

8 August 2006

Our ref: Letchworth/August06
Contact: Pat Wilkings
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To: Members of the Letchworth Committee of North Hertfordshire District Council (Councillors M. Paterson (Chairman), Simon Bloxham (Vice-Chairman), Monica Bloxham, J.M. Cunningham, Melissa Davey, Gary Grindal, T.W Hone, David Kearns, Lorna Kercher, David Levett, Lawrence McNamara, Elliot Needham, Mrs. L.A. Needham, and Diane Proudlove)

You are invited to attend a

MEETING OF THE LETCHWORTH COMMITTEE

to be held in

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

on

WEDNESDAY 16 AUGUST 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 the 5 July 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 either Part I or Part II business set out in the agenda. They must state the circumstances which they consider justify the business being considered as a matter of urgency. The Chairman will decide whether any item(s) raised will be considered.	-
4. DECLARATIONS OF INTEREST To receive from Members of the Committee any Declarations of Interest in respect of business set out in the agenda. Members should either declare a prejudicial or personal interest and are required to notify the Chairman of the nature of any interest declared. Members declaring a prejudicial interest should not seek to influence the decision and leave the room during that particular item of business.	-
5. PUBLIC PARTICIPATION To receive petitions, comments and questions from the public. At the time of preparing the agenda no requests to speak had been received. Any public participation received within the agreed time scale will be notified to Members as soon as practicable.	-
6. NORTH HERTFORDSHIRE HIGHWAYS PARTNERSHIP – JOINT MEMBER PANEL DISCRETIONARY BUDGET FOR 2006 - 2007 AND 2007 – 2008 REPORT OF THE CHIEF ENGINEER <i>A report providing feasibility and cost estimates of schemes and projects put forward at the meeting of Letchworth Committee on 5 July 2006 for funding from the Joint Member Panel's Discretionary Budget.</i>	1
7. CHAMPION NEWS REPORT OF THE HEAD OF COMMUNITY DEVELOPMENT & CULTURAL SERVICES <i>A summary of the activities undertaken by the Community Development Officer for Letchworth Garden City since the meeting of the Committee held on 5 July 2006 and events taking place in forthcoming months.</i>	7

8.	ANNUAL GRANTS AND DEVELOPMENT DISCRETIONARY BUDGET 2006/2007 REPORT OF THE HEAD OF COMMUNITY DEVELOPMENT & CULTURAL SERVICES	9
	<i>The current expenditure and balances of the Area Committee's delegated funds.</i>	
9.	PLANNING APPLICATIONS REPORT OF THE HEAD OF PLANNING AND BUILDING CONTROL	15
	<i>To determine the following Planning applications:</i>	
	1. 25 Caslon Way, Letchworth Garden City;	16
	2. Former Skills Centre, Pixmore Avenue, Letchworth Garden City;	21
	3. Lamp post no. 240, outside 28 Hitchin Road, Letchworth Garden City.	37
10.	PLANNING APPEALS ORAL REPORT OF THE HEAD OF PLANNING AND BUILDING CONTROL	43
	<i>An update for the Committee on any Planning Appeals that have been lodged or determined since the meeting of the Committee held on 5 July 2006.</i>	

Future meetings of the Committee will be held on:

Monday 2 October 2006
8 November 2006
13 December 2006
24 January 2007
7 March 2007
18 April 2007

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TITLE OF REPORT: NORTH HERTFORDSHIRE HIGHWAYS PARTNERSHIP – JOINT MEMBER PANEL DISCRETIONARY BUDGET FOR 2006-2007 AND 2007-2008

REPORT OF THE CHIEF ENGINEER

1. SUMMARY

- 1.1 For Members to note the information provided by the NHDC Chief Engineer and the Hertfordshire Highways – North Herts District Manager.
- 1.2 For Members to decide which schemes and projects (if any) the Letchworth Committee wish to provide matched funding.

2. FORWARD PLAN

- 2.1 This report does not contain a recommendation on a key decision contained within the Forward Plan.

3. BACKGROUND

- 3.1 Members should please refer to Appendix A for the Minutes from the meeting of the NHHP – JMP held on 26 June 2006 (minute 13 refers).
- 3.2 Members should please refer to Appendix B for the draft Minutes of the meeting of the Letchworth Committee held on 5 July 2006 (Minute 21 refers) for the schemes and projects provided by Members to the NHDC Chief Engineer and the Hertfordshire Highways – North Herts District Manager.

4. COST ESTIMATES AND COMMENTS

- 4.1 Members should please refer to the following engineering comments on each scheme put forward at the meeting of Letchworth Committee on 5 July 2006 as detailed below:

Minute 21: 'That funding for schemes should be provided by Herts Highways and not come out of the Area Committee's Discretionary Budget';

Comment from Hertfordshire Highways: The protocol for consideration of schemes promoted by area committees for progression by the JMP requires part funding from the area committee.

Minute 21: 'Convert the pedestrian crossing at Broadway (adjacent to Morrisons supermarket) in Letchworth Garden City to a pelican crossing';

Comment from Hertfordshire Highways: This proposal has already been considered and investigated and found not to be in accordance with the HCC transportation strategy. The Safety Engineering Group have concerns that it would lead to increased accidents; the proposal is not in accord with the Letchworth town centre

strategy and it is likely to conflict with the present proposals for the town centre improvements.

Minute 21: 'Letchworth Lane and Willian Road Junction – investigate safety measures'.

Comment from Hertfordshire Highways: This proposal was considered previously as part of the Letchworth and Baldock Transportation Plan and it was concluded that any changes would make the junction less safe than at present

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

5. FINANCIAL AND RISK IMPLICATIONS

- 5.1 None.

6. LEGAL IMPLICATIONS

- 6.1 None.

7. HUMAN RESOURCES AND EQUALITIES IMPLICATIONS

- 7.1 None.

8. RECOMMENDATIONS

- 8.1 For Members of the committee to note the information provided.
- 8.2 For Members of the committee to decide which schemes and projects should be placed in the JMP Discretionary Budget for 2006-2007 and 2007-2008.
- 8.3 For Members of the committee to decide the amount of funding from the Area Committee Development Budget 2006 – 2007 (if any) to be allocated to the schemes and projects identified at 8.2 above.
- 8.4 To advise the Hertfordshire Highways North Herts District Manager the decision made at 8.3 above.

9. REASON FOR RECOMMENDATIONS

- 9.1 To provide financial support for the implementation of traffic management and road safety in the Letchworth area.

10. APPENDICES

- 10.1 Appendix A – Extract from the Minutes for the meeting of the NHHP – JMP held on 26 June 2006.

10.2 Appendix B – Extract from the Minutes for the meeting of the Letchworth Committee held on 5 July 2006.

11. CONTACT OFFICER

11.1 Peter Marshall
Chief Engineer
Pete.marshall@north-herts.gov.uk
01462 474229

12. CONTRIBUTOR

12.1 Steve Greenhill
Hertfordshire Highways – North Herts District Manager
Steve.greenhill@herts-highways.org.uk
01438 757830

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, 26 June 2006

EXTRACT FROM MINUTES

13. JOINT MEMBER PANEL DISCRETIONARY BUDGET 2006 - 2007

The North Herts District Manager (DM) advised the JMP that this was a comprehensive and detailed report with the confirmation of an increase by £10,000 to £90,000 for disbursement in the year 2006-2007. The JMP noted that a cap of £30,000 had been set to cover design and consultation costs.

The DM reminded the JMP of the themes for 2007-2007 and described the projects approved for 2006-2007 in detail and with updates as necessary. With regard to the traffic calming measures proposed for Redhill Road, Hitchin near to Oughtonhead Primary School the DM was requested to provide an update on costs and revised design at the meeting to be held on 16 October 2006. With regard to works in Leys Avenue, Letchworth a Member queried the need for urgent attention to paving blocks due to their hazardous condition where the DM had confirmed that work had yet to commence because of the higher costs and complexity of works in Eastcheap.

