

3 July 2006

Our Ref: S Rural/July 06
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To: The Members of the Southern Rural Committee of North Hertfordshire District Council

(Councillors: D.J. Barnard (Chairman), Tom Brindley (Vice-Chairman), Alan Bardett, John Bishop, Tricia Gibbs, J. Gray, Sal Jarvis, David Miller and Mrs C.P.A. Strong)

You are invited to attend a meeting of the

SOUTHERN RURAL COMMITTEE

to be held at

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

on

THURSDAY 13 JULY 2006

at

7.30 p.m.

Yours sincerely,



David Miley
Democratic Services Manager

AGENDA
PART I

ITEM	PAGE
1. APOLOGIES FOR ABSENCE	-
2. MINUTES To take as read and approve as a true record the Minutes of the meetings of this Committee held on 16 May and 1 June 2006.	-
3. NOTIFICATION OF OTHER BUSINESS Members should notify the Chairman of other business which they wish to be discussed by the Committee at the end of the 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 the item(s) raised will be considered.	-
4. DECLARATIONS OF INTEREST To receive from Members of the Committee any declarations of interest in respect of any 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 leave the room and not seek to influence the decision during that particular item of interest.	-
5. PUBLIC PARTICIPATION To receive petitions, comments and questions from members of the public. Public participation requests received within the agreed time will be notified to Members as soon as practicable.	-
6. REFERRAL FROM NORTH HERTFORDSHIRE HIGHWAYS PARTNERSHIP JOINT MEMBER PANEL – 24 APRIL 2006 - NHHP DISCRETIONARY BUDGET PROJECTS 2007/2008 <i>An invitation from the North Hertfordshire Highways Partnership Joint Member Panel to submit projects for consideration of funding from the Panel's Discretionary Budget for the financial year 2007/2008.</i>	1
7. NORTH HERTFORDSHIRE DISTRICT COUNCIL'S PUBLIC CONVENIENCES REPORT OF THE HEAD OF LEISURE AND ENVIRONMENTAL SERVICES <i>A report informing the Committee of the Cabinet's strategic decision for the Council's public conveniences and seeking the Committee's input on the proposed refurbishment project, with particular reference to the Southern Rural area.</i>	3

8.	CHAMPION NEWS REPORT OF THE HEAD OF COMMUNITY DEVELOPMENT AND CULTURAL SERVICES	7
	<i>A summary of the activities undertaken by the Community Development Officer for the Southern Rural area since the meeting of the Committee held on 1 June 2006 and events taking place in forthcoming months.</i>	
9.	SCOOTER AND CYCLE TRANSPORT SOLUTIONS (SCooTS) 2 WHEELS PROJECT FOR CAPITAL PLANT AND EQUIPMENT VISIONING FUND REPORT OF THE HEAD OF COMMUNITY DEVELOPMENT AND CULTURAL SERVICES	11
10.	SOUTHERN RURAL COMMITTEE DEVELOPMENT AND AREA VISIONING BUDGETS 2006/2007 REPORT OF THE HEAD OF COMMUNITY DEVELOPMENT AND CULTURAL SERVICES	25
	<i>The current budget balances for the Committee.</i>	
11.	PLANNING APPLICATIONS REPORT OF THE HEAD OF PLANNING AND BUILDING CONTROL	29
	<i>Planning applications for determination by the Committee:</i>	
	1. Taveta, Cowards Lane, Codicote	31
	2. 107 Codicote Road, Welwyn	37
	3. 3 Oakfields Avenue, Knebworth	43
	4. Land West of The Old Coach House, Maydencroft Lane, Gosmore	47
	5. Chapelfoot Farm, Whitwell Road, Langley	53
	6. Chequers House, Chequers Lane, Preston	59
	7. 2 Raymond Cottages, Upper Green, Ickleford	65
	8. 4 The Drive, Wheathampstead	71
12.	PLANNING APPEALS ORAL REPORT OF THE HEAD OF PLANNING AND BUILDING CONTROL	77
	<i>An update for the Committee on any Planning Appeals that have been lodged or determined since the meeting of the Committee held on 1 June 2006</i>	

Future meetings of the Southern Rural Committee will be held on:

24 August 2006
5 October 2006
16 November 2006
21 December 2006
1 February 2007
15 March 2007
26 April 2007

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SOUTHERN RURAL AREA COMMITTEE

THURSDAY 13 JULY 2006

*PART 1 – PUBLIC DOCUMENT

AGENDA ITEM No.

6

TITLE OF REPORT: REFERRAL FROM NORTH HERTFORDSHIRE HIGHWAYS PARTNERSHIP JOINT MEMBER PANEL – 24 APRIL 2006 – THE JOINT MEMBER PANEL DISCRETIONARY BUDGET

In accordance with Minute 57 of the meeting of the North Hertfordshire Highways Partnership Joint Member Panel (attached), the Committee are invited to put forward suggestions for schemes to be funded from the Panel's 2007/2008 Discretionary Budget.

Schemes can be Minuted at tonight's meeting, or put forward in writing to the North Hertfordshire District Manager (Hertfordshire Highways) or the Committee & Member Services team.

NORTH HERTFORDSHIRE HIGHWAYS PARTNERSHIP – JOINT MEMBER PANEL

**Meeting held at the Council Offices, Gernon Road, Letchworth Garden City
at 7.30 p.m. on Monday, 24 April 2006**

57. THE JOINT MEMBER PANEL DISCRETIONARY BUDGET

The NHDM reminded the JMP of the themes for 2006-2007 as agreed at the meeting held on 30 January 2006 (Minute 43 refers) and next provided an update on the projects for 2006-2007 as follows; Royston Town Centre lighting – Phase 2; Vehicle activated signs; The Causeway and Police Row, Therfield; Norton Way, Letchworth; Town Centre enhancements; Additional street lighting in Kimpton; Improved lighting in Codicote; Street signing review in Letchworth; Traffic calming adjacent to Oughtonhead Primary School in Hitchin; Vehicle activated signs in Pixmore Way, Letchworth and High Street, Codicote; and Street Scene enhancement in Howard Drive, Letchworth

The JMP noted the projects for 2006 – 2007 as follows: Street signing in Letchworth; Enhanced maintenance of Letchworth Town Centre; Additional street lighting at bury Plantation Footpath in Royston; Vehicle activated signs in Wymondley Road, Hitchin and in Willian Village.

The NHDM advised the JMP on the Design and Construction aspects of all Hertfordshire Highways Schemes and with particular reference to North Hertfordshire and invited the JMP to submit schemes in order to work up cost estimates well in advance of submittal to the next Discretionary Budget. The JMP noted the caveat expressed by the NHDM in that schemes had to be simple and as design fees can be very expensive and take up large tracts of the budget.

RESOLVED:

- (1) That the update on the schemes in 2005-2006 be noted;
- (2) That the additional schemes proposed for 2006-2007 as identified in Paragraph 5.4 to the report be agreed;
- (3) That members of the JMP be requested to put forward schemes via the Chief Engineer at NHDC;
- (4) That each of the five Area Committees be requested at the meetings scheduled for July 2006 to put forward schemes for the 2007-2008 JMP Discretionary Budget;
- (5) That the North Herts District Manager be requested to take note of the following schemes and make preliminary costings:
 - (a) Convert the pedestrian crossing at Broadway (adjacent to Morrisons supermarket) in Letchworth Garden City to a Pelican crossing;
 - (b) Change the phasing at the Pelican crossing at Paynes Park (adjacent to Lairage Car Park) to give more time to pedestrians;
 - (c) Provide a pedestrian phase to the traffic light control at Cadwell Lane, Hitchin;
 - (d) Provide a pedestrian phase to the traffic light control at junction of A505 and A507 in Baldock.

REASON FOR DECISION:

To ensure that the JMP are updated regularly on scheme progress and allocate funding from the 2006/2007 Discretionary Budget for agreed themes.

SOUTHERN RURAL COMMITTEE 13 JULY 2006
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	AGENDA ITEM No.
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	7
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TITLE OF REPORT: NORTH HERTFORDSHIRE DISTRICT COUNCIL'S PUBLIC CONVENIENCES
REPORT OF THE HEAD OF LEISURE AND ENVIRONMENTAL SERVICES

1. SUMMARY

- 1.1 For Members to note the strategic decision from Cabinet for the North Hertfordshire District Council's Public Conveniences.
- 1.2 To inform Members of the type of internal equipment that will be used in the Public Conveniences.

2. FORWARD PLAN

- 2.1 This report contains a recommendation on a key decision that was first notified to the public in the Forward Plan on the 1 March 2005.

3. BACKGROUND

- 3.1 The consultants presented their options appraisal to Cabinet in May 2006, this is attached as Appendix 1. The following was resolved: -

RESOLVED:

- (1) That, in respect of the proposed Capital improvements to the Public Conveniences, Option 2, as detailed in section 5 of the report, be agreed, subject to the following amendments:-
 - (i) addition of the proposal for improvements to the Hitchin Arcade Public Conveniences, in lieu of the proposed new units for Market Place Square, Hitchin and Mosses Corner, Hitchin, but at the same overall cost of 226,000;
 - (ii) substitution of refurbishment works of £15,000 contained in Option 3 for The Cross, Royston for the £44,000 scheme contained in Option 2;
- (2) That Contract Standing Orders be waived to allow Danfo to be the supplier of the new facilities, with the waiver being justified in terms of the nature of the works and overall quality required, as stipulated in Contract Standing Orders 10.2 (a) and (d), and as referred to in appendix 1b of the consultant's report;

- (3) That Contract Standing Orders be waived to permit a single tender for the cleaning and maintenance of the public conveniences up until the completion of the capital works programme, with the waiver being justified as being in the Council's overall interest to provide a better quality of service at a reduced cost, as stipulated in Contract Standing Order 10.2 (d);
- (4) That those public conveniences identified for closure, as identified in Option 2 in section 5 of the report, and with the exception of the Hitchin Arcade, be closed by no later than March 2007, and that Hitchin Bancroft be closed once the Hitchin Arcade works are completed and the facility open;
- (5) That consultation take place with area committees regarding the location and the external design of the new facilities, where appropriate, and where this is not the case the reports being for information only, with Members being reminded of the need to take account of the requirements of the Council's Planning Code of Practice, as outlined in paragraph 6.3 of the report to Cabinet.
- (6) That the comments of the Scrutiny Committee be noted.

4. KNEBWORTH FACILITIES

- 4.1 The following table shows the work that will be undertaken in Knebworth. The consultants' report provides the detail of each proposal on pages 40-41 of appendix 1.

Location	Description of work	Capital work
St Martins Road	Minor decorative alterations and new time lock doors	£ 13,500
Total		£ 13,500

- 4.2 Page 42 of the consultants' report provides examples of the type of internal equipment that will be used; this is to demonstrate the quality of the product that the Council is aiming to achieve.
- 4.3 Currently, the Council has a contractor that undertakes the maintenance and another contractor that undertakes the cleaning arrangements. To improve the quality of both roles, Cabinet has agreed that Contract Standing Orders be waived to enable the Council to appoint a single contract to undertake the work whilst the capital programme is being carried out, as stated in paragraph 3.1 (3) of this report.

5. FINANCIAL AND RISK IMPLICATIONS

- 5.1 At June 2006 Cabinet was presented with the capital options; they approved the money that is required to undertake the necessary improvements which is shown in the table in section 4 of this report.

6. LEGAL IMPLICATIONS

- 6.1 The Council has the power to provide public conveniences in proper and convenient situations by section 87 of the Public Health Act 1936.

7. HUMAN RESOURCES AND EQUALITIES IMPLICATIONS

- 7.1 None.

8. RECOMMENDATIONS

- 8.1 For Members of Southern Rural Area Committee to note the strategic decision from Cabinet for the North Hertfordshire District Council's Public Conveniences, as stated in paragraph 3.1.

9. REASON FOR RECOMMENDATIONS

- 9.1 To ensure the delivery of project objectives.

10. APPENDICES

- 10.1 Appendix 1 - A Report on a Possible Strategy for Improvements to the Provision of Public Conveniences in North Hertfordshire (Inkpen Downie).

11. CONTACT OFFICERS

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12. CONTRIBUTORS

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TITLE OF REPORTS: CHAMPION NEWS**REPORT OF THE HEAD OF COMMUNITY DEVELOPMENT & CULTURAL SERVICES****1. SUMMARY**

- 1.1 To advise the Committee of the activities and schemes with which the Community Development Officer has been involved since the previous Committee meeting.
- 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. ISSUES – PROJECT/ACTIVITY/SCHEME DETAILS**2.1 Rural Play Day 2006**

This event will take place on the Ashwell Recreation Ground between 11.00am-3.00pm on Wednesday 9 August 2006. The Children Services Team will be providing a variety of fun activities on a drop in basis for the rural community. The event has been widely publicised and included in the NHDC SummerZone brochure, which lists all the activities taking place across the district.

