

5 December 2006

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To: Members of the Letchworth Committee of North Hertfordshire District Council (Councillors M. Paterson (Chairman), Simon Bloxham (Vice-Chairman), Monica Bloxham, J.M. Cunningham, Melissa Davey, Gary Grindal, T.W Hone, David Kearns, Lorna Kercher, David Levett, Lawrence McNamara, Elliot Needham, Mrs. L.A. Needham, and Diane Proudlove)

You are invited to attend a

## **MEETING OF THE LETCHWORTH COMMITTEE**

to be held in

**COMMITTEE ROOM 1, COUNCIL OFFICES, GERONON  
ROAD, LETCHWORTH GARDEN CITY**

on

**WEDNESDAY, 13 DECEMBER 2006**

at

**7.30p.m.**

Yours sincerely,



David Miley  
Democratic Services Manager

**AGENDA**  
**PART I**

<b>ITEM</b>	<b>PAGE</b>
<b>1. APOLOGIES FOR ABSENCE</b>	<b>-</b>
<b>2. MINUTES</b> To take as read and approve as a true record the minutes of the meeting of this Committee held on the 8 November 2006.	<b>-</b>
<b>3. NOTIFICATION OF OTHER BUSINESS</b> Members should notify the Chairman of other business which they wish to be discussed by the Committee at the end of either Part I or Part II business set out in the agenda. They must state the circumstances which they consider justify the business being considered as a matter of urgency.  The Chairman will decide whether any item(s) raised will be considered.	<b>-</b>
<b>4. DECLARATIONS OF INTEREST</b> To receive from Members of the Committee any Declarations of Interest in respect of business set out in the agenda. Members should either declare a prejudicial or personal interest and are required to notify the Chairman of the nature of any interest declared.  Members declaring a prejudicial interest should not seek to influence the decision and leave the room during that particular item of business.	<b>-</b>
<b>5. PUBLIC PARTICIPATION</b> To receive petitions, comments and questions from the public. At the time of preparing the agenda no requests to speak had been received. Any public participation received within the agreed time scale will be notified to Members as soon as practicable.	<b>-</b>
<b>6. GRANGE COMMUNITY GARDEN</b> PRESENTATION BY GROUNDWORK HERTFORDSHIRE	<b>1</b>
<b>7. GRANGE COMMUNITY GARDEN</b> REPORT OF THE HEAD OF LEISURE AND ENVIRONMENTAL SERVICES <i>To seek financial support from the Letchworth Committee for the implementation of a Community Garden on the Grange Estate in Letchworth Garden City.</i>	<b>3</b>
<b>8. CHAMPION NEWS</b> REPORT OF THE HEAD OF COMMUNITY DEVELOPMENT AND CULTURAL SERVICES  <i>A summary of the activities undertaken by the Community Development Officer for Letchworth Garden City since the meeting of the Committee held on 8 November 2006 and events taking place in forthcoming months.</i>	<b>9</b>

<b>9.</b>	<b>LETCHWORTH COMMITTEE DEVELOPMENT &amp; AREA VISIONING BUDGETS 2006/2007</b> REPORT OF THE HEAD OF COMMUNITY DEVELOPMENT AND CULTURAL SERVICES	<b>13</b>
	<i>To consider the current budget balances for the Committee and grant applications from the following organisation:</i>	
	1. Wednesday Drop-In Club	
<b>10.</b>	<b>PLANNING APPLICATIONS</b> REPORT OF THE HEAD OF PLANNING AND BUILDING CONTROL	<b>23</b>
	<i>To determine the following Planning applications:</i>	
	1. Land at Former Hideout Club, Norton Way North, Letchworth.	<b>25</b>
	2. Land at Former Hideout Club, Norton Way North, Letchworth.	<b>37</b>
	3. Land at 10-12 Birds Hill, Letchworth.	<b>41</b>
	4. Land at Tennis courts, Norton Common, Icknield Way, Letchworth.	<b>51</b>
<b>11.</b>	<b>STARWOOD HOUSE – UPDATE</b> REPORT OF THE HEAD OF PLANNING AND BUILDING CONTROL	<b>59</b>
	<i>To update the Committee on progress of the implementation of the landscaping scheme at Starwood House.</i>	
<b>12.</b>	<b>GRANGE COMMUNITY GARDEN - UPDATE ON PLANNING APPLICATION 06/02101/1</b> ORAL REPORT OF THE HEAD OF PLANNING AND BUILDING CONTROL	<b>61</b>
	<i>To update the Committee on the grange Community Garden planning application.</i>	
<b>13.</b>	<b>PLANNING APPEALS</b> ORAL REPORT OF THE HEAD OF PLANNING AND BUILDING CONTROL	<b>63</b>
	<i>An update for the Committee on any Planning Appeals that have been lodged or determined since the meeting of the Committee held on 8 November 2006.</i>	

Future meetings of the Committee will be held on:

10 January 2007 (Special Meeting)  
24 January 2007  
7 March 2007  
18 April 2007

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**LETCHWORTH COMMITTEE**

13 December 2006

**PART 1 – PUBLIC DOCUMENT**

**AGENDA ITEM No.**

**6**

**TITLE OF REPORT : GRANGE COMMUNITY GARDEN**

**TO RECEIVE A PRESENTATION FROM GROUNDWORK HERTFORDSHIRE**

**TITLE OF REPORT : GRANGE COMMUNITY GARDEN**

REPORT OF THE HEAD OF LEISURE AND ENVIRONMENTAL SERVICES.

**1. SUMMARY**

- 1.1 To seek financial support from the Letchworth Committee for the implementation of a Community Garden on the Grange Estate in Letchworth Garden City.

**2. FORWARD PLAN**

- 2.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

**3. BACKGROUND**

- 3.1 The Council's adopted Play Area and Outdoor Youth Provision Strategy has identified a deficiency in outdoor recreational provision in the Grange area of Letchworth Garden City.
- 3.2 The Letchworth Area Visioning also highlighted the need for improvements on the Grange. N.1. in the visioning document lists specific actions, including improvements to recreational facilities and highlights problems around the shops.
- 3.3 Groundwork Hertfordshire were engaged to work with the community to find ways to improve the local environment. Residents developed the idea of a Community Garden which would benefit the whole community.
- 3.4 The garden features a multi-sports area for teenagers, toddler and junior play areas, seating areas and formal lawns and flower beds. Appendix 1 details the final design.
- 3.5 This is very much a partnership project involving residents, local community groups, North Hertfordshire Homes, Letchworth Garden City Heritage Foundation, Letchworth Garden City Town Council and Groundwork Hertfordshire.
- 3.6 In April 2006, the scheme was featured on National television and was awarded a Peoples Millions lottery grant.

**4 SCHEME DEVELOPMENT**

- 4.1 The scheme has now developed to a stage where detailed specifications are being produced and the works are shortly due to be tendered.
- 4.2 The scheme has been divided into two phases. Phase one is the development of a community garden on the redundant lorry park and car park near the community centre. Phase two involves a road closure which will link the two elements of the scheme.

- 4.3 Phase one has received planning permission and it is anticipated that this phase (which excludes the road closure) will be completed by July 2007. A separate Planning application will be made for the road closure and the County Council have agreed to work closely with NHDC Officers on this element of the scheme.

## 5. LEGAL IMPLICATIONS

- 5.1 **Section 2 of the Local Government Act 2000 (Promotion of Well-being)** empowers the authority to do anything which it considers likely to promote the economic, environmental or social well-being of the area. s 2(1) contains no restriction or limitation on the amount of money a local authority can spend. Local authorities are able to fund the activities of different groups and bodies, as well as invest in such activities, if they consider that this expenditure contributes to the economic, social or environmental well being of the local area. Such financial assistance may be given by any means authorities consider appropriate, including grants or loans or a provision of guarantees. In exercising the power regard should be had to the authority's Community Strategy.
- 5.2 **The NHDC Community Strategy 2003** promotes facilities for young people and encourages assistance to voluntary groups to maximise their grant funding (*Leisure and Community Development Action Plan*). This proposal is therefore in keeping with the Community Strategy.
- 5.3 **Under the Council's Constitution (Terms of Reference)** the Area Committee can allocate devolved or discretionary budgets provided these are within the terms determined by the Council.

## 6. FINANCIAL AND RISK IMPLICATIONS

- 6.1 It is anticipated that the total value of the scheme will be in the region of £360,000.

### 6.2 Income

- 6.2.1 Secured

Source	Value
North Herts Homes (excl non recoverable VAT)	£74,255
North Herts DC	£75,000
Letchworth TC	£5,000
Peoples Millions award	£70,000
<b>Total</b>	<b>£224,255</b>

- 6.2.2 Unsecured:

- 6.2.2.1 The Letchworth Garden City Heritage Foundation have been approached for a financial contribution and Groundwork are applying for a Biffa award along with other community based grants. The local community are also arranging fund raising activities including a teenager music event. It is anticipated that this will generate up to an additional £90,000 for the project. This leaves a predicted shortfall of £45,745.

- 6.3 If the scheme is to reach its full potential and provide the maximum benefit for the community it is important that the financial shortfall is found.

- 6.4 A request is therefore being put to this Committee to make available the shortfall of £45,745. This would increase the Council's contribution from 20% to 33%. This still offers excellent value for money with 67% (£239,255) of the scheme being obtained from external funding.
- 6.5 Subject to Member approval, once the Grange project is completed and the benefits are fully realised, Groundwork Hertfordshire could be asked to work on similar projects elsewhere in Letchworth Garden City.
- 6.6 Without the additional funding it would still be possible to convert the under used parking areas into green space, including a play area and youth provision. However, many items such as pathways and planted areas would have to be omitted from the scheme. Appendix 2 lists the items subject to this grant request.
- 6.7 Funds from the Peoples Millions lottery grant are allocated to the teenager area and the Biffa award application will be specific to the play area.
- 6.8 The ongoing maintenance cost of the Community Garden is being funded from existing revenue budgets, secured by the closure of redundant play areas, as listed in the Council's adopted Play Area & Outdoor Youth Provision Strategy.

### **6.9 Risks**

- 6.9.1 If the funding shortfall for the scheme is not achieved, a reduced scheme will need to be developed. This will result in local community not fully benefiting from the potential improvements to their local environment.

## **7. HUMAN RESOURCE AND EQUALITIES IMPLICATIONS**

- 7.1 Human resources for this scheme are contained within the existing capital programme.
- 7.2 The Community Garden is inclusive and has been designed to benefit all sectors of the community.

## **8. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS**

- 8.1 Extensive consultation has formed an integral element of the development of the scheme.
- 8.2 The project has been led by a steering group consisting of Groundwork Hertfordshire, Residents, Local Interest Groups, North Hertfordshire Homes, the Town Council, NHDC Members and Officers.

## **9. RECOMMENDATIONS**

- 9.1 That Groundwork Hertfordshire, funding partners and the local community be thanked for their involvement in the Grange Community Garden scheme.
- 9.2 That Groundwork Hertfordshire be asked to work on similar projects elsewhere in Letchworth Garden City.
- 9.3 That a decision on whether or not to approve an allocation of £45,745, in order to finance the funding shortfall of the scheme, be considered in association with the other potential projects for Capital Visioning Funding identified in the Budget report of the Head of Community Development and Cultural Services later in the agenda (Item 9).

## **10. REASONS FOR RECOMMENDATIONS**

10.1 To meet the councils strategic objective to:

- ◆ Promote first class leisure and cultural facilities to contribute to healthy living for all our citizens.