The JMP noted the additional scheme at Peters Green and it was agreed that this kerbing scheme deserved further investigation and it was proposed that a cheaper option of bollards might be more appropriate and that the Southern Rural Area Committee should re-examine this scheme at its meeting to be held on 12 July 2006.

The JMP entered into a long debate on candidate schemes for 2006 – 2007 where proposals had been made at meetings of the JMP, and Area Committees had put forward additional schemes. It was clear from discussions that the protocol for the recommendation of schemes and projects had become 'tangled'. Consequently, for the benefit of new members to the JMP the DM provided a resume of the protocol and as per (5), (6) and (7) below it was agreed that this procedure should be followed.

In response to an enquiry concerning the provision of a pedestrian phase at the traffic light control at the junction of A505 and A507 the DM confirmed that this would be funded from monies set aside for Baldock Town Centre Enhancement via the financing of Baldock Bypass. The DM advised the JMP that the traffic lights controls at this junction were outdated and would have to be replaced completely.

The DM noted that at Cadwell Lane, Hitchin there was in fact a request for a set of traffic lights and a pedestrian crossing.

RESOLVED:

- (1) That the information provided on the 2006-2007 uncompleted schemes and works as presented at paragraph 3.1 to the report be noted;
- (2) That the information provided on the schemes and works for consideration in 2006-2007 as presented at paragraph 3.3 to the report be noted;
- (3) That the provision of £20,000 from the Discretionary Works Budget 2006-2007 to address verge areas subject to repeated damage be agreed;
- (4) That the five NHDC Area Committees be invited to make in total a matched contribution of £20,000 towards the costs of repair and maintenance to verges subject to repeated damage;

- (5) That during the July cycle of meetings the five NHDC Area Committees be requested to submit to the NHDC Chief Engineer schemes and projects with as much detail as possible for the preparation of preliminary cost estimates.
- (6) That upon receipt of the schemes and projects the NHDC Chief Engineer in liaison with the North Herts District Manager be requested to prepare cost estimates for each scheme or project and make the necessary arrangements to present these cost estimates to the August cycle of NHDC Area Committees
- (7) That upon receipt of the cost estimates each NHDC Area Committee reviews each item at its' August meeting and refers back to the next meeting of the Joint Member Panel to be held on 16 October 2006 with an indication as to whether (a) the scheme or project should be included in the 2006-2007 JMP Discretionary Budget and (b) the amount of financial contribution to be made by each NHDC Area Committee for each scheme or project.

REASON FOR DECISIONS:

To ensure that the Joint Member Panel are advised as soon as possible of schemes and projects to be included in the final list for 2006-2007.

MEETING OF LETCHWORTH COMMITTEE

Meeting held at the Council Offices, Gernon Road, Letchworth Garden City
at 7.30 p.m. on Wednesday 5 July 2006

EXTRACT FROM MINUTES

21. REFERRAL FROM NORTH HERTFORDSHIRE HIGHWAYS PARTNERSHIP JOINT MEMBER PANEL – 24 APRIL 2006 - NHHP DISCRETIONARY BUDGET PROJECTS 2007/2008

Councillor J.M. Cunningham presented a referral from the North Hertfordshire Highways Partnership Joint Member Panel that was held on 24 April 2006 which he had attended where Area Committees had been invited to put forward suggestions for schemes to be funded from the Panel's 2007/2008 Discretionary Budget.

County Councillor Keith Emsall expressed his concern at the number of minor road accidents that occurred due to the traffic congestion along the Broadway and urged the Committee to agree to recommend that the pedestrian crossing at Broadway (adjacent to Morrisons supermarket) be converted to a pelican crossing.

A discussion took place covering the following points:

- That consideration should be given to putting some safety measures in place at the junction of Letchworth Lane and Willian Road as there had been many accidents over the years;
- That funding for schemes should be provided by Herts Highways and not come out of the Area Committee's Discretionary Budget;
- That indicative costs for schemes should be brought back to the Committee for their consideration.

RESOLVED: That the following schemes be forwarded to the North Hertfordshire District Council Chief Engineer and the North Hertfordshire District Manager of Hertfordshire Highways for initial cost estimates to be prepared and presented to the Letchworth Committee at its meeting to be held on 16 August 2006:

- Convert the pedestrian crossing at Broadway (adjacent to Morrisons supermarket) in Letchworth Garden City to a pelican crossing;
- Letchworth Lane and Willian Road Junction – investigate safety measures.

REASON FOR DECISION: To allow the Letchworth Committee to make recommendations for schemes and projects to be financed from the Joint Member Panel Discretionary Budget in 2006-2007 and 2007-2008.

TITLE OF REPORT: CHAMPION NEWS

REPORT OF THE HEAD OF COMMUNITY DEVELOPMENT AND CULTURAL SERVICES

1. PURPOSE OF REPORT

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

2. THE FORWARD PLAN

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

3. PROJECT/ACTIVITY/SCHEME DETAILS

3.1 Grange Youth Wing

The CDO has arranged for insurance and has handed the day to day management of the facility to the County Youth Service who have a number of youth workers helping the volunteers, it has opened informally and it is hoped to have an official opening next month.

3.2 Grange Regeneration

An event was held by Groundwork UK at the Grange Estate on Saturday 29 June where the latest plans were shown to the public and comments were invited. The plans will now be updated and a detailed application will now be prepared to be presented to NHDC planning Department in the next couple of months.

3.3 Broadway Gardens Event

The event on 22 and 23rd July 2006 was a resounding success with an estimated 6000 people attending throughout the first day. There will be a debrief in August with all relevant parties and a more detailed report will be presented to this committee in the Autumn.

3.4 Jackmans Youth Club

Rough costings have been received for the refurbishment of the building designated as a potential youth club. The CDO will now work with Lannock school to get detailed estimates.

4. RECOMMENDATIONS

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

5. CONTACT OFFICER

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

TITLE OF REPORT: ANNUAL GRANTS AND DEVELOPMENT DISCRETIONARY BUDGET 2006/2007

REPORT OF THE HEAD OF COMMUNITY DEVELOPMENT AND CULTURAL SERVICES

1. PURPOSE OF REPORT

- 1.1 To advise members on the current expenditure and balance of the Area Committee's delegated funds.

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. STATEMENT OF COMMITTEE DELEGATED BUDGETS 2006/7

- 3.1 A current statement of area committee expenditure is attached as appendix 1 to this report.
- 3.2 There have been no grant applications since the last committee.

4. LEGAL IMPLICATIONS

- 4.1 The Committee has delegated powers to administer funds from the budgets described.
- 4.2 There are no other legal implications pertinent to this report.

5. FINANCIAL AND HUMAN RESOURCE IMPLICATIONS

- 5.1 There are no human resource implications associated with this report

6. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS

- 6.1 Ward members have been consulted on appropriate awards on an ongoing basis.

7. RECOMMENDATIONS

- 7.1 That this Committee note the current expenditure and balance of the Development Budget.