2.2 St Ippolyts Youth Issues

A detached outreach programme of events for the young people who meet at the village recreation ground has been implemented by the Project Youth Worker from the Caldicott Centre Trust, Hitchin, to supplement the existing youth club activities and to ensure an active involvement with young people over the summer period.

2.3 Cockernhoe Youth Issues

Following a meeting with Cockernhoe Parish Council and Hertfordshire Youth Service on 8 June 2006, to develop a programme of activities for young people, which will require volunteer support, a meeting for young people took place on 12 July at the Memorial Hall. An oral update will be given at this Committee meeting.

2.4 Codicote Youth Project (CYP)

The Annual General Meeting took place on the 8 June 2006. The youth club are now meeting at the Peace Memorial Hall on Tuesday evenings supported by 2 part-time youth workers line managed by Hertfordshire Association 4 Young People. A sub-committee has been formed to develop the youth initiatives in the village.

2.5 Arts Development

In discussion with Letchworth Arts Centre's Development Manager, the doors were 'thrown open' to the community of Southern Rural to engage involvement between the providers & sectors working alongside parents to deliver the first ever Southern Rural 'Salt Dough Gnomes on Tour Roadshow', which visited 3 village halls to partner with pre-school playgroups in Breachwood Green on the 19th, Cockernhoe on the 29th & St.

Ippolyts on the 14th June 2006. The events had a high take up, support and were received well.

The events encouraged messy fun with parents and children adding pasta, sequins & lolly sticks etc' for decoration, as well as anything else they found around them to maximise the messiness of the fun play event which was encouraged by the artists.

2.6 Scooter & Cycle Transport Solutions (ScooTS) 'Wheels to work – 'Wheels to learning in North Herts Rural Areas'

Following a presentation of the project and consideration from this Committee for Capital Visioning Funding by the Project Co-ordinator Kevin Green, at the Committee meeting on 1st June 2006, a detailed Capital Plant & Equipment Visioning Report will be presented at this Committee meeting.

2.7 Hertfordshire Rural Youth Partnership

The Partnership met on the 20th June to champion the rural issues for young people and the specific transport issues. An information & travel card is currently being designed with assistance from the 'Voice of Hitchin' Youth Council, as well as a questionnaire going out to the Priory School in Hitchin & Knights Templar School in Baldock in September 2006 to gauge the responses from the rural young people.

2.8 Parish Challenge/Parish Playground/Parish Enhancement/Cleansing Fund & Parish Amenity Capital Investment Fund (PACIF) 2006/07

These funding streams were launched in April 2006 to all Parish Councils and other community organisations that would be eligible to apply for grant-aid to their respective projects, with a closing date for all applications of midday on 31st August 2006.

There is approximately £93,000 of available funds for PC/PP/PE&CF to support and sustain the community projects in Rural North Hertfordshire. For further information on all funding except PACIF contact Garry Gover on 01462 474674, 07789 033213, or email garry.gover@north-herts.gov.uk

There is also PACIF grant-aid of £355,000 available for capital projects in Rural North Hertfordshire. For all enquiries on PACIF contact Peter Underwood on 01438 365392, 07789 033212, or email peter.underwood@north-herts.gov.uk.

A date is being finalised for all applications from both funding streams to be presented to the Parish Challenge Member Panel in December 2006. The Committee will be updated at the 24th August 2006 Committee meeting.

2.9 Regional Grants Advice Seminar

The event took place at the Community Room, North Hertfordshire College - Stevenage Campus on 5th July 2006. Community and Voluntary groups had an opportunity to receive up to date advice and guidance on accessing over 4,000 grant funding streams, including all grants from NHDC, as well as guidance on how to complete an application form and fully meet the criteria. Community and Voluntary groups in the district were advised of the event and encouraged to attend. This Council's Community Development Team are committed to championing the good causes of community support to all groups in maximising the funding opportunities for grant-aid and sustainability of all.

2.10 NHDC Grants Advice Seminar

Took place at the Council offices on the 15th June 2006 and 99% of the Evaluation Forms were returned, commending the success of this first ever event held by this Council. It was very well received by all those attending from Parish Councils & Village Hall Committees and it has enabled a greater understanding of all the grants available from this Council, as well as practical advice on how to complete an application form correctly.

2.11 Grant-aid Publicity

The Council's Communication & Press Team are maximising the publicity for grant-aid supported by this Area Committee, to ensure the community of this district are kept informed of the substantial levels of funding awarded.

2.12 Annual Rural Conference

Will be held on Monday 18th September 2006 at the Council Offices from 5.30 – 9.00pm and combined with the Annual Community Safety Conference. The event is being project managed by the Council's Head of Service for Policy, Planning & Partnerships. All Parish & Town Councils & Parish Meetings have been invited to attend. The programme will focus on the key rural issues across the district, as well as networking and general advice sharing.

3. RECOMMENDATIONS

- 3.1 That the Committee endorses the actions taken by the Community Development Officer to promote greater community capacity and well being for rural communities.

4. CONTACT OFFICERS

- 4.1 Garry Gover (Community Development Officer – Southern Rural Area)
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TITLE: SCOOTER & CYCLE TRANSPORT SOLUTIONS (SCooTS) 2 WHEELS PROJECT FOR CAPITAL PLANT & EQUIPMENT VISIONING FUNDS
REPORT OF THE HEAD OF COMMUNITY DEVELOPMENT AND CULTURAL SERVICES

1. SUMMARY

- 1.1 For the Committee to consider a funding application from the 'SCooTS 2 Wheels Project' for £30,000 from the Area Capital Visioning Fund.

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 project addresses the transport difficulties faced by 2,311 16-24 year old young people living in the rural areas of North Hertfordshire, of which 1846 reside in Southern Rural Wards. Lack of transport, or access to transport, can be a major obstacle for some in accessing employment, training and further education opportunities. This will be addressed by providing 50cc scooters or cycles on a loan basis for a fixed period of time.
- 3.2 A full presentation was given to the Committee on 1st June 2006 by the Project Co-ordinator for a funding consideration by Members of £30,000 from the Area Capital Visioning Fund. Following this presentation, Members raised a number of concerns which will be addressed in Appendix A to this report.

4. STRATEGIC LINKS

- 4.1 The NHDC Corporate Plan highlights the importance of promoting effective & sustainable transport arrangements; and of enabling employment opportunities in rural areas.
- 4.2 The NHDC Rural Strategy highlights the importance of tackling transport issues at off peak & unsociable hours; and of improving transport from villages to town facilities for young people.
- 4.3 This scheme, if successful, will also link into the Strategic Objectives of Partner Organisations such as Hertfordshire County Council & Connexions.

5. LEGAL IMPLICATIONS

- 5.1 The Committee Capital Visioning Budget has already been approved by Cabinet and this project meets the Strategic Objectives of this Council.
- 5.2 Other than adherence to Contract Standing Orders, there are no other legal implications pertinent to this report.

6. FINANCIAL AND RISK IMPLICATIONS

- 6.1 The anticipated total cost of the project in the first year is £110,000, but the request for grant-aid support to the project is £30,000 for the initial 3 years of the project, or £10,000 in each year.
- 6.2 The Committee has £79,600 remaining within its Capital Visioning Budget. The de-minimis limit for items classed as 'Capital Plant & Equipment' is £15,000. This Committee cannot, therefore, apportion an award less than this amount.
- 6.3 Should the Committee agree an amount of £30,000 spread evenly over three years, and the project fail after year one, then the funds would have to be repaid. The rationale for this is that the £10,000 spent would be below the de-minimis limit.
- 6.4 The Council's Risk Manager has been consulted on the project and the Project Co-ordinator has been advised of risk mitigating actions that the Council requires to be in place. There is no foreseeable direct liability on this Council, as the CDA for Herts as the Project Managers, are the Policy Holder for the insurance and will be implementing a full risk assessment procedure.
- 6.5 Based on evidence from similar schemes, and information given by the Project Co-ordinator, Officers perceive that the project has a low risk of failure in its first year.
- 6.6 SCooTS have requested an award that equates to £30,000 of the budget for the Capital Plant & Equipment aspect of the project. Every effort will be made by the Project Co-ordinator to keep costs to a minimum where possible, and in the event the project capital spend is lower than the budget, then unspent funds will be reinvested in the project. NHDC Officers do not envisage any significant underspend, as long as the project is implemented as planned.
- 6.7 Should the Committee agree to fund the project, but the Project Co-ordinator elect to reduce the scope of the project (for example purchase fewer scooters) to save funds elsewhere – then funding could be reclaimed by the Committee.
- 6.8 Community Development Officers have received confirmation from the Accountant for Community Development and Cultural Services, that the proposed grant complies with NHDC Capital Plant & Equipment criteria.

7. HUMAN RESOURCE AND EQUALITIES IMPLICATIONS

- 7.1 In the event that this project is successful, it will lead to an increase in employment and training schemes for young people who experience difficulties in accessing such opportunities as a result of rural deprivation/isolation.

8. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS

- 8.1 Consultation with the Community Development Agency for Hertfordshire has taken place, as well as a full funding presentation to Members at the 1st June 2006 meeting of the Area Committee, for consideration for funding support from the Committee's Capital Visioning Budget for the current financial year 2006/7.

9. RECOMMENDATIONS

- 9.1 That the Committee advise Cabinet that £30,000 of its' Capital Visioning budget be allocated to the Community Development Agency for Herts for this project.
- 9.2 That any award be dependent on the project gaining support (financial or otherwise) from other partner agencies.

10. REASONS FOR RECOMMENDATIONS

- 10.1 This project, if successful, will overcome transport obstacles faced by young people living in rural areas and enable NHDC to achieve goals as laid out in the Corporate Plan 2005-2015 and the Rural Strategy 2005-2010.

11. ALTERNATIVE OPTIONS CONSIDERED

- 11.1 The SCooTS 2 Wheel Project can only succeed with **full** Partnership financial support.

12. APPENDICES

- 12.1 Appendix 1 – Answers to Members questions raised at the 1st June 2006 Southern Rural Area Committee.
- 12.2 Appendix 2 – Project Information Report – 1st June 2006 meeting, NHDC Capital Visioning Budget consideration for the SCooTS Project.

13. CONTACT OFFICERS

- 13.1 Garry Gover (Community Development Officer – Southern Rural)
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13.4 Fiona Timms (Risk Manager – Risk Management & Insurance)
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13.5 Kevin Green (ScooTS Two Wheels Project Co-ordinator)
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14. BACKGROUND PAPERS

14.1 DeFRA Summary Report 'Commission for Rural Communities – tackling rural disadvantage, Wheels to Work: the way forward'.

**Answers to Members questions from 1 June 2006
Southern Rural Area Committee meeting**

1. What evidence is there of the effectiveness of such schemes based on information from existing schemes and what is the risk of the scheme being unsuccessful?
In implementing this scheme in the district, it has been modelled on 40 other successful schemes currently operating throughout the country (as outlined in the 'Commission for Rural Communities' summary report – "Wheels to Work: the way forward" & cited as background papers; and the longest has been established for over 10 years. Continuous/on-going monitoring will ensure full partnership involvement and maximising the success of the scheme.
2. With what organisation(s) does liability lie in the event of an injury to a scheme member, should a claim result through negligence?
The Community Association for Herts (CDA) as the policy holder and scheme provider will be solely responsible for any issues that may arise. This Council's Risk Manager has been consulted on this matter and the Project Co-ordinator has been given the adherence guidelines, in ensuring full compliance and to demonstrate that rigorous checks are undertaken before funding the project, thus eliminating any risk of a possible exposure to a fine from the Health & Safety Executive.
3. How can the scheme ensure that clients do not misuse equipment provided?
Each client would be fully advised of the measures taken by the scheme to address this issue and each clause in the terms and conditions (included in an appendix to this report) must be adhered to. This information will be emphasised throughout the training and enforced through the regular contact with the clients and inspections. Close links with the Police Community Support Officer teams will be crucial to ensure total support to the project.
4. Is there a need for such a service in Knebworth?
The Community Development Agency for Herts advised that the existing transportation in Knebworth does not fully meet the needs of the rural young people in direct links to employment throughout the district. SCooTs would enable a direct route to the workplace.
5. Could the CDA buy cheaper scooters?
The price of the scooter is for a model considered to be fit for purpose and based upon the research obtained from similar successful projects currently in place elsewhere in the country, where the scooter chosen has met all the stringent requirements of reliability.
6. Can the Committee review the project after a year, with a view of deciding whether or not to continue to support the project.
The Project Co-ordinator will be providing quarterly reports to the SCooTS Steering Group and these can be provided to this Committee. An annual report will also be provided directly to this Committee, whilst emphasising the need for long term support.
7. Would any underspend be returned to the Committee?
The success of the project is dependent on budgeting from the outset, to ultimately support additional/future clients and being in keeping with a project run by a not for profit organisation such as the CDA. Every effort will be made to ensure the accuracy

of the project costs, but as with any project, costs can differ from those allowed for. The Project Co-ordinator will make every effort to ensure costs are controlled where possible. Significant underspends are not thought likely.