## **11. APPENDICES**

Appendix 1 - Final Design

Appendix 2 - Estimated cost of individual elements

## **12. CONTRIBUTING OFFICERS**

Steve Geach: Parks & Countryside Development Manager Tel: 01462 474553

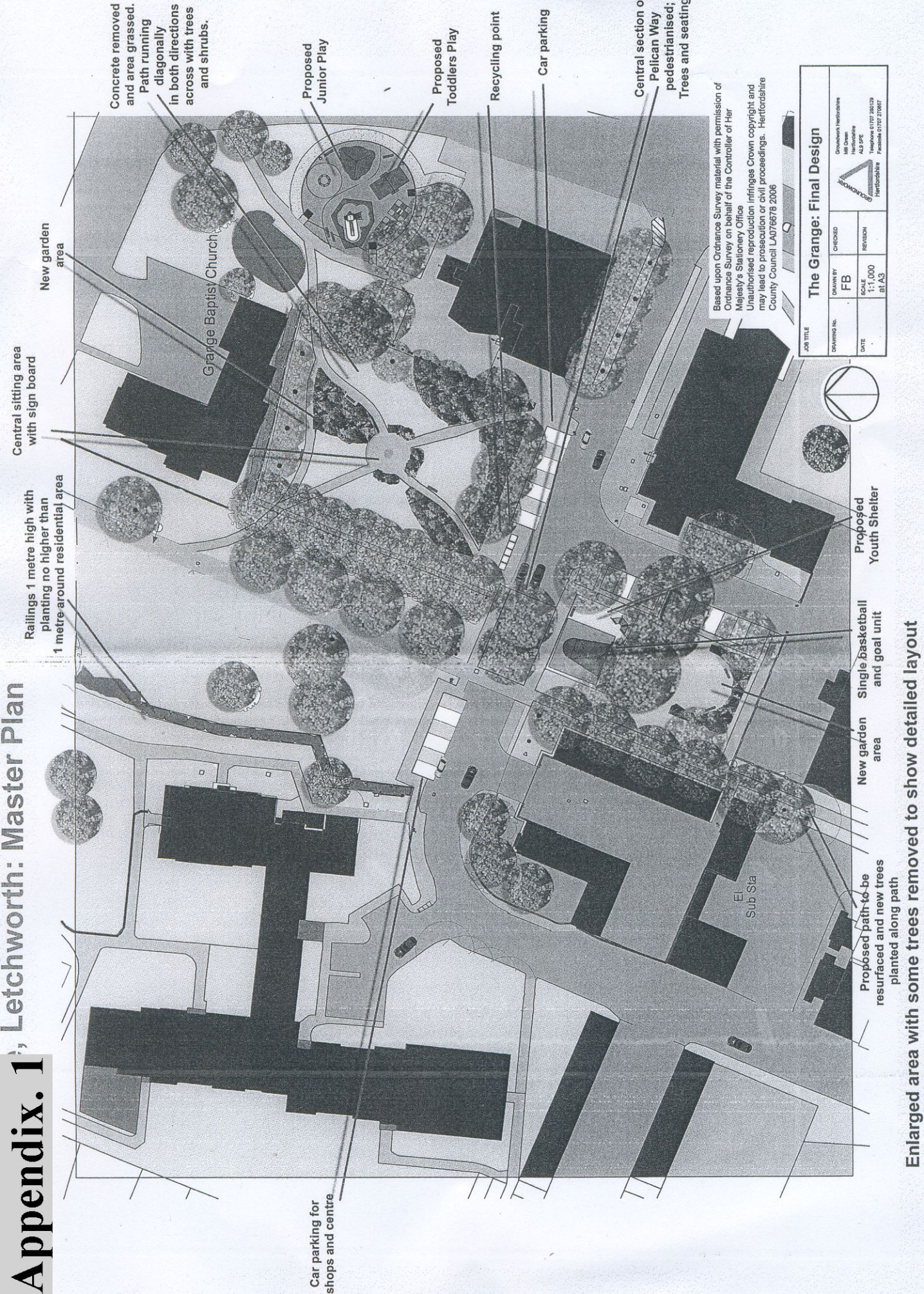
Kim Sawyer: Corporate Legal Manager Tel: 01462 474561

Clare Fletcher: Accountancy Manager Tel: 01462 474470

## APPENDIX. 2. ESTIMATED COST OF INDIVIDUAL ELEMENTS

<b>Feature / Activity</b>	<b>Est. Value</b>
<b>Provision Of 4 Lighting Columns</b>	<b>£7,400</b>
<b>Supply Lighting For Basket Ball Court</b>	<b>£2,000</b>
<b>New Footway Around Parking Bays</b>	<b>£3,329</b>
<b>New Footways North Area</b>	<b>£14,736</b>
<b>8 No. Seats</b>	<b>£4,937</b>
<b>6 No. Litter Bins</b>	<b>£1,820</b>
<b>Interpretative Boards</b>	<b>£2,000</b>
<b>Supply and Plant Shrubs</b>	<b>£7,763</b>
<b>Supply and Plant 8 Trees</b>	<b>£1,760</b>
<b>TOTAL</b>	<b>£45,745</b>

# Appendix 1 Letchworth: Master Plan



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JOB TITLE		The Grange: Final Design	
DRAWING NO.	FB	CHECKED	
DATE	1-1-000	REVISION	
SCALE		A1/A3	
GARDENWORKERS Hertfordshire 188 Green Lane AL3 9PE Telephone 01707 530209 Facsimile 01707 510677			

Enlarged area with some trees removed to show detailed layout

*PART 1 – PUBLIC DOCUMENT	<p style="text-align: center;"><b>AGENDA ITEM No</b></p> <p style="text-align: center;"><b>8</b></p>
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**TITLE OF REPORT: CHAMPION NEWS**

REPORT OF THE HEAD OF COMMUNITY DEVELOPMENT AND CULTURAL SERVICES

**1. PURPOSE OF REPORT**

- 1.1 To advise the Committee of the activities and schemes with which the Community Development Officer has been involved during the past month.
- 1.2 To bring to the Committee’s attention some important community based activities that will be taking place during the next few months.

**2 THE FORWARD PLAN**

- 2.1 This report does not contain a recommendation on a key decision and has not been referred to in a Forward Plan.

**3. PROJECT/ ACTIVITY/ SCHEME DETAILS**

**3.1 Jackmans Youth Club**

A group has been formed to oversee the development of a youth facility on the Jackmans estate. The group comprises representatives from relevant agencies and the local community. The first meeting is in December 2006.

**3.2 Jackmans ASB**

The CDO has been working closely with the police to deal with the problems of young people congregating at the Ivel Court shops and behaving in an anti-social manner.

Funding has been obtained through a partnership of North Herts District Council, Letchworth Garden City Heritage Foundation, Letchworth Town Council, The Jackmans Improvement Group and Hertfordshire Police to develop facilities on the recreation ground to attract young people there. The lighting will be restored, a youth shelter installed and ball game facilities improved.

**3.3 Youth Council**

Part of the visioning plan identified the establishment of a youth council to enable young people to have a voice in local issues. A group has been established comprising relevant groups including local authorities, youth services and voluntary groups to help establish this council. The first meeting of the group is in January 2007 and they will subsequently meet every month.

3.4 **Westbury / Wilbury Youth Centre**

The CDO is currently investigating suitable locations for the establishment of a facility for young people in the Westbury / Wilbury area.

3.5 **Lordship Play Area**

The CDO has spent considerable time investigating suitable sites for a play area and facilities for young persons within the Lordship / Manor Park estates. Sites already considered include Howard wood and the central park within Blackmore, unfortunately both schemes unanimously rejected via resident consultations.

Other sites to the south of Lordship were considered too remote for security and the safety of users. Sites within the Golf Centre and Whitethorn Lane Sports Club were also investigated without success.

In consultation with Parks and Open Spaces officers it has been concluded that there are no further options in this area at the present time.

3.6 **Motorbike Track**

Letchworth and Royston CDOs are currently investigating land options within the district for the establishment of a motorbike facility to reduce illegal motorcycling and provide leisure and educational opportunities.

The officers are working with the Hertfordshire Police who have identified some possible areas. Negotiations are progressing with the landowners and motocross experts who may be interesting in developing such a facility.

3.7 **Youth Shelters**

The CDO was asked to investigate the possibility of using surplus supermarket trolley shelters as youth shelters. The Parks and Open Space officers were consulted and reported that, after inspecting the shelters at various local supermarkets, they would not be robust enough or fit for purpose as a teen shelter in an open amenity area.

It is considered that the Authority could well be at an enhanced risk of litigation if an accident or injury were to arise in a shelter that was not designed or certificated as such. It is also considered that the collection, storage, relocation and installation as well as possible high maintenance costs would outweigh any possible benefits.

3.8 **Community Carol Concert**

Allocated Area Visioning funds have enabled a community Carol Concert to take place in Broadway Gardens around the Christmas tree which was installed in November 2006.

Local church leaders will be conducting prayers and readings for Christmas and there will be carols accompanied by the Letchworth Garden City Town Band. The service will commence at 5.30 PM Saturday 16<sup>th</sup> December in Broadway Gardens.

**3.9 Young Peoples Christmas Party Concert**

Area Visioning funds have also enabled the establishment of a party night for 13 - 19 year olds with live music. The event, co-ordinated by Rap-Aid, will take place on Friday 15<sup>th</sup> December 8.00PM - 11.00PM in a private hall at the Four Emblems Club in Station Road, Letchworth and will cost £3.00 to enter.

There will be a soft drinks bar and music from the Westbury Boyz, Stanza and the Rap- Aid dance crew. There will also be information available on a variety of issues affecting young people including teenage pregnancy.

**3.10 Grange Dirt Track**

A basketball court will be developed on the Grange recreation ground in early 2007 and the CDO is looking for young people to form a group to use the surplus soil to design and build their own BMX bike track.

This will help address the problem of young people building dirt tracks in unauthorised places and also provide a legitimate site for a popular leisure activity.

**3.11 Grange Central Park and Garden**

Phase one planning permission has been granted to the scheme and building work will now commence.

**3.12 Howard Hall**

Building work is now complete apart from some minor issues and it is hoped user groups will start moving in January 2007.

**3.13 Letchworth Arts Centre**

The Arts Centre will open on January 8<sup>th</sup> 2007 with a launch party planned in February.

**3.14 North Hertfordshire Book Festival**

Plans are now being finalised for the first North Hertfordshire Book Festival starting on World Book Day on March 1<sup>st</sup> 2007. There will be over a dozen events across Letchworth involving national authors, schools, community groups and individuals from the town. There is a request for funding in the Finance Report.

**3.15 North Herts Highways Partnership**

Details of the schemes identified by the Area Committee have been supplied to Herts Highways for cost estimates and prioritisation. Herts Highways have undertaken to complete this work in time to report to the December Cycle of Area Committees. Following consideration by the Letchworth Committee the recommendations will be forwarded to the Joint Member Panel for consideration by the JMP on 29 January 2007. The information from Herts Highways will be presented at Appendix A to this report and forwarded to Members as soon as possible.

**4. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS**

- 4.1 Consultation has taken place with the respective agencies, organisations and ward members with regards to the activities and events mentioned in section 3 of the report.

**5. RECOMMENDATIONS**

- 5.1 That the Committee endorses the actions taken by the Community Development Officer to promote greater community capacity and well - being for the Letchworth Garden City community.

**6. REASONS FOR RECOMMENDATIONS**

- 6.1 That the committee endorses the actions and policies involved in the tasks and projects undertaken by the Community Development Officer.

**CONTACT OFFICER**

Andy Graham  
Community Development Officer (Letchworth Area)  
(01462) 474225  
07789 033211 (Mob)

**APPENDIX A TO ITEM 3.15 OF CHAMPIONS NEWS REPORT**

**ITEM 3.15 NORTH HERTS HIGHWAYS PARTNERSHIP**

**1. Proposed Schemes for inclusion in the Hertfordshire Highways Integrated Works Programme**

1.1 The schemes listed in the attached table were raised and further discussed by Members at their Meetings of 5 July, 16 August and 2 October 2006 respectively. (See minute 31 of 16 August and Minute 48 of 2 October 2006 Letchworth Committee Meetings attached as background). Further officer response to these schemes has since been sought from Hertfordshire Highways. The Herts Highways responses together with NHDC officer responses are summarised against each scheme in the attached table.

1.2 Members are requested to:

- (a) consider the 'suggested action/way forward' points outlined in the table and
- (b) agree the action points if considered appropriate.

1.3 Outputs from the JMP will then be reported back to Members in the March 2007 Area Committee cycle.

**2. CONTACT OFFICERS**

2.1 David Scholes – Head of Planning & Building Control

2.2 Louise Symes – Projects Manager, Planning Services

2.3 Steve Greenhill – North Herts District Manager, Hertfordshire Highways

## JOINT MEMBER PANEL DISCRETIONARY BUDGET – PROPOSED SCHEMES FOR 2007/2008

## LETCHWORTH AREA COMMITTEE – SUMMARY

PROPOSED SCHEME	HERTS HIGHWAYS AND NHDC OFFICER COMMENTS	SUGGESTED ACTION/WAY FORWARD.
<p><b><u>Scheme 1:</u></b>  <b>Investigate the form of parking regulations that could be placed along Icknield Way between Bedford Road and Archers Way and along Icknield Way between Bedford Road and Cross Street.</b></p>	<p>1.1 Icknield Way is being considered as part of the Cowslip CPZ area. This scheme is included in the CPZ work programme to investigate a more comprehensive/strategic approach to implementing parking management around town centres and railway stations associated with reviewing the NHDC Car Parking Strategy and as part of the Town Centre Action Plan (following on from the Town Centre Strategy). A report will be presented to Cabinet within this financial year.</p>	<p>2.1 That this scheme be considered for inclusion in the Corporate strategic approach to implementing parking management schemes.</p>
<p><b><u>Scheme 2:</u></b>  <b>Devise and cost various alternative traffic calming and/or traffic management schemes for Norton Road in the vicinity of the primary school (both directions)</b></p>	<p>1.2 On 31 October 2006 a meeting was held at the site during the morning peak time, when children were arriving at the school. In attendance were the Police Traffic Management Officer, HH District Manager, HH Safety Engineering Manager, HCC School Crossing Area Manager and the HCC School Crossing Supervisor. The School Crossing Patrol Officer was also present and was consulted. The purpose of the meeting was to discuss the traffic data obtained by the Police, which indicated no vehicle speeding problem at the site and to explore possibilities for improving the school crossing facility at the site.</p> <p>1.2 Some possible improvements were identified, which are now being progressed by the Hertfordshire Highways Safety Engineering Manager. The investigation and design work will take place during 2007/2008 and the implementation during 2008/2009 if</p>	<p>2.2 That Members support the inclusion of a scheme under the Hertfordshire Highways Safety Engineering Manager's future work programme and be reported to the JMP on 29 January 2007 to be recommended for inclusion on the Forward Work Programme for implementation in 2008/2009.</p>

PROPOSED SCHEME	HERTS HIGHWAYS AND NHDC OFFICER COMMENTS	SUGGESTED ACTION/WAY FORWARD.
	<p>approved by the JMP. The improvements once worked up will be funded from the HCC Safety Engineering Budget, and needs to be put forward as a candidate on the Forward Work Programme for 2008/2009.</p>	

**EXTRACT**  
**NORTH HERTFORDSHIRE DISTRICT COUNCIL**  
**LETCHWORTH COMMITTEE**  
**MINUTES**

**Meeting held at Council Offices, Gernon Road, Letchworth Garden City  
on Wednesday, 16 August 2006 at 7.30p.m.**

- PRESENT:** *Councillors Simon Bloxham (Vice-Chairman in the Chair), Monica Bloxham, J.M. Cunningham, Melissa Davey, Gary Grindal, T.W. Hone, David Kearns, Lorna Kercher, David Levett,, Elliot Needham and Mrs Lynda Needham.*
- IN ATTENDANCE:** *Simon Ellis (Principal Planning Officer), Tim Stephen (Community Development Manager), Andy Graham (Community Development Officer for Letchworth Garden City) and Patricia Wilkings (Committee & Member Services Officer).*
- ALSO PRESENT:** 24 members of the public.