Letchworth Budget 2006/07

SUMMARY/ TOTALS	Funding	Allocated	Spent	Outstanding	Unallocated Budget				
Revenue Visioning	£70,060	£64,730	£19,848	£44,882	£5,330				
Capital Visioning	£120,100	£0	£0	£0	£120,100				
Jackmans Improvement	£2,828	£0	£0	£0	£2,828				
Other Allocated Funds	£5,000	£5,000	£0	£5,000	£0				
Small Area Grants	£18,470	£9,680	£8,000	£1,680	£8,790				
Discretionary	£39,248	£25,640	£8,556	£17,226	£13,608				
General Town Centre	£24,430	£22,500	£15,000	£0	£1,930				
Total	£280,136	£127,550	£51,404	£68,788	£152,586				

REVENUE VISIONING	Funding	Year Allocated	Project	Allocated	Date	Spent	Outstanding	Unallocated	Comments
Preallocated Funds Brought Forward from 05/06 - Main Visioning Budget	£20,730	2004/2005	5 Recycling Litter Bins	£7,030	10.03.04 & 06.07.05 & 28.09.05	£3,030	£4,000		Awaiting LGCHF Street Scene Survey
		2004/2005	Southern Way Landscaping Project	£3,200	3.11.04	£0	£3,200		
		2004/2005	Pedestrian phaseing	£5,000	22.09.04	£0	£5,000		
		2005/2006	Grange Regeneration Group	£500	09.11.05	£0	£500		
		2005/2006	Skate Board Events	£5,000	08.03.06	£5,000	£0		
Preallocated Funds Brought Forward from 05/06 - Area Visioning Budget	£39,000	2004/2005	Youth Council	£2,000	22.12.04	£50	£1,950		
		2005/2006	Course for Skateboard Tutors	£5,000	28.09.05	£0	£5,000		
		2005/2006	Tree Planting - Various Sites	£15,000	09.11.05	£5,973	£9,027		
		2005/2006	Grange Youth Wing	£10,000	14.12.05	£5,795	£4,205		
		2005/2006	Norton Road Speed Calming	£5,000	14.12.05	£0	£5,000		
		2005/2006	Jackmans Youth Shelter	£2,000	14.12.05	£0	£2,000		
Visioning Community Projects (C/F 2005/06)	£10,330	2006/2007	Street Planting	£5,000	05.07.06	£0	£5,000		
Total	£70,060			£64,730		£19,848	£44,882	£5,330	

CAPITAL VISIONING	Funding	Year Allocated		Project	Allocated	Date	Spent	Outstanding	Unallocated	Comments
Capital Visioning	£120,100									
	£120,100				£0		£0	£0	£120,100	

JACKMAN'S IMPROVEMENT	Funding			Project	Allocated	Date	Spent	Outstanding	Unallocated	Comments
Brought forward	£2,828									
Total	£2,828				£0		£0	£0	£2,828	

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

DEVELOPMENT BUDGETS

SMALL AREA GRANTS	Funding			Project	Allocated	Date	Spent	Outstanding	Unallocated	Comments
Preallocated Budgets Brought Forward from 05/06	£5,000			Rap Aid Music Festival	£5,000	13.04.05	£5,000	£0		
Base Budget 06/07	£13,470			Royal Naval Association	£750	19.04.06	£0	£750		
				Letchworth Tennis Club	£300	19.04.06	£300	£0		
				Letchworth Lions Club	£200	19.04.06	£200	£0		
				Letchworth Festival	£2,500	19.04.06	£2,500	£0		Money Transferred to new Letchworth Festival Code (1416 014)
				Letchworth Outdoor Pool - additional opening hours	£930	24.05.06	0	£930		
Total	£18,470				£9,680		£8,000	£1,680	£8,790	

<u>Discretionary Budgets</u>	<u>Funding</u>		<u>Project</u>	<u>Allocated</u>	<u>Date</u>	<u>Spent</u>	<u>Outstanding</u>	<u>Unallocated</u>	<u>Comments</u>
05/06	£16,140		CCTV Temple Rec Ground	£5,500	25.05.05	£4,284	£1,216		
			Bench at Temple Gardens Recreation Ground	£630	14.12.05	£772	£0		Overspent by £142
			Speed Activated Sign in William Hanging Baskets/Planters	£1,000	08.03.06	£1,000	£0		
				£9,010	08.03.06	£0	£9,010		
Base Budget 06/07	£23,250		Letchworth Festival	£2,500	19.04.06	£2,500	£0		Money Transferred to new Letchworth Festival Budget Code (1416 014)
Less Overspend - Bench at Temple Gardens	-£142		Letchworth Outdoor Pool - additional opening hours	£4,000	24.05.06	£0	£4,000		
			Tree Maintenance and additional Watering	£3,000	05.07.06	£0	£3,000		
Total	£39,248			£25,640		£8,556	£17,226	£13,608	

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

TITLE OF REPORT: PLANNING APPLICATIONS

REPORT OF THE HEAD OF PLANNING & 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.	06/00758/ 1	25 Caslon Way, Letchworth Garden City, SG6 4QJ Two storey side extension to create additional 3 bedroom dwelling.	Simon Ellis 01462 474264	16
2.	06/00832/ 1	Former Skill Centre, Pixmore Avenue, Letchworth Garden City Residential development up to a maximum of 250 no. dwellings and associated infrastructure following demolition of existing buildings. Vehicular access off Pixmore Avenue (outline application; siting, design, external appearance and the landscaping of the site reserved).	Simon Ellis 01462 474264	21
3.	06/01037/ 1	Lamp Post No 240 outside 28, Hitchin Road, Letchworth Garden City, SG6 Replacement 10.4m high dual purpose telecommunication lamp post with 3 antennae. Three radio equipment cabinets and ancillary development.	James Gran 01462 474443	37

ITEM NO:	<u>Location:</u>	25 Caslon Way, Letchworth Garden City, SG6 4QJ
	<u>Applicant:</u>	Mr C Wheatcroft Gaydean Freeholds Ltd
	<u>Proposal:</u>	Two storey side extension to create additional 3 bedroom dwelling.
	<u>Ref.No:</u>	06/00758/ 1
	<u>Officer:</u>	Simon Ellis 01462 474264

Date of expiry of statutory period : 03 July 2006

Reason for Delay

Committee cycle.

Reason for Referral to Committee

The officer recommendation is contrary to the views expressed by Letchworth Town Council.

1.0 Relevant History

- 1.1 Planning application no. 05/00989/1 proposed a two storey side extension to create an additional two bedroom dwelling. The application was withdrawn.

2.0 Policies

- 2.1 **Central Government Guidance:**
Planning Policy Guidance note (PPG) 3 'Housing'
- 2.2 **Hertfordshire Structure Plan Review 1991-2011:**
Policy 25 'Car Parking' (and supplementary planning guidance, 'Car Parking Provision at New Development')
- 2.3 **North Hertfordshire District Local Plan No. 2 - with Alterations:**
Policy 8 'Development in Towns'
Policy 22 'Urban Environment'
Policy 57 'Residential Guidelines and Standards'
Policy 58 Letchworth Garden City Design Principles'

3.0 Representations

3.1 Hertfordshire County Council (Highways):

Concerned not to see a worsening of the current lack of off road car parking in association with this site. A worsening of the deficiency would increase pressure for on road car parking to the detriment of highway safety conditions in the vicinity of the site. In response to this the applicant's agent has explained that two garages can be made available, one each for the occupiers of the existing and proposed dwelling. The applicant owns the site and all garages within the estate. Following this suggestion, the Highway Authority has confirmed no objections on highway grounds, provided this can be secured via a suitably worded planning condition.

3.2 Letchworth Town Council:

Object to the proposed development on the basis that it represents an over development of the site.

3.3 Response to Neighbour Notifications:

Two letters of objection received from the following addresses, **no. 18 Heathermere** and **no. 19 Caslon Way**. The grounds of objection are as follows:

- * The development would lead to an increase in the number of vehicles parking on the street outside the site, to the detriment of highway safety and amenity.
- * More cars may park on the green space to the front of houses which has an impact on the local environment.
- * The site is too small for what is proposed.
- * Likely to lead to the loss of a mature Cherry tree.
- * Loss of privacy at no. 18 Heathermere.

4.0 Planning Considerations

4.1 Site & Surroundings

- 4.1.1 The application site consists of an end of terrace two storey dwelling on a relatively large, corner plot, off the western side of Caslon Way. The dwelling faces north, fronting a footpath area and green space as part of a pattern of development that forms an open square along this bend in the road. The site area is over 400 square metres.

4.2 Proposal

- 4.2.1 Full planning permission is sought for the erection of a two storey side extension to create a separate, three bedroom dwelling. The proposed extension (new dwelling) would project some 4.5m from the side of the existing house, set back approximately 1.5m from the front elevation, with a new porch entrance flush with the front elevation. In design and roof form the proposed extension would largely match the existing house, except with a room proposed in the roof space. Roof lights are proposed on the front elevation with a flat roof dormer proposed on the rear elevation. The net result would be two, three bedroom dwellings on the site. The plans indicate how the two plots would be evenly subdivided with two rear gardens between 8 and 10m wide and 13m deep.