8. Scooters are not Capital Equipment!

The Council's Finance Officers have now studied the SCooTS project and have advised that it would be eligible for Capital Visioning Funding under the criteria of Plant & Equipment and not Capital Equipment. The de-minimis threshold for funding is £15,000.

9. Background

The Community Development Officer was heavily involved in the recent Spokes Motorbike Project delivered in partnership with the Hertfordshire Youth Service; and experienced at first hand the positive outcomes of a project which provides 1-1 training and road safety of 2 wheel scooters through a structured mentored approach with regular/on-going assessments. The CDO endorses the importance of a professional and structured project which SCooTS will deliver; and the intended successful outcomes in meeting its' SMART objectives.

The Council is and has been a member of the ScooTS Steering Group from the conception of the scheme. Officer time and expertise was also included in the securing of initial funds to launch the Pilot Scheme, with the addition of a limited amount of funds dedicated from the Council's Youth Development Budget.

Project Information

Capital Visioning Budget Funding consideration for the **SCOOTTS** Project

Following a presentation on 1st June 2006 to the Southern Rural Area Committee, a number of questions were raised by members in respect of the grant application from the **SCOOTTS** project.

The information that follows addresses these questions and provides further details of the measures taken in the development and implementation of the project. In support of this information data has also been obtained from a number of existing schemes, this data is referred to throughout this report and summarised in Appendix 1.

1. Wheels to Work (W2W) and Wheels to Learning (W2L) schemes, such as **SCOOTTS**, are well established and have a proven track record. There are approximately 40 operational schemes throughout England, the first of which was established over 10 years ago.

With this large number of schemes and their history of delivering an excellent and value for money service, a wealth of knowledge, information and support is available. An exercise was undertaken by various Partners involved, including North Hertfordshire District Council, to look at existing surveys & this identified gaps in employment opportunities.

In 2002, this led to the publication by the Countryside Agency of; "A good practice guide for developing and implementing Wheels to Work schemes". In 2004 the National W2W Team was established, providing support and information to all schemes, national conferences, regional workshops and an overall co-ordination role. With the support of the Countryside Agency, in 2005 the National Team published; "Wheels to Work – a toolkit of good practice", complementing the earlier Countryside Agency publication.

This comprehensive information and support structure was extensively used in the development of the **SCOOTTS** project, thereby ensuring the scheme benefits from the experience of the existing schemes. This process was further supported by direct contact with and support from Co-ordinators' from several existing schemes.

By developing and implementing the project in this way, the effectiveness of the scheme has been assured as it builds on the experiences, over many years, of a large number of operational schemes. As evidence of the effectiveness of such schemes, a copy of the Commission for Rural Communities report; "Wheels to Work, the way forward" is included. This is a summary report identifying the success

A partnership of North Hertfordshire District Council, Hertfordshire County Council (Highways, 16-19 Transport Partnership & Road Safety), Hertfordshire Rural Transport Partnership, Community Development Agency for Herts, East of England Development Agency, Jobcentre Plus, Connexions, North Hertfordshire College and Hertfordshire Association 4 Young People

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Registered Charity 1075224 – A member of ACRE, NACVS, NCVO



of a number of schemes and the benefits to the participants and the wider communities.

In the Eastern Region there are currently 4 schemes operating in North Hertfordshire, Norfolk (covering whole county and the project commenced 5 years ago and currently operating 205 scooters, with 553 clients provided with loan scooters in the last 12 months), Essex (Uttlesford District Council are hosting the project) & Bedford (currently being developed).

2. The safety of clients whilst riding is clearly an important area, and whilst it is not possible to remove the risks entirely, all reasonable steps have been taken to mitigate the risks.

Rigorous training is provided, far in excess of the statutory requirements of the Compulsory Basic Training (CBT). Once clients have completed the CBT, they receive additional training by way of the Rural Riding Training (RRT). This element of the training focuses on the additional and different hazards that can be experienced in rural areas, which is of particular relevance to the scheme's clients'. In addition, clients also attend a presentation from the Driving Standards Agency focusing on road safety and emphasising the importance of riding attitude.

This extensive training provides participants of the scheme with a high level of skill and information enabling them to ride safely, considerately and responsibly at all times. Furthermore, the scooters are maintained to a very high standard with monthly checks completed in addition to the routine servicing.

This rigorous approach to the safety of the clients demonstrates that all reasonable steps to mitigate the risks have been taken, this being endorsed by the low accident rate (7.9%) experienced by established schemes. Of these accidents, only 1.6% involved any injury to the rider, with only 1 person (0.1%) suffering a serious injury.

The risk of claims against the scheme for negligence are also minimised through this comprehensive approach, in fact, no such claims have been made against existing schemes. Whilst the risk has been addressed, it has not been ignored. As the scheme operator, and therefore the organisation liable for any claims that were made, CDA for Herts has public and employers liability insurance in place of £5 and £10 million respectively.

3. The potential misuse of scooters is another area where all reasonable measures have been taken to address and minimise any difficulties.

From the initial application, and throughout the loan duration, the issue of misuse of the scooter and abuse of the scheme is treated with high importance. A reference is obtained for all clients and an interview is held at their home address, thereby providing an indication of an applicant's suitability for the scheme. During the interview, the client's responsibilities are discussed at length with an assessment made of their understanding of these responsibilities.

A comprehensive set of terms and conditions must be signed before the loan commences, a copy of these is included for your reference and I draw your particular attention to clauses, 2, 3, 4, 8, 12, 16, 20, 21 and 30.

Whilst the instances of misuse experienced by other schemes are low, 4.1% of clients, regular checks are completed to identify where misuse may be occurring. The links being developed with the Police Community Support Officers in the District support this process further.

Where misuse does occur it will be addressed as dictated by the individual circumstances. For persistent offenders, or in extreme cases, the client will ultimately be removed from the scheme, the rate of such removals being 2.4% (29.9) of clients with existing schemes.

4. Reviewing the progress of the scheme will be an ongoing process with quarterly reports being submitted to the Partnership Steering Group (PSG), with the most recent meeting being on 7 July 2006. This provides a regular opportunity to monitor the effectiveness of the scheme and to make amendments to delivery mechanisms and operational procedures as appropriate. The PSG consists of representatives from all stakeholders, including Officer support from NHDC, ensuring the aims and objectives of all partners are satisfied. Consideration is being given to a NHDC Elected Member representation on this group to look after the interests of the Council and to ensure that the concerns raised by the Southern Rural Area Committee regarding sustainability of the project are addressed.

In addition to these regular reports, it is proposed that an annual report and /or presentation be made to the Southern Rural Area Committee following the end of each financial year. In doing so, the Committee will be provided with full sight of the services delivered by the project and the number of beneficiaries, including those from the Southern Rural area.

This process will demonstrate the effectiveness of the scheme and the value for money it provides, particularly when the requested grant of £30,000 (30% of anticipated capital expenditure) is compared against the potential client base of 2,311 16-24 year olds, of which 1,846 (80%) reside in the Southern Rural area. It is therefore anticipated that were the committee mindful to support the project, the requirements of the Committee would be achieved each year, thereby securing the Committee's support over the three year period. Furthermore, by ensuring the long term support of the committee in this way it is anticipated that any under spend would remain in the project to support additional / future clients.

5. Whilst there is a good public transport network available from Knebworth, this does not necessarily preclude the need for the project in this area. Public transport may not be available at the times required, this being particularly so on weekends or where people may be working shifts. In addition, some work, such as the construction industry, may involve working in many different locations. With the public transport available primarily being North – South, this may also cause problems where East – West travel is necessary.

Even if the 477 16 – 24 year olds living in Knebworth were completely discounted, the Southern Rural area still encompasses 1,369 (75%) of this age group from the remaining rural North Herts total of 1834.

6. As with all other areas of the scheme, the choice of scooter to use was fully explored with many aspects considered, such as; visibility, stability, lighting,



reliability, support and overall value for money. All of which were important factors in the overall process of identifying a model that was fit for purpose, as was the support of a high quality local dealer. The experiences of existing schemes, good and bad, were also considered.

Various scooters were considered with a number of options presented to the PSG for their final decision. The model ultimately chosen, SYM Jet Euro X 50, is used by many of the existing schemes with an excellent track record of suitability and reliability whilst providing value for money.

In summary, I believe the measures taken in the development and delivery of the scheme, a process that has been significantly supported and influenced by the knowledge and experiences gained by existing schemes, will satisfy the Members concerns. The **SCooTS** project mirrors such existing schemes as they have proven to be an effective model of delivery with a successful track record on tackling the types of concerns raised by the Members. This best practice approach will enable the scheme to deliver against the requirements whilst mitigating the concerns raised.

Appendix 1

Via the National W2W Co-ordinator, a request was made for data from all existing schemes in respect of the questions raised by Members. The following information is a summary of the data received from eleven schemes (28% of operational schemes), and represents a 12 month period.

Total No of clients: 979

Total No of scooters: 476

Total No of accidents: 77.8 (7.9%)

of which, No where the rider was; Injured: 15.4 (1.6%)

Seriously injured: 1 (0.1%)

Killed: 0

Total No of negligence claims against the operator: 0

Total No of clients warned over misuse: 39.7 (4.1%)

of which, No ultimately removed from the scheme: 23.9 (2.4%)

NB: The total number of accidents includes all incidents, including minor damage such as broken mirrors etc.

Terms & Conditions

Loan of a 50cc Scooter

The following terms and conditions form an agreement between Community Development Agency for Hertfordshire (“the operator”) and the below named driver to whom the loan is provided (“the client”). The application pack, including the application form submitted by the client, form part of and is included in this agreement. This agreement will remain in place for the full duration of the loan period.

Client’s Details

Name:	DOB:
Address:	Age: years
		
		
Postcode:		

The loan duration will be for a maximum of This period will start on collection of the scooter from the nominated supplier.

1. The client is responsible for the acquisition of a valid provisional or full UK driving licence, a copy of which will be retained by the operator. The client must inform the DVLA of any medical condition that could affect their fitness to ride and warrants they have done so to the operator.
2. The scooter will be used by the client only (i.e. not used by or loaned to any other person at any time), such use being for social, domestic and pleasure (including travelling to and from work or study) only and for no other purpose whatsoever.
3. The client may not ride off road or carry passengers at any time.
4. The safety equipment provided by the operator must be worn at all times when using the scooter, sensible clothing covering the legs and sturdy footwear must also be worn.
5. Security of the scooter is the client’s responsibility, the security lock supplied must be used at all times when the scooter is not in use. Where the client has use of a garage (or similar), the scooter must be locked within the garage overnight. In the event of not securing the scooter properly to deter theft, the client would be charged the insurance excess at the prevailing rate.
6. The client must pay the operator the sum of £45 per month by direct debit. Where the loan commences part way through the month this would be paid pro rata at £1.48 per day. Up to half of this amount may be returned to the client at the end of the loan providing the scooter is returned in the same condition as at the start of the loan.
7. The client is responsible for the cost of all fuel and ensuring the scooter is correctly fuelled.