**33. NORTH HERTFORDSHIRE HIGHWAYS PARTNERSHIP – JOINT MEMBER PANEL DISCRETIONARY BUDGET FOR 2006 - 2007 AND 2007 – 2008**

The Committee considered a report of the Chief Engineer that provided comments about the projects and schemes that had been recommended by the Letchworth Committee at its meeting on 5 July 2006 for funding from the Joint Member Panel's Discretionary Budget.

The report reminded the Committee that at a meeting of Letchworth Committee on 14 December 2005, it was agreed that an amount of be £5,000 be granted from the Area Visioning Budget 2006/2007 towards the cost of traffic calming measure in Norton Road (Minute number 88 refers).

During a discussion that took place, the following comments were made:

- That the Committee would continue to lobby for safety measures to be considered at Letchworth Lane and Willian Road junction;
- That excessive car parking along Icknield Way/Bedford Road had made this stretch of road dangerous;
- That Hertfordshire Highways should look again at the pedestrian crossing at the Broadway.

The Committee also requested clarification regarding how and when the decision was made to introduce match funding.

The following documents were appended to the report:

Appendix A – Extract from the Minutes for the meeting of the NHHP – JMP held on 26 June 2006;  
Appendix B – Extract from the draft Minutes for the meeting of the Letchworth Committee held on 5 July 2006.

**RESOLVED:**

- (1) That the information provided be noted;
- (2) That the proposal to convert the pedestrian crossing at Broadway (adjacent to Morrisons supermarket) in Letchworth Garden City to a pelican crossing be reviewed again by the NHDC Chief Engineer and the North Herts District Manager (Hertfordshire Highways);
- (3) That the North Herts District Manager (Hertfordshire Highways) be requested to undertake an investigation as to the form of parking regulations that could be placed along Icknield

Way between Bedford Road and Archers Way and along Icknield Way between Bedford Road and Cross Street ;

- (4) That the NHDC Chief Engineer and the North Herts District Manager (Hertfordshire Highways) be requested to provide the Letchworth Committee at its meeting to be held on 2 October 2006 with cost estimates and any additional engineering comments for the schemes listed at (2 and 3) above that could receive matched funding from the JMP Discretionary budget for 2006-2007 and 2007-2008;
- (5) That with reference to Appendix A to the report, resolution (3), the relevant officer be requested to ascertain where the damaged verges were sited and contact nearby companies with a view to their making a contribution towards the cost of repair.

**REASON FOR DECISIONS:** To provide financial support for the implementation of traffic management and road safety in the Letchworth area.

EXTRACT

NORTH HERTFORDSHIRE DISTRICT COUNCIL

LETCHWORTH COMMITTEE

MINUTES

Meeting held at Council Offices, Gernon Road, Letchworth Garden City  
on Monday, 2 October 2006 at 7.30p.m.

**PRESENT:** *Councillors M. Paterson (Chairman), Simon Bloxham (Vice-Chairman), Monica Bloxham, J.M. Cunningham, David Kearns, Lorna Kercher, David Levett, Lawrence McNamara, Elliot Needham, Mrs Lynda Needham and Diane Proudlove.*

**IN ATTENDANCE:** *David Scholes (Head of Planning & Building Control), Patrick Candler (Head of Community Development & Cultural Services), Simon Ellis (Principal Planning Officer), Tim Stephen (Community Development Manager), Louise Symes (Planning Projects Manager), Steve Geach (Parks & Countryside Manager) and Ian Gourlay (Senior Committee & Member Services Officer).*

**ALSO PRESENT:** 4 members of the public.

**48. NORTH HERTFORDSHIRE HIGHWAYS PARTNERSHIP JOINT MEMBER PANEL – DISCRETIONARY BUDGET FOR 2006/07 AND 2007/08**

The Chairman provided an update on the highway schemes identified by the Committee at its meeting on 16 August 2006, for which the NHDC Chief Engineer and North Herts District Manager (Hertfordshire Highways) had been asked to provide cost estimates.

In respect of the scheme relating to the conversion of the pedestrian crossing on the Broadway (adjacent to Morrison's supermarket) to a pelican crossing, the District Manager had advised that the cost of such a scheme would be in the region of £40,000. However, he was of the opinion that the scheme should not be pursued as it would tend to aggravate the existing problem of severance between Morrison's and the rest of the town centre in that it would inhibit the flow of pedestrians across the Broadway. If through vehicular traffic was delayed by the current arrangement, then that was entirely in accordance with the town centre environment. Furthermore, a signalized crossing could result in pedestrians "taking a chance" when the lights were against them, thereby increasing the risk of accidents.

In respect of the scheme relating to parking regulations that could be placed along Icknield Way between Bedford Road and Archers Way and on Icknield Way between Bedford Road and Cross Street, it had been pointed out parking regulations were a responsibility of NHDC.

In respect of the issue in respect of verge parking, the Committee was advised that a report upon this matter was to be submitted to the next meeting of the North Hertfordshire Highways Partnership Joint Member Panel on 16 October 2006.

In respect of the amount of £5,000 previously granted by the Committee from the Area Visioning Budget towards the cost of traffic calming in Norton Road, Members agreed that the matter be referred to the North Hertfordshire Highways Joint Member Panel meeting on 16 October 2006, with a request that the North Herts District Manager (Hertfordshire Highways), in consultation with the NHDC/NHHP Liaison Officer and the HCC Safer Routes to School Officer, be requested to devise and cost various alternative traffic calming and/or traffic management schemes for Norton Road in the vicinity of the primary school (both directions), and that the cost estimates for these schemes be reported to the next meeting of the Letchworth Committee on 8 November 2006.

**RESOLVED:** That the situation in respect of the suggested schemes regarding the conversion of the existing pedestrian crossing (adjacent to Morrison's supermarket) to a pelican crossing on the Broadway and parking regulations along Icknield Way, as detailed above, be noted.

**RECOMMENDED TO NORTH HERTFORDSHIRE HIGHWAYS JOINT MEMBER PANEL:** That, in respect of the amount of £5,000 previously granted by the Committee from its Area Visioning Budget towards the cost of traffic calming in Norton Road, the matter be referred to the North Hertfordshire Highways Joint Member Panel meeting on 16 October 2006, with a request that the North Herts District Manager (Hertfordshire Highways), in consultation with the NHDC/NHHP Liaison Officer and the HCC Safer Routes to School Officer, be requested to devise and cost various alternative traffic calming and/or traffic management schemes for Norton Road in the vicinity of the primary school (both directions), and that the cost estimates for these schemes be reported to the next meeting of the Letchworth Committee on 8 November 2006.

**REASON FOR DECISION:** To update Members on highway issues, and to take steps to attempt to progress a scheme previously identified by the Committee.

**TITLE OF REPORT: LETCHWORTH COMMITTEE DEVELOPMENT & AREA VISIONING BUDGETS 2006/07**

**REPORT OF THE HEAD OF COMMUNITY DEVELOPMENT AND CULTURAL SERVICES**

**1. SUMMARY**

- 1.1 To advise the Committee on the current expenditure and balances of the Area Committee delegated budgets.
- 1.2 To bring to the Committee's attention details of recent requests received for Area Committee Development Discretionary Grant Funding made by community groups and local organisations.
- 1.3 To ask the Committee to consider projects for funding from the Area Committee delegated budgets.

**2. FORWARD PLAN**

- 2.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

**3. BACKGROUND**

- 3.1 Not Applicable

**4. ISSUES – FUNDING DECISIONS TO BE MADE**

- 4.1 There is one small grant allocation for this committee which is as follows:

An application for financial assistance from The Wednesday Drop-In Club to assist them with costs associated with the purchase of a minibus with wheelchair access. Officers are recommending a grant on this occasion. A short report on this application is enclosed as Appendix 1

- 4.2 There is one request for funding towards the Letchworth Events during the North Hertfordshire Book Festival. The organising Committee are asking for £500.
- 4.3 Members are requested to consider returning the unspent balance (£3,270) of the revenue visioning project "Recycling Litter Bins" to the unallocated central Area Visioning Revenue Budget.

#### 4.4 Area Visioning Capital Funds

The unallocated portion of the Area Visioning Capital Fund currently stands at £90,100. There is one request for funds of £45,745 towards the Grange Community Garden. (see recommendations)

There are a number of schemes across Letchworth towards which sums may be allocated, (all sums are estimated):

- The establishment of a youth drop-in centre / community facility serving the Wilbury / Westbury area (£30,000 - £50,000)
- Purchase of a CCTV system for use to tackle anti-social behaviour and vandalism in Letchworth (£15,000 – £30,000).
- Improvements to Letchworth Swimming Pool (open Air):
  - a) landscaping, grass area around small pool (£14,000)
  - b) Theme outdoor shower (£17,000)
  - c) 6 Palm trees near walkway to pool from main entrance (£6,000)
  - d) water feature in small pool (£7,000)
  - e) mural / banners along fence (£7,000)
- Purchase of mobile skate ramp equipment to hold skate days around the town (£15,000)
- Funding towards a motorcycle track for Letchworth users (£15,000)

4.5 A spreadsheet showing detailed spend to date of the Area Development budget is enclosed as Appendix 2.

#### **5. LEGAL IMPLICATIONS**

5.1 The Committee has delegated powers to administer funds from the budgets described.

5.2 There are no other legal implications pertinent to this report.

#### **6. FINANCIAL AND RISK IMPLICATIONS**

6.1 Members are asked to note the information detailed in Appendix 2 of the report, which relates to the Area Committee budget balances for the current financial year 2006/07.

#### **7. HUMAN RESOURCE AND EQUALITIES IMPLICATIONS**

7.1 There are no human resource and equalities implications pertinent to this report.

#### **8. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS**

8.1 Consultation with Members and the community has occurred in connection with the allocation of funds for Community Projects.

## 9. RECOMMENDATIONS

- 9.1 The Committee is asked to note the budgetary expenditure, balances and carry forwards from the Development Budgets and the allocated Visioning Budgets.
- 9.2 That a grant of £1,000 be agreed to The Wednesday Drop-In Club on this occasion.
- 9.3 That the sum of £500 be awarded to the North Hertfordshire Book Festival Committee.
- 9.4 That the unspent balance (£3,270) of the revenue visioning project "Recycling Litter Bins" be transferred to the unallocated central Revenue Area Visioning fund.
- 9.5 That the Committee consider the request for funding towards the Grange Community Garden from the elements as outlined below.

Feature / Activity	Est. Value
Provision Of 4 Lighting Columns	£7,400
Supply Lighting For Basket Ball Court	£2,000
New Footway Around Parking Bays	£3,329
New Footways North Area	£14,736
8 No. Seats	£4,937
6 No. Litter Bins	£1,820
Interpretative Boards	£2,000
Supply and Plant Shrubs	£7,763
Supply and Plant 8 Trees	£1,760
<b>TOTAL</b>	<b>£45,745</b>

## 10. REASONS FOR RECOMMENDATIONS

- 10.1 The allocation of funds will improve the services provided by local organisations and groups that are available and accessed by members of the community.

## 11. ALTERNATIVE OPTIONS CONSIDERED

- 11.1 Not applicable.

## 12. APPENDICES

- 12.1 Appendix 1 - Summary of grant applications and officer recommendations.
- 12.2 Appendix 2 – Spreadsheet of Committee Delegated Budgets 2006/07.

