

15 August 2006

Our Ref: SRuralCtte/Aug06
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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 24 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 meeting of this Committee held on 13 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 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. NORTH HERTFORDSHIRE HIGHWAYS PARTNERSHIP JOINT MEMBER PANEL DISCRETIONARY BUDGET FOR 2006-2007 AND 2007-2008 REPORT OF THE CHIEF ENGINEER <i>A report providing information relating to the schemes and projects proposed by the Committee at their meeting on the 13 July 2006 and requesting the Committee's decision on which schemes and projects (if any) they wish to provide matched funding.</i>	1
7. CHAMPION NEWS REPORT OF THE HEAD OF COMMUNITY DEVELOPMENT AND CULTURAL SERVICES <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 13 July 2006 and events taking place in forthcoming months.</i>	7
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VISIONING BUDGETS 2006/2007
REPORT OF THE HEAD OF COMMUNITY DEVELOPMENT AND
CULTURAL SERVICES

*The current budget balances for the Committee and grant applications
from the following organisations:*

1. Holwell Parish Council
2. Great Ashby Community Group
3. Sticky Mitts Arts & Crafts
4. Breachwood Green Village Hall
5. Hexton Parochial Church Council
6. Kings Walden Parish Council
7. Preston Cricket Club
8. Knebworth Parish Council

9. PLANNING APPLICATIONS **25**
REPORT OF THE HEAD OF PLANNING AND BUILDING CONTROL

Planning applications for determination by the Committee:

1. **14 Bedford Road, Ickleford** **27**
2. **Plot 1 at 11 Lime Avenue, Wheathampstead** **33**
3. **Land adjacent to The Old Bakery, Bendish** **39**
4. **Land at Green Farm, Bendish** **47**
5. **Ballslough Farm, High Street, Kimpton** **55**
6. **156 High Street, Codicote** **59**
7. **4 The Green, Codicote** **63**
8. **Land rear of 37 Tower Road, Codicote** **67**
9. **Priory Farm, Priory Lane, Little Wymondley** **73**

Item A – Land at Depot, 1A High Street, Graveley **79**

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**10. PLANNING ENFORCEMENT – LAND ADJACENT TO JUNCTION 8,
A1(M) NORTHBOUND & SOUTHBOUND** **91**
REPORT OF THE HEAD OF PLANNING AND BUILDING CONTROL

*Report seeking authorisation from the Committee for the Planning
Control and Conservation Manager to take enforcement action to secure
the removal of the unauthorised advertisements displayed in fields
adjoining the A1(M) motorway.*

11. PLANNING ENFORCEMENT UPDATE **93**
REPORT OF THE HEAD OF PLANNING AND BUILDING CONTROL

*An update for the Committee on the current status of Planning
Enforcement cases previously authorised.*

12. PLANNING APPEALS **95**
ORAL REPORT OF THE HEAD OF PLANNING AND BUILDING
CONTROL

*An update for the Committee on any Planning Appeals that have been
lodged or determined since the meeting of the Committee held on 13 July
2006.*

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

5 October 2006

16 November 2006

21 December 2006

1 February 2007

15 March 2007

26 April 2007

**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 Chief Engineer and the North Herts District Manager (Hertfordshire Highways).
- 1.2 For Members to decide which schemes and projects (if any) the Southern Rural 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 Appendices A and B for the Minutes from the meeting of the NHHP – JMP held on 26 June 2006 (Minute 13 refers) and the meeting of the Southern Rural Committee held on 13 July 2006 (Minute 20 refers).

4. COST ESTIMATES AND COMMENTS

- 4.1 Members should please refer to the following engineering comments on each scheme and the cost estimates for each scheme:

- **Works to repair Rabley Heath Road to be advanced**
Further information on lengths involved required from the committee to enable preparation of estimates.
- **Repairs to Grimstone Road, Little Wymondley**
As above
- **Repairs to Bedford Road, between Ickleford and Holwell**
As above.
- **Extension of repair works to Old Hale Way, with particular reference to the section along past schools towards Ickleford**
This section is not in this Committee's area; it is in the Hitchin Committee Area.