8. The client will make the scooter available each month for a safety inspection, some of which will be completed at the nominated supplier's premises.
9. The client will make the scooter available for servicing at the specified intervals and for repairs as necessary.
10. The client is responsible for keeping the scooter in a good and clean condition and will complete weekly checks to ensure the scooter is roadworthy. Any faults, defect or concerns must be reported to the operator immediately, these will be rectified through liaison with the nominated supplier.
11. The client is responsible for ensuring that the 2-stroke engine oil is kept correctly topped up, using only the oil provided by the operator (via the nominated supplier).
12. Modifying the scooter in any way (including de-restricting) is strictly prohibited, any attempt to do so will lead to removal from the scheme.
13. The client will comply fully with the law at all times, including the Highway Code, and will be responsible for any fines or penalties imposed.
14. Any accidents must be reported to the operator immediately. Where the accident leads to an insurance claim the client will be responsible for the insurance excess, at the prevailing rate, where they are deemed to be at fault.
15. The client will provide full assistance to the operator in respect of any claim, or alleged claim arising from the use of the scooter.
16. The operator must be informed, immediately and in full, of any change in the client's circumstances since completion of the application form. This includes any motoring endorsements / offences / convictions or criminal convictions.
17. The scooter will be returned to the operator (via the nominated supplier) with a full tank of fuel at the end of the agreed loan period and must be in the same condition to that at the start of the loan.
18. Any repairs or maintenance necessary as a result of neglect, negligence or failure to comply with the terms and conditions in full will be charged to the client up to a limit equivalent to the insurance excess at the prevailing rate.
19. The client may be required to participate in publicity of the scheme from time to time and agrees to the taking of and use of photographic material including images of themselves to this end.
20. Any criminal damage caused to the scooter or other property arising from use of the scooter will be subject to prosecution.
21. The scooter must not be operated under the influence of alcohol or drugs and advice must be sought from your doctor in respect of any prescribed medication.
22. The client acknowledges that use of the scooter is at their own risk and that the operator accepts no responsibility and cannot be held liable for any injury or death sustained as a result of participating in the scheme.
23. The scooter will be taxed and insured by the operator and provided with breakdown cover, a heavy duty security lock, 2-stroke oil and where appropriate, MOT.
24. The insurance policy covers only the insured scooter belonging to the operator and no other vehicle whatsoever. The operator does not provide any personal accident cover on behalf of the client or any other individual.
25. The operator will pay the cost of the Compulsory Basic Training (CBT) and the Rural Riding Training (RRT) courses, the client being responsible for their own travel arrangements, at their expense, to and from the training centre.
26. Follow up classroom based training will also be provided by the operator, the client must attend one of these training sessions as soon as is practically possible.

27. The operator will provide and issue (via the nominated supplier) the client with the following safety equipment; a full face helmet, pair of winter gloves, armoured jacket, waterproof over trousers and a hi visibility vest. This equipment must either be returned to the operator at the end of the loan or can be purchased by the client for a nominal fee.
28. The operator will cover the full cost for servicing and maintenance of the scooter resulting from fair wear and tear and where all conditions of the scheme have been adhered to in full.
29. The scooter will remain the property of the operator at all times, as will the safety equipment unless purchased by the client at the end of the loan period.
30. The operator has the right to withdraw the scooter at any time.

I, the client, hereby agree to abide in full with the terms and conditions as listed;

Name:

Signature: Date:

I, the parent / legal guardian of the client, agree to their participation in the scheme and will endeavour to see that they comply with the terms and conditions in full;

(To be completed where the client is under 18 years of age)

Name:

Signature: Date:

I have interviewed the above named client and find them to be a suitable person to participate in the scheme.

Name: Kevin Green

Position: Two Wheels Co-ordinator

Signature: Date:

Kevin Green
Two Wheels Co-ordinator
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**SOUTHERN RURAL COMMITTEE
13 JULY 2006**

**The attached item is an update for the Committee produced subsequent
to the report included in the published agenda.**

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

9

**TITLE: SCOOTER & CYCLE TRANSPORT SOLUTIONS (SCooTS) 2 WHEELS PROJECT FOR
CAPITAL PLANT & EQUIPMENT VISIONING FUNDS
REPORT OF THE HEAD OF COMMUNITY DEVELOPMENT AND CULTURAL SERVICES**

Attached is a further update for the Committee received subsequent to the agenda being
published.

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Scoots Project Update for Southern Rural Committee

1. Funding

Hertfordshire County Council Highways have already provided £35,000 to fund the project through to March 2007. A follow on commitment has now been made by Highways to provide funding for a further three years from April 2007 onwards. The anticipated level of funding is likely to be substantial and in the region of funds made available to date. However, it is still to be finalised, though confirmation is expected by the end of July 2006.

In addition, the project has also been in discussion with Hertfordshire County Council regarding funding via the Local Transport Plan (LTP). At a meeting with HCC held on 5th July 2006, it was agreed that the project contributes towards the stated LTP targets and could therefore benefit from funding. Provisional amounts of £50,000 per year (commencing April 2007) for four years were discussed, again with confirmation being expected by the end of July 2006.

A small grant request of £2,000 has also been submitted to Herts Council for Voluntary Youth Services (HCVYS). From feedback received, the project is confident of being awarded the grant, for which it could re-apply each year.

The project is also in the final stages of submitting an 'expression of interest' for long term funding from The Big Lottery. This particular funding stream (Reaching Communities) supports grants of up to £500,000 for up to a 5 year period, with at least 90% of this being revenue. The project is an excellent fit to the grant criteria, as confirmed by two other Wheels 2 Work schemes being invited to submit full grant requests following their initial expression of interest.

2. Clients

The project, in its pilot stage, has secured a total of five clients since March 2006, three of which are from the Southern Rural area. In addition, there have been six enquires regarding the project as summarised below;

- Three active enquiries, all of which are in the Southern Rural area.
- Two closed enquiries, one of which was from the Southern Rural area. In both cases the young people enquiring did not proceed with the project as their parents purchased a second hand scooter for them.

Potential clients accessing scheme over the programmes next 3 year term

- 2007/08 – Up to 60 clients
- 2008/09 – Up to 90 clients
- 2009/10 – Up to 90 clients

NB: Based on an average of 2.5 clients per annum for each scooter

3. Partners

Two further partners have now agreed to support the project; Hertfordshire Constabulary and Ridgmond Training.

Hertfordshire Constabulary have agreed to officially support the project by becoming a partner. A meeting has been arranged with senior officers to formalise this relationship, a presentation of the project will also be made to Police Community Support Officers (PCSOs) working in the North Herts area. As a result, PCSOs will support the monitoring of clients throughout the district and be in a position to identify young people that may benefit from the scheme.

Ridgemoor Training is based in Stevenage and provides training and apprenticeships for construction industry skills. The project is discussing possible financial support from Ridgemoor Training for clients attending one of their courses.

**TITLE OF REPORT: SOUTHERN RURAL COMMITTEE DEVELOPMENT & AREA
VISIONING BUDGETS 2006/2007**

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.

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. ISSUES – FUNDING DECISIONS TO BE MADE

- 3.1 Members received a funding presentation from Kevin Green as the Project Coordinator for the SCooTS 2 Wheel project at the 1 June 2006 Committee meeting. Members are asked to consider what level of funding is to be supported from the Capital Visioning Budget. A separate report for funding consideration is being presented at the Committee meeting.
 - 3.1.1 Members are advised that the de-minimis level for Capital Plant & Equipment Visioning budgets is £15,000 and this will need to be considered in any recommendation for funding for the SCooTS Project.
 - 3.1.2 Members are advised that in consideration of funding support for Capital Plant & Equipment Visioning funding from the Committee's Budget, the Committee only have powers of recommendation and that any recommendations will need to have Executive approval by Cabinet.
- 3.2 In excess of 170 parish based organisations have been made aware of the bi-annual opportunity for grant assistance from the Southern Rural Discretionary budget for the new financial year 2006/7. This will enable even more organisations/groups to benefit and sustain their projects.
- 3.3 Members should note that the Area Committee Development Discretionary budget for 2006/7 is £30,510 and that £6,300 has been allocated for the Member Discretionary Awards of £700 per Member.

- 3.4 The first tranche of applications for awarding from the 2006/7 Discretionary budget will be presented to the Committee on 24th August 2006. The closing date for applications will be 14th July 2006.
- 3.5 The second tranche of applications will be presented to the Committee on 1st February 2007. The closing date for applications will be 15th December 2006.

4. LEGAL IMPLICATIONS

- 4.1 The Committee has delegated powers to administer funds from the budgets described. The Committee only has powers of recommendation for the Capital Visioning Budget, as Executive approval can only be granted from Cabinet.
- 4.2 There are no other legal implications pertinent to this report.

5. FINANCIAL AND RISK IMPLICATIONS

- 5.1 Members are asked to note the information detailed in Appendix 1 of the report, which relates to the Area Committee budget balances for the current financial year 2006/7.
- 5.2 The spreadsheet also details the pre-allocations carried forward from the previous financial years 2004/5 & 2005/6 to the current financial year 2006/7.
- 5.3 In addition, the spreadsheet includes the balances and past expenditure relating to the allocated Revenue Visioning & unallocated Capital Visioning Budgets available to the Committee.
- 5.4 The Committee has a total Base Budget of £30,510 to allocate in 2006/7.
- 5.5 The Committee has a total Capital Visioning Budget of £79,600 to allocate in 2006/7. The de-minimis for Capital Plant & Equipment Visioning Funds is £15,000.

6. HUMAN RESOURCE AND EQUALITIES IMPLICATIONS

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

7. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS

- 7.1 Consultation with the respective Ward Members will take place in connection with the pre-allocation of funds for community projects for the current financial year 2006/7.

8. RECOMMENDATIONS

- 8.1 The Committee is asked to note the budgetary expenditure, balances and carry forwards from the Ward Development Budgets and the allocated & un-allocated Visioning Budgets.

- 8.2 Members are asked to consider the level of funding support for the SCooTS 2 Wheel Project from the Capital Visioning Budget. This is being presented to Members for consideration in the separate Capital Visioning Report at this Committee meeting.
- 8.3 Members are to note that the de-minimis for Capital Plant & Equipment Visioning funding support from the Committee's Budget is £15,000.
- 8.4 Members only have powers of recommendation for funding support from the Committee's Capital Visioning Budget. Powers of approval for all recommendations will need Executive approval by Cabinet.

9. REASONS FOR RECOMMENDATIONS

- 9.1 The awarding of financial assistance to voluntary and community organisations, schemes and initiatives.

10. APPENDICES

- 10.1 Appendix 1 – Spreadsheet of Committee Delegated Budgets 2006/7.

11. CONTACT OFFICERS

- 11.1 Garry Gover (Community Development Officer – Southern Rural)
Telephone: 01462 474674
E Mail: garry.gover@north-herts.gov.uk
- 11.2 Steve Smither (Directorate Accountant – Customer Services)
Telephone: 01462 474556
E Mail: steve.smither@north-herts.gov.uk

Spreadsheet of Committee Delegated Budgets 2006/2007

SUMMARY/ TOTALS	Funding	Allocated	Spent	Outstanding	Unallocated Budget				
Visioning	£103,229	£23,629	£6,493	£17,136	£79,600				
Discretionary Budget 0607	£24,210	0	0	0	£24,210				
Member Discretionary Budget 0607	£6,300	£0	£0	£0	£6,300				
Preallocated Amounts carried forward from 0506	£8,215	£3,698	£0	£3,698	£1,060				
Visioning & Discretionary Total	£138,497	£27,327	£6,493	£20,834	£111,170				

VISIONING	Funding	Year Allocated	Project	Allocated	Date	Spent	Outstanding	Unallocated	Comments
Preallocated Budgets Brought Forward from 05/06	£23,080	2005/06	Southern Rural - Village Halls	£990	16.03.06	£0	£990		
Plus £49 underspend on Codicote Parish Council	£49	2005/06	Southern Rural - HAYP Youth Project	£6,000	16.03.06	£6,000	£0		
Plus £500 from reallocated of Holwell Village Hall Grant	£500		Southern Rural - Community Events	£500	16.03.06	£53	£447		
			Southern Rural - Lunch Link Up Club	£1,000	16.03.06	£350	£650		
			Southern Rural - Volunteers	£1,000	16.03.06	£0	£1,000		
			Southern Rural - Parish Plans	£4,150	16.03.06	£0	£4,150		
			Southern Rural - Youth Events	£1,500	16.03.06	£90	£1,410		
			Southern Rural - Anti Fly-tipping	£8,489	16.03.06	£0	£8,489		
Capital Visioning SR	£79,600								
Total	£103,229			£23,629		£6,493	£17,136	£79,600	

DEVELOPMENT BUDGETS	Funding	Project	Allocated	Date	Spent	Outstanding	Unallocated Amount	Comments
Preallocated Funds Brought forward from 2005/2006:	£7,204	Codicote Peace Memorial	£500	02.02.06	£0	£500		
less underspend of £49 - Codicote Parish Council	-£49	Preston Cricket Club	£1,000	02.02.06	£0	£1,000		
less projects now spent and completed	-£2,957	Preston Tennis Club	£448	02.02.06	£0	£448		
less Holwell Village Hall grant reallocated to Anti Fly Tipping	-500	Offley Parish Council	£1,000	02.02.06	£0	£1,000		
		Pirton Parish Council	£750	02.02.06	£0	£750		
Youth Projects (CF 0405)	£1,060							
Base Budget 06/07	£24,210		0		0	£0	£24,210	
Member Discretionary Awards £700 per Member	£6,300		£0		£0	£0	£6,300	
Total	£35,268		£3,698		£0	£3,698	£31,570	