## 13. CONTACT OFFICERS

- 13.1 Andy Graham  
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Telephone: 01462 474225  
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- 13.2 Steven Smithers  
Directorate Accountant - Customer Services  
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**Letchworth Budget 2006/07**

<b>OTHER ALLOCATED FUNDS</b>	<b>Funding</b>		<b>Code</b>	<b>Project</b>	<b>Allocated</b>	<b>Date</b>	<b>Spent</b>	<b>Outstanding</b>	<b>Unallocated</b>	<b>Comments</b>
Pre allocated funds Brought Forward from 2005/06	£5,000		000 6983	LGC Eagles Football Club	£5,000	10.12.03	£5,000	£0		Work in Progress
<b>Total</b>	<b>£5,000</b>				<b>£5,000</b>		<b>£5,000</b>	<b>£0</b>	<b>£0</b>	

**DEVELOPMENT BUDGETS**

<b>SMALL AREA GRANTS</b>	<b>Funding</b>		<b>Code</b>	<b>Project</b>	<b>Allocated</b>	<b>Date</b>	<b>Spent</b>	<b>Outstanding</b>	<b>Unallocated</b>	<b>Comments</b>
Preallocated Budgets Brought Forward from 05/06	£5,000		000 6984	Rap Aid Music Festival	£5,000	13.04.05	£5,000	£0		
Base Budget 06/07	£13,470		000 6984	Royal Naval Association	£750	19.04.06	£750	£0		
			000 6983	Letchworth Tennis Club	£300	19.04.06	£300	£0		
			000 6984	Letchworth Lions Club	£200	19.04.06	£200	£0		
			000 0418	Letchworth Festival	£2,500	19.04.06	£2,500	£0		Money Transferred to new Letchworth Festival Code (1416 014)
			101 0208	Letchworth Outdoor Pool - additional opening hours	£930	24.05.06	930	£0		
<b>Total</b>	<b>£18,470</b>				<b>£9,680</b>		<b>£9,680</b>	<b>£0</b>	<b>£8,790</b>	

000 4784

<b>Discretionary Budgets</b>	<b>Funding</b>		<b>Code</b>	<b>Project</b>	<b>Allocated</b>	<b>Date</b>	<b>Spent</b>	<b>Outstanding</b>	<b>Unallocated</b>	<b>Comments</b>
Preallocated Funds Brought Forward from 05/06	£16,140		101 0388	CCTV Temple Rec Ground	£5,500	25.05.05	£4,284	£1,216		
			101 0205	Bench at Temple Gardens Recreation Ground	£630	14.12.05	£772	£0		Overspent by £142
			101 0384	Speed Activated Sign in Willian	£1,000	08.03.06	£1,000	£0		
			101 0413	Hanging Baskets/Planters	£9,010	08.03.06	£8,939	£71		
Base Budget 06/07	£23,250		101 0418	Letchworth Festival	£2,500	19.04.06	£2,500	£0		Money Transferred to new Letchworth Festival Budget Code (1416 014)
Less Overspend - Bench at Temple Gardens	-£142		101 0208	Letchworth Outdoor Pool - additional opening hours	£4,000	24.05.06	£4,000	£0		
			101 0203	Tree Maintenance and additional Watering	£3,000	05.07.06	£0	£3,000		
			101 0247	Grange Baptist Church	£1,250	02.10.06	£1,250	£0		
<b>Total</b>	<b>£39,248</b>				<b>£26,890</b>		<b>£22,745</b>	<b>£4,287</b>	<b>£12,358</b>	

101 6980

<b>GENERAL (TOWN CENTRE)</b>	<b>Funding</b>		<b>Code</b>	<b>Project</b>	<b>Allocated</b>	<b>Date</b>	<b>Spent</b>	<b>Outstanding</b>	<b>Unallocated</b>	<b>Comments</b>
Preallocated Funds Brought Forward from 05/06	£15,000		103 0389	LGC Arts Partnership	£15,000	25.05.05	£15,000	£0		Money Transferred to LGC Arts Partnership Code (1416 013)
Base Budget 06/07	£9,430		103 0419	Letchworth Festival	£7,500	19.04.06	£7,500	£0		Money transferred to new Letchworth Festival Budget Code (1416 014)
<b>Total</b>	<b>£24,430</b>				<b>£22,500</b>		<b>£22,500</b>	<b>£0</b>	<b>£1,930</b>	

103 6980

**TITLE OF REPORT: PLANNING APPLICATIONS**

REPORT OF THE HEAD OF PLANNING AND BUILDING CONTROL

**Local Government (Access to Information) Act 1985 and Local Government Act 1972**

In respect of each of the following reports concerning individual applications for planning permission, Listed Building Consent, the whole of the application file shall be regarded as background papers for the purposes of Section 100(d) of the 1972 Act.

**AGENDA INDEX**

<b>ITEM:</b>	<b>REF NO:</b>	<b>LOCATION:DESCRIPTION</b>	<b>CONTACT OFFICER:</b>	<b>PAGE:</b>
1.	<b>06/00811/ 1</b>	Former Hideout Club, Norton Way North, Letchworth Garden City, SG6 Erection of 3 storey building for use as offices and headquarters for the Howard Cottage Housing Association, following demolition of existing building. Alterations to existing vehicular access, 15 car parking spaces, landscaping and ancillary works.	<b>Simon Ellis</b> 01462 474264	<b>25</b>
2.	<b>06/00812/ 1CAC</b>	Former Hideout Club, Norton Way North, Letchworth Garden City, SG6 Demolition of single storey timber building	<b>Simon Ellis</b> 01462 474264	<b>37</b>
3.	<b>06/00892/ 1</b>	Land at, 10-12 Birds Hill, Letchworth Garden City, SG6 Two storey rear extension to existing semi-detached dwellings. Erection of a pair of semi-detached bungalows and detached single storey building for use as guest pavilion, 9 parking spaces, landscaping and ancillary works.	<b>Simon Ellis</b> 01462 474264	<b>41</b>
4.	<b>06/02115/ 1</b>	Land at Tennis Courts, Norton Common, Icknield Way, Letchworth Garden City Erection of 4 x 8m high flood lights in association with conversion of 1 existing tennis court into a multi use games area.	<b>Kirstie Hough</b> 01462 474311	<b>51</b>

<b>ITEM NO: 1</b>	<u>Location:</u>	<b>Former Hideout Club, Norton Way North, Letchworth Garden City, SG6</b>
	<u>Applicant:</u>	<b>Howard Cottage Housing Association</b>
	<u>Proposal:</u>	<b>Erection of 3 storey building for use as offices and headquarters for the Howard Cottage Housing Association, following demolition of existing building. Alterations to existing vehicular access, 15 car parking spaces, landscaping and ancillary works.</b>
	<u>Ref.No:</u>	<b>06/00811/ 1</b>
	<u>Officer:</u>	<b>Simon Ellis 01462 474264</b>

**Date of expiry of statutory period :** 20 July 2006

**Reason for Delay**

Negotiations with the applicant and Hertfordshire County Council (Highways) in an attempt to overcome highway objections.

**Reason for Referral to Committee**

The officer recommendation differs from the opinion of a statutory consultee, namely Hertfordshire County Council (Highways). As a consequence, in line with the Council's scheme of delegation, the application needs to be reported to Members for determination.

**1.0 Relevant History**

1.1 None relevant.

**2.0 Policies**

**2.1 Central Government Guidance:**

Planning Policy Statement (PPS) 1 'Delivering Sustainable Development'  
Planning Policy Guidance note (PPG) 15 'Planning and the Historic Environment'

**2.2 Hertfordshire County Structure Plan Review 1991-2011:**

Policy 1 'Sustainable Development'  
Policy 2 'Design and Provisions of Development'  
Policy 14 'Development for Employment Needs'  
Policy 22 'Reduction of Travel Need and Car Usage'  
Policy 25 'Car Parking' (and supplementary planning document 'Vehicle Parking Provision at New Development')  
Policy 29 'Traffic and Road Safety Implications of Development Proposals'

- 2.3 **North Hertfordshire District Local Plan No. 2 - with Alterations:**  
Policy 1 'Pattern and Character of North Hertfordshire'  
Policy 8 'Development in Towns'  
Policy 20 'Conservation Areas'  
Policy 22 'Urban Environment'  
Policy 36 'Employment Provision'  
Policy 37 'Business Uses (B1 Use Class)'  
Policy 58 'Letchworth Garden City Design Principles'  
Draft Letchworth Town Centre Strategy (supplementary planning guidance)

### **3.0 Representations**

#### **3.1 Network Rail:**

No objection in principle but on the basis of proximity to the railway consider that the following factors should be taken into account: Foul and surface water drainage, construction/storage safety zone (nothing within 3m of nearest rail), security of railway boundary throughout construction and thereafter, avoid tree planting close to the railway (particularly broad leaf species), any lighting close to railway must not cause dazzle to train drivers. Various conditions are recommended below to cover these issues.

#### **3.2 Hertfordshire County Council (Highways):**

Object to the proposed development and recommend refusal of planning permission. Their concerns can be summarised as follows: The existing access that would be utilised is unsafe. The access is located 20m from a roundabout in a southerly direction and adjacent to a pedestrian crossing and close to a bus stop on the opposite side of Norton Way North. There is no right turn lane from Norton Way North which would accommodate traffic into the site from this direction. Traffic turning into the site from this direction when waiting would cause additional congestion on the roundabout. The access drive within the site cannot accommodate two-way traffic throughout its length. The plans do not demonstrate a suitable turning area for service vehicles within the site. Refuse collection from Norton Way North would be unacceptable. It would be difficult to enforce a planning condition which restricts the number of vehicles visiting and parking on the site (as suggested by the applicant).

#### **3.3 Hertfordshire County Council (County Development Unit):**

The 1999 County Minerals and Waste Local Plan is a material planning consideration when determining planning applications at District level. Policies within this document seek waste minimisation, use of recycled materials in the development process. Recommend that such procedures can be secured via suitably worded planning conditions.

#### **3.4 Environmental Health (Noise):**

No comments to make.

#### **3.5 Environmental Health (Pollution Control):**

Can find no evidence of potentially contaminated land therefore does not consider that the developer needs to carry out a site investigation or remediation strategy in this instance.

#### **3.6 Letchworth Garden City Council:**

Has no objections.

#### **3.7 Response to Statutory Site Notice, Press Notice and Neighbour Notifications:**

Nothing received.

## **4.0 Planning Considerations**

### **4.1 Site & Surroundings**

- 4.1.1 The application site consists of a single storey, flat roof, brick and timber building and car parking area located off the eastern side of Norton Way North. Vehicular access to the site is gained off an existing access to the south of the building. The building is located to the front of the site and the car parking area is to the rear of the building. The existing access drive runs between the building on the application site and the adjacent building on Howard Park Corner (Shires Funeral Services). The site area is 0.12ha and the existing building on the site is currently used as a licensed club (The Hideout Club).
- 4.1.2 The site location is on the edge of Letchworth Town Centre approximately 20m north of the Station Road/Norton Way North junction. The site also adjoins the railway line with the associated bank and railway bridge located immediately to the north of the site. The surrounding land use is mixed, with commercial premises to the south and west and largely residential land use to the east and north. In terms of the built environment it could be argued that the existing building on the site is out of keeping with surrounding architecture which is characterised as mainly pitched roof, two storey buildings of traditional design.

### **4.2 Proposal**

- 4.2.1 Full planning permission is sought for the construction of a three storey office building. The proposed building would have a gross floor space of 739sqm and the application states that the building would be used as a the headquarters of the Howard Cottage Housing Association. The intention would be for the Housing Association to use the premises as their main offices and for visiting tenants for queries and interviews.
- 4.2.2 The proposed building has been designed in such a way to respect local context but using a modern approach. Through the use of varied materials and larger windows than other floors the ground floor front elevation would have a strong presence in the street scene, to reflect the neighbouring shop units at Howard Park Corner. The front elevation also includes a square tower on the northern side of the building, adjoining the railway boundary of the site. Although of three storey in height, the third floor would be set back behind a parapet to reduce its visual impact and contrast with neighbouring two storey buildings. A two storey flat roof section to the building is proposed on the southern side, to help form a transition between the Howard Park Corner buildings and the three storey element of the scheme. A shallow pitched roof is also proposed above the three storey element, again in an attempt to reduce the visual impact of a three storey building. Large windows are proposed on all elevations which would help to break up the facades and maximise natural light within the building. The Spirella building has been used as a design reference for this aspect of the scheme.
- 4.2.3 The scheme would utilise the existing vehicular access and formalise the existing car parking area to provide 15 car parking spaces (amended plans have reduced this from 18 to 15 spaces), including two designated spaces for disabled drivers. The car parking spaces would be spread out across this unusually shaped site which spreads to the rear of the Edwin Nott House premises. The proposed building would replace the existing Hideout Club and in retaining the footprint of the existing building the vehicular access and driveway would retain the same width and visibility at the entrance.

### 4.3 Key Issues

4.3.1 Taking account of relevant central government guidance and development plan policy referred to above and comments received from interested parties, also reported above, I consider the main issues to be addressed in the determination of this planning application are as follows. Whether the proposed development is acceptable in principle in this location. Whether the proposed development would preserve or enhance the character or appearance of the conservation area, within which the site is located. Analysis in relation to this issues must include an evaluation of the existing building and how it contributes to the character of the conservation area before addressing the design merits of the proposed development. Whether there would be any harm caused to the amenities enjoyed by surrounding occupiers as a result of this development. Finally, the traffic and road safety implications of this development proposal must be carefully assessed.

#### 4.3.2 The Principle of Development

The application site is located just within the boundary of Letchworth Town Centre as defined in the draft Town Centre Strategy. It is however located outside any defined 'Urban Design Character Area' as set out in the strategy and for the purposes of adopted Local Plan policy is simply within the urban area of Letchworth. The primary use of the proposed development is B1 office therefore Policy 37 of the North Herts District Local Plan No. 2 - with Alterations is of primary importance for considering the principle of this development proposal. Criteria i) of this policy states that applications for business uses will be permitted *'primarily in town centres outside Town Centre Shopping Areas, particularly as part of urban renewal where old buildings are re-used and the area's character is enhanced.'* Subject to an assessment of the detail I consider that the proposed development set out in this application sits very comfortably with this policy and is therefore acceptable in principle.