4.3 Key Issues

- 4.3.1 Taking account of relevant central government guidance and development plan policy referred to above and the comments received from interested parties I consider the key issues to be addressed with this application are as follows. Whether the design and layout of the scheme is appropriate in relation to the character and amenities of the area and whether sufficient off road car parking can be secured, so as not to worsen an existing deficiency in on street car parking.

The design of the proposed dwelling is unremarkable in my judgement. However, it is of a scale and form that broadly matches the character of the existing dwelling and neighbouring residential properties. Moreover, being set back away from the front elevation creates an impression of subservience to the existing, larger house, thereby lessening the visual impact of the proposed new dwelling.

The resultant plot sizes at approximately 200 square metres each would be comparable to many of the surrounding residential plots. The corner layout provides additional space than would otherwise be the case which enables two reasonably sized gardens to co-exist. Taking account of the advice in Planning Policy Guidance note (PPG) 3 'Housing', which seeks a more efficient use of land for housing, I consider that it would be very difficult to argue that this proposal represents an over development of the site which contrasts unacceptably with the character of the area. I therefore disagree with the Town Council view on this matter. Although, each application should be determined on its own merits, it is also worth noting that planning permission was granted on appeal in 1991 (our ref. 91/00565/1) for a very similar development proposal at no. 36 Caslon Way (opposite side of the square), which represents a form of development that does not harm the character of this locality. It would therefore, in my mind be difficult to argue otherwise in this case.

In terms of amenity, the proposed new dwelling would face the side elevation of the nearest neighbouring dwelling, no. 27 Caslon Way. Whilst some limited overlooking opportunities would be available into the side and rear garden of this property from the proposed front facing, first floor window, in broad terms the relationship between the proposed dwelling and neighbouring properties is acceptable, in my view.

Turning to car parking and highway matters, in response to the initial concerns expressed by Hertfordshire County Council (Highways) in respect of their being no off road car parking on the site at present and a new dwelling would add to this problem, the applicant's agent has suggested the following solution. Two garages can be made available within the nearby garage court behind the other side of Caslon Way, one for each dwelling. Since the applicant (Gaydeen Freeholds Ltd.) owns the application site, many dwellings in the surrounding area and all the garages within the garage court. As such the Council would be able to impose a condition that secures the two off site car parking spaces within the garage area.

Whilst this solution may seem to prevent a worsening of the on road car parking situation I am not convinced that the Council can be sure that it will work for the following reasons. Firstly, the land owner can allocate car parking spaces to any of the tenants at any time. The fact that the occupiers of the existing house do not have access to a garage at present, but would do if planning permission is granted, helps to illustrate the uncertain nature of this process. Moreover, the garages are not conveniently located for either of the two dwellings and the Council would be

unable to ensure that they are used, even if allocated for each dwelling. In my view a condition requiring this solution would be very difficult to enforce and would not even ensure the garages are used. Looking at this issue simplistically, there are a finite number of garages to serve the whole estate. One extra dwelling will therefore lead to an increase in on road car parking, either from the application site, or another householder, whose garage may or may not have been re-allocated to the occupiers of the existing, or proposed dwelling.

4.4 **Conclusion**

- 4.4.1 Taking account of the above factors I conclude that planning permission should be refused on the basis of conflict with the adopted car parking standards contained in 'Parking Provision at New Development' and Structure Plan Policy 25 'Car Parking'. Whilst the recommendation is that permission should be refused it is not on the basis of the reason suggested by the Town Council. The recommendation is therefore at odds with the Town Council's opinion. There are no on site car parking spaces available for the existing, or the proposed dwelling, which in my opinion would lead to further pressure for on street car parking in this locality, to the detriment of highway safety and amenity.

5.0 Legal Implications

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

6.0 Recommendation

- 6.1 That planning permission be **REFUSED** for the following reason:
1. In the opinion of the Local Planning Authority, the proposed three bedroom dwelling would lead to increased pressure for on road car parking in the vicinity of the site, which is an already congested area, to the detriment of highway safety and amenity. The proposed solution of allocating garage spaces within a garage court that is not readily accessible to the site is neither practicable or enforceable by means of a suitably worded planning condition. For these reasons the proposed development conflicts with Policy 25 of the Hertfordshire Structure Plan Review 1991-2011 and the Council's adopted car parking standards for residential development, contained in 'Parking Provision at New Development'.

ITEM NO: 2	<u>Location:</u>	Former Skill Centre, Pixmore Avenue, Letchworth Garden City
	<u>Applicant:</u>	Nexus Corporation Ltd & Letchworth G.C. Heritage Foundation
	<u>Proposal:</u>	Residential development up to a maximum of 250 no. dwellings and associated infrastructure following demolition of existing buildings. Vehicular access off Pixmore Avenue (outline application; siting, design, external appearance and the landscaping of the site reserved).
	<u>Ref.No:</u>	06/00832/ 1
	<u>Officer:</u>	Simon Ellis 01462 474264

Date of expiry of statutory period : 13 July 2006

Reason for Delay

N/A - Statutory expiry date 17 August 2006.

Reason for Referral to Committee

The site area at over 0.5ha requires that this application for residential development be referred to Committee for determination under the Council's scheme of delegation. The officer recommendation is also contrary to the opinion of Letchworth Town Council.

1.0 Relevant History

- 1.1 Planning application no. 01/00753/1 - Outline planning application (siting, design, external appearance and landscaping reserved) for re-development of the site for Class B1 (business) purposes, incorporating retention of existing frontage block onto Pixmore Way.

2.0 Policies

- 2.1 **Central Government Guidance:**
 Planning Policy Statement (PPS) 1 'Delivering Sustainable Development'
 Planning Policy Guidance note (PPG) 3 'Housing'
Draft Planning Policy Statement (PPS) 3 'Housing'

- 2.2 **Hertfordshire Structure Plan Review 1991-2011:**
Policy 1 'Sustainable Development'
Policy 2 'Design and Provisions of Development'
Policy 6 'Settlement Pattern and Urban Concentration'
Policy 7 'Main Development Strategy'
Policy 22 'Reduction of Travel Need and Car Usage'
Policy 25 'Car Parking' (and supplementary planning document 'Vehicle Provision at New Development')
- 2.3 **North Hertfordshire District Local Plan No. 2 - with Alterations:**
Policy 1 'Pattern and Character of North Hertfordshire'
Policy 8 'Development in Towns'
Policy 22 'Urban Environment'
Policy 29A 'Affordable Housing for Urban Local Needs'
Policy 36 'Employment Provision'
Policy 37 'Business Uses (B1 Use Class)'
Policy 51 'Development Effects and Planning Gain'
Policy 57 'Residential Guidelines and Standards'
Policy 58 'Letchworth Garden City Design Principles'

3.0 Representations

3.1 Environment Agency:

No objections in principle. Recommend that various conditions are imposed requiring a detailed site investigation and remediation strategy in relation to possible land and ground water contamination.

3.2 Anglian Water:

The extent of development may place additional burdens on the existing foul water drainage flows. Whilst the development of itself may not result in the capacity of the receiving sewage treatment works to be reached, when considered in conjunction with other developments in the catchment it is likely that the capacity of the works may be exceeded. Full details of foul and surface water drainage are therefore required before development can commence.

3.3 Internal Drainage Board:

Also expressed concern regarding foul and surface water run off in relation to the capacity of Pix Brook. Recommend a suitably worded planning condition to limit the current rate of discharge into this brook from the site.

3.4 Hertfordshire County Council (Highways):

No objections but offers the following comments. The applicant's transport impact assessment indicates a regular bus service in the vicinity of the site. However, the local bus stop require Disability Discrimination Act (DDA) improvements which can be secured from the developers as part of a Section 106 Obligation. Any such obligation should also include financial contributions towards an integrated transport scheme in the form of bus service improvements (suggesting £50,000 for bus stop improvements and £250,000 for bus service improvements). Also suggest various conditions and informatives.