**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

ITEM	REF NO	LOCATION DESCRIPTION	CONTACT OFFICER	PAGE
1.	06/00538/1	Taveta, Cowards Lane, Codicote, SG4 8UN Erection of two 4-bedroom detached dwellings with garage provision for both dwellings attached to Plot 1 following demolition of existing dwelling.	Helen Caldwell 01462 474418	31
2.	06/00378/1HH	107 Codicote Road, Welwyn, AL6 9TY Raising of roof of bungalow to facilitate the creation of a first floor including 3 front dormers and 2 dormer windows to each side and a part single part two storey rear extension.	Helen Caldwell 01462 474418	37
3.	06/00506/1HH	3 Oakfields Avenue, Knebworth, SG3 6NP Extension of roof to form half hipped end on west elevation; replacement dormer windows; replacement single garage following demolition of existing	Joanne Cousins 01462 474418	43
4.	06/00697/1	Land West of The Old Coach House, Maydencroft Lane, Gosmore, SG4 Replacement stable blocks following demolition of existing stable building	Joanne Cousins 01462 474418	47

5.	06/00735/1HH	Chapelfoot Farm, Whitwell Road, Langley, SG4 7PW Alterations to existing vehicular access including the erection of 1.5m boundary walls and 1.8m gates. Provision of new driveway. (As amplified by plans received 16th June 2006.)	Naomi Gould 01462 474318	53
6.	06/00466/1HH	Chequers House, Chequers Lane, Preston, SG4 7TY Detached garage with games room in attic. Addition of garden room to rear elevation. Front entrance porch	Victoria Woodbridge 01462 474543	59
7.	06/00564/1HH	2 Raymond Cottages, Upper Green, Ickleford, SG5 3YE Single storey rear extension.	Victoria Woodbridge 01462 474543	65
8.	06/00665/1	4 The Drive, Wheathampstead, St Albans, AL4 8LF Detached dwelling (design, external appearance and landscaping reserved) as amended by plan no's 133-PL-01 Rev C and 133-PL-02 Rev C received on 22nd May 2006.	Tom Rea 01462 474565	71

ITEM NO: 1	<u>Location:</u>	Taveta, Cowards Lane, Codicote, SG4 8UN
	<u>Applicant:</u>	Mr & Mrs T Brindley
	<u>Proposal:</u>	Erection of two 4-bedroom detached dwellings with garage provision for both dwellings attached to Plot 1 following demolition of existing dwelling.
	<u>Ref.No:</u>	06/00538/ 1
	<u>Officer:</u>	Helen Caldwell 01462 474418

Date of expiry of statutory period : 26 May 2006

Reason for Referral to Committee: Parish Council objection contrary to officer recommendation and one of the applicants is a Local Councillor.

1. Relevant History

- 1.1 Permission granted in October 2001 for a two storey rear extension to the existing dwelling.

2. Policies

- 2.1 **North Hertfordshire District Council Local Plan No2 with Alterations**
 Policy 5 – Excluded Village.
 Policy 26 – Residential Primary Use.
 Policy 55 - Car Parking Standards
 Policy 57 - Residential Development and Guidelines.

3. Representations

- 3.1 **Codicote Parish Council** - object for the following reason:
 " It is crowded and overdeveloped. The elevation is too high and the development is not in keeping with other properties in Cowards Lane."
- 3.2 **Hertfordshire Highways** - No objection subject to conditions.
- 3.3 **Local residents/site notice and press publicity** - the occupier of Greenacre, Cowards Lane comments that he has experienced many changes to Cowards Lane all of which have been carefully considered to date and have retained the character of this country lane. He considers the " latest development on the site of Bangala looks very promising and I have heard many favourable comments. All of the properties in the lane are blessed with a reasonable frontage with no sign of cramming or over development. The proposal for Taveta.....if granted is going to change the character of the whole lane and will be detrimental to the current property owners.....the frontage is insufficient for two 4 bedroom dwellings."

4. Planning Considerations

4.1 Site & Surroundings

- 4.1.1 The application site is a large detached bungalow set in a spacious garden on the edge of Codicote village. The site is off a quiet rural lane that is generally characterised by large detached dwellings, mainly bungalow or chalet bungalows in design. However, to the west of the site is a two storey dwelling. Opposite the site is a newer residential cul de sac of more modest, higher density modern properties. Permission for two detached dwellings replacing a large detached bungalow, known as "Bangala", on a spacious plot to the east of the site are presently under construction. Further to the east of Cowards Lane from the dwellings under construction are two other modern detached dwellings.

4.2 Proposal

- 4.2.1 The proposal involves the demolition of a 1930's built detached bungalow on a large plot and its replacement with two 4 bedroom detached dwellings.

4.3 Key Issues

- 4.3.1 The application site is in an excluded village which under Policy 5 of the Local Plan allows for the erection of dwellings within the built confines of the village providing the development is compatible with the maintenance and enhancement of village character and maintains Green Belt boundaries.
- 4.3.2 The existing dwelling, although lower in height than the proposed dwellings, extends across the width of the site. The proposed dwellings will take up much of the width of the site, however, there will be a gap through the centre of the site which is enhanced by the hipped ends to the rooflines of both dwellings. This will enable views through to the open countryside beyond.
- 4.3.3 The proposed dwellings have been designed to be sympathetic to the character and setting of the road; the dwellings are chalet style, with dormer windows and hipped rooflines. This ensures that the visual impact of the development would be in keeping with the street scene.
- 4.3.4 The dwellings have a single garage to the front of each property arranged 'side by side'. Their position to the front of the houses follows a similar arrangement of detached garages built in the front garden of properties in Cowards Lane and most recently the development to the east of the site.
- 4.3.5 The proposed dwellings introduce first floor side windows to serve bathrooms and en suite facilities. These are shown as having obscure glazing and will not result in a loss of privacy to adjoining neighbours. Whilst there are landing windows shown on the first floor side elevation which would overlook each other, since they are not to habitable rooms this would not give rise to sustainable planning grounds to object to this arrangement. The buildings would be a minimum of 1m away from the site boundaries of each plot and would not cause loss of light or privacy to adjoining residents.
- 4.3.6 Whilst ideally the roof height of Plot 2 would be better if it were to be stepped down to reflect the development being built to the east, this view is counter balanced by Plot 1 relating well to the height of the existing property, "Markwell" that adjoins the site to the west.

4.3.7 The proposal provides adequate on site car parking for each dwelling; each plot being provided with one garage space and two parking spaces on the drive. The development would utilise the two existing openings on the site to provide access to both plots.

4.4 **Conclusion**

4.4.1 The proposal complies with Local Plan policies 5 (Excluded Village), 55 (Car Parking Standards) and 57 (Residential Guidelines and Standards) and does not adversely affect the visual or residential amenities of the area.

5. **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. **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 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. Details of landscaping of the site including the hedge and trees to be retained and the proposed species and size and density of planting, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works on site.

Reason: To ensure a satisfactory appearance upon completion of the 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. Details of Boundary screening of the site shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works on site. The approved screening shall be installed prior to the occupation of the first dwelling and shall thereafter be permanently maintained.

Reason: To ensure adequate appearance upon completion of the development and prevent loss of privacy to adjoining residents.

Reason for Decision

The proposed dwellings hereby granted planning permission would have no adverse impact on the visual or residential amenity or car parking standards and complies with the relevant provisions of the development plan as summarised below:

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

North Hertfordshire District Local Plan No2 with Alterations:

Policy 5 – Excluded Village.

Policy 26 – Residential Primary Use.

Policy 55 – Car Parking Standards.

Policy 57 - Residential Development and Guidelines.

ITEM NO: 2	<u>Location:</u>	107 Codicote Road, Welwyn, AL6 9TY
	<u>Applicant:</u>	Mr & Mrs G Dinneen
	<u>Proposal:</u>	Raising of roof of bungalow to facilitate the creation of a first floor including 3 front dormers and 2 dormer windows to each side and a part single part two storey rear extension.
	<u>Ref.No:</u>	06/00378/ 1HH
	<u>Officer:</u>	Helen Caldwell 01462 474418

Date of expiry of statutory period: 04 May 2006

Reason for Referral to Committee: Called in at the request of the local Councillor.

1. Relevant History

- 1.1 Permission granted in 1984 for a single storey rear extension.
- 1.2 Permission refused in January this year for the raising of roof and creation of first floor including front dormer and 2 dormers on side elevation. Two storey rear extension for the following reasons:

1) The application site is within an area designated in the Hertfordshire County Structure Plan Review 1991 - 2011 and the North Hertfordshire District Local Plan No 2 with Alterations as Green Belt. Within that area there is a presumption against inappropriate development unless very special circumstances can be demonstrated to justify the grant of planning permission. In the view of the Local Planning Authority the proposal is not supported by such circumstances and neither can it be dealt with as an exception to this policy, by virtue of Policy 30 of the North Hertfordshire District Local Plan No 2 with Alterations, as it would result in a significantly greater impact upon the locality, which would harm the openness of the Green Belt.

2) The proposed extension by reason of its scale and height would adversely affect the residential amenity of the occupier of 109 Codicote Road, through loss of light and privacy and overbearing impact of the increased roof height.

2. Policies

- 2.1 **Hertfordshire Structure Plan Review 1991 -2011**
Policy 5 - Green Belt.
Policy 25 - Car Parking/Supplementary Planning Guidance: Car Parking Provision at New Development.
- 2.2 **North Hertfordshire District Local Plan No 2 with Alterations**
Policy 2 - Green Belt
Policy 30 - Replacement or Extension of Dwellings in the Countryside.

Policy 55 - Car Parking Standards.

3. Representations

3.1 Codicote Parish Council - " no objection "

3.2 Local residents/site notice and press publicity - the occupier of 109 Codicote Road objects to the proposal for the following reasons:

- Loss of light - the increase in the height of the dwelling combined with the relationship of three bedroom windows on the side elevation to the application dwelling will cause loss of light to those rooms.
- Loss of privacy - the proposed plans include the installation of two dormer windows and a lower ground floor window . These windows will overlook or will be directly opposite the complainant's bedroom windows.
- The rear extension will be overbearing as it is more than two storey due to the level differences from the front and rear of the site.

The occupier of **105 Codicote Road** supports the application for the following reasons:

- 107 Codicote Road is one of the few properties along that road that has not been extended.
- the property is two bedroom only where most of the other properties have been extended in the past to make proper family sized homes.
- The extension will serve to enhance the property and character of the area.

4. Planning Considerations

4.1 Site & Surroundings

4.1.1 The application site comprises a modest hipped roof detached bungalow with a large rear garden. The property forms a row of properties that are otherwise surrounded by open countryside. The dwelling to the north, 109 Codicote Road, is a gable end roofed bungalow. The property to the south, 105 Codicote Road is a chalet style bungalow which has previously been extended. There is open countryside to the front and fields to the rear of the site. The garden at the rear falls away from the house , dips and then rises at the end of the garden.

4.2 Proposal

4.2.1 The proposal involves the increase of the roof height of the bungalow to create a gable end roofed chalet style bungalow with rooms in the roof. Three dormer windows are proposed in the front elevation with two dormer windows to each side elevation. The proposed overall increase in roof height is shown as 1 m, although because of the change of the roof design from hipped to gable end there would be an increase in roof mass to the front and side elevations.

4.2.2 The site slopes downhill quite steeply to the rear of the site and as a consequence the applicant proposes to utilise the difference in levels so as to create a 2. 8 metre deep two storey rear extension, with the single storey element being 5 metres in depth. The property has a long driveway and there is adequate on site car parking provision.

4.3 Key Issues

4.3.1 As members will note this application has been called in by the local Councillor for

the following reasons;

- the proposed developments to the side and rear are substantial in height and footprint. This affects light and privacy to ground floor bedroom windows of 109 Codicote Road.

There will be an increase of floor space from 118 sq m to 260 sq m. This may be considered to be inappropriate in the Green Belt detracting from the openness.

4.3.2 Principle of Development

The site is within the Green Belt and as such any proposal should be modest and retain the open character of the area. The applicant has discussed amendments to the scheme since the refusal of the last planning application and has modified the rear extension and the roof height of the proposed dwelling to take into account the reasons for refusal. The overall bulk of the scheme has been reduced, specifically the roof height by 0.7 metres and the depth of the two storey rear extension. Accordingly, the reduction in size, height and bulk of the scheme has satisfactorily dealt with my previous objections, such that I consider it now complies with Policy 2 (Green Belt) and 30 (Replacement or Extension of Dwellings in the Countryside) of the District Local Plan,

4.3.3 Residential Amenity

The second reason for refusal on the last application related to the loss of light and overbearing impact on the adjoining neighbour at 109 Codicote Road. The length of the two storey rear extension has now been reduced from 5 metres to 2.8 metres, with part of the extension being single storey only.

