

S6/2013/1087/FP (PJ) JW

From: Peter Jefcoate
Sent: 07 August 2013 14:15
To: Andrew Windscheffel
Subject: FW: Essendon Country Club, Essendon, Herts

Andrew,

Please make sure the admin officer that issues the decision notice for this site also scans the completed s106 and puts this on FP and then forwards the original s106 up to legal for being put on the Land charges register and then it will be held in their records

Pete

From: Peter Jefcoate
Sent: 07 August 2013 12:25
To: 'Robert Parr'
Subject: RE: Essendon Country Club, Essendon, Herts

Dear Mr Parr,

We are hoping to issue the Planning Decision Notice this week for the application at the above site, but I have to advise you that we are currently very short of planning support staff so unfortunately I cannot promise this for sure.

We also need to return the completed and dated s106's to you at the time the decision notice is issued. The agents address on our system is:

Mr T Burton
Terence C Burton MCIAT
8 Wheel Wrights Close
BISHOPS STORTFORD
Herts CM23 4GH

The planning decision notice will be sent to this address, but it is my intention that the 2 copies of the S106 is sent to the same address with this notice by Special Delivery. **Please can you confirm that this address is correct before these papers are sent.**

Once I have confirmation of this I will let you know when the papers have been sent.

Yours sincerely

Peter Jefcoate

From: Robert Parr [REDACTED]
Sent: 01 August 2013 16:11
To: Peter Jefcoate
Subject: RE: Esseridon Country Club, Essendon, Herts

Dear Peter

I acknowledge your points 1 to 3 and thank you for your understanding in this matter.

Yours sincerely

Robert

From: Peter Jefcoate [mailto:p.jefcoate@welhat.gov.uk]
Sent: 01 August 2013 15:21
To: 'robert-parr [REDACTED]'
Subject: RE: Essendon Country Club, Essendon, Herts

Dear Mr Parr,

I have spoke with my manager and also Andy Instone at Herts County Council about this matter.

Mr Instone has advised me that in regards to the Farm Cottages site there is no issue with archaeological matters, and it is only the other site for the replacement dwelling where there is potential for archaeology.

So the main issue are the requirements of the UU and Planning Conditions which require details to be agreed beforehand including the new landscaping scheme for the site of Farm Cottages.

Demolition works does constitute the commencement of works, and so you are correct in asking permission of the Council at this stage for this to be carried out. Normally this would only be allowed if all other relevant matters had been agreed beforehand, but in this instance you are constrained by the time limits imposed by the Bat Licence and missing this current period would cause a significant delay to the project.

Balancing up this need and the potential harm that could result in allowing the demolition works to be carried out ahead of time, my manager and myself are of the view that an exception could be made without causing any likely injustice to any third party subject to the following:-

- 1. Demolition works are to be restricted solely to the removal of Farm Cottages down to ground level and the removal of all the debris for these works within a reasonable time scale of say three weeks.**
- 2. No remediation works are to be carried out below ground level at Farm Cottages until the landscaping scheme which is currently being checked by the Council's arborist has been agreed – the current plan does not show any site levels (existing/proposed) and I expect this information may be requested by the arborist following a site visit.**
- 3. No works are to commence on the site of the new dwelling until all other pre-commencement details have been agreed in the Unilateral Undertaking and through the discharge of planning conditions.**

Yours sincerely

Peter Jefcoate

From: Peter Jefcoate
Sent: 29 July 2013 12:05
To: 'Robert Parr'
Cc: Andrew Mangham
Subject: RE: Essendon Country Club, Essendon, Herts

Dear Mr Parr,

Thank you for the update and I appreciate that you have only a window of opportunity for the demolition works.

Demolition works do constitute development works in this scheme, and so all the pre-development planning conditions (3-10) should be discharged before these works commence. Of these however 6 & 7 only relate directly to the site of Farm Cottages and the others to the site for the replacement dwelling. There are 2 main issues that I

see in this case which need to be discussed if the Council were minded to allow the demolition works to start at this earlier stage.

First, the loss of existing housing before agreement has been made to discharge the planning conditions for the new housing – in this case the current housing is derelict and so there is no immediate loss of housing accommodation, and so this would not necessarily be a key concern.

Secondly - planning conditions - . Condition 7 is the timing restriction relating to Farm Cottages and the reason why this matter has been brought to my attention at this stage – condition 6 however relates to archaeological work and this does presumably include the demolition works to Farm Cottages. This in my mind is more of a concern as there is a methodology to the demolition works which will involve the removal of below ground material to achieve a satisfactory above ground landscaping scheme. I would therefore suggest that you contact Andy Instone at County (Andy.Instone@hertfordshire.gov.uk) as soon as possible and see whether the proposed demolition works at Farm Cottages were part of the reason why they required a site investigation or not – if there is a concern that the Farm Cottage site is in a sensitive location in archaeological terms, then they may be prepared to accept demolition works above ground level as a phase 1, and that the removal of the below ground material as a phase 2 after planning condition 6 is discharged.

I will endeavour to accommodate your request, but ultimately it is not a matter I can give you authorisation on as it is technically in breach of the legal agreement and planning conditions, however, I will seek a view from my line manager to see if there is any flexibility. In the meantime I would ask that you contact Andy Instone to see if he is willing to allow all demolition/remediation works to proceed at Farm Cottages at this stage ahead of planning condition 6 being discharged or if not, then maybe in 2 phases, where the below ground works are carried out once this condition has been discharged – this could at least allow you to do the work during this restrictive period relating to bats.

If you could let me know the outcome of your discussions with Any Instone, then we will then make a final decision at the Council on whether you can proceed with the demolition works prior to the discharge of planning conditions and formal agreement of the landscaping scheme.

In terms of the landscaping, I note that there are no existing levels or proposed on the drawing – due you have a site survey of these which could be included and is there a survey of existing trees and which would be retained?

I hope this is of assistance at this stage, and my view at the moment is that the Council may allow just the demolition of the cottages at this stage and the removal of all the debris from the site, subject to Andy Instone agreeing this in writing to you, but we will need more information probably in regards to the landscaping works on the site, although the Council's arborist will provide further advice on this.

I hope this is of assistance

Yours sincerely

Peter Jefcoate

From: Robert Parr [redacted]
Sent: 25 July 2013 15:00
To: Peter Jefcoate
Subject: Essendon Country Club, Essendon, Herts

Dear Peter


I trust that you are well.

As you will be aware, planning consent for the revised new dwelling was passed last week subject to the S106 being completed. This has been agreed by all parties and is currently with the owners for signing upon return from their holidays this Saturday.

Due to the timing constraints of the bat licence I will have to commence demolition of the cottages on the 6th August or miss this season and probably require new surveys etc. The authorised ecologists have been notified and will attend site that morning all as per the bat licence.

Consequently I would like to take the unusual step of submitting the attached drawing ahead of formal planning consent to satisfy the landscape condition as recorded in the committee report.

I would appeal to the council's good sense in accepting this.

Should you require any further information or wish to discuss this in anyway then please do not hesitate to contact me on 

Yours sincerely

Robert

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