- **Bury Lane, Codicote – explore and identify simple measures that can be taken to address problems with frequent accidents and cars leaving the roads (signage etc)**
This issue was the subject of a petition to the JMP on 30/06/06 and is under investigation at this time.
- **Transitory speed limit on the B656 into Codicote to mirror the other end of the road as it enters St Ippolyts**
Consultation with Police to be undertaken before this proposal can be progressed.

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 Southern Rural Committee to note the information provided.

8.2 For Members of the Southern Rural 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 Southern Rural 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 North Herts District Manager (Hertfordshire Highways) 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 Hitchin 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 Southern Rural Committee held on 13 July 2006.

11. CONTACT OFFICER

11.1 Peter Marshall (Chief Engineer)
Tel. 01462 474229
E-Mail: Pete.marshall@north-herts.gov.uk

12. CONTRIBUTOR

12.1 Steve Greenhill (North Herts District Manager, Hertfordshire Highways)
Tel. 01438 757830
E-Mail: Steve.greenhill@herts-highways.org.uk

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.

NORTH HERTFORDSHIRE DISTRICT COUNCIL

SOUTHERN RURAL COMMITTEE
(Cadwell, Codicote, Graveley & Wymondley, Hitchwood, Hoo, Kimpton,
Knebworth and Offa Wards)

**Minutes of the meeting held in the Council Offices, Gernon Road, Letchworth
Garden City on 13 July 2006 at 7.30 p.m.**

EXTRACT FROM MINUTES

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

The Committee considered a referral from the North Hertfordshire Highways Partnership Joint Member Panel, which invited the Area Committees to submit projects for consideration of funding from the Panel's Discretionary Budget for the financial year 2007/2008.

RESOLVED:

- (1) That the following schemes be put forward for consideration of funding from the North Hertfordshire Highways Partnership Joint Member Panel's Discretionary Budget:
 - Works to repair Rabley Heath Road to be advanced;
 - Repairs to Grimstone Road, Little Wymondley;
 - Repairs to Bedford Road, between Ickleford and Holwell
 - Extension of repair works to Old Hale Way, with particular reference to the section along past schools towards Ickleford
 - Bury Lane, Codicote – explore and identify simple measures that can be taken to address problems with frequent accidents and cars leaving the roads (signage etc)
 - Transitional speed limit on the B656 into Codicote to mirror the other end of the road as it enters Ickleford

- (2) That any further suggestions that Members may have for inclusion on the list to be put forward for consideration of funding be submitted in writing to the Committee & Member Services Officer by Friday 21 July 2006.

REASON FOR DECISION: To ensure that the Joint Member Panel allocated funding from the Discretionary Budget for agreed themes.

TITLE: 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 took place on the Ashwell Recreation Ground between 11.00am-3.00pm on Wednesday 9 August 2006. The Children Services Team provided a variety of fun activities on a drop in basis for the rural community. The event was widely publicised and included in the NHDC SummerZone brochure, which lists all the activities taking place across the district. An oral update will be given at the Committee meeting.

2.2 Play Time Opportunities

The Play Time opportunities in schools project has now completed the programme of working in 6 schools in Breachwood Green, Hexton, Ickleford, Little Wymondley, Preston & St. Ippolyts. It provided better play opportunities for children during the lunchtime period, as well as assistance to support the Mid Time Supervisory Assistants. Play activities were made available to children, to enable a better understanding in school of play. As a result of this successful initiative, some schools purchased new equipment to extend the existing range available.

2.3 SummerZone

The programme is delivering a number of playschemes, sports courses and 'Out 2 Play' sessions for children aged 5-16 years old across the district from 26 July to 25 August 2006. A full oral update from the Rural Play Project Worker will be given to the Committee at the 5 October 2006 meeting.

2.4 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. A football match organised with support from the Ward Member, between the police and young people of the village took place on the recreation ground on 7 August 2006 using the new goal posts grant-aided by this Council.

2.5 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 consultation with young people took place on 11 July 2006 at the Memorial Hall, supported by this Council, Hertfordshire Youth Service and the Parish Council. Various needs were identified and many expressed a willingness to be involved in a young persons group in the village. The young people have also been invited to attend the North Herts Summer Programme.