4.3.4 The proposed side dormer windows serve en suite bathrooms and landing areas only. These are non habitable rooms and will not result in a loss of privacy. The en suite bathroom windows can be conditioned to be non opening and opaque glazing only. The neighbour at 109 Codicote Road has expressed concern at overlooking from the windows into his own bedroom windows. However, the existing ground floor elevation has a glazed door into the kitchen and a bathroom window on that side. The proposal uses one of these existing openings to serve the study and blocks up the existing door and creates a new window opening for the living room. I do not consider these changes would lessen the privacy of the neighbour than currently exists.

4.3.5 The proposed two storey , chalet style extension is in keeping with properties in the street scene and is in character with the area. The dwelling has a large rear garden and adequate car parking to the front and side of the property. The overall size of the resultant dwelling does not affect the open character of the Green Belt and is a size similar to those nearby.

4.3.6 Other Matters

The proposal will result in a four bedroom dwelling with provision for at least three cars and accordingly complies with Policy 55 (Car Parking Standards) of the Local Plan.

4.4 **Conclusion**

4.4.1 The proposal complies with Policies 2 (Green Belts), 30 (Replacement or Extension of Dwellings in the Countryside) and 55 (Car Parking Standards) of the adopted Local Plan and accordingly I recommend that planning permission is granted.

5. 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. 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 materials to be used on all external elevations and the roof of the development hereby permitted shall match as closely as possible those used on the existing dwellinghouse.

Reason: To ensure that the development is sympathetic in appearance to the existing dwellinghouse and does not detract from the character and appearance of the surrounding area.

4. The windows at first floor level on the side elevations of the development hereby permitted shall be non opening and permanently glazed with obscure glass.

Reason: To safeguard the privacy of the occupiers of the adjacent dwelling.

Reason for Decision

The development hereby permitted would have no adverse impact on the character of the neighbourhood, the amenities of local residents or on highway conditions in the vicinity of the site and as such complies with the relevant provisions of the development plan as summarised below:

Hertfordshire Structure Plan Review 1991 -2011

Policy 5 - Green Belt.

Policy 25 - Car Parking/Supplementary Planning Guidance: Car Parking Provision at New Development.

North Hertfordshire District Local Plan No. 2 with Alterations

Policy 2: Green Belt
Policy 30: Replacement or Extension of Dwelling in the Countryside.
Policy 55: Car Parking

ITEM NO: 3	<u>Location:</u>	3 Oakfields Avenue, Knebworth, SG3 6NP
	<u>Applicant:</u>	Mr & Mrs Ambrose
	<u>Proposal:</u>	Extension of roof to form half hipped end on west elevation; replacement dormer windows; replacement single garage following demolition of existing
	<u>Ref.No:</u>	06/00506/ 1HH
	<u>Officer:</u>	Joanne Cousins 01462 474418

Date of expiry of statutory period: 23 May 2006

Reason for Delay: Committee Cycle

Reason for Referral to Committee: Parish Council objection contrary to officer recommendation.

1. Relevant History

- 1.1 Permission refused and a subsequent appeal dismissed in 1998 for a first floor addition to the existing bungalow.
- 1.2 In May 1999 permission granted for the extension of the property to the front, side and rear, incorporating a new roof to provide additional ground floor and new first floor accommodation.
- 1.3 In December 1999 permission granted to replace the dwelling to provide the accommodation as described in 1.2 above.

2. Policies

2.1 North Hertfordshire District Local Plan No 2 with Alterations

Policy 5 - Excluded Villages
 Policy 28 - House Extensions
 Policy 57 - Residential Guidelines and Standards

3. Representations

- 3.1 **Knebworth Parish Council** - object for the following reason:-
 'The proposal to extend the roof changes the view of the dwelling from a bungalow to house which was not approved when the house was rebuilt. This would alter the street scene in Oakfields Avenue.'

4. Planning Considerations

4.1 Site & Surroundings

- 4.1.1 The application site comprises a detached dwelling located on the southern side of the road close to the junction with Oakfields Road. The property is set forward of its neighbour, 5 Oakfields Avenue and has a detached garage set adjacent to the rear boundary.

4.2 Proposal

- 4.2.1 The application seeks planning permission for a first floor side addition to the existing roof, changing the hipped roof to a half-hip feature. This extension would not increase the ridge height of the building or its current foot print. The existing front and rear dormers would be replaced with larger 1.8m wide dormers with pitched roofs. The extension would provide enlarged bedroom facilities and a main bathroom at first floor level. The bathroom would have a window facing 5 Oakfields Avenue shown to be glazed in obscure glass, positioned over a new tiled canopy storm porch on the side (west) elevation. The development is shown to be finished using facing bricks, waney edge boarding and roofing tiles to match the existing building.

- 4.2.2 The proposals include the demolition of an existing garage to the rear of the property and the construction of a replacement single garage. The new garage would be located 2.5 metres to the rear of the main dwelling, adjacent to the boundary with 5 Oakfields Avenue. The garage would be 6.3 metres deep by 3.2 metres wide with a pitched roof, it would be finished in materials to match the existing dwelling.

4.3 Key Issues

- 4.3.1 The key issues associated with this application relate to the effect the proposals would have upon adjacent residential amenity and whether it is in keeping with the existing property and the appearance and character of the street scene, in accordance with the provisions of Policy 28 of the Local Plan.

- 4.3.2 In terms of Policy 28 the additions accord with the policy criteria and reflect the character of the road. The proposals would not cause any material harm to the amenities currently enjoyed by adjacent occupants and have been carefully designed to reduce any visual intrusion so as to respect the privacy of adjoining occupants, by maintaining a front to rear orientation of the main windows at first floor level. Consequently the design, materials, scale and form of development are compatible with both the existing and other nearby dwellings.

- 4.3.3 The views of the Parish Council have been noted. However, the previous permission did change the view of the dwelling from a bungalow to a house. Furthermore, I do not consider the proposed development would significantly alter the street scene in Oakfields Avenue. In this respect there are a variety of designs of property in the street. The height of the property would not be increased and in these circumstances I do not believe that the proposals would cause demonstrable harm to the appearance of the street scene upon which a refusal of planning permission could be justified and subsequently sustained on appeal.

4.4 Conclusion

- 4.4.1 In the absence of any material or sustainable planning objections, I have framed a favourable recommendation accordingly.

5. 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. 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.

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.

Reason for Decision

The extensions, hereby permitted, would have no adverse effect on the amenities of the neighbouring residential properties, the visual amenity of the locality or on highway conditions in the vicinity of the site 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:

North Hertfordshire District Local Plan No 2 with Alterations:-

Policy 5 - Excluded Villages

Policy 28 - House Extensions

Policy 57 - Residential Guidelines and Standards

ITEM NO: 4	<u>Location:</u>	Land West of The Old Coach House, Maydencroft Lane, Gosmore, SG4
	<u>Applicant:</u>	Mr & Mrs Thake
	<u>Proposal:</u>	Replacement stable blocks following demolition of existing stable building
	<u>Ref.No:</u>	06/00697/ 1
	<u>Officer:</u>	Joanne Cousins 01462 474418

Date of expiry of statutory period: 23 June 2006

Reason for Delay: Committee Cycle

Reason for Referral to Committee: One of the applicants is a local Councillor.

1. Relevant History

1.1 None

2. Policies

2.1 **Hertfordshire Structure Plan Review 1991-2011**
Policy 5 - Green Belt

2.2 **North Hertfordshire District Local Plan No. 2 with Alterations**
Policy 2 - Green Belt
Policy 12 - Landscape Conservation Area
Policy 13 - Countryside Area

3. Representations

3.1 **St Ippolyts Parish Council** - no objections

3.2 **Hertfordshire Biological Records Centre** - no comments received

4. Planning Considerations

4.1 Site & Surroundings

4.1.1 The application site is located on the northern side of Maydencroft Lane, adjacent to The Old Coach House, with a dilapidated stable block located along its western boundary. The land to the east and north is in the same ownership and currently consists of a small exercise area and grazing land enclosed with post and rail fencing. These facilities are more than adequate to support the two stables proposed.

4.2 Proposal

- 4.2.1 The application seeks planning permission for the replacement of the existing stable block due to its poor structural condition, with two timber buildings to provide a stable and tack room building and a stable building. The buildings would be of traditional construction and measure 3.6 metres in depth. They would be located one metre apart with the stable and tack room, nearest to Maydencroft Lane, measuring 5.56 metres in width and the stable building having a width of 3.76 metres. The buildings would have a ridge height of 3.5 metres and would be positioned along the western boundary on the foot print of the existing stables. The application indicates some additional planting to the west of the existing vehicular access, extending the existing hedge line to assist the screening of the proposed buildings.
- 4.2.2 It should be noted that the stables currently exist in the grounds of the applicants property, Hindsmount, Maydencroft Lane. The area that they would vacate would be returned to lawn and appropriate planting.

4.3 Key Issues

- 4.3.1 The key issue to the determination of this application relates to whether the proposal is acceptable having regard to its location within the Green Belt, in accordance with national and local policy advice, and the impact upon the visual amenities of this locality.
- 4.3.2 The use of land within the Green Belt for the grazing and keeping of horses and small scale equestrian facilities is generally considered appropriate and is supported through central government advice in Planning Policy Statement 7 - Sustainable Development in Rural Areas. It is important however to ensure that such development respects the environment and the locality. In this respect I am satisfied that the location and position of the development proposed is acceptable, being currently occupied by small scale equestrian buildings, associated grazing and screened by some existing vegetation at the site. The proposals are also within easy access of the applicants dwelling to which they relate. The stable blocks would not be visually prominent in public views and have a design to reflect their intended use and keep the height to a minimum.

4.4 Conclusion

- 4.4.1 In the absence of any sustainable and material planning objections to the proposal I have framed a favourable recommendation accordingly. It would however be expedient in this instance to add a condition to safeguard the intended use to ensure that the development is for private usage only and not as a commercial enterprise, consistent with similar proposals elsewhere in the District. In addition a condition to safeguard the additional hedge planting would be appropriate to ensure that appropriate species are agreed.

5. 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. 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 stables hereby permitted shall only be used in connection with the personal requirements of the applicants and shall not be used for or in connection with any commercial activity.

Reason: The site is within the Green Belt wherein development for commercial purposes would not be allowed unless specific reasons or justification is presented to allow the policy presumption against development to be relaxed.

4. Notwithstanding the details here by submitted, no development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the precise boundary landscaping details to the west of the existing access, including planting types and densities.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenities 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 any of the buildings or the completion of the development, whichever is the sooner; and any trees or hedging 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.

Reason for Decision

The development hereby permitted would by reason of its size, design and location have no adverse impact upon the openness of the Green Belt or the visual amenities of the locality and as such complies with the provisions of the development plan as summarises below.

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

Hertfordshire Structure Plan Review 1991-2011

Policy 5 - Green Belt

North Hertfordshire District Local Plan No. 2 with Alterations -

Policy 2 - Green Belt

Policy 12 - Landscape Conservation Area

Policy 13 - Countryside Area

ITEM NO: 5	<u>Location:</u>	Chapelfoot Farm, Whitwell Road, Langley, SG4 7PW
	<u>Applicant:</u>	Mr and Mrs Ross
	<u>Proposal:</u>	Alterations to existing vehicular access including the erection of 1.5m boundary walls and 1.8m gates. Provision of new driveway. (As amplified by plans received 16th June 2006.)
	<u>Ref.No:</u>	06/00735/ 1HH
	<u>Officer:</u>	Naomi Gould 01462 474318

Date of expiry of statutory period: 29 June 2006

Reason for Delay: Committee cycle

Reason for referral to Committee: Residential Development with a site area greater than 1 hectare.

1. Relevant History

- 1.1 Planning permission was granted in May 2000 for a detached dwelling following demolition of existing dwelling and outbuilding. Permitted development rights as set out in Classes A, B, C, E of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 were removed by condition.

2. Policies

North Hertfordshire District Local Plan No.2 with Alterations
Policy 6 - Rural Areas beyond the Green Belt

3. Representations

- 3.1 **Highways Authority** - Does not wish to restrict the grant of permission subject to the highways conditions recommended below.
- 3.2 **Langley Parish Meeting** - to be reported.
- 3.3 **Site publicity notice** - to be reported.

4. Planning Considerations

4.1 Site & Surroundings

- 4.1.1 The property is a large detached house on a large plot to the north west side of Whitwell Road, close to its junction with the B656 Codicote to Hitchin Road.

4.2 **Proposal**

- 4.2.1 The proposal is for alterations to the existing vehicular access, including the erection of 1.5m boundary walls and gates, and provision of new driveway.