3.5 Hertfordshire County Council (Planning Obligations Officer):

Projections indicate that there would be sufficient primary school places available for the child yield from this development. However, financial contributions would be required for secondary education, libraries, youth provision and child care facilities. The financial contributions would be calculated using a complex formula based on the number of dwellings proposed and the number of bedrooms within each dwelling. Fire hydrant installation would also be required as part of a Section 106 Obligation.

3.6 Hertfordshire County Council (Archaeology Service):

Given the archaeological importance of the site the applicant should provide a desk based archaeological evaluation before the application is determined in accordance Planning Policy Guidance notes 15 and 16. The applicant has commissioned a desk based study. A copy of which has been sent to Hertfordshire County Council. Any comments received in response to this will be reported orally.

3.7 Hertfordshire County Council (County Development Unit):

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

3.8 Environmental Health (Pollution Control):

Concerned that there has been no assessment of below ground contamination in relation to soil and groundwater. Such contamination could be extensive on this site. A comprehensive remediation strategy may be required prior to development. However, a suitably worded planning condition can cover this point. Such a condition is recommended.

3.9 Environmental Health (Noise):

The development site for housing adjoins a number of different industrial units and the site of a recently approved industrial warehouse off Dunhams's Lane (for Autoglym). The application is at outline stage and the issue of siting of buildings is a reserved matter. Nonetheless, more details is required in the form of a comprehensive noise assessment which should take account of existing noise levels, and impacts on dwellings and gardens. This information should be provided before approval of the siting and design of buildings is given.

3.10 Letchworth Town Council:

Recommend that planning permission be refused on the following grounds. The density of 250 dwellings on this site would be just over the 50 dwellings per hectare as recommended in PPG3. The layout makes no provision for amenity space, cycle routes and does not propose any Section 106 contributions. There is also no assessment of land contamination.

3.11 **Letchworth Garden City Society:**

Generally support the proposal set out. Recognise that a relatively high development density may be appropriate on this site. Concerned about visibility at the vehicular access points. This could be mitigated by the use of mini-roundabouts at the junctions and possible realignment. Welcome the proposed retention of the early office building and its proposed conversion to flats.

3.12 **Response to Statutory Site Notice and Neighbour Notifications:**

Six letters of objection/comment were received from the following addresses: 1 Meadow Way, Johnson Group of Properties (associated with Apparelmaster Ltd. Letchworth), 'Hanby' and 83 Jackmans Place, 59 and 61 Pixmore Avenue. The points raised are as follows:

- * The proposals contain limited information on cycling provision. Cycle routes across the site away from vehicular traffic would be of benefit.
- * Welcome the redevelopment proposal in principle.
- * The access points are not safe and the proposal may add to road safety hazards in this area. Disappointed not to see access off Dunhams Lane.
- * Increase in road traffic together with existing HGV movements to surrounding industrial uses will increase noise and congestion problems in the area.
- * There is no provision for a replacement skills centre. Ever more houses are needed without suitable infrastructure.
- * Existing industrial uses in the surrounding area (such as Johnson Apparelmaster) have no time restrictions on use and can therefore operate during night time and early morning hours. This could generate noise that may disturb any adjoining residential land use.
- * The proposed development would lead to the loss of employment land.

4.0 Planning Considerations

4.1 **Site & Surroundings**

- 4.1.1 The application site consists of a derelict group of one, two and three storey buildings and associated infrastructure, with a site area of nearly 5ha on land between Pixmore Avenue and Dunhams Lane. The buildings were formally used as a government training centre, including educational buildings and residential accommodation. The site is largely flat and covered by hard standing with some sporadic vegetation.
- 4.1.2 Broadly speaking the site is bordered by residential development to the west and south, existing industrial uses and buildings to the north and north east and an approx. 1ha area of land immediately to the east, under the ownership of the applicant, which has permission for a commercial storage building (our ref. 06/00283/1). Members will recall that this full planning permission was granted at the Letchworth Committee held on 19 April 2006.
- 4.1.3 The application site does not include an area of land immediately to the east of Dunhams Lane and indeed, the site wraps around this area of land which is occupied by Apparelmaster Laundry. Taking account of this context it can be concluded that the Skills Centre site forms a transition between the established residential and industrial area of Letchworth.

4.2 **Proposal**

- 4.2.1 Outline planning permission is sought for residential development up to a maximum of 250 dwellings. The application reserves matters of siting, design, external appearance and the landscaping of the site. Indeed, the only detailed matter to be determined and presented in the application is the proposed means of vehicular access. Vehicular access to the whole site would be provided from two access points off Pixmore Avenue. The two access points are shown to be more than 200m apart, off the eastern side of Pixmore Avenue, commencing approximately 90m north of the Broughton Hill/Jackmans Lane cross road junction.
- 4.2.2 Although the application is for outline planning permission with all matters of design, siting, external appearance and the landscaping of the site reserved for future consideration, the applicants have prepared an indicative layout to broadly illustrate how the quantum of development proposed may be established on the site. The supporting document also states that the intention is to maintain the historic rendered frontage to Pixmore Avenue. The illustrative housing schedule is as follows: private dwellings - 86 no. three bedroom, 48 no. four bedroom. Private flats 18 no. 1 bedroom and 33 no. two bedroom. Affordable housing - 61 total units, comprising a mix of one and two bedroom flats, two, three and four bedroom houses (overall total 246).
- 4.2.3 The applicant's design statement also sets out broad concepts of design and layout that could be part of a more detailed scheme. This includes a proposal for two Local Areas of Play (LAPs), wider general amenity areas, tree lined avenues and retention of trees on the boundary of the site which adjoins the Baldock Road recreation ground. The illustrative layout also shows consideration for noise sensitive parts of the site and how dwellings can be oriented to avoid unacceptable noise impacts. Car parking levels are envisaged at an average of 1.5 car parking spaces per dwelling. Whilst these illustrations and explanations in relation to concept are useful, in choosing to reserve all matters of detail any permission granted could not bind a developer to implement the scheme directly in accordance with the design statement presented with this application.

4.3 **Key Issues**

- 4.3.1 Taking account of relevant central government guidance and development plan policies referred to above I consider that the key issues to be addressed in relation to this planning application are as follows. Whether residential development on this site is acceptable in principle. Whether the quantum of development as stated in the planning application is appropriate for the location when considering the character and amenities of the locality, both in terms of relationship with surrounding development and land uses and living conditions for any future occupiers. The suitability of the proposed means of access in terms of highway safety and overall traffic impact of the development. What financial and other contributions would be required through the applicant entering a Section 106 Obligation with the Council, were Members minded to grant planning permission. Related to this point, a consideration of the phasing of any development and what planning conditions would be needed at the outline permission stage is also relevant.

4.3.2 The Principle of Residential Development

On the North Hertfordshire District Local Plan No. 2 - with Alterations proposals map the whole of this site is marked as land use allocation LEB2, the accompanying text states that the land is suitable for B1 Business Uses '*where this would benefit the residential environment of the adjoining areas of Letchworth*'. The proposed development would therefore lead to the loss of future employment opportunities on this site. This policy background for the site, established in the mid 1990s needs to be balanced against more up to date central government guidance in my judgement.

4.3.3 Planning Policy Guidance note (PPG) 3 'Housing' para. 42(a) states that '*Local Planning Authorities should consider favourably planning applications for housing or mixed use developments which concern land allocated for industrial or commercial use in saved development plan documents.....*' The aim of this government strategy is to improve the delivery of new housing, particularly in relatively sustainable, urban settings. More up to date draft government guidance contained within Planning Policy Statement (PPS) 3 'Housing' places even more emphasis on the need to ensure faster delivery of housing, particularly on previously developed land, such as this site. The relative proximity of the site to the town centre and the public transport linkages that exist must also be considered as this emphasises the sustainable nature of the site.