#### 4.3.3 Design in Relation to Character of the Conservation Area

The application site is also located within the Letchworth Conservation Area. Central government guidance contained within Planning Policy Guidance note (PPG) 15 'Planning and the Historic Environment' reflected in Policy 20 of the North Hertfordshire District Local Plan No. 2 - with Alterations aim to ensure that new development preserves or enhances the character or appearance of conservation areas. This proposal would involve the demolition of an existing building and the relevant policy framework requires that the contribution the existing building makes to the character of the conservation area must be assessed before considering the merits of the proposed development. To this end, the draft Town Centre Strategy is of assistance. Under Section 6 of the document, 'Conservation and Urban Design' the contribution of individual buildings to the character of the conservation area are identified and classified as listed buildings, positive, neutral or negative. The draft strategy concludes that the Hideout Club makes a negative contribution to the character of the conservation area. Taking account of this analysis I consider that the loss of the Hideout Club is acceptable in conservation terms provided the proposed new building would have a more positive contribution to the character of the conservation area.

- 4.3.4 To evaluate the design of the proposed building it is necessary to consider how it has been influenced by the wider context (PPS1 and PPG15). In my view the proposed three storey building has been designed to be of a scale and form which complements surrounding development. There are three storey buildings on the opposite side of Norton Way North however development immediately to the south of the application site is two storey. The design of the building clearly respects this contrast. The nearest part of the development adjoining Howard Park Corner is two storey only, and includes a large corner windows with double aspects to soften this elevation. The height of the building then increases as it approaches the northern boundary of the site, adjoining the railway line. As the highest part of the building would be adjacent to the railway bank and close to the bridge across Norton Way North the visual impact of its mass would be softened by its physical surroundings.
- 4.3.5 The detailed design has a number of architectural influences, including the arts and crafts style and although different from the traditional design of surrounding buildings it has obvious Letchworth influences. These influences, such as corner features, pitched roofs and mix of external materials have been adapted in a innovative way. The design of this building was the subject of considerable pre-application discussion between officers and the applicant's architect. As the application drawings follow on carefully from these productive discussions the proposal commands the support of the Council's principal conservation officer. She does however recommend that the final choice of external materials must be carefully considered, and she advises that suitably worded planning conditions can be imposed to enable this. Of particular concern is the roof materials shown as a mix of aluminium and lead sheeting and some of the panel cladding elements shown on the drawings. Taking account of the comments received from the Council's principal conservation officer, and if Members are minded to grant planning permission, I recommend that a suitably worded planning condition should be imposed which requires full details of all external materials to be submitted to and approved by the planning authority prior to work commencing.
- 4.3.6 In conclusion on this point I consider that the proposed development would be of a good standard of design that would enhance the character of the conservation area, by replacing a building which makes a negative contribution to the locality with a prominent building which has been designed with conviction and would become a positive landmark in this corner of the town centre.

#### 4.3.7 **Relationship to Neighbouring Land Uses**

In terms of impact on surrounding residential properties in my view the most sensitive relationship would be with the existing cottages to the rear of Edwin Nott House (and the proposed new bungalows and guest pavilion subject of planning application no. 06/00892/1, reported elsewhere on this agenda). The car parking area would back on to the rear gardens of these properties and in some instances would be sited within 2m of the dwellings themselves. The worst relationship would be with the proposed new bungalows and guest pavilion rather than the existing cottages, the outlook from which would barely change. However, in terms of noise and vibration from traffic movements, it could be argued that the proposed development would represent an improvement on the existing situation. The Hideout Club by its nature attracts vehicular activity and other noise impacts during evening hours. The proposed development would have a different pattern of use which would largely be during the working week and quieter at weekends. Taking account of this and notwithstanding the slightly uncomfortable relationship between the proposed car park and existing and proposed residential development I consider that the development would improve surrounding residential amenity in terms of noise and vibration from vehicle movements.

4.3.8 A different contrast to the existing Hideout Club is the fact that a three storey building would offer more overlooking and potential overshadowing of residential properties to the rear of the site than the existing flat roof, single storey building. Whilst a considerable number of windows are proposed on the rear elevation of the building at ground, first and second floor levels the main loss of privacy impact would be to the proposed bungalows (which may or may not be developed) which would be located immediately to the rear of the building and not the existing cottages further away from the site. Considering the fact that these proposed dwellings do not exist and the pattern of use (i.e. mainly day time, office hours) I do not consider that the proposed development would lead to a significant loss of privacy to the existing or proposed residential land use to the rear of the application site. Given the orientation and spatial relationship between the proposed and existing buildings I am also satisfied that any overshadowing would only occur during late evening hours, during the summer months (therefore no significant loss of daylight or sunlight).

4.3.9 I also consider that the proposed development would have an acceptable relationship with all other nearby properties in terms of amenity impacts.

#### 4.3.10 **Traffic and Road Safety Implications**

As is mentioned above Policy 37 of the North Herts District Local Plan No. 2 - with Alterations encourages development for business uses (B1 Use Class) in town centre areas, outside town centre shopping areas. Criteria iii) of the policy sets out a proviso that such development proposals must be '*appropriate in land use, highway, settlement character and amenity terms*'. Taking account of the factors referred to above I consider that the proposed development is acceptable in land use, settlement character and amenity terms. As for highway considerations, Hertfordshire County Council (Highways) have objected to the proposal even after considerable discussion and negotiation in an attempt to overcome their concerns.

4.3.11 The main concern of the highway authority relates to the unsuitability of the vehicular access in terms of road safety. They acknowledge that the access already exists and that the current land use on site (licensed club) which includes an existing car parking area to the rear of the building generates or has the potential to generate significant traffic movements. However, the pattern of use of the Hideout Club is such that most vehicular activity would be outside peak times, mainly during the evening. The proposed office development is likely to generate most of its traffic movements during peak morning and evening periods. The unsuitability of the access in terms of right turns into the site and pedestrian/vehicular inter-visibility would therefore be exacerbated by the proposed development.

- 4.3.12 In response to these concerns, the applicant's architect has submitted some more explanatory information and amended the plans slightly to demonstrate the required visibility splays. The applicant's traffic management proposals explains that only 12 members of staff would have a right to park on the site, in line with their current operation. It also states that *'staff that have permission to use the car park will have as part of the written conditions of use a requirement to access and exit the car park by way of a "left turn only". i.e. entrance only by left turn from the southbound carriageway of Norton Way North; and exit by left turn only onto southbound carriageway of Norton Way North. Failure to observe this requirement will result in the removal of permission to use the car park for that individual member of staff.'* It would of course be very difficult to enforce this management of staff car parking by means of a planning condition and in any event, since planning permission "runs with the land" there can be no guarantee Howard Cottage Housing Association would implement any planning permission that Members may resolve to grant. I do however consider that car parking management can be part of a broader based green travel plan, which can be a requirement of a specifically worded planning condition.
- 4.3.13 The car parking number on the original plans was 18, this has subsequently been reduced to 17 spaces. As the site is on the border of the Town Centre Area as designated in the recently adopted planning guidance 'Vehicle Parking Provision at New Development' it is a requirement that the "maximum" car parking standards set out in the document should be reduced by between 25 and 50% (edge of town centre sites being relatively sustainable and located close to public car parks). The maximum car parking requirement for an office development of 730sqm would be 24 spaces (1 space per 30sqm). The amended plans indicate 15 spaces which is between the parameters set out above. Moreover, 15 spaces allows the number of staff members the applicant claims would be permitted to park on the site with 3 visitor spaces. Most other staff members and visitors would need to park in nearby public car parks or not use private cars to travel to the site.
- 4.3.14 Taking account of these factors I have asked the applicant's architect to prepare an amended plan which reduces the number of car parking spaces on the site from 17 to 15. The applicant has also agreed to narrow the width of the building by 1m to provide a 1m wider vehicular access and access drive to the side of the building. This revision would result in an improved access situation serving this site, in terms of highway safety and combined with the overall reduction in car parking spaces within the site it would provide more manoeuvrability for service vehicles and cars in general.
- 4.3.15 Following discussions with Hertfordshire County Council (Highways) I consider that it is unlikely that they will withdraw their objections to this scheme even as a result of the second revision to the plan. I will however discuss the latest design with the highway authority and provide an update on this point at the Meeting.
- 4.3.16 In conclusion on this point, it is inevitable that the proposed development would generate more traffic movements during peak hours in an already congested area. However, the amended plans requested would create a wider access and the opportunity for only 15 cars to park on the site. As a result an existing access point would be made safer and the physical limitations on the number of car parking spaces and the need for this to be managed by the occupiers of the building would, in my opinion, place a natural limit on the number of traffic movements into and out of the site. As a consequence I consider that the traffic and road safety implications of this development proposal are, on balance, acceptable.

#### 4.4 **Conclusion**

- 4.4.1 Taking account of all the above factors I conclude that this proposal represents an important opportunity for urban regeneration and would enhance the character of the conservation area. The design and form of the development, whilst not copying surrounding buildings, would complement the character of the surrounding area in my view by establishing a new land mark building on this presently run down site. The development would not have unacceptable impacts on existing or proposed residential properties to the rear of the site and as a result of the amended plans which reduce the number of car parking spaces proposed and widens the existing vehicular access and service drive, I conclude that the highway implications of this development proposal are acceptable.

#### **5.0 Legal Implications**

- 5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

#### **6.0 Recommendation**

- 6.1 That planning permission be **GRANTED** subject to the following conditions:
1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
  
Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
  2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting, approved documents and plans, or with minor modifications of those details which have previously been agreed in writing by the Local Planning Authority as being not materially different from those thereby permitted.  
  
Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.
  3. **Details and/or samples of materials to be used on all external elevations and the roof of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.**  
  
**Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area.**

4. **Prior to the commencement of development full details of all hard landscaping of the site, including hard surface materials, street furniture, cycle racks and refuse storage facilities shall be submitted to and approved in writing by the Local Planning Authority. Such works shall thereafter be carried out in complete accordance with the approved details or particulars prior to the first occupation of the development hereby permitted.**

**Reason: To ensure a quality external finish to the development and the correct phasing of development.**

5. The approved details of landscaping shall be carried out before the end of the first planting season following either the first occupation of any of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

6. Before the commencement of any other works on the site, trees to be retained shall be protected by the erection of temporary chestnut paling or chain link fencing of a minimum height of 1.2 metres on a scaffolding framework, located at the appropriate minimum distance from the tree trunk in accordance with Table 1 in 'Trees in relation to Construction' (BS5837:2005), unless in any particular case the Local Planning Authority agrees to dispense with this requirement. The fencing shall be maintained intact for the duration of all engineering and building works. No building materials shall be stacked or mixed within 10 metres of the tree. No fires shall be lit where flames could extend to within 5 metres of the foliage, and no notices shall be attached to trees.

Reason: To prevent damage to or destruction of trees to be retained on the site in the interests of the appearance of the completed development and the visual amenity of the locality.

7. Before the occupation of any part of the floorspace hereby permitted, the parking facilities shown on the approved plan shall be marked out and made available, and shall thereafter be kept available solely for parking in connection with the premises.

Reason: To ensure the provision of satisfactory vehicle parking and loading/unloading facilities clear of the public highway to meet the needs of the development.

8. **Prior to the first occupation of the development hereby permitted a comprehensive travel plan including car parking management and measures to reduce reliance on the private car shall be submitted to and approved in writing by the Local Planning Authority. The plan shall set out a timetable for the implementation of the plan and the approved travel plan shall be implemented in accordance with this timetable, to the satisfaction of the Local Planning Authority.**

**Reason: To limit vehicle movements into and out of the site and to**

**encourage the use of sustainable transport.**

9. **Prior to the commencement of development full details of foul and surface water facilities for the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Such works shall thereafter be carried out in complete accordance with the approved details or particulars prior to the first occupation of the building, unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: To ensure the foul and surface water drainage services do not interfere with the operation of the adjoining railway.**

10. Notwithstanding the provisions of Class A, Part 4, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, no construction materials, plant, machinery, compounds or temporary buildings shall be stored within 3m of the adjoining railway during the period of construction and thereafter.

Reason: In the interests of rail safety.

11. Prior to the commencement of development a 1.8m high (minimum) security fence shall be erected on the northern boundary of the site which shall be retained and maintained throughout the period of construction and thereafter, to the satisfaction of the Local Planning Authority.

Reason: In the interests of site security and rail safety.

12. Prior to the commencement of development full details of any external lighting proposed for this site shall be submitted to and approved in writing by the Local Planning Authority. Such lighting shall be installed in complete accordance with the approved details or particulars, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure suitable external lighting of the site in the interests of security and rail safety.

13. The widening and improvement of the existing access as shown on the approved drawings, together with appropriate pedestrian barriers shall be carried out prior to the first occupation of the development hereby permitted and shall thereafter be retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To ensure the correct phasing of development and in the interests of highway safety.

14. Waste generated during the carrying out of the development hereby permitted shall be separated for re-use or recycling and stored on site in a manner that will not cause pollution.

Reason: In the interests of environmental protection and good practice.

15. Inert waste generated during the demolition of the existing buildings and infrastructure shall be maintained in stockpiles in a location and to a height to be agreed in writing by the Local Planning Authority. Final disposal of demolition waste shall only be carried out if it can be demonstrated to the satisfaction of the Local Planning Authority that no suitable after use exists.