4.3 **Key Issues**

- 4.3.1 The key issues to the determination of this application relate to the acceptability of the proposals in relation to highway and visual amenity issues.
- 4.3.2 Insofar as the alterations to the access are concerned, I believe, the proposal would considerably improve the safety of the access. Following receipt of initial comments from the Highways Authority the form of the access and the length of the visibility splays were amended. The Highways Authority have raised no objections to the amended scheme, subject to the conditions recommended below.
- 4.3.3 The proposed brick wall and gates would be acceptable in design. They would not be highly visible and would maintain the character of the existing countryside. The gates would be hardwood and approximately 1.8m high at their highest point. The walls would be brick and each would have a flint panel. They would be approximately 1.5m high.
- 4.3.4 Whilst hardstandings would usually be permitted development, the proposed drive requires planning permission in this case, because it would involve putting a base course and hard surface, which constitutes engineering works. The proposed road would be a flexible block roadway. The proposed road would run at a right angle to Whitwell Road and then turn at a right angle along the centre of the site to the house. The old tarmac road, which runs parallel to Whitwell Road before turning at a right angle to Whitwell Road toward the house, would be removed. The proposed new road would be acceptable, as it would not be significantly visible from public views and would maintain the character of the existing countryside.

4.4 **Conclusion**

- 4.4.1 The proposal would be acceptable in terms of its visual impact upon the locality and impact on highway conditions in the vicinity of the site.

5. **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. **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. Before the proposal is first brought into use vehicle to vehicle visibility splays of 2.0 metres by 40 metres in both directions from each access shall be provided and permanently maintained from the centre of the accesses. Within which, there shall be no obstruction to visibility between 600 mm and 2.0 metres above the carriageway level. These measurements shall be taken from the intersection of the centre line of the access with the edge of the carriageway of the highway respectively into the application site and from the intersection point along the edge of the carriageway.

Reason: To provide adequate visibility for drivers entering and leaving the site.

4. Any gates provided shall be set back a minimum of 8 metres from edge of the carriageway and shall open inwards to the site.

Reason: To allow a vehicle to wait clear of the carriageway or footway while the gates are being opened and closed.

5. The access shall be constructed in accordance with the approved drawing.

Reason: So that vehicles may enter and leave the site with the minimum of interference to the free flow and safety of other traffic on the highway and for the convenience and safety of pedestrians and disabled people.

6. The access shall be constructed in a hard surfacing material for the first 8 metres from the edge of the carriageway.

Reason: To prevent loose material from passing onto the public highway which may be detrimental to highway safety.

7. The gradient of the access shall not be steeper than 1 in 20 for at least the first 5 metres from the edge of the carriageway.

Reason: To ensure a vehicle is approximately level before being driven off and on to the highway.

Reason for Decision

The development, hereby permitted, would have no adverse effect on the visual amenity of the locality or on highway conditions in the vicinity of the site 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:-

North Hertfordshire District Local Plan No 2 with Alterations

Policy 6 - Rural Areas beyond the Green Belt

ITEM NO: 6	<u>Location:</u>	Chequers House, Chequers Lane, Preston, SG4 7TY
	<u>Applicant:</u>	Mr and Mrs N Stoppard
	<u>Proposal:</u>	Detached garage with games room in attic. Addition of garden room to rear elevation. Front entrance porch
	<u>Ref.No:</u>	06/00466/ 1HH
	<u>Officer:</u>	Victoria Woodbridge 01462 474543

Date of expiry of statutory period: 19 June 2006

Reason for Delay: Committee Cycle

Reason for Referral to Committee: Parish Council objection

1. Relevant History

- 1.1 Permission was granted in 1989 for a two storey side extension following partial demolition of link.
- 1.2 Permission was granted in 2000 for a two storey side extension including double garage following demolition of existing garage and conservatory.

2. Policies

2.1 Hertfordshire Structure Plan Review 1991 -2011

Policy 5 - Green Belt

Policy 38 - Critical Capital and other Important Environmental Assets.

North Hertfordshire District Local Plan No 2 with Alterations

Policy 6 - Rural Areas beyond the Green Belt.

Policy 20 - Conservation Areas

Policy 28 - House Extensions

3. Representations

- 3.1 **Preston Parish Council** - Does not object to front porch or garden room, however, it raises concerns over the detached garage for the following reasons:-
 - concern over position in relation to Ash tree on the boundary with 1 Chequers Cottage and potential damage to the Ash tree
 - rooflights would cause loss of privacy to neighbouring properties
 - 1 Chequers Cottage would be overshadowed by the garage and will also lose light
 - Fails to understand why a games room is required when house already has a playroom, why does the garage need a shower and toilet.

- Considers garage should be single storey and repositioned to avoid potential impact on neighbouring properties
- Considers there should be landscaping proposals to soften impact of garage
- Considers this is an overdevelopment of site.

3.2 **Local Residents/Site publicity and press notice** - letter of objection received from the occupier of 1 Chequers Cottages concerned about the position of the garage building, particularly in relation to the Ash tree which is situated close to the boundary, the height of the garage building and its impact on the levels of light received by their property.

The occupier of 2 Chequers Cottages objects to the proposal as the plans do not indicate the Ash tree along the boundary with 1 Chequers Cottages and they have concerns over the impact the garage will have on this tree. They also query why a garage is needed when permission has already been given for a garage several years ago. Finally they consider the aesthetics of the area will be affected by the garage building due to its height and proximity to the boundary

4. Planning Considerations

4.1 Site & Surroundings

4.1.1 Chequers House is a large detached 1950s dwelling situated to the north side of a cul-de-sac, being one of a group of 3 houses off Chequers Lane. The house is situated in large grounds.

4.1.2 Chequers House has already been extended and has an existing rear conservatory. Other properties in the cul-de-sac have been extended to varying degrees and designs.

4.2 Proposal

4.2.1 The applicant proposes the addition of a front entrance porch which would make use of the existing roof canopy on the front elevation and would project no further forward than this roof canopy.

4.2.2 Following the demolition of the existing rear conservatory the applicant proposes to erect a garden room in the same location, to the rear of the dwelling. The garden room would be of slightly larger proportions than the existing conservatory. Projecting a maximum of 4.2 metres from the existing rear elevation and spanning a width of 7.1 metres across the rear elevation.

4.2.3 The applicant is also proposing a detached double garage with a games room above and a small shower / toilet room to the side. The garage would be situated at an angle to the existing dwelling, being a minimum 7 metres and a maximum of 10 metres from the property. The proposal indicates the driveway would be reconfigured to allow access to the new garage, although this element constitutes permitted development and is, therefore, not included in the application. The ridge of the garage roof is proposed at 6.6m high, so as to allow use of the first floor as a games room.

4.3 Key Issues

4.3.1 The key issues in the consideration of this application are the impact the proposed extensions and garage would have on the neighbouring properties, the visual amenity of the locality and on the character and appearance of the Conservation

Area. The most contentious aspect of the proposal is the detached garage which has attracted opposition from local residents and the Parish Council.

4.3.2 **Front entrance porch**

The front entrance porch is a minor addition to the dwelling house. It would make use of the existing front roof canopy and would project no further than this; it would simply be enclosing part of the area beneath it. In terms of impact on the appearance or character of the Conservation Area and the street scene it is considered that this element of the proposal would have no adverse impact and is, therefore, unobjectionable in planning terms.

4.3.3 **Rear garden room**

The proposed garden room would be sited in the same position as the existing conservatory. Although the garden room has a larger footprint, and by virtue of its overall design could be considered more bulky, the position of the dwelling in relation to the adjoining properties (Church House and 1 Chequers Cottages) leads me to conclude that there would be no material impact on the residential amenities of either neighbouring dwelling.

4.3.4 The design of the garden room relates to the existing dwelling in terms of its details, such as roof design, and proportions. Although it is a large room the existing dwelling is sizeable and so, in my opinion, the extension would not be an incongruous addition.

4.3.5 Subject to appropriate materials being used, which could be controlled via a condition should permission be granted, it is considered that the proposed garden room would be a visual improvement on the present building. As a result it would not have any adverse impact on the appearance or character of the Conservation Area or the visual amenity of the locality generally.

4.3.6 **Detached double garage**

The main concerns surrounding this element of the proposal are its potential impact on 1 Chequers Cottages and the Ash tree situated on the border between 1 Chequers Cottages and Chequers House. The garage has been designed with a games room at first floor level and I felt, when assessed in connection with the position of the garage, would have dominated 1 Chequers Cottages.

4.3.7 As a result negotiations have taken place with the applicant which, I anticipate, will indicate the garage repositioned, its height reduced and the ground level lowered in order to minimise the impact of the building on 1 Chequers Cottages. I am satisfied that, subject to these changes being made, this re-design and re-positioning would significantly reduce the potential impact of the building upon 1 Chequers Cottages and make it appear more subservient to the main dwelling.

4.3.8 Although the occupier of 1 Chequers Cottages and the Parish Council have both raised concerns over loss of light to 1 Chequers Cottages I consider that should amended plans be received as anticipated, there would be no material loss of sunlight/daylight to 1 Chequers Cottage, particularly as the side window serving the affected room is also served by a rear window.

4.3.9 It is not considered that the proposed garage would have any adverse impact on the character and appearance of the Conservation Area.

4.4 **Conclusion**

4.4.1 On the assumption that amended plans are received, which have addressed my original concerns, I consider that the proposal would comply with Policy 20 and 28

of the North Hertfordshire District Local Plan No 2 with Alterations and would not result in any detrimental impact on the residential amenities of the neighbouring properties or the character or appearance of the Conservation Area.

5. 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. 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 garden room and detached garage 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. The use of the garage hereby permitted shall remain at all times incidental to the enjoyment of the dwellinghouse to which it relates, and it shall not be used in connection with any form of trade, business or commercial activity.

Reason: To safeguard the residential character of the locality and the amenities of nearby residents.

Reason for Decision

The porch, garden room and detached garage, hereby permitted, would have no adverse effect on the amenities of the neighbouring residential properties or

harm the character and appearance of the Conservation Area and, as such, complies with the relevant provisions of the development plan, as summarised below:

Hertfordshire Structure Plan Review 1991 -2011

Policy 5 - Green Belt

Policy 38 - Critical Capital and other Important Environmental Assets.

North Hertfordshire District Local Plan No 2 with Alterations

Policy 6 - Rural Areas beyond the Green Belt.

Policy 20 - Conservation Areas

Policy 28 - House Extensions

ITEM NO: 7	<u>Location:</u>	2 Raymond Cottages, Upper Green, Ickleford, SG5 3YE
	<u>Applicant:</u>	Miss J Ranson
	<u>Proposal:</u>	Single storey rear extension.
	<u>Ref.No:</u>	06/00564/ 1HH
	<u>Officer:</u>	Victoria Woodbridge 01462 474543

Date of expiry of statutory period: 30 May 2006

Reason for Delay: Committee cycle

Reason for Referral to Committee: Parish Council objection.

1. Relevant History

Permission granted in 2004 for a rear conservatory, this has subsequently been constructed.

2. Policies

2.1 Hertfordshire Structure Plan Review 1991-2011

Policy 38 - Critical Capital and other Important Environmental Assets

2.2 North Hertfordshire District Local Plan No 2 with Alterations

Policy 20 - Conservation Areas
Policy 28 - House Extensions

3. Representations

3.1 Ickleford Parish Council - "objects to this application and in arriving at this decision it wishes the District Council to take into account the following comments:-

From a Parish Council point of view we have no basic objection to the application, but we are aware that the residents of number 1 Raymond Cottages are unhappy about the height of the wall of the proposed extension and on that basis are objecting. (We can certainly understand their point of view).

The other comment/observation which we have picked up is that other residents of the cottages understand that there is a right of way (apparently shown in their deeds) which extends along the backs of all the cottages in the lane - and that this proposal interrupts that line. We would be grateful if this could be checked out."

3.2 Local Residents/Site Notice and press publicity - the occupier of **1 Raymond Cottages** objects to the proposal for the following reasons:-

- Over dominance of extension and parapet wall situated directly on the joint boundary.
- Property has already been extended and considers this extension would exceed the reasonable amount of extensions to the original dwelling.
- Right of way to the rear of the houses would be built over.
- Concerned about potential damage the building works may have on garden and builders having access to rear garden.

4. Planning Considerations

4.1 Site & Surroundings

4.1.1 Mid terrace artisan cottage situated within Ickleford Conservation Area. The front of the property is accessed down a pedestrian path with the rear being accessed via an unmade lane where vehicular traffic is permitted and where residents park.

4.1.2 The row of properties are similar in design, with many having been extended to varying degrees.

4.1.3 The application property has previously added a rear conservatory which runs alongside the existing single storey rear projection

4.2 Proposal

4.2.1 Single storey rear extension to rear of existing single storey rear projection. The extension would project 4m beyond the existing rear elevation and would have a width of 2m, which is no greater than the existing rear projection.