4.3.4 In July 2001 the Council also adopted a development brief for the Pixmore Avenue site. This identifies a potential mixed employment/residential development on the site. The exact land use mix within the Brief was established by examining the total area of the site used for residential accommodation in association with the Skills Centre, balanced against a remainder of the area envisaged for employment related development. The total area of residential use would have amounted to approximately 2.6ha, which is significantly less than that proposed with this application at 4.8ha (approx.). Paragraph 3.2.4 of the Brief does however state that '*opportunities may well arise....., to achieve a more beneficial distribution of uses on the overall Skills Centre site, leading to a possible further adjustment of the extent of the residential area identified in this Brief.*' Moreover, the recent planning permission for the development of a distribution centre on the land adjoining this site is within the area of land covered by the Design Brief and as such any future development on the Design Brief site would be of a mixed use of sorts, albeit not strictly in accordance with the original concept.

4.3.5 In conclusion, the advice I have received from the planning policy team is that residential development is acceptable on this site in principle. They have arrived at this conclusion based on the results of an Employment Land Review, undertaken by consultant, commissioned by the Council. The first part of their analysis concludes that the allocation of the Skills Centre site may change to residential to the extent set out in this application. Such a change, if it occurs, would become part of the forthcoming Local Development Framework (LDF). Therefore, taking account of this rather complex policy background I consider that a refusal of planning permission based on conflict with the 1996 District Local Plan proposal map would be very difficult to justify at an appeal and that permission should be granted for residential development on the whole area covered by this planning application for residential development.

4.3.6 **Scale of Development in relation to Context and Amenity issues**

The Town Council has raised concerns about the density of housing development proposed in relation to the character of the surrounding area. In relation to density, central government guidance on housing contained within PPG3 seeks to increase development densities to ensure a more efficient use of land for housing but not at the expense of good design. Moreover, the PPG in paragraph 56 argues that the design of new housing should be informed by the wider context. On the specific issue of density PPG3 para. 58 argues that an efficient use of land for housing would be for a net development density of between 30 and 50 dwellings per hectare (dph). Central government guidance does not set out an embargo against housing development of a higher density and indeed encourages even higher density around public transport nodes and close to town centres.

- 4.3.7 The adopted Design Brief includes an analysis of the character of the surrounding area and it states in para. 4.2.2 that *'the site is comparatively close to the town centre; and the land is bound by employment areas. The character and amenity of those areas is less sensitive to the introduction of higher residential densities than would be the case in a wholly residential area. Indeed, bulky 3-storey blocks already exist on the site. On this basis, higher building densities may be contemplated on the Skills Centre site than would otherwise be the case. In principle, therefore, it is suggested that densities of around 60 dwellings per hectare net could be achieved satisfactorily on this land, subject to the approval by the North Herts Highways Partnership.'* The net development density proposed here is 51 dph, just over the efficient use of land parameters suggested in PPG3 but lower than that suggested by the Council's adopted Development Brief. Moreover, since there are no technical highway objections to this quantum of development I am satisfied that a development of up to 250 dwellings on this site can be designed in such a way which respects the site context. It is therefore appropriate to grant outline planning permission for up to 250 dwellings, with detailed matters of siting, design, external appearance and landscaping reserved for future consideration.
- 4.3.8 The detail of amenity issues, such as noise, traffic impact, public and private amenity space, can only be assessed at the reserved matters stage. Nonetheless, certain conditions can be imposed within an outline planning permission which would provide safeguards against potential problems. For example, the Council's Environmental Health department has raised concerns regarding noise levels within the site, bearing in mind the proximity of any residential development to surrounding industrial uses. They argue that a detailed noise survey of the site which must include mitigation measures if necessary should be carried out prior to any detailed approval. Taking account of this advice, which is consistent with central government guidance on noise contained in PPG24, I recommend that a suitably worded planning condition be imposed which requires such a survey to be carried out prior to the commencement of development. Indeed, noise considerations and relationships with neighbouring land uses should also inform the detailed design and layout of any housing scheme on this site.

4.3.9 The applicant has suggested that car parking levels on this site would equate to 1.5 spaces per dwelling. This is consistent with advice contained within PPG3 however, the adopted Design Brief, whilst supporting PPG3 advises that *'prospective developers should enquire of the latest position when detailed designs are proposed for the site. In the interim, it is suggested that an average of 1.5 spaces per dwelling is used on the site.'* The latest position on car parking standards is contained within the Council's adopted design guidance, 'Car Parking Provision at New Development'. This sets out maximum car parking standards for residential development based on bedroom numbers, ranging from 1.25 spaces per one bed dwellings to 3 spaces for 4 bed dwelling. If Members are minded to grant outline planning permission, the car parking numbers would be part of any reserved matters submission and developers and the Council would consider this at the time, based on adopted standards.

4.3.10 Likewise, issues of total private garden areas, public amenity space, privacy and general relationships between buildings are all matters that cannot be considered at this stage, since all these matters relate to issues of design, siting and landscaping (the matters reserved).

4.3.11 **Vehicular Access**

Vehicular access is however an issue that needs to be considered at this stage since the plans indicate the arrangements and the application forms clearly state that vehicular access is part of this outline planning application. Whilst certain local residents have raised concerns regarding the safety and suitability of the proposed access points off Pixmore Avenue, the access points have been designed to current highway authority standards, and whilst Hertfordshire County Council (Highways) have suggested various conditions in relation to the proposed vehicular access points they raise no technical highway objections on the basis of safety and vehicular movements. In my judgement, the two proposed access points have been carefully chosen, they are both located at a good distance from any other junctions and access onto a straight piece of road, with good visibility. Based on this analysis I conclude that the proposed vehicular access arrangements are acceptable.

4.3.12 **Section 106 Obligation requirements/Conditions**

Central Government Circular 05/2005 offers up to date guidance on Section 106 Obligations. Essentially, the guidance seeks to prevent the Section 106 provisions becoming a free for all. Planning permissions cannot be bought or sold and a Section 106 Obligation must be relevant to planning; necessary to make the proposed development acceptable in planning terms; directly related to the proposed development; fairly and reasonably related in scale and kind to the proposed development; and reasonable in all other respects. In light of this circular advice and following responses from all the consultees in relation to this planning application I recommend that, if Members are minded to grant outline planning permission for this development, a Section 106 Obligation is required to achieve the following objectives:

- 4.3.13 * Policy 29A of the North Hertfordshire District Local Plan No. 2 - with Alterations requires that for residential development of 20 or more dwellings, 25% of the housing must be affordable. The applicants have set out a commitment to achieve this and it needs to form an important part of the any Section 106 Obligation.
- * The provision of the two proposed Local Area of Plays (LAPs) within the site and the provision of an off-site Local Equipped Area of Play (LEAP) within the adjoining Baldock Road Recreation Ground is also required. These facilities would need to be provided by the developers, at their expense and with a financial contribution towards their future management and maintenance to be transferred to the Council, along with a management programme involving a transfer of amenity areas to Council control.
 - * Other financial contributions are required towards secondary education, library services, youth and childcare provision. All contributions are based on a complex formula relating to the number of bedrooms and the mix of private and affordable housing.
 - * A contribution of £300,000 in total is required for Hertfordshire County Council (Highways) divided between bus stop improvements (£50,000) and public/sustainable transport improvements (£250,000). Upon the advice of the Council's Transport Policy Officer, some of this money will need to be directed towards improvements to the local cycle network.
 - * A framework for a residential travel plan, to encourage use of sustainable transport measures by occupiers of the dwellings.
 - * Fire hydrant provision across the site.

4.3.14 Turning to conditions, a full list of recommended conditions is set out below, these include the need for a full site survey and remediation strategy in relation to potential contamination, a noise survey (mentioned above), foul and surface water drainage details and waste minimisation measures.