Reason: In the interests of environmental protection and good practice.

### **Reason for Decision**

In the opinion of the Local Planning Authority, the proposed development would enhance the character and appearance of the conservation area, it would have an acceptable relationship with nearby existing and proposed residential properties and would not impact unacceptably on highway conditions in the vicinity of the site. As such the proposal complies with the provisions of the development plan as summarised below.

#### **Hertfordshire County Structure Plan Review 1991-2011:**

Policy 1 'Sustainable Development'

Policy 2 'Design and Provisions of Development'

Policy 14 'Development for Employment Needs'

Policy 22 'Reduction of Travel Need and Car Usage'

Policy 25 'Car Parking' (and supplementary planning document 'Vehicle Parking Provision at New Development')

Policy 29 'Traffic and Road Safety Implications of Development Proposals'

#### **North Hertfordshire District Local Plan No. 2 - with Alterations:**

Policy 1 'Pattern and Character of North Hertfordshire'

Policy 8 'Development in Towns'

Policy 20 'Conservation Areas'

Policy 22 'Urban Environment'

Policy 36 'Employment Provision'

Policy 37 'Business Uses (B1 Use Class)'

Policy 58 'Letchworth Garden City Design Principles'

Draft Letchworth Town Centre Strategy (supplementary planning guidance)

<b>ITEM NO: 2</b>	<u>Location:</u>	<b>Former Hideout Club, Norton Way North, Letchworth Garden City, SG6</b>
	<u>Applicant:</u>	<b>Howard Cottage Housing Association</b>
	<u>Proposal:</u>	<b>Demolition of single storey timber building</b>
	<u>Ref.No:</u>	<b>06/00812/ 1CAC</b>
	<u>Officer:</u>	<b>Simon Ellis</b> 01462 474264

**Date of expiry of statutory period :** 20 July 2006

### **Reason for Delay**

This application accompanies the report presented as the previous agenda item and should not be determined until a decision is reached on the planning application.

### **Reason for Referral to Committee**

As above.

### **1.0 Relevant History**

1.1 None relevant.

### **2.0 Policies**

- 2.1 **Central Government Guidance:**  
Planning Policy Guidance Note (PPG) 15 'Planning and the Historic Environment'
- 2.2 **North Hertfordshire District Local Plan No. 2 - with Alterations:**  
Policy 20 'Conservation Areas'  
Draft 'Town Centre Strategy' (supplementary planning guidance)

### **3.0 Representations**

- 3.1 **Letchworth Garden City Council:**  
Has no objections.
- 3.2 **Response to Statutory Site Notice and Press Notice:**  
Nothing received.

### **4.0 Planning Considerations**

#### **4.1 Site & Surroundings**

- 4.1.1 The application site consists of a single storey, flat roof, brick and timber building and car parking area located off the eastern side of Norton Way North. Vehicular access to the site is gained off an existing access to the south of the building. The building is located to the front of the site and the car parking area is to the rear of the building. The existing access drive runs between the building on the application site and the adjacent building on Howard Park Corner (Shires Funeral Services).

The site area is 0.12ha and the existing building on the site is currently used as a licensed club (The Hideout Club).

- 4.1.2 The site location is on the edge of Letchworth Town Centre approximately 20m north of the Station Road/Norton Way North junction. The site also adjoins the railway line with the associated bank and railway bridge located immediately to the north of the site. The surrounding land use is mixed, with commercial premises to the south and west and largely residential land use to the east and north. In terms of the built environment it could be argued that the existing building on the site is out of keeping with surrounding architecture which is characterised as mainly pitched roof, two storey buildings of traditional design.

#### 4.2 **Proposal**

- 4.2.1 Conservation Area Consent is sought for the demolition of the building on the application site currently in use as The Hideout Club. This conservation area consent application accompanies the planning application (ref. 06/00811/1) reported as the previous agenda item.

#### 4.3 **Key Issues**

- 4.3.1 The main issues in connection with the proposed demolition of this building are covered in the previous report. Under planning legislation a separate conservation area consent is required for the demolition of buildings with a greater volume than 115 cubic metres. Since it is recommended that planning permission be granted for the redevelopment of this site which would involve the demolition of the existing building it logically follows that the recommendation in this case is that conservation area consent be granted for the demolition of the Hideout Club.

- 4.3.2 In relation to this issue the advice from the Council's principal conservation officer is as follows: *'This building is one that does detract from the appearance of this part of the garden city. Its demolition with a suitable replacement building is to be welcomed, therefore. Even with its appearance, it would be inappropriate to demolish it and open up the road frontage without a replacement. Therefore, I would recommend that demolition is conditional on the removal taking place immediately before and as part of a continuous contract with an approved replacement building. This is to protect the appearance and character of the location of the building within the conservation area.'*

- 4.3.3 Taking account of this advice, and in particular the need prevent a prolonged and unsightly gap in the conservation area, the recommendation to grant conservation area consent can only follow if Members have decided to grant planning permission for the redevelopment of the site. If Members resolve to refuse planning permission for the redevelopment of the site (i.e. planning application no. 06/00811/1) it is recommended that conservation area consent be refused on the basis of preventing an unsightly gap, which would harm the character and appearance of the conservation area.

#### 4.4 **Conclusion**

- 4.4.1 Taking account of the above factors and all the arguments set out in the previous report, I conclude that the demolition of this building is acceptable in the conservation area provided it is clearly linked to a continuous contact for the redevelopment of the site pursuant to the scheme presented in the previous report.

## **5.0 Legal Implications**

- 5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

## **6.0 Recommendation**

- 6.1 That conservation area consent be **GRANTED** subject to the following conditions;

1. The work to which this consent relates shall be begun by not later than the expiration of the period of 3 years from the date of this notice.

Reason: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as modified by Regulation 12 and Schedule 3 of the Town and Country Planning (Listed Buildings and Conservation Areas) Regulations 1990.

2. **The building to which this consent relates shall not be demolished until such time as a contract for the carrying out of the replacement building works (as detailed in planning permission no. 06/00811/1), together with a timetable for its commencement and completion has been submitted to and agreed in writing by the Local Planning Authority. The demolition of the building and the redevelopment of the site shall thereafter be carried out in complete accordance with the approved contract and timetable unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: To avoid the creation of an unacceptable appearance of an unsightly gap for a prolonged period on the application site, arising from the demolition of the existing building far in advance of any redevelopment.**

### **Reason for Decision**

The demolition hereby permitted combined with the proposed redevelopment of the site set out in planning application no. 06/00811/1 would have no adverse impact on the amenities of nearby residential properties, or the visual amenities of the surrounding conservation area. As such the demolition complies with relevant provisions of the development plan as summarised below.

**North Hertfordshire District Local Plan No. 2 - with alterations:  
Policy 20 'Conservation Areas'**

<b>ITEM NO: 3</b>	<u>Location:</u>	<b>Land at, 10-12 Birds Hill, Letchworth Garden City, SG6</b>
	<u>Applicant:</u>	<b>Howard Cottage Society Ltd.</b>
	<u>Proposal:</u>	<b>Two storey rear extension to existing semi-detached dwellings. Erection of a pair of semi-detached bungalows and detached single storey building for use as guest pavilion, 9 parking spaces, landscaping and ancillary works.</b>
	<u>Ref.No:</u>	<b>06/00892/ 1</b>
	<u>Officer:</u>	<b>Simon Ellis</b> 01462 474264

**Date of expiry of statutory period :** 21 July 2006

### **Reason for Delay**

Negotiations with the applicant and Hertfordshire County Council (Highways) in an attempt to overcome highway objections.

### **Reason for Referral to Committee**

The officer recommendation differs from the opinion of a statutory consultee, namely Hertfordshire County Council (Highways). As a consequence, in line with the Council's scheme of delegation, the application needs to be reported to Members for a determination.

### **1.0 Relevant History**

- 1.1 There are two recent applications that have relevance to this proposal. The first is a conservation area consent granted by the Letchworth Area Committee in 2004 for the demolition of the pair of semi-detached houses on this site (ref. 04/00371/1CAC). The second is a planning application for the redevelopment of the site for the erection of 5 no. two bedroom bungalows with associated car parking spaces, following demolition of the pair of houses also submitted in 2004 (ref. 04/00372/1). Members resolved to grant planning permission subject to the imposition of a Section 106 Obligation. However, the application was eventually withdrawn on the basis that Letchworth Garden City Heritage Foundation would not grant permission for the demolition of the existing cottages, therefore preventing the redevelopment of the site.

### **2.0 Policies**

- 2.1 **Central Government Guidance:**  
 Planning Policy Statement (PPS) 1 'Delivering Sustainable Development'  
 Planning Policy Statement (PPS) 3 'Housing'  
 Planning Policy Guidance note (PPG) 15 'Planning and the Historic Environment'
- 2.2 **Hertfordshire County Structure Plan Review 1991-2011:**  
 Policy 1 'Sustainable Development'  
 Policy 2 'Design and Provisions of Development'  
 Policy 25 'Car Parking' (and supplementary planning document, 'Vehicle Parking

Provision at New Development')  
Policy 29 'Traffic and Road Safety Implications of Development Proposals'

**2.3 North Hertfordshire District Local Plan No. 2 - with Alterations:**

Policy 1 'Pattern and Character of North Hertfordshire'  
Policy 8 'Development in Towns'  
Policy 20 'Conservation Areas'  
Policy 22 'Urban Environment'  
Policy 57 'Residential Guidelines and Standards'  
Policy 58 'Letchworth Garden City Design Principles'

### **3.0 Representations**

**3.1 Hertfordshire County Council (Highways):**

Object to the proposed development on the following grounds. The proposed means of access is inadequate to serve the needs of the development, by reason of its inadequate width. The proposed development would intensify the use of the access on the C89 Norton Way North. The slowing and turning of vehicles associated with the use of the access would lead to further conflict and interference of the free flow of traffic. The layout does not demonstrate a suitable turning area for service and emergency vehicles.

**3.2 Letchworth Garden City Council:**

Has no objections.

**3.3 Response to Statutory Site Notice, Press Notice and Neighbouring Notifications:**

One letter of objection has been received from the occupiers of no. 20 Birds Hill. The grounds of objection are as follows: The proposed development does not set out a sufficient number of car parking spaces for residents and staff.

### **4.0 Planning Considerations**

**4.1 Site & Surroundings**

4.1.1 The application site consists of a pair of semi-detached two storey cottages, nos. 10 and 12 Birds Hill. As a consequence of the development of Edwin Nott House these two properties are now hidden from the main street frontage, located as they are to the rear of Edwin Nott House and the Hideout Club, fronting Norton Way North. Access to the site is gained off Norton Way North and the site shares the same vehicular access as that associated with the Hideout Club. As a consequence of its surroundings, including the main line railway and associated embankment across the northern boundary of the site, this site is a backland area, largely hidden from view as seen from the main surrounding streets.

4.1.2 Similarly designed residential properties exist further to the east of the application site fronting Birds Hill. Whereas the character of the area becomes more commercial and less residential in land use terms to the south and west of the application site, approaching Letchworth Town Centre.

**4.2 Proposal**

4.2.1 Full planning permission is sought for extensions to the existing dwellings, the erection of new residential properties on this site, and associated infrastructure. The proposed two storey extension would be in the form of a double gabled rear extension to the existing pair of semi-detached dwellings on this site.

- 4.2.2 The extension would project some 4m from the rear of the existing dwellings and would provide one additional bedroom (resulting in 2 no. three bedroom dwellings) and new/enlarged kitchens for each dwelling. The plans indicate that the proposed extension would be finished with roughcast render finish on the ground floor to match the existing building and red machine made clay tiles on the first floor and roof of the development, again to match the existing building. The double gabled roof pitch of the proposed extension would be 1m lower than the height of the existing roof of the building, whereas the overall width of this element of the scheme would be 7m, centred on the building, which has a total width of over 18m.
- 4.2.3 A pair of semi-detached bungalows are also proposed on this site. They would be sited at right angles in relation to the front elevation of the existing pair of semi-detached dwellings and positioned to the west of these buildings. The design of the bungalows would reflect the character of the existing buildings on site, with the use of a hipped roof and clay tiles, roughcast render on the main elevations and similar style of windows and doors. Each bungalow would have two bedrooms.
- 4.2.4 The proposal also includes a guest pavilion to the rear of the existing dwellings, in the north west corner of the site. The design of this building would have the appearance of a small, pitched roof outbuilding. It would contain one bedroom, shower room and lobby area. No windows are proposed on the rear elevation facing the Hideout Club car park, with windows and openings proposed on the front and side elevation. Access to the proposed guest pavilion would be gained via a walkway between the existing dwellings and the proposed new bungalows. The applicant states that the purpose of the guest pavilion accommodation is for relatives and friends visiting residents of Edwin Nott House.
- 4.2.5 The car parking area associated with this development proposal would be in the form of a courtyard to the front of the existing dwellings and proposed bungalows. Five car parking spaces are proposed and linking footpaths and hard standing areas. An entrance and vehicle turning area exists on the approach to the site, on land within the applicant's ownership, to the rear of Edwin Nott House.

