead, The River Lee and Ware Station.</p>	<p>the basis of a reduced S106 contribution of £282,271, they have since revised this estimate to 21 units, or 18.5% of the total build. They have also indicated that there is scope to increase this further if the developer were prepared to negotiate on the developer profit of 20%, which is at the higher end of the industry norm.</p> <p>Despite the applicants offer of 12 units, this figure remains below that which Officers consider can be delivered on the site. Furthermore, whilst the provision of any affordable housing adds to the benefits of the proposal, 12 units in the context of 113 in total would not tip the balance in favour of the development. Therefore Officers consider that Refusal Reason 2 should remain.</p> <p>Officers note that the plan does not alter the layout of the development. Whilst it is physically possible to introduce a pedestrian route to the north of blocks 1 and 2, the route would be less than 5.0m in width and would run immediately adjacent to the residential blocks, providing residents with a lack of defensible space and reducing the size of garden areas. It would therefore be aesthetically undesirable. As such, Officers consider that the layout remains poor and that the development fails to provide a coherent and attractive streetscene. Officers therefore recommend that Refusal Reason 3 is retained.</p>
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	<p>In respect of Refusal Reason 4, <u>Herts County Council Planning Obligations Unit</u> have provided a robust justification for the education contributions sought and dispute the applicants contention that there is no latent demand for primary and secondary school places in Ware. As such, they do not accept the applicant’s position that they are not justified in this instance.</p> <p>In light of the robust justification provided by Herts County Council, the applicant has stated that they are now content to fund the County Council’s Education contributions. As such, none of the financial contributions are in dispute.</p>	<p>Officers recommend that Refusal Reason 4 is deleted.</p>
<p><b>5c</b> <b>3/13/0513/FP</b> <b>Former Co-op site, Star Street, Ware</b></p>	<p>The applicant has requested a revision of condition 16 to the following:-</p> <p>‘All HGV service deliveries to the premises from Star Street shall only be made between the following times: 22:00 hrs to 07:00 hours and 10:00hrs to 15:00hrs.’</p> <p>This is suggested to enable efficient servicing of the retail unit without impacting on the peak hours of traffic flow. The main bulk deliveries would be made between 10pm and 7am but some more limited additional servicing (of fresh food principally) will be necessary between the hours of 10am and 3pm.</p> <p>There is a typographical error in the report in respect of the primary education contribution which should read £9,852.</p>	<p>Officers have consulted with the Highway Authority who has no objection to the revised condition and it is considered that the revised servicing arrangements would be acceptable in terms of both highway safety and traffic flow.</p> <p>Officers therefore recommend the replacement of condition 16 with the revised wording proposed here.</p>

<p><b>5c</b>  <b>3/13/0513/FP</b>  <b>Former Co-op</b>  <b>site, Star</b>  <b>Street, Ware</b>  <b>cont'd...</b></p>	<p>The Herts and Middlesex branch of Butterfly Conservation has confirmed that they have no objection in principle to the proposal but consider that mitigation measures should be put in place for the loss of the Elm tree and its habitat for the White-letter Hairstreak Butterfly.</p> <p>The Council's solicitor has queried whether condition 12 is sufficient to fully discharge the Council's duty in respect of the protection of bats.</p>	<p>Condition 10 requires details of new planting to be agreed on the site and replacement elm tree planting, if considered appropriate, can be included within the scheme. However, HBRC have also commented that, in respect of butterfly conservation, the White-letter Hairstreak butterfly is reasonably widespread in North and East Herts, and it would be difficult to justify the retention of the existing trees on this basis alone. If the trees are lost then there are ways by which elm continuity locally can be achieved.</p> <p>The previous report to the committee, attached as ERP 'A' to the current report, sets out in more detail the application of the three derogation tests in this respect which are considered discharge this duty.</p>
<p><b>5f</b>  <b>3/13/1226/FP</b>  <b>3/13/1227/LB</b>  <b>25 Castle</b>  <b>Street,</b>  <b>Hertford</b></p>	<p>The approved plan numbers for condition 2 should read '286/L010 E; and 286/L/009/E'</p>	

<b>5g</b> <b>3/13/1513/FO</b> <b>Long Croft</b> <b>Monks Green</b> <b>Farm</b> <b>Brickendon</b>	Officers understand that the applicant has circulated an e-mail/ letter to all DC Members dated 3 Nov 2013	
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