2.6 Codicote Youth Project (CYP)

Following the Annual General Meeting which 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. A grant-aid application will be submitted to the Committee when the second tranche of applications is considered by the Committee on 1 February 2007.

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

These funding programmes 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 31 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 programmes to be presented to the Parish Challenge Member Panel in December 2006. The Committee will be updated at the 24 August 2006 Committee meeting.

2.7 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.

2.8 Annual Rural Conference

Will be held on Monday 18 September 2006 at the Council Offices from 5.30 – 9.00pm and combined with the Annual Community Safety Conference. 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 allowing for 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)
Telephone: 01462 474674
E-Mail: garry.gover@north-herts.gov.uk

**TITLE: 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 request Committee decisions on the grant applications set out in Appendix 1.

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 At the meeting on 16 March 2006 the Committee agreed to consider its programme of awards to community organisations for 2006/7 on a bi-annual basis.
- 3.2 The first phase of awards would be agreed and allocated by 24 August 2006 with the remainder being considered at the meeting on 1 February 2007.
- 3.3 A significant effort was made in April/May 2006 to publicise the awards. For example, 170 individual letters were sent out to individual rural ward community organisations.
- 3.4 The closing date of receipt of applications was 14 July 2006, and 8 completed applications were submitted on time.
- 3.5 A spreadsheet detailing the spend to date of the Area Development budget is enclosed as Appendix 2.

4. ISSUES

- 4.1 Each application has been considered on its merit against Council criteria. Consideration has also been given to any matched funding.
- 4.2 A level of funding for each application has been identified by application of the criteria, and the Committee is asked to determine whether it wishes to support these bids.

- 4.3 One application for Holwell Parish Council has been submitted for consideration under Area Committee Discretionary grant criteria due to the urgency of the project, but would normally only be eligible under Playground Challenge and would not be considered until December 2006 by the Parish Challenge Member Panel. Each year Playground Challenge is over-subscribed, and not all applications can be supported to the full amount requested. The Committee is asked if it wants the relevant application deferred to Playground Challenge, or to consider it at the Committee meeting.

5. LEGAL IMPLICATIONS

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

6. FINANCIAL AND RISK IMPLICATIONS

- 6.1 Members are asked to note the information detailed in Appendix 2 of the report, which relates to the Area Committee budget balances for the current financial year 2006/2007.
- 6.2 The spreadsheet also details the pre-allocations carried forward from the previous financial year 2005/2006 to the current financial year 2006/2007.
- 6.3 In addition, the spreadsheet includes the balances and past expenditure relating to the allocated Visioning Budgets available to the Committee.
- 6.4 Applications to the total of £5,407 have been received. This Committee has a total budget of £24,210 to allocate. In the case that the recommendation of £5,407 is supported, the balance will then be £18,803.
- 6.5 The unallocated Members Ward Discretionary budget that must be allocated by 31 March 2007 is £6,300 and is detailed in the Appendix 2.
- 6.6 In recognition of the amount of unallocated underspend from the Area Committee Discretionary budget after the applications for funding from both tranches have been considered, the Community Development Officer will consult with Members ahead of presenting a report for consideration at the Southern Rural Area Committee meeting on 15 March 2007.

7. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS

- 7.1 Consultation with the respective Ward Members has occurred in connection with the pre-allocation of funds for Community Projects from the previous financial year 2005/2006. Ward Members were advised prior to the meeting of all requests for financial assistance coming from their Ward.

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 Visioning Budgets.
- 8.2 The Committee is asked to allocate grants to applicants as detailed in Appendices 1.1 – 1.8.

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 - Summary of Grant Applications and Officer Recommendations for 2006/2007.