#### 4.3 **Key Issues**

- 4.3.1 Taking account of relevant central government guidance and development plan policy referred to above and comments received from interested parties, also reported above, I consider the main issues to be assessed in the determination of this planning application are as follows. Whether the design and layout of the proposed development is of a sufficiently high standard to ensure that the character and appearance of the conservation area, within which the site is located, is preserved or enhanced. Whether the proposed development would have acceptable internal and external relationships (i.e. with existing surrounding development) to ensure good standards of residential amenity. Finally, given the advice of the Highway Authority, whether the traffic and road safety implications of this development proposal are acceptable.

#### 4.3.2 **Design in relation to Character of the Conservation Area**

The proposed development retains the existing pair of semi-detached houses, but otherwise is similar in layout to that which would have been granted planning permission in 2004 had the application not been withdrawn (see history above, ref. 04/00372/1). The design of the proposed development reflects the character of the existing buildings on the application site and the Birds Hill properties to the east of the application site very well. Moreover, since the proposed new buildings are single storey only, they would not compete with or undermine the integrity of the existing cottages on the site, in my view.

4.3.3 The Council's principal conservation officer has assessed the proposal and concludes that the development would preserve the character of the conservation area. She does however consider that the layout is fairly cramped, but given the overall context of the site and surroundings (i.e. under-utilised backland site) she concludes that the design and layout is broadly acceptable in this regard.

#### 4.3.4 **Residential Amenity**

Due to the relatively compact layout of this scheme, the resultant and proposed new dwellings would have fairly small areas of private amenity space. The proposed bungalows in particular would enjoy rear gardens of approximately 4-5m in depth at best. The plans do however illustrate landscaping areas to the side and front of the bungalows which would provide some relief for the setting of the buildings. Whilst the level of private amenity space would fail basic standards set out in Policy 57 of the North Hertfordshire District Local Plan No. 2 - with Alterations, more recent government guidance (PPS3) suggests that it is a matter for the market to decide on the size of gardens. And on this basis I consider that the shortfall in amenity space would not be sustainable as a reason for refusal of planning permission. I would however recommend that if Members are minded to grant planning permission for this development, a condition is imposed which removes "permitted development" rights for extensions to the bungalows in order to prevent the further shrinking of the rear gardens with inappropriate extensions. Such a condition is set out in the recommendation below.

4.3.5 The layout has been designed to ensure reasonable standards of privacy for any residents living in the proposed development. The proposed guest pavilion is a single storey building and the plans indicate suitable 1.8m high boundary fencing to demarcate the garden areas of each property. As a consequence there would not be any unacceptable overlooking of garden areas as a result of this scheme.

4.3.6 The main amenity consideration in my view is the relationship between the proposed development and the Hideout Club car park to the rear of the application site. In particular the gardens of the proposed bungalows back on to the car park, and given the small size of these gardens there is potential for noise and disturbance from traffic movements close to the proposed dwellings. For reasons which will be explained below I am recommending that the development of this scheme should only be implemented in association with the proposed redevelopment of the Hideout Club site. This can be secured by means of a suitably worded planning condition, which is set out below. An added benefit of combining the two schemes is that the pattern of use of the adjoining car park would change, from a mainly evening use to daytime, office hours use. As a consequence the impact on residential amenity becomes less acute in my judgement. On this basis I consider that the relationship between the proposed residential development and neighbouring car park is just acceptable in amenity terms.

#### 4.3.7 **Traffic and Road Safety Implications**

As is mentioned above, Hertfordshire County Council (Highways) have objected to this scheme. The objection relates largely to the inevitable increase in the intensity of use of the access to the site onto Norton Way North and the inadequacy of this access in terms of width and visibility. They also consider that insufficient turning space exists for service and emergency vehicles in the site. On the second of these points Building Regulations will dictate standards for emergency vehicles and a separate consent will be required for this. Therefore if there is a fundamental problem on the site the scheme cannot go ahead anyway. This is not to argue that the Highway Authority concerns are not material to the determination of this planning application, as they are, it does however illustrate that an unsafe development in terms of access for emergency vehicles cannot go ahead regardless of how the planning application is determined.

4.3.8 I have two concerns relating to the highway advice received in response to this planning application. Firstly, they did not raise any objections to the scheme set out in the 2004 application, which in terms of eventual layout was very similar to this scheme and would have utilised the same vehicular access. If anything the previous scheme for five dwellings would have had a greater impact on highway conditions in the vicinity of the site than the proposal set out here, which equates to four dwellings and one small guest pavilion. Secondly, I consider that they have failed to take into account existing servicing arrangements to the rear of Edwin Nott House and the amount of space which is owned by the applicant within which vehicles can move. The plans, in my view, illustrate a suitable turning area to the rear of Edwin Nott House, close to the entrance to this development scheme. On the issue of servicing and vehicle manoeuvring space, I consider, in line with the view of the Highway Authority presented in 2004 that the site contains adequate provision for this.

4.3.9 Turning to the more serious issue of the access point, access drive and relationship to traffic using Norton Way North I am recommending that planning permission for this scheme should only be granted on the basis that Members have resolved to grant planning permission for the redevelopment of the Hideout Club (agenda item 1, planning application ref. 06/00811/1). This is on the basis that the scheme for the redevelopment of the Hideout Club, as amended, would increase the width of the access point and driveway by one metre, creating increased visibility and more passing space for vehicles entering and leaving the site. If Members resolve to refuse planning permission for the redevelopment of the Hideout Club I will change the recommendation on this scheme to that of a refusal of planning permission on the basis of unsafe access to the site off Norton Way North, in line with the Highway Authority recommendation.

4.3.10 To ensure that the housing scheme set out here can only be carried out in association with the proposed redevelopment of the Hideout Club I am recommending the imposition of a grampian style planning permission which links the two schemes and prevents the independent implementation of any planning permission granted for this scheme. Since the applicant owns and controls both sites I consider this condition is reasonable and enforceable.

4.3.11 In conclusion on this point I consider that the widening of the existing access and driveway associated with the proposed redevelopment of the Hideout Club renders this scheme acceptable in highway safety terms. I also consider that the proposed five car parking spaces for the five units of residential accommodation set out in this application is acceptable taking account of adopted standards contained the 'Vehicle Parking Provision at New Development' and the proximity of the site to the town centre and associated public car parks.

#### 4.4 Conclusion

- 4.4.1 Taking account of all the factors described above I am satisfied that this development proposal would preserve the character and appearance of the conservation area. It would also maintain acceptable standards of amenity, both within the proposed scheme and in relation to surrounding properties. Notwithstanding the current concerns of the Highway Authority, I conclude that provided this scheme is linked to the widening and therefore improvement of an existing access and entrance drive, the development is acceptable in highway safety terms.

#### 5.0 Legal Implications

- 5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

#### 6.0 Recommendation

- 6.1 That planning permission be **GRANTED** subject to the following conditions:
1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
  
Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
  2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting, approved documents and plans, or with minor modifications of those details which have previously been agreed in writing by the Local Planning Authority as being not materially different from those thereby permitted.  
  
Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.
  3. **Details and/or samples of materials to be used on all external elevations and the roof of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.**  
  
**Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area.**

4. **Prior to the commencement of development full details of all hard landscaping elements of the scheme, including hard surface materials and boundary fencing, shall be submitted to and approved in writing by the Local Planning Authority. Such works, including the formation of the five car parking spaces, shall be carried out in complete accordance with the approved details or particulars prior to the first occupation of the development hereby permitted. The car parking and hard standing areas shall be retained and maintained thereafter to the satisfaction of the Local Planning Authority.**

**Reason: To ensure a quality external finish to this scheme, the correct phasing of development and the maintenance of car parking areas on the site.**

5. **Prior to the commencement of development full details of all soft landscaping/planting associated with this scheme shall be submitted to and approved in writing by the Local Planning Authority.**

**Reason: To ensure a quality finish to the development and suitable landscaping of the site.**

6. The approved details of landscaping shall be carried out before the end of the first planting season following either the first occupation of any of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended, no development as set out in Class(es) A-E of Part 1 of Schedule 2 to the Order shall be carried out without first obtaining a specific planning permission from the Local Planning Authority. This condition relates to the bungalows and guest pavilion hereby approved only.

Reason: Given the nature of this development, the Local Planning Authority considers that development which would normally be "permitted development" should be retained within planning control in the interests of the character and amenities of the area.

8. This permission shall not be implemented otherwise than in conjunction with the redevelopment of the adjoining Hideout Club (planning permission ref. 06/00811/1). The dwellings hereby approved shall not be occupied until the access point and entrance drive have been widened in accordance with the details contained on planning permission no. 06/00811/1.

Reason: In the interests of highway safety, residential amenity and to ensure the correct phasing of development.

### **Reason for Decision**

In the opinion of the Local Planning Authority the proposed development represents a good standard of design and layout that would preserve the character and appearance of the conservation area. The proposal would ensure suitable standards of residential amenity for future occupiers of the development and surrounding properties. Ensuring the widening of the access and driveway would render the proposed development acceptable in highway safety terms. As such the proposal complies with the provisions of the development plan as summarised below:

#### **Hertfordshire County Structure Plan Review 1991-2011:**

Policy 1 'Sustainable Development'

Policy 2 'Design and Provisions of Development'

Policy 25 'Car Parking' (and supplementary planning document, 'Vehicle Parking Provision at New Development')

Policy 29 'Traffic and Road Safety Implications of Development Proposals'

#### **North Hertfordshire District Local Plan No. 2 - with Alterations:**

Policy 1 'Pattern and Character of North Hertfordshire'

Policy 8 'Development in Towns'

Policy 20 'Conservation Areas'

Policy 22 'Urban Environment'

Policy 57 'Residential Guidelines and Standards'

Policy 58 'Letchworth Garden City Design Principles'

<b>ITEM NO: 4</b>	<u>Location:</u>	<b>Land at Tennis Courts, Norton Common, Icknield Way, Letchworth Garden City</b>
	<u>Applicant:</u>	<b>North Hertfordshire District Council</b>
	<u>Proposal:</u>	<b>Erection of 4 x 8m high flood lights in association with conversion of 1 existing tennis court into a multi use games area.</b>
	<u>Ref.No:</u>	<b>06/02115/ 1</b>
	<u>Officer:</u>	<b>Kirstie Hough 01462 474311</b>

**Date of expiry of statutory period :** 04 December 2006

**Reason for Delay**

Committee Cycle

**Reason for Referral to Committee**

The applicant is North Hertfordshire District Council

**1.0 Relevant History**

1.1 None

**2.0 Policies**

2.1 **Hertfordshire Structure Plan review 1991-2011**

Policy 30, Critical Capital and other important environmental assets

**North Herts District Local Plan No 2 April 1996 with Alterations**

Policy 14, Nature Conservation

Policy 20, Conservation Areas

**3.0 Representations**

3.1 **Letchworth Garden City Town Council-** No objection.

3.2 **Hertfordshire County Council (Highways)-** Consider that the proposal would have no significant implications for the safe and efficient operation of the adjoining highway network.

3.3 **Environmental Health-** Consider that a condition should be imposed to control glare from emitting out of the area and that the ambient luminance shall not be increased when the lighting is in operation.

3.4 **Conservation-** No objection to proposal, however are concerned that if additional lighting is required in the future, this may have an adverse impact upon the character of the area.

- 3.5 **Hertfordshire Biological Record Centre**- No objection to the proposal providing the 21.00hrs time restriction is strictly adhered to and the Local Authority should consider planting additional trees to the north of the tennis courts to act as a screen to block light spillage from entering the Wildlife Site.
- 3.6 **The Wildlife Trust**- No objection to the proposal based on the 9pm time restriction and minimal light spillage outside the court area due to the fitting of a separate protractor device for accurate setting of elevation angle. They also wish to ensure that the integrity of the adjacent Wildlife Site is protected from any indirect effects associated with the development.
- 3.7 **Press**- No comments received
- 3.8 **Site Notice**- Comments received from:
- **Friends of Norton Common**: object to the application on the grounds that the flood lighting will interfere with wildlife and consider that further research, such as a bat and moth survey should be undertaken.
- 3.9 **Neighbours**- Representations received from the occupiers of:
- **No 7 Cross Street**: concerned that the 9pm restriction would be too late during the winter months and would encourage unsupervised groups to gather longer than they do now.
  - **No 233 Icknield Way**: Object to the application on the grounds that Norton Common has just been made a Nature Reserve and the disturbance caused by these lights would be considerable, both for the wildlife which lives on the Common and the residents who live around the edge.
  - **No 243 Icknield Way**: Object to the application on the grounds that the flood lights would cause an unwanted level of light and related noise pollution after dark to the front of their property and to those of neighbouring properties who directly face onto Norton Common; young people would be further encouraged to congregate in the vicinity late at night; there is a lack of on-site supervision of the tennis courts, skate park or children's play area; current parking provision is limited and this would worsen the situation; traffic often speeds along Icknield Way over the 30mph limit so there is a wider traffic management issue to be addressed; Norton Common is an important open green space fundamental to the Garden City and a natural habitat for local wildlife, so the proposals would have a detrimental impact upon the physical environment and do nothing to encourage the bio-diversity of the Common.
  - **Address Unknown**: Consider there should be an improvement to all of the tennis courts which they feel has been overlooked for too long.

