

## **PLANNING MATTERS**

Opposition to development proposals in the town centre was the impetus for the foundation of the Society over 50 years ago, and ever since we have regularly commented on planning applications of significance for the town as a whole. We are not opposed to change and innovation, but seek to encourage quality design and maintain the character of the town. We do not get involved in routine householder applications. Comments are also submitted on draft planning documents such as transport plans and neighbourhood plans, and we made extensive written and oral representations about the District Plan.

Comments are drafted by a small subcommittee and submitted to the Council on-line. Occasionally a Society representative will take the opportunity to speak at a meeting of the Council's Development Management Committee. Now that all application plans and documents are on the Council's website it is easy for anyone to view them, so if you are a Society member and would like to take part in the subcommittee's deliberations (carried out by email), please let us know. Contact Peter Norman (email [peterandbill@btinternet.com](mailto:peterandbill@btinternet.com) )

### **Current Issues November 2020**

#### ***Hertingfordbury Retirement Village***

The Council have refused permission for this scheme which included over 200 apartments and a large number of facilities for residents (wellness centre, restaurant, bar, shop, café, library, function room, hairdressing salon and surgery), all in Green Belt countryside between Hertford and Hertingfordbury. This particular stretch of Green Belt performs an obvious and visually important role in separating the town of Hertford from the village of Hertingfordbury, and in providing a rural setting for the village conservation area. So we had lodged a strong objection, as had the Town Council, the CPRE and many local residents.

The applicant contended that there is a need and demand for the type of retirement accommodation proposed, and that the Council cannot demonstrate a five-year supply of land for housing. But officers found that the proposal would have had a very significant impact on the openness of the Green Belt, and conflicted with the purposes of the Green Belt because it would encroach into the countryside; there were no very special circumstances to justify it.

#### ***17 Highfield Road***

An Inspector has sided with the Council and refused permission for a new detached house in the garden of No.17. We had objected to the application because proposals in the conservation area should respect established building lines, layouts and patterns, and safeguard all aspects which contribute to the area's special interest and significance. The impact of this development would have been felt in Morgans Road, where the houses are set back in deep front gardens and form a relevantly consistent building line.

### ***Mangrove Road (Site allocated for Housing in the District Plan)***

We were pleased to see that, in accordance with the District Plan, the applicant intends to leave the western part of the site, which is in the Green Belt and part of a Green Finger, undeveloped and available for public access. However any area to which the public have access will need a certain amount of maintenance and supervision, for example to ensure that litter does not accumulate and that there are no dead or dying trees liable to be a danger to the public; a certain degree of woodland management would also be necessary in the longer term. No proposals for the maintenance of this public area are included in the application, nor any arrangements to ensure that the area remains available to the public in perpetuity. We therefore urged the Council to grant permission only if the developer is willing to enter into a planning obligation to ensure that the undeveloped land remains available to the public in perpetuity (and is fully signed as public), and is maintained appropriately at no cost to the public purse. There would be great benefit in a public footpath link between this land and Valley Close, but we recognise that the creation of such a path outside the application site would require action by the Council and is not in the gift of the developer. This application has yet to be determined.

### ***15 West Street***

Some revised plans have been submitted for this application, which remains undecided. The proposal is described as an outbuilding with swimming pool incorporated. In fact the building would include a living area, bedroom and bathroom facilities; it would require little work to make it into a completely separate dwelling in the future. The proposed structure is located in the conservation area immediately adjacent to the line of listed buildings at the eastern entry to West Street. As such it fails to respect the value and setting of these adjacent properties. It would sit within a walled area previously used as the kitchen garden, which in itself enhances the setting of No.15. In any event the new building would require access from the Gates site which is currently subject to redevelopment, and in this respect the application is premature until that redevelopment is approved. We therefore urged the Council to refuse permission on grounds of impact on the conservation area and on the adjacent listed buildings. Approval would set a precedent for similar applications in the conservation area.

### ***'Tree Heritage' site, North Road***

This is a 2.75 acre site in the Green Belt between Hertford and Waterford. In April there was an application for 3 houses and 3 bungalows. At present the land is used as a tree nursery and by a landscaping contractor, and for 'heritage reclamation' (architectural salvage). The applicant claimed that this makes the site 'previously-developed land', and therefore exempt from the normal prohibition of development in the Green Belt. We lodged a strong objection, arguing that this is a particularly valuable section of Green Belt, separating Hertford and Waterford, and that the 'developed land' exception does not apply because the Planning Act classifies nurseries as an agricultural use.

The April application was refused because of harm to the openness of the Green Belt, but the developer has now followed up with a new one reducing the number of dwellings to five, all of them bungalows. This does of course reduce the effect on the openness of the Green Belt, but we have

reiterated our objection that any residential development of this site should be resisted in principle, because it is in the Green Belt, and is NOT previously-developed land.

### ***Gates of Hertford site, Gascoyne Way***

Unlike the earlier schemes for this site, the current application retains the existing showroom building partly for residential and partly for commercial use, with a terrace of houses proposed at the rear of the site, backing on to Wallfields.

This is one of the first applications in Hertford to seek permission for the new Class E use, which includes a wide range of businesses providing services to visiting members of the public, including shops, cafés, restaurants (though not bars or take-aways), financial, professional and medical services, and sport and fitness centres. In view of the existing houses and flats around the site, as well as the proposed residential units within the site, late-night opening of the Class E units to the public could have an adverse effect on residential amenity, particularly as the proposed parking areas would appear to be shared between the commercial and residential occupiers. Whilst supporting the proposal we therefore suggested a condition that the commercial premises shall not be open to the public between 10 pm and 7 am.

### ***The Hertford Bell (formerly Duncombe Arms), Railway Street***

We were alarmed when the timber stockade made of rough-hewn planks was built outside the front of the pub. The structure is totally inappropriate for a conservation area in the centre of a historic town so we were pleased when a planning application was submitted not showing the stockade. The application was approved subject to strict adherence with the submitted plans. As the enclosure/ seating area currently in place to the front of the pub is not built in accordance with the approved plans, the Council have advised the owner that once the COVID-19 restrictions have been lifted it needs to be removed and replaced with that approved.

### ***The Corn Exchange***

The District Council have now formally designated the Exchange as an Asset of Community Value (ACV). This should help to ensure that the building remains available as a music venue, because ACV status can be a material consideration when the Council have to decide whether or not to grant planning permission for a change of use. There have been indications in the past of an interest in converting the building into apartments. Back in April we drew the Council's attention to the fact that substantial repairs were being carried out to the roof, apparently without the consent necessary because the building is Listed. A retrospective application for consent was made in September, but has yet to be decided.

### ***Power Turbine and Generator west of Hertford Theatre***

As long ago as 2012 the Council decided to install a hydro-electric power turbine and generator on Castle Weir, next to the theatre. There were objections from the Environment Agency on flood control grounds, and the project lay in abeyance for years. The Council then drew up a modified proposal, and as part of the process they had to make a planning application. The application is in

outline with no details about the appearance or siting of the plant and equipment, or the necessary building. This is a very sensitive location in the conservation area with a number of Listed buildings nearby, not to mention the theatre itself which is to be substantially remodelled and extended. So we submitted that a full application is needed to provide information on any installations that would have a visual or other impact. At the end of last year the Council's conservation officer made a similar observation, and the Environment Agency objected because no flood risk assessment had been made. Since then no further information has been published, and the application is still not determined.

### ***Castle Grounds***

No response to the consultation on a 'Greenspace Action Plan' for the Castle Grounds has yet been published.