Cadwell Ward

Appendix 1.1: Grant request from Holwell Parish Council

Graveley & Wymondley Ward

Appendix 1.2: Grant request from Great Ashby Community Group

Hitchwood Ward

Appendix 1.3: Grant request from Sticky Mitts Arts And Crafts Pre-School Group

Hoo Ward

Appendix 1.4: Grant request from Breachwood Green Village Hall

Appendix 1.5: Grant request from Hexton Parochial Church Council

Appendix 1.6: Grant request from Kings Walden Parish Council

Appendix 1.7: Grant request from Preston Cricket Club

Knebworth Ward

Appendix 1.8: Grant request from Knebworth Parish Council

- 10.2 Appendix 2 – Spreadsheet of Committee Delegated Budgets 2005/6.

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 Jodie Penfold (Assistant Accountant Customer Services)
Telephone: 01462 474332
E Mail: jodie.penfold@north-herts.gov.uk

TITLE: PLANNING APPLICATIONS
REPORT OF THE HEAD OF PLANNING & BUILDING SERVICES

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.	06/00796/1HH	14 Bedford Road, Ickleford, SG5 3XH Relocate and replace existing double garage with double garage with room in roofspace.	Tom Rea 01462 474565	27
2.	06/00534/1	Plot 1 at 11, Lime Avenue, Wheathampstead, St Albans, AL4 Detached dwelling following demolition of existing dwelling house (all matters reserved).	Tom Rea 01462 474565	33
3.	06/00612/1	Land Adjacent To The Old Bakery, Bendish, Hitchin, SG4 8JH Erection of two bedroom dwelling for use by key worker.	Tom Rea 01462 474565	39
4.	06/01069/1	Land at Green Farm, Bendish, SG4 Retention of vehicle access for emergency vehicles and construction of associated hardstand.	Helen Caldwell 01462 474418	47
5.	06/00622/1	Ballslough Farm, High Street, Kimpton, SG4 Detached building to provide grain store, workshop and additional storage	Helen Caldwell 01462 474418	55
6.	06/00745/1HH	156 High Street, Codicote, SG4 8UB Single storey rear extension, front porch and reinstatement of chimney stack to side (south east) elevation.	Victoria Woodbridge 01462 474543	59
7.	06/00942/1HH	4 The Green, Codicote, SG4 8UR Two storey side extension.	John Chapman 01462 474516	63

8.	06/00913/1	Land rear of, 37 Tower Road, Codicote, SG4 8XH Pair of 3 bedroom link-detached dwellings with 2 parking spaces to serve each dwelling (as amplified by plan no 0639/1A received 20.07.06).	John Chapman 01462 474516	67
9.	06/00944/1	Priory Farm, Priory Lane, Little Wymondley, SG4 7HD Change of use of redundant agricultural building to car repair business (Use Class B2).	Joanne Cousins 01462 474418	73
Item A	06/01198/1CM	Land at Depot, 1A High St, Graveley	John Chapman	79
Item B	06/01206/1CC	Breachwood Green, JMI School	John Chapman	89

ITEM NO: 1	<u>Location:</u>	14 Bedford Road, Ickleford, SG5 3XH
	<u>Applicant:</u>	Mr K Kemezys
	<u>Proposal:</u>	Relocate and replace existing double garage with double garage with room in roofspace.
	<u>Ref.No:</u>	06/00796/ 1HH
	<u>Officer:</u>	Tom Rea 01462 474565

Date of expiry of statutory period: 25 July 2006

Reason for Delay: Committee cycle.

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

1. Relevant History

- 1.1 Permission granted in September 1995 for a detached garage and new vehicular access.
- 1.2 Permission granted in May this year for a two storey side extension to existing dwelling to provide two 1 bedroom flats with two car parking spaces.

2. Policies

2.1 North Hertfordshire District Local Plan No. 2 with Alterations

Policy 5: Excluded Villages
Policy 28: House Extensions

3. Representations

3.1 Ickleford Parish Council: Object on the following grounds:

"Garage is now 5.5m (instead of 6.25m) which is still very high for a garage but as provisional permission has been granted for the rest of the development, there is probably little we can now say on this one. Nevertheless, we are sticking to our original comments and express the opinion that although the height of the proposed garage is reduced it is still a very major structure and very high as a garage in a residential area".

3.2 Hertfordshire Highways: No objections subject to conditions

3.3 Site Notice/Local residents: Letters received from the occupier of No. 16 Bedford Road who raises the following concerns:

- concerned about overlooking from the rooflights.
- concern over the height and location of the garage.