## **4.0 Planning Considerations**

### **4.1 Site & Surroundings**

- 4.1.1 The application site lies within Norton Common, and is the last in a row of four tennis courts. The courts are set back approximately 80m from Icknield Way, located behind a car park area, two Bowling Greens and a Pavilion. There is an equipped play space sited immediately to the east and the outdoor swimming pool is located to the north-east of the site.
- 4.1.2 This site in question is situated within the Letchworth Conservation Area, has an area of 36m x 20m wide and is located directly adjacent to the area of Norton Common which is identified as a County Wildlife Site and was recently designated as a Local Nature Reserve. The nearest residential dwelling to the site, are those located to the south of the site along Icknield Way and are a distance of

approximately 90m plus

- 4.1.3 The tennis courts are currently open to the public for continual use 7 days a week. There is currently no flood lighting serving the tennis courts or the two bowling greens to the south and south-east or the equipped play space immediately to the east

## 4.2 **Proposal**

- 4.2.1 This proposal is for the erection of 4 x 8m high flood lights in association with the conversion of the existing tennis court into a multi use games area. The lights would be located on each corner of the court and light would beam directly into the court with light spillage decreasing in intensity as it moves further outside of the court area having ceased at approximately 25m to the north-east and south-west (side to side) and approximately 18m to the north-west and south-east (top to bottom).

- 4.2.2 The information submitted states that the lights proposed '*have a separate aiming protractor which ensures optimum targeting of individual floodlights to achieve the desired lighting levels*'. The flat glass used '*ensures no direct upward light, restricting sky glow*' and due to the fact that the main beam is emitted from the floodlight at an angle of 60° forward from the normal to the front glass, '*less of the reflector is visible to those outside the court, resulting in low glare to the surrounding locality*'

- 4.2.3 The applicant has informed that the flood lights would normally be used for supervised club activities. However subject to demand, there may be one allocated evening a week where the lights would be turned on for casual players. It is intended to have the power to the lights set on a timer which would switch off at 9.00pm each evening. An electric fob would be issued to users which would turn the lights on and off during the period when the power was on. To encourage maximum use of this facility, the intention is to have lights available for use 7 days a week.

## 4.3 **Key Issues**

- 4.3.1 The key considerations in my view in this instance are the acceptability of the lights in Norton Common, any adverse impact upon the adjacent County Wildlife Site and Local Nature Reserve, any impact upon the character or appearance of the Conservation Area within which the site is located, any impact upon highway conditions and any material impact upon nearby residential properties.

- 4.3.2 Dealing first with highway issues, the tennis courts are currently continually available to the public. The addition of flood lighting to one court, would render this area available for use for a longer time during the late autumn, winter months and early spring when natural light would not be available. There is a car parking area at the front of the site, which is currently utilised by users of Norton Common and its facilities. The parking area would be available for users of the court during these times when the flood lights would be in operation and given that the rest of the facilities would not be used during the same period due to the lack of light, it is likely that there would be spaces available at these times.

- 4.3.3 Hertfordshire County Council (Highways) have raised no objection to the proposal, which they consider would have no significant implications for the safe and efficient operation of the adjoining highway network. Overall, I can see no concern to raise on Highway grounds.

- 4.3.4 With regard to the adjacent Wildlife Site and Local Nature Reserve, Hertfordshire Biological Record Centre have raised concerns regarding the proposed flood lights being on the edge of the Wildlife Site. Lighting used during the winter (November-February), early spring (March) and late autumn (October) would have the potential for a minimal impact upon mammals (bats) because they hibernate. Bats are active, depending on the weather and ambient temperature, between the beginning of April and the end of September. Birds are not considered to have been on the whole affected by street lighting in towns and over the years some species have shown behaviour which indicates that they have adjusted to street lighting (i.e. robins), which has not adversely affected their population. HBRC raise no objection to the proposal, providing the 9.00pm time restriction is adhered to.
- 4.3.5 The Wildlife Trust have commented that the adjacent Wildlife Site boasts a high bird and mammal population and floodlighting is generally considered to have an adverse effect on nocturnal wildlife such as bats, badgers and owls and is considered to affect their feeding behaviour. However in this case, they raise no objection to the proposal based on the 9pm time restriction and the minimal light spillage outside the court area due to the fitting of a separate protractor device for accurate setting of elevation angle. They also wish to ensure that the integrity of the adjacent Wildlife Site is protected from any indirect effects associated with the development, which could be controlled by a condition on any permission.
- 4.3.6 With regard to the impact of the proposal upon the adjacent Wildlife Site and Local Nature Reserve, I am of the conclusion that there is no material planning objection to raise, providing the 9.00pm time restriction is adhered to and there are no indirect effects (such as materials, debris, vehicles or machinery associated with this development being stored or used within the Wildlife Site) associated with the development.
- 4.3.7 Turning now to consider the conservation perspective, there are no listed buildings in the immediate vicinity however the site is located within the Letchworth Conservation Area. Therefore, in conservation terms this application is considered solely against Policy 20 (Conservation Areas) of the North Hertfordshire District Local Plan.
- 4.3.8 The key issues will be the affect of the lighting columns and lights on the character and appearance of the area during the daytime and the affect of light pollution at night time. The tennis courts are particularly well screened by trees to the north and are set lower down than the bowling greens to the south, however the lighting columns would be seen from Icknield Way. Whilst the Design Statement states that there will be '*no light spillage to encroach onto any local housing*', the lighting will impact upon the character of the area, the question is to what degree? This is difficult to assess without temporary lights being rigged to assess their affect from further away. However having received comments from the Conservation Team on the proposal, I have concluded that the proposed flood lights would not impact unduly on the Conservation Area, and are considered acceptable in this location. However, it should be noted at this point that if additional lighting is required in the future, this may have an adverse impact upon the character of the area.
- 4.3.9 Turning now to any impact upon the nearby residential properties, these are located at a distance of 90m plus away from the site. The plans demonstrate that light spillage outside of the court should have ceased at approximately 18m in the southerly direction towards these properties. This information along with the relatively low height of the poles leads me to conclude that there would not be a material impact upon the residential amenities of these neighbouring properties, or that there is a material planning objection to raise to this application on these grounds.

- 4.3.10 With regard to the issue raised about the lighting encouraging more young people to congregate in the area, young people can currently utilise the site without control of the Local Planning Authority. The use of the site during times of operation of the flood lights would be predominantly for supervised activities. The supervision of the area during these times, may assist in young people being aware of a presence in the area rather than being able to solely occupy the vicinity, which could improve the security of the area. I therefore do not consider that the use of the court for a longer period of time during the late autumn, winter months and early spring when natural light would not be available, raises a material planning objection on the grounds of encouraging the congregation of young people.
- 4.3.11 With regard to the other aspects of refurbishment of the court, such as the improvements to the hardstanding and the erection of hoops and nets, The Town and Country Planning (General Permitted Development) Order 1995, Schedule 2 Part 12, Class A enables certain works to be carried out by Local Authorities without requiring a specific planning permission from the Local Planning Authority. Therefore only the erection of the floodlights, which do require planning permission, are dealt with in this report.
- 4.3.12 As discussed previously, the tennis courts are located outside the area designated as a Wildlife Site and the specification of the proposed lighting means that there would be limited overspill so they should not pollute onto the common. However, in order to safeguard that this is the case in reality, should the proposal be granted permission, a condition could be imposed which Local Planning Authority could ensure the realignment or shielding of the lights to be adjusted, if it were considered that any overspill of illumination was harming the adjacent Wildlife Site after the flood lights had been erected.

#### **4.4 Conclusion**

- 4.4.1 The existing tennis courts can be continually used by the public and during summer months, the courts can be used until darkness which can be as late as 10pm. This proposal to introduce flood lights to one existing tennis court, would be the first such illuminated development in this area and would enable a more intensive use of the site. The flood lights have been designed to have no direct upward light and to emit a low level of glare to the surrounding locality. It is overall considered that the adjacent Wildlife Site would not be materially affected by the proposal, nor would the character of the Conservation Area
- 4.4.2 Overall, I do not consider that the proposed flood lights would be unacceptable for the site, providing conditions are attached to any permission to protect the adjacent Wildlife Site. I can see no reason to refuse permission for this proposal, which complies with policy in the District Local Plan and would have no adverse impact upon the adjacent Wildlife Site, amenities of the neighbouring residential properties or highway conditions.

#### **5.0 Legal Implications**

- 5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

## **6.0 Recommendation**

6.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting, approved documents and plans, or with minor modifications of those details which have previously been agreed in writing by the Local Planning Authority as being not materially different from those thereby permitted.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. The operation of the floodlights hereby approved shall be permitted only between 7.00am (07.00hrs) and 9.00pm (21.00 hrs) on any day.

Reason: To minimise the impact of the lighting on the adjacent Wildlife Site, character of the area and the amenity of nearby residential properties.

4. During erection of the flood lights hereby granted permission, no materials, debris, vehicles or machinery associated with this development shall be stored or used within the Wildlife Site.

Reason: To protect the adjacent Wildlife Site from being damaged or destroyed during the erection of the flood lights

5. If within a period of six months following the first use of the lights, the Local Planning Authority requires realignment or shielding of the lights to be adjusted, this shall be carried out with an agreed scheme before the continuation of their use.

Reason: To ensure that any light pollution is minimised on the adjacent County Wildlife Site

### **Reason for Decision**

The development hereby permitted would have no adverse effect on the character or appearance of the Conservation Area, highway conditions, the visual amenity of the locality or neighbouring properties, and as such, complies with the relevant provisions of the development plan as summarised below.

Summary of Development Plan Policies and Proposals relevant to the Decision:-

#### **Hertfordshire Structure Plan review 1991-2011**

Policy 30, Critical Capital and other important environmental assets

#### **North Hertfordshire District Local Plan No 2 with Alterations**

Policy 14, Nature Conservation

Policy 20, Conservation Areas

**TITLE OF REPORT: STARWOOD HOUSE, AVENUE ONE, LETCHWORTH GARDEN CITY - UPDATE**

**REPORT OF THE PLANNING CONTROL AND CONSERVATION MANAGER**

- 1.0 At the Committee meeting of 5<sup>th</sup> July 2006, a report was presented to Members, outlining how the applicants intended to satisfy the landscaping conditions which were attached to the permission granted at the site of Starwood House, Avenue One. This follow up report, will outline the progress of the implementation of the landscaping scheme.
- 2.0 At the Committee meeting of 6<sup>th</sup> September 2005, planning permission was granted for alterations to the existing offices at the above site (owned and occupied by Tesco Stores Ltd), together with the formation of associated car parking for 149 cars and ancillary works, subject to a number of conditions, two of which related to the provision of additional landscaping at the site, as follows:
- “4. *Within 3 months of the date of the permission details of additional landscaping proposals for the car park area shall be submitted and approved in writing by the Local Planning Authority.*
- Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.*
5. *The approved details of landscaping shall be carried out before the end of the first planting season following either the first occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of a similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.*
- Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.”*
- 2.1 Following several reminders to the applicant’s agents about the need for their clients to submit additional landscaping details, a “Proposed Landscape Plan” was received on 1<sup>st</sup> February. This plan indicated planting within the site, between the new car park and existing tree lined boundaries with Avenues Two and Three, in the form of a line of new trees along the southern boundary of the car park onto Avenue Two, a mixed medium height shrub border on the eastern side, facing Avenue Three and an area of top soil, sown with a wild flower mixture between the car park and the adjoining roads.

- 2.2 The Landscape Plan was assessed by the Council's Landscape Architect and on 15 February 2006, the applicant's agents were asked to provide further information, supporting the initial planting scheme. The precise requirements to enable the landscaping details to be fully assessed were put to the applicant's agents, which included a tree survey; specification for and/or source of the topsoil and the specification and source for the wild flower mixture; and the extent of the mixed medium shrub border with information on which species of shrub are to be planted, as well as the density of planting.
- 2.3 The applicant's agents responded on 2<sup>nd</sup> March with a more detailed Planting Plan, incorporating the information requested by the Landscape Architect. Having assessed the scheme in the light of the receipt of the additional information, the Council's Landscape Architect confirmed that he no longer had any concerns about the planting, other than to suggest that the applicants ask the seed and wildflower mix supplier for details of the appropriate mowing regime, which would allow the wildflowers to establish, seed and flower.
- 2.4 By letter dated 29<sup>th</sup> March 2006 I wrote to the applicant's agents confirming that the finally submitted landscaping scheme was acceptable, and that the provisions of condition 4 of the planning permission granted on 3<sup>rd</sup> October 2005 had been met.
- 2.5 Condition 5 of the permission sets the timescale for carrying out the landscaping, which specified that this should be carried out before the end of the first planting season following either the first occupation of the building or the completion of the development, whichever is the sooner.
- 2.6 At the time of preparing this report, I have been informed by the Agent, that Tesco Stores have completed most of the landscaping in terms of the topsoil and seeding, however there are more trees to be planted, which would be completed at the latest by the end of the week finishing 8<sup>th</sup> December.
- 2.7 I will verify if the full landscape plan has been implemented by this time, or if this is not the case, will establish what planting has been undertaken and will acquaint Members with that information orally at the meeting.

### **3. RECOMMENDATION**

That the report be noted

**\*PART 1 – PUBLIC DOCUMENT**

**AGENDA ITEM No.**

**12**

**TITLE OF REPORT: GRANGE COMMUNITY GARDEN - UPDATE ON PLANNING APPLICATION 06/02101/1**

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