4.4 Conclusion

4.4.1 Taking account of the all the above factors I consider that residential development is acceptable on this site in principle. I am also satisfied that a scale of development proposed up to a maximum of 250 dwellings can be accommodated on this site without harming the character or amenities of the area. Subject to the Section 106 Obligation requirements detailed above, and conditions listed below I recommend that outline planning permission be granted. If Members are minded to grant planning permission, since technically the proposal represents a departure from the development plan, the application will need to be advertised as such and referred to the Government Office to seek their view on whether the Secretary of State wishes to call in the application for determination.

5.0 Legal Implications

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

6.0 Recommendation

6.1 That outline planning permission be **GRANTED** subject to the following conditions and the applicant entering a Section 106 Obligation with the Council to ensure the following: 25% affordable housing as part of any residential development, the provision of two Local Area of Plays (LAPs) on the site and one Local Equipped Area of Play (LEAP) off the site. Financial contributions towards the management and maintenance of these facilities and transfer to Council control of all amenity and play space land. Financial contributions towards Secondary Education, Youth and Childcare Provision, Library Services, sustainable transport measures and bus stop improvements, fire hydrant provision across the site and residential green travel plan.

1. **Before the development hereby permitted is commenced, approval of the details of the siting, design and external appearance of the development, the means of access thereto 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 landscape details to be submitted as reserved matters shall include the following :
 - a) which, if any, of the existing vegetation is to be removed and which is to be retained
 - b) what new trees, shrubs, hedges and grassed areas are to be planted, together with the species proposed and the size and density of planting
 - c) the location and type of any new walls, fences or other means of enclosure and any landscaping proposed
 - d) details of any earthworks proposed

Reason: To ensure the submitted details are sufficiently comprehensive to enable proper consideration to be given to the appearance of the completed development.

4. 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.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended, no development as set out in Class(es) A-F of Part 1 of Schedule 2 to the Order shall be carried out without first obtaining a specific planning permission from the Local Planning Authority.

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

6. **(a) Construction work (based on the definition within Control of Pollution Act 1974 'erection, construction, breaking up, boring, demolition, dredging works to buildings, structures, land or roads) on the development site hereby permitted shall not commence prior to the submission to, and agreement of the Local Planning Authority of a written environmental report (Phase I) which identifies the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination which is likely to be harmful to human health, the aquatic environment, buildings, structures and local ecosystems.**

(b) The Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then a further report (Phase II) shall be submitted to the Local Planning Authority which includes:

(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors (the definition of receptor shall be based on the definition contained within Table A, Annex 3 of the DETR Circular on Contaminated Land 2/2000 and also include controlled waters.

(ii) The results from the application of an appropriate risk assessment methodology, and;

(iii) A method statement that specifies the steps necessary to render any contamination harmless, and;

(iv) A contingency plan, which specifies how unanticipated pollutants will be dealt with.

No construction work (other than that necessary for the discharge of this condition) shall commence on this site until the Phase II report has been approved, in writing, by the Local Planning Authority.

(c) This site shall not be occupied, or brought into use, until:

(i) All works which form part of the agreed scheme pursuant to the discharge of condition (b), above, have been fully completed.

(ii) A remediation validation report (Phase III) confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

(d) Any contamination, other than that reported by virtue of condition (a) and (b), encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to (but not necessarily in writing), and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site.

(e) All works agreed with the Local Planning Authority with regard to remediation of this shall be permanently maintained.

Reason: To safeguard that any contamination present within the site is dealt with in a manner that safeguards human health, the built and aquatic environment and local ecosystems.

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

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

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

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

9. **Prior to the commencement of development full details of foul and surface water drainage services required as a result of this development shall be submitted to and approved in writing by the Local Planning Authority. Such works shall thereafter be carried out in complete accordance with the approved details or particulars prior to the first occupation of the development.**

Reason: To ensure that adequate foul and surface water drainage services can be provided.

10. **Prior to the commencement of development a noise survey shall be carried out in relation to noise levels on the site and emitted from adjoining industrial uses, the results of which together with any proposed mitigation measures, shall be submitted to and approved in writing by the Local Planning Authority. Any required mitigation measures shall thereafter be carried out in complete accordance with approved details or particulars prior to the first occupation of the development hereby permitted.**

Reason: To ensure a suitable noise climate for future occupiers of the development.

11. The development hereby permitted shall not be brought into use until the proposed access has been constructed, and the existing access has been closed, and the footway verge has been reinstated to the current specification of Hertfordshire County Council and the Local Planning Authority's satisfaction.

Reason: In the interests of highway safety and amenity.

12. Before the accesses are first brought into use, vehicle to vehicle visibility splays of 4.5m by 90m in both directions shall be provided and permanently maintained to the site access number one and vehicle to vehicle visibility splays of 2.4m by 90m in both directions shall be provided and permanently maintained to site access number two. Within which there shall be no obstruction to visibility between 0.6m and 2m above the footway level. These measurements shall be taken from the intersection of the centre line on the permitted 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.

13. The gradient of the accesses shall not be steeper than 1 in 25 and they shall be constructed in a hard surface material for the first 10m from the edge of the carriageway. The accesses shall be 5.5m wide and the kerb radii shall be 6m, which shall include pram crossing complete with tactile feature.

Reason: In the interests of highway safety and amenity.

14. **Prior to the commencement of development, detailed information on the provision of refuse collection showing turning and manoeuvring and acceptable road alignment as Roads in Herts A Guide for New Developments must be submitted to and approved in writing by the Local Planning Authority.**

Reason: To ensure that the work undertaken within the highway is constructed to the current Highway Authority and the design complies with the requirements of Roads in Hertfordshire a Guide for New Developments.

15. **On-site parking shall be provided for the use of all contractors, sub-contractors, visitors and delivery vehicles engaged on or having business on the site in accordance with details to be agreed in writing with the Local Planning Authority before the commencement of the site works.**

Reason: To ensure adequate vehicle parking and manoeuvring space is provided on site during construction.

Informative

Works to be undertaken on the adjoining highway shall be constructed to the satisfaction of the Highway Authority and in accordance with Hertfordshire County Council publication Roads in Hertfordshire 'A Guide for New Developments.' Before proceeding with the proposed development, the applicant shall contact County Hall Office (telephone 01992 588414) to obtain the requirements on the procedure to enter into a Section 278 agreement for the associated road works as part of the development. This should be carried out prior to any development work is carried out.

Reason for Decision

In the opinion of the Local Planning Authority, whilst strictly not in accordance with development plan, residential development is acceptable on this site in principle. The amount of development can also be accommodated on the site without harming the character or amenities of the locality and would not impact unacceptably on highway conditions in the vicinity of the site. As such, the proposal broadly complies with the development plan as summarised below:

Hertfordshire Structure Plan Review 1991-2011:

Policy 1 'Sustainable Development'
Policy 2 'Design and Provision of Development'
Policy 6 'Settlement Pattern and Urban Concentration'
Policy 7 'Main Development Strategy'
Policy 22 'Reduction in Travel Need and Car Usage'
Policy 25 'Car Parking' (and supplementary planning document 'Vehicle Provision at New Development')

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

Policy 1 'Pattern and Character of North Hertfordshire'
Policy 8 'Development in Towns'
Policy 22 'Urban Environment'
Policy 29A 'Affordable Housing for Urban Housing Needs'
Policy 36 'Employment Provision'
Policy 37 'Business Uses (B1 Use Class)'
Policy 51 'Development Effects and Planning Gain'
Policy 57 'Residential Guidelines and Standards'
Policy 58 'Letchworth Garden City Design Principles'

ITEM NO: 3	<u>Location:</u>	Lamp Post No 240 outside 28, Hitchin Road, Letchworth Garden City, SG6
	<u>Applicant:</u>	T-Mobile (UK) Ltd
	<u>Proposal:</u>	Replacement 10.06m high dual purpose telecommunication lamp post with 3 antennae. Three radio equipment cabinets and ancillary development.
	<u>Ref.No:</u>	06/01037/ 1
	<u>Officer:</u>	James Gran 01462 474443

Date of expiry of statutory period : 17 August 2006

Reason for Delay

N/A

Reason for Referral to Committee

Called in by Councillor Needham on the grounds of potential visual intrusion of the proposal.