4. Planning Considerations

4.1 Site & Surroundings

4.1 The application site is located within the excluded village of Ickleford and comprises part of the rear garden of No. 14 Bedford Road. No. 14 is sited on a large plot approximately 55m in depth and 14m wide at the front of the site. A detached double garage is sited 2m from the side elevation of the property. A public footpath runs along the length of the side (northern) boundary of the site linking Bedford Road with St. Katherines Close. Bedford Road is a classified road. The immediate locality is dominated by semi-detached and terraced dwellings.

4.2 Proposal

4.2 The proposal is to demolish the existing garage and relocate it to the rear of the site adjacent the side garden boundary with a public footpath which links St. Katherines Close to Bedford Road. The garage, as amended, would be 5.8m wide, 8.7m deep and have a half hipped gable roof design with a ridge height of approximately 5.5 metres. The roofspace would provide a gym/study area which would be lit by four high level rooflights. The ground floor of the building would provide parking for two cars with a storage area to the rear.

4.3 Key Issues

4.3.1 The key issues to the determination of this application are the visual impact of the garage on neighbouring properties, its impact on the visual amenities of the locality and highway safety.

4.3.2 The first issue relates to the impact of the garage on the immediately adjoining properties at No. 12 and 16 Bedford Road and to a lesser extent on the properties at the rear of the proposed garage at 21 and 23 St. Katherine's Close.

4.3.3 In this respect the garage would be sited at least 20m from the main rear elevation of No. 16 Bedford Road, at least 25m from the rear of No. 12 Bedford Road and over 30m from the nearest properties in St. Katherines Close. Whilst the garage would be visible to all of these properties I do not consider that the building, which has been reduced in floor area and height from the originally submitted scheme, would unreasonably impact on the amenity of these properties given the distance between the garage and the properties and its amended height and form. Furthermore, the cross sectional plan submitted as part of the application shows that the proposed rooflights will have an internal floor to cill height of 1.55m which I consider would prevent any overlooking of any adjoining property.

4.3.4 Members will note the previous permission referred to at paragraph 1.2. and although that development has still to be implemented it is necessary for it to be taken into account with regard to this proposal. Accordingly, the proposed garage would be sited 16m from the rear elevation of the proposed flat development which I consider, having regard to the amended design and appearance of the garage, is an acceptable relationship. If, however, planning permission is granted, I consider a condition restricting the use of the garage to an ancillary building in association with the occupancy of No. 14 Bedford Road as a single family dwelling is necessary to ensure against the separate occupation of this building and the planning objections such a use would raise.

4.3.5 The garage would be sited close to the boundary with the adjoining footpath which is delineated by a 1.8m high timber fence. The top half of the garage would be

visible above the fence line from the footpath however I do not consider that the building would have an overbearing impact on users of the footpath given the half hipped gable design. The garage is also some 40m from Bedford Road and consequently its impact on the streetscene will be very limited. The proposed garage has been reduced in height so that the maximum ridge height is 5.5m with eaves of 3m. The ridge height is lower than that permitted for the new garage at No. 10 Bedford Road which is much closer to the main road and the adjoining dwelling than this proposal. I therefore consider that the proposed garage would not have any adverse impact on the visual amenities of the locality.

- 4.3.6 In terms of highway safety, the main issues are to ensure that adequate visibility is provided at the access onto Bedford Road and that vehicles can leave the site in a forward gear. Taking into account the position of the proposed garage, I consider that there is adequate room immediately in front and to the side of the garage in which to turn a vehicle in order to leave the site in a forward gear. The applicant also has control over land at the front of the site adjacent to Bedford Road where there would also be adequate turning area. At the front of the site there are no obstructions to visibility onto Bedford Road and I consider that the required pedestrian and vehicular sight lines can be comfortably achieved.

4.4 **Conclusion**

- 4.4.1 Following the receipt of amended plans and the additional cross section drawing indicating the internal height of the proposed rooflights, I consider that the proposal complies with Policies 5 and 28 of the Local Plan and would not result in any detrimental impact on the residential amenities of the neighbouring properties or the visual amenities of the locality.