4.2.2 The extension would have a parapet wall along the boundary with number 1, this wall would be approximately 2.9 metres high for the first 2.4 metres of the projection and 2.65 metres high for the remaining 1.6 metres. The ridge of the roof would be higher than this wall with the ridge being 3 metres high.

4.2.3 The extension would be of brick construction with slate roof tiles and would have two roof lights in the northern roof elevation.

4.3 Key Issues

4.3.1 The primary issues in relation to the consideration of this application are the impact of the proposed extension on the residential amenities of the neighbouring properties and the impact of the extension on the character and appearance of the Conservation Area.

4.3.2 The proposed extension would run along the boundary with number 1 Raymond Cottages. The occupier of this property is concerned about over dominance by the extension to their garden area. However, the extension is only single storey and the height has been kept to a minimum and so whilst the proposed parapet wall would be higher than the existing fence I do not consider the additional height would give rise to over dominance. The rear of the property is east facing and given the application site is to the north of this property I do not consider the proposed extension would have any material impact on the levels of sunlight / daylight received by the site.

- 4.3.3 The ground floor rear window adjacent to the boundary serves a bathroom, which is not a habitable room, and given the height and projection of the proposed extension it would cause no material over dominance to this room.
- 4.3.4 With regard to the concern that this extension represents an over development of the site I consider that there would be a reasonable amount of amenity space remaining should the extension be constructed and that the proposed additional represents an minimal increase in floorspace when compared to the original dwelling. Therefore it is my opinion that there are no sustainable planning objections on the basis of over development of the site.
- 4.3.5 The further points regarding right of way and damage to plants raised by the occupier of 1 Raymond Cottages are civil matters and therefore are not material planning considerations and so hold little weight in the determination of this application.
- 4.3.6 The extension would be approximately 1.7m from the boundary with number 3 and given the lack of objections from the occupier of this property I do not consider there to be any material impact on the residential amenities of this property.
- 4.3.7 The extension and existing rear elevation are visible from the lane to the rear of the property, this lane being used by the occupiers of Raymond Cottage. However, this lane does not provide access to any other property and therefore is not in public use. I consider the proposed extension would relate well to the existing dwelling in terms of form and design and therefore would not have any significantly adverse impact on the character of the lane, from which it would be visible.
- 4.3.8 In terms of impact on the Conservation Area the proposed extension is not considered to harm the appearance or character of the Conservation Area and therefore complies with Policy 20 of the North Hertfordshire District Local Plan No 2 with Alterations.

4.4 **Conclusion**

I consider that the proposed extension relates well to the existing dwelling and would not adversely impact upon the residential amenities of the neighbouring properties. In addition I do not believe it would adversely impact on the appearance or character of the Conservation Area.

5. **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. **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.

Reason for Decision

The extension, hereby permitted, would have no adverse effect on the amenities of the neighbouring residential properties or the visual amenity of the locality. In addition it would not adversely impact on the special character or visual amenity of the Conservation Area 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 20 - Conservation Areas

Policy 28- House Extensions

ITEM NO: 8	<u>Location:</u>	4 The Drive, Wheathampstead, St Albans, AL4 8LF
	<u>Applicant:</u>	Ms T Little
	<u>Proposal:</u>	Detached dwelling (design, external appearance and landscaping reserved) as amended by plan no's 133-PL-01 Rev C and 133-PL-02 Rev C received on 22nd May 2006.
	<u>Ref.No:</u>	06/00665/ 1
	<u>Officer:</u>	Tom Rea 01462 474565

Date of expiry of statutory period: 02 June 2006

Reason for Referral to Committee: Parish Council objection contrary to officer recommendation.

1. Relevant History

- 1.1 Permission granted in January 2002 for a single storey side extension to provide garage and utility room with rear conservatory.
- 1.2 Permission granted in July 2005 for a two storey side extension and single storey rear extension
- 1.3 An outline application for a detached dwelling and garage (design, external appearance and landscaping reserved) was withdrawn in February this year.

2. Policies

- 2.1 **Hertfordshire County Structure Plan Review 1991 - 2011**
Policy 1: Sustainable Development
Policy 5: Green Belt
- 2.2 **North Hertfordshire District Local Plan No. 2 with Alterations**
Policy 1: Sustainable Development
Policy 6: Rural Areas beyond the Green Belt
Policy 55: Car Parking Standards
Policy 57: Residential Guidelines and Standards

3. Representations

- 3.1 **Kimpton Parish Council:** 'Strongly recommend refusal. No. 4 The Drive has an outstanding planning permission for an extension and consequently this application is an overdevelopment of the plot. It is back fill and not in keeping with the present line of dwellings. It shows a lack of sympathy for the street scene and will set a precedent (sic) for similar applications throughout the rural hamlet. It will detract from the visual amenity for neighbouring residents and have a big impact on the

surrounding area. The planning application is contrary to Policy 6 and Policy 30 of the NHDC District Plan'

3.2 **Hertfordshire Highways:** Does not wish to restrict the grant of planning permission

3.3 **Site Notice/Local Residents:** Letters have been received from the occupiers of 30, 40 Kimpton Road and 5 The Drive, raising the following concerns:

- Unacceptable backland development
- Garden size is tiny in relation to the proposed house
- Out of keeping with the area
- Loss of peace and tranquillity
- Overlooking
- Adjoining owners could buy or lease the land to manage the garden.
- Loss of visual amenity
- Noise and disturbance and damage to road
- Danger to highway safety
- Application is unreasonable
- Damage to and loss of trees and consequent increased visibility of the development to neighbouring properties

4. Planning Considerations

4.1 Site & Surroundings

4.1.1 The application site comprises part of the side and rear garden of No. 4 The Drive, Blackmore End. The application site is bounded on three sides by residential gardens and partly by the grass verge to The Drive, a private road not maintained by the highway authority. The Drive is characterised by a variety of styles of detached residential houses, generally sited on large plots. Blackmore End is identified in the Local Plan as part of the rural area beyond the Green Belt.

4.2 Proposal

4.2.1 This outline application, which include means of access and siting, proposes the erection of a dwelling at the rear of No. 4 The Drive in the existing garden area to that property. Access is proposed from The Drive across a grassed verge and adjacent the flank elevation of No. 4 The Drive. The access road, which would be up to 4m in width, would run alongside the boundary of 6 The Drive and end with a turning area at the far (northern) end of the site. The proposed dwelling would be sited adjacent the turning area and 8m from the boundary with No. 6 The Drive and 2.8m from the side garden boundary with No. 2 The Drive. The dwelling would have an L-shaped footprint and would be 11.8m wide and 15m deep.

4.2.2 The plot created for the new dwelling would be 34m in depth and 21m wide with a new garden fence sub-dividing the plot sited 22m from the existing rear elevation of 4 The Drive. The garden area associated with the new dwelling (excluding access) would amount to approximately 280 sqm.

4.3 Key Issues

4.3.1 Principle of the development

Policy 6 of the Local Plan referred to above is considered relevant. Four possible circumstances are set out whereby a development proposal in the rural area could be permitted. Point (iii) advises that a development proposal could be allowed if '...it

is a single dwelling on a small plot located within the built core of the settlement which will not result in outward expansion of the settlement or have any other adverse impact on the local environment or other policy aims within the rural areas..'

4.3.2 This proposal is a single dwelling and is comparatively small to other plots in the locality. There is no defined core to the Blackmore End settlement however this site is surrounded by residential properties and is located within the built up area of the settlement. Given the location of the plot in an established garden area and between residential properties the proposal would clearly not result in the outward expansion of the village. I do not consider that the development would have any adverse impact on the local environment given that the principle of development is accepted by the first part of criteria (iii) and that the proposal relates to a single dwelling which is going to generate only low additional levels of pedestrian and vehicular traffic. There are no other relevant policy aims within the rural area which would be affected by this proposal. I conclude therefore that this proposal would not be contrary to point (iii) of Policy 6 of the local plan and is therefore acceptable in principle.

4.3.3 Siting and street scene

The development constitutes backland development in so far as the siting of the new dwelling is behind the existing property at 4 The Drive served by a new private drive to the proposed new plot. There would be an inevitable amount of noise created by the establishment of a new dwelling in the back garden of No. 4 associated with pedestrian and vehicle movements however given that the property will be over 30m from the rear elevation of No. 2 The Drive and almost 50m from the rear of properties in Kimpton Road I do not consider that noise and disturbance generated from a single dwelling would be so significant so as to be unacceptable. The relationship of the new dwelling to No. 6 is no different to the side by side relationship between many houses in built up areas and indeed as evidenced in The Drive already.

4.3.4 I do not consider that the dwelling would have a significant impact on the street scene given the setback of the dwelling at least 45m from the entrance point off The Drive. New screen planting along the new garden boundary with No. 4 is also likely.

4.3.5 The proposed dwelling would be largely at the same depth as the adjoining property at No. 6 The Drive with the northern most part of the new dwelling extending approximately 2m beyond the rear elevation of No. 6. The access drive to the new plot runs close to the side elevation of No. 6 mainly alongside a large front garage and single storey outbuilding at the rear both of which have no facing side windows. The main side elevation of No. 6 The Drive facing the application site is set back behind a high timber fence. The side elevation contains several small windows at ground floor and first floor level. I consider that No. 6 The Drive would not be significantly affected by the new drive given the low usage associated with a single dwelling, the fact that there are only a limited number of windows along the entire length of No. 6 facing the site and that the turning area is adjacent the blank brick wall to the single storey rear extension of No. 6 The Drive.

4.3.6 I do consider however that a full two storey height dwelling on the site could potentially have an overbearing impact on No. 2 The Drive given the close proximity of the dwelling to the site boundary therefore I would advise, if permission is granted, that the new dwelling is limited to a single storey building.

4.3.7 Sustainability

Blackmore End has very little in the way of community facilities however it is served

by a limited bus service which passes The Drive on Kimpton Road and it is close to the larger settlements of Wheathampstead and Kimpton which have other facilities including schools and shops. Blackmore End is an established settlement of over 230 dwellings however advice from my policy colleagues indicates that its level of facilities are sufficiently low that it would be unlikely to be identified as an excluded village or equivalent in the Local Development Framework. Nevertheless, they consider that since several dwellings have been constructed following consideration under Policy 6 of the Local Plan the proposal should be considered against the currently adopted policy. Accordingly, although Policy 1 of the Structure Plan promotes sustainable development since this proposal has been demonstrated to be in accordance with Policy 6 of the Local Plan, which is in general conformity with the Structure Plan, they consider the proposal to be acceptable. On the basis of this advice, and although very finely balanced I have concluded that whilst the present Local Plan policy still prevails, the established size of Blackmore End and its close proximity to other larger settlements means that the proposal should not be refused as an unsustainable form of development.

4.3.8 Access

The proposed private drive would enable cars to enter and leave the site in a forward gear. Although the entrance to the site is on a bend in The Drive traffic speeds are low and infrequent and movements in and out of the site would be limited. Sightlines onto Kimpton Road from The Drive to the north are sub-standard however the highway authority does not consider that the development would have an unreasonable impact on the safety and operation of the adjoining highways and hence do not have any objections to this development.

4.4 **Conclusion**

- 4.4.1 The proposal represents an acceptable use of the site. The development would not have a significant impact on the street scene and would not unduly impact on the residential amenity of adjoining occupiers. The development would have no detrimental impact on the adjoining highway network. There are, in my opinion, no sustainable objections that can be raised on planning or highway grounds and therefore the following favourable recommendation is made.

5. **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. **Recommendation**

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

1. Before the development hereby permitted is commenced, approval of the details of the design and external appearance of the development and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained in writing from the Local Planning Authority.

Reason: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 as amended.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission, and the development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The proposed dwelling hereby permitted shall be restricted to a single storey building only.

Reason: To ensure that there is no overbearing impact on adjoining residents

Reason for Decision

The development hereby permitted would have no material adverse impact on the character of the neighbourhood, the amenities of local residents or on highway conditions in the vicinity of the site and as such complies with the relevant provisions of the development plan as summarised below:

Hertfordshire County Structure Plan Review 1991 - 2011

Policy 1: Sustainable Development.

Policy 5: Green Belt.

North Hertfordshire District Local Plan No. 2 with Alterations

Policy 1: Sustainable Development

Policy 6: Rural Areas beyond the Green Belt

Policy 55: Car Parking Standards

Policy 57: Residential Guidelines and Standards

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

12

TITLE OF REPORT: PLANNING APPEALS
REPORT OF THE HEAD OF PLANNING AND BUILDING CONTROL

This Item will take the format of an oral presentation.

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