1.0 Relevant History

1.1 None

2.0 Policies

2.1 **Central Government Guidance:**
Planning Policy Guidance note (PPG) 8 'Telecommunications'

2.2 **North Hertfordshire District Local Plan No. 2 with Alterations:**
Policy 20 - Conservation Areas
Policy 48 - Telecommunications

3.0 Representations

3.1 **Neighbouring properties** - Letters of objection received from No's 24, 28 (with a petition of 31 signatures attached), 32 Hitchin Road and 69 Pasture Road. The objections concern perceived health risks of the installation, impact on visual amenity from the proposed cabinets, also that the existing lamppost will not be completely removed causing clutter in the road and justification of discounting alternative sites.

3.2 **Letchworth Garden City Council** - No objection

3.3 **Letchworth Garden City Heritage Foundation** - state that the proposal is inconsistent with their policy regarding telecommunication installations, as it would be within 100 metres of housing and within 200 metres of a school.

- 3.4 **Conservation Officer** - No objection but states that the cabinets should be sited closer to the boundary hedge with No. 28 Hitchin Road and that the existing lamppost should be completely removed and the existing highways sign sited on the proposed lamppost.

4.0 Planning Considerations

4.1 Site & Surroundings

- 4.1.1 Lamppost 240 is located on an area of general amenity land located on the north side of Hitchin Road (A505), close to the junction with Highfield. To the north lies No. 28 Hitchin Road, to the south is the highway with No. 69 Pasture Road beyond. To the east and west are the continuation of the A505 towards central Letchworth and Hitchin respectively. The site is within the Letchworth Conservation Area, although the opposite side of Hitchin Road is outside of the Conservation Area. There are several other forms of street furniture in the street scene by way of a pedestrian crossing with associated cabinets approximately 10 metres to the west and other lampposts at regular intervals along the A505.

4.2 Proposal

- 4.2.1 The proposed telecommunication development for the T-Mobile network comprises a 10.06 metre high telecommunications swap-out mast with 3 antennae, 3 cabinets and ancillary development. Unlike other designs for swap-out masts, the antennae in this case would be sited beneath the arm of the lamppost. Proposed at ground level is a main cabinet which would measure 1.3 metres in width and 1.6 metres in height. The second cabinet would measure 0.9 metres in width and 1.2 metres in height. The third would measure 0.5 metres in width and 1.2 metres in height. All three cabinets would be sited up against the hedge boundary with No. 28 Hitchin Road to the north. Lamppost No. 240 itself is proposed to be capped at a height of 3.5 metres, retaining the existing highway sign and light fixed to the post. The replacement lamppost would be sited 0.9 metres to the east, remaining on the area of amenity verge, close to the highway of Hitchin Road.

4.3 Key Issues

- 4.3.1 The applicant states there is a requirement for a radio base station at this location due to inadequate coverage for both 2G and 3G frequencies of service. The applicant states coverage is very poor or non-existent along parts of Hitchin Road, Broadway and the area surrounding Letchworth Lane. They state that a T-Mobile installation is required in this area to ensure that appropriate levels of coverage can be provided in order to comply with T-Mobile's license requirements. The search area is located to the west of the town centre and is bisected by the A505, which is the main thoroughfare from Letchworth to Hitchin. The search area consists mainly of residential properties, however there are three schools which lie to the north, east and north-west of the search area.
- 4.3.2 With the proposed site being located within the Conservation Area, this installation requires full planning permission and cannot comprise an application for "permitted development". Four representations from neighbouring properties were received as a result of public consultation on the application. With regard to the health concerns over the installation, current Planning Policy Guidance from the Government within *PPG8 - Telecommunications* states:

"It is the Governments firm view that the planning system is not the place for determining health safeguards. It remains central Governments responsibility to decide what measures are necessary to protect public health. In the Governments view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them" (ODPM, 2001: p. 29).

Therefore, as the ICNIRP certificate has been submitted with the application, there is no further need, in my opinion, to consider the health aspects of the proposal. With regard to the visual impact of the three proposed cabinets, as they would be set almost up against the existing hedging to the north and the presence of other cabinets in the immediate vicinity, in my view the cabinets would have a neutral impact upon the character and appearance of the Conservation Area, as they would be seen against the backdrop of the hedgerow. There are three cabinets required due to the installation providing for both 2G and 3G services. One cabinet provides for the power, one for 2G coverage and the third for 3G coverage. The applicant states that the technology is not possible to be collated into one single cabinet. Therefore, effectively this is a 2 into 1 proposal, not requiring the need for another installation nearby. With regard to the visual impact of the lamppost itself, the only differences to the existing lamppost would be a slight increase in width of the post at the antennae section, enlarging from 20 to 30 cm in diameter. The second difference would be that the lamppost arm would be at right angles to the post itself, instead of the arc design of the other lampposts in the locality. Thirdly, the new lamppost would be sited 0.9 metres from the existing but would be sited no closer to the highway than the existing. These minor variations to the existing piece of street furniture would not, in my view, result in an unduly feature in the street scene.

- 4.3.3 As stated in section 4.2.1, the existing lamppost would be capped at a height of 3.5 metres, to retain the highway sign and light on the post. The applicant originally stated that the light cannot be transferred to the proposed post due to the wiring inside the installation. However, as a result of discussions with the applicant, it has been agreed that the existing lamppost will be removed in its entirety from the site shortly after the erection of the proposed lamppost. The existing lamppost cannot be removed before the installation is erected due to highways requirements to keep lighting power constant between the lampposts. A condition has been attached to the recommendation to follow this report, requiring the removal of the existing lamppost in its entirety within 14 days of the erection of the proposed lamppost.
- 4.3.4 Various other sites were examined within the search area. Possible sites for sharing included the two fake Cypress tree installations at Wyevale Nurseries off the A505 towards Hitchin. However, both sites are *"located too far away from the search area to provide the required level of coverage"*. The applicant states that all proper efforts have been made to identify suitable existing facilities within or nearby the search area for sharing, of which none were suitable for the required network coverage. PPG 8 (Telecommunications) requires that planning authorities be mindful of technical constraints when considering proposals for new apparatus. This requirement is clearly set out in the relevant guidance below,

"Each telecommunications system has different antenna types, siting needs and other characteristics. Planning authorities should have regard to any technical constraints on the location and proposed development".

4.3.5 Based on the above government advice and the merits of this proposal by way of minimal impact upon the visual amenity of the street scene and Conservation Area, in my opinion this site is the most suitable location for this installation.

4.4 **Conclusion**

4.4.1 In my view, the proposal would not result in a material adverse effect upon the visual amenity of the locality or on the character and appearance of the Conservation Area. I therefore consider the proposed telecommunication lamppost and cabinets to be acceptable and consequently recommend planning permission be granted in this case.

5.0 Legal Implications

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

6.0 Recommendation

6.1 That 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. Should the telecommunications apparatus hereby approved be no longer required for telecommunications purposes the applicant (or their successors in title) shall inform the local planning authority in writing within 3 months. Thereafter the development shall be removed from the land and the site reinstated to its former condition within a further three months from the date that the local planning authority is informed of the obsolescence.

Reason: To ensure the removal of redundant street furniture.

4. Within 14 days of the erection of the new dual purpose telecommunication lamppost hereby permitted, the existing lamppost (No 240) shall be removed from the site in its entirety and the land reinstated.

Reason: In the interests of avoiding adverse impact upon the character and appearance of the Conservation Area and unnecessary street clutter.

Reason for Decision

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

North Hertfordshire District Local Plan No 2 with Alterations:

Policy 20 - Conservation Areas

Policy 48 - Telecommunications

Central Government Guidance:

Planning Policy Guidance Note (PPG) 8 - 'Telecommunications'