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 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. The garage and first floor accommodation hereby permitted shall be used for purposes incidental to the enjoyment of the single family dwelling at No. 14 Bedford Road and shall not be used as self contained accommodation unless approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining area from noise and general activity.

5. The development hereby permitted shall not be brought into use until the proposed access has been constructed and the footway and verge have been reinstated to the current Specifications of Hertfordshire County Council.

Reason: In the interests of highway safety and amenity.

6. The development shall not be brought into use until a 2.0 metre x 2.0 metre visibility splay has been provided and thereafter permanently maintained on either side of the access. It shall be measured from the edge of the accessway to the edge of the carriageway/back of footpath, within which there shall be not obstruction to visibility between 600mm and 2.4 metres above the carriageway/footpath level.

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

7. The development shall not be brought into use until a properly consolidated and surfaced turning space for cars has been provided within the curtilage of the site. The turning space should be free from obstruction and available for use at all times.

Reason: To allow vehicles to enter and leave the site in a forward gear in the interests of highway safety.

8. All parking, delivery and storage areas associated with the construction of this development must be provided on land which is not public highway and the use of such areas must not interfere with the use of public highway.

Reason: In the interest of highway safety during construction

Reason for Decision

The proposed development is considered acceptable in terms of its visual impact and the impact on residential amenity and would not detract from conditions of highway safety in the vicinity of the site and, as such, the proposal is considered to be in accordance with the provisions of the following development plan policies:

North Hertfordshire District Local Plan No. 2 with Alterations

Policy 5: Excluded Villages

Policy 28: House Extensions

ITEM NO: 2	<u>Location:</u>	Plot 1 at 11, Lime Avenue, Wheathampstead, St Albans, AL4
	<u>Applicant:</u>	Mr L Everitt
	<u>Proposal:</u>	Detached dwelling following demolition of existing dwelling house (all matters reserved).
	<u>Ref.No:</u>	06/00534/ 1
	<u>Officer:</u>	Tom Rea 01462 474565

Date of expiry of statutory period: 25 May 2006

Reason for Delay: Negotiations with applicant.

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

1. Relevant History

1.1 Permission refused in July this year on part of the garden of this property for the erection of a detached dwelling following demolition of existing garage and shed (all matters reserved) for the following reasons:

1. The application site is within an area designated in the North Hertfordshire District Local Plan No. 2 with Alterations as Rural Area beyond the Green Belt within which additional residential development will only be permitted subject to certain criteria. The Local Planning Authority does not consider that the site is a small plot which lies within the built core of the settlement. Furthermore, it is considered that the proposal is likely to result in the outward expansion of the settlement. Accordingly, the proposal, does not comply with the requirements of Policy 6 (Rural Areas Beyond the Green Belt) of the District Local Plan No. 2 with Alterations.

2. The occupiers of the proposed dwelling would be heavily dependent on services provided outside of the settlement, giving rise to a significant reliance on trips by car contrary to the sustainability criteria embodied in Policy 1 of the Hertfordshire County Structure Plan Review 1991 - 2011.

3. The proposed development would be likely to result in the siting of a dwelling in close proximity to and consequently have an adverse impact upon existing mature trees which contribute to the well landscaped character of the area and the rural environment in general. As such the proposed development would be contrary to Policy 6 and Policy 57 of the North Hertfordshire District Local Plan No. 2 with Alterations.

2. Policies

2.1 **Hertfordshire Structure Plan Review 1991 - 2011**
Policy 1 Sustainable Development

2.2 **North Hertfordshire District Local Plan No. 2 with Alterations**
Policy 1: Pattern and Character of North Hertfordshire

3. Representations

- 3.1 **Kimpton Parish Council:** 'Recommend refusal. Extra traffic from The Drive will exacerbate the problems at the dangerous road junction between The Drive and Kimpton Road. Overdevelopment of the plot impacting on the street scene'.
- 3.2 **Hertfordshire Highways:** Does not wish to restrict the grant of planning permission.
- 3.3 **Site Notice/Local Residents:** The occupier of **15 Lime Avenue** commented upon both this application and that referred to at paragraph 1.1. as follows:

" I wish to express my concerns regarding the proposed new dwelling on Plot 2. On the block plan, part of the new dwelling appears to be directly on the boundary line of my property which has a large and mature oak tree. There has been in the past subsidence at my property affecting both the garage and the main dwelling. The subsidence was attributed to the root system of the oak tree.

