

East Herts Council: Development Management Committee

Date: 17 September 2014

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 3/14/0528/OP and 3/14/0531/OP South of Hare Street Road, Buntingford</p>	<p>Subsequent to the dispatch of the committee report the appellant has indicated agreement to the following matters both relating to the recommendation in the report and additionally:</p> <ul style="list-style-type: none"> - Funding provision of £6000 toward a school site search exercise and a phasing restriction preventing Area 3 (3/14/0531/OP) coming forward for development prior to the identification of such a site (subject to a long stop date) - Funding provision of £15,000 toward highway modelling - Funding provision toward an employment provision fund (amount to be agreed) - Funding provision of £75,000 toward the establishment of a local Hopper bus type service, paid prior to the occupation of more than 10 dwellings in Area 2 (in addition to sustainable transport contributions) 	<p>These payments are in addition to those in the current draft agreement provided by the appellants – which cover other infrastructure matters. The payments are offered on the basis that matters can be concluded through delegated arrangements by 1 December 2014.</p> <p>The funding offers for school site search and highway modelling are pro-rata similar to those offered by the applicant in relation to the proposals at the former Sainsbury's site (5a above)</p> <p>No phasing restriction is offered in relation to highway modelling and no further contribution is offered should that modelling identify that further works of mitigation are required. However, the £75,000 toward a local bus service is an additional funding stream. Further assessment can be undertaken to consider the CIL regs compliance of this additional funding. At this stage, Members are recommended to endorse the funding offer with the</p>

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	<p>Members are to disregard paragraphs 7.12-7.13 as 'The Planning System: General Principles (2005)' has been</p>	<p>caveat that consideration can be given to utilising the funding offered for highway mitigation measures if any are identified from the modelling work. No further additional funding would be sought however.</p> <p>The appellant clarifies that these funding streams will be withdrawn if the matter proceeds to the current planned appeal.</p> <p>Given this further submission, Officers are of the view that the caveats set out in the report (covering Employment, Highways and Education matters) are acceptably met and can be removed from the recommendation.</p> <p>Recommendation A remains that the Council would be minded to GRANT permission, but without caveat</p> <p>Recommendation B remains that delegated authority be granted to further engage with the appellants but that the scope of that be widened to include (subject to the consultation specified) authority to determine resubmitted development proposals (which are not materially different) and deal with all matters relating to the completion of legal agreements and planning conditions.</p> <p>Given the current status of the draft District Plan, Officers remain of the view that a refusal on the</p>
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<p>superseded by the National Planning Practice Guidance (NPPG). Paragraph 014 of the NPPG states that arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits. Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination.</p> <p>In response to amended plans, the Council's <u>Landscape Officer</u> recommends consent. They comment that the revised proposals no longer extend the built form right up to the tree belt on the high ground, and provide an area of natural separation to give an improved setting for the new housing within the wider landscape. The development does not now, in their opinion, exceed the overall landscape capacity of the site. They conclude that the creation of a broad linear open space along the extent of the eastern boundary now retains a rural connection with the landscape to the east.</p> <p><u>NHS England</u> confirm that their previous comments and requests for financial contributions remain relevant.</p> <p><u>Affinity Water</u> comment that the site is located in the groundwater Source Protection Zone (SPZ) of Hare Street Pumping Station and that works should be done in accordance with the relevant British Standards and Best Management Practices to significantly reduce the</p>	<p>grounds of prematurity would not be justified.</p> <p>No further comment.</p> <p>Noted.</p> <p>Noted. A condition to require further land contamination work would be recommended in the event of an approval.</p>
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	<p>groundwater pollution risk.</p> <p><u>Buntingford Town Council</u> maintain their objection for the reasons set out in the report, and state that despite revisions to the landscape proposals, the revised plans would not result in a lessening of the impact on the Wyddial Plateau.</p> <p>7 no. additional letters of representation have been received and make the following additional points:</p> <ul style="list-style-type: none">- The landscape revisions will still lead to an unacceptable and intrusive development onto the Wyddial Plateau;- Overdevelopment should not be allowed;- Wheatley's proposed mitigation to build 1 or 1.5 storey houses on the higher land is ludicrous as these homes would be occupied by the elderly and less able with difficult access to the town;- Unsustainable development due to lack of employment and a railway station;- Loss of farmland as a valuable resource;- Hare Street Road is too narrow and unsuitable for new developments;- Street lighting should not extend into open countryside, and the traffic island will obstruct large vehicles, buses and cycle events.	<p>Noted – please refer to the Landscape Officer's comments above.</p> <p>Noted – many of these issues are already addressed in the Committee report. The loss of agricultural land weighs against the proposal, but is not considered harmful to outweigh the benefits. The Highway Authority have raised no objection to the proposed works on Hare Street Road, and the details will be subject to their approval.</p>
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