The foundations for the new dwelling of Plot 2 will undoubtedly compromise the roots of the oak tree and neither further subsidence nor heave can be excluded."

As members will note although submitted as comments to this application they relate solely to the application refused on the adjoining site, which presently forms part of the applicants garden.

4. Planning Considerations

4.1 Site & Surroundings

- 4.1.1 The application site comprises the existing dwelling at 11 Lime Avenue and the majority of its residential curtilage. The dwelling has accommodation at both ground and first floor level with the majority of the first floor accommodation within the roofspace. There are several large trees within the site most notably a large mature oak located to the south east of the rear elevation of the existing dwelling. Lime Avenue is a private road not maintained by the highway authority. The road 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 within part of the rural area beyond the Green Belt.

4.2 Proposal

- 4.2.1 The proposal seeks outline permission, with all matters reserved, for the demolition of the existing detached dwelling and its replacement with a detached dwelling. The proposed residential plot is L-shaped and would have a frontage on to Lime Avenue of approximately 34m wide and depth of approximately 85m. The rear part of the plot would be approximately 60 metres in width. An indicative layout drawing and the proposed floorspace figure of 275 sqm, which formed part of the originally submitted scheme, was withdrawn from consideration as part of the application by the applicant at my request.

4.3 Key Issues

- 4.3.1 **Principle of the development**

This application needs to be assessed primarily with regard to Policy 30 of the Local Plan. This policy states inter alia that "For existing dwellings anywhere in the countryside outside excluded or selected villages, the Council will normally refuse proposals for their replacement or extension if a materially greater impact would result. A landscaping scheme related to the surrounding countryside will be expected."

4.3.2 The existing dwelling is modest in relation to the overall size of the plot and the main feature of the existing dwelling is its spacious setting with large gaps between the site boundaries and the dwelling itself. The proposal to replace the existing dwelling but details of siting and floorspace do not form part of the application. In recent years planning permissions have been granted nearby for replacement dwellings at 12 and 29 Blackmore Way (refs: 04/00754/1 and 05/00105/1). As a matter of principle I do not consider that there are any sustainable planning policy grounds to withhold planning permission in this case.

4.3.3 **Impact on trees**

The site contains several mature trees including a large oak to the rear of the existing dwelling. The trees adds considerably to the visual amenities of the locality however as the applications seeks only the principle of a replacement dwelling in my view there are no grounds to withhold planning permission in terms of the potential impact of the proposed development on trees as this can be controlled once the details of reserved matters have been submitted.

4.3.4 **Access**

Insofar as access details are concerned, whilst these are not included Hertfordshire Highways raised no objection to the indicative position for the means of access, as originally indicated on the submitted plans. I have noted the concerns of the Parish Council relating to extra traffic and the poor visibility at the junction between The Drive and Kimpton Road. However, as the application proposes a replacement dwelling which would not give rise to any substantial increase in traffic on the surrounding roads, and given that no objection has been raised by Hertfordshire Highways to the proposal, there is no sustainable planning reason to refuse planning permission on highway grounds.

4.4 **Conclusion**

4.4.1 The proposal to replace the existing dwelling is acceptable in principle and would be in accordance with Policies 6 and 30 of the Local Plan.

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 Outline Permission be **GRANTED** subject to the following conditions:

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.

Reason for Decision

The replacement dwelling hereby permitted would be acceptable in principle and in accordance with the following development plan policies:

Hertfordshire County Structure Plan Review 1991 - 2011

Policy 1 Sustainable Development

North Hertfordshire District Local Plan No. 2 with Alterations

Policy 1: Pattern and Character of North Hertfordshire

Policy 6: Rural Area beyond the Green Belt

Policy 30: Replacement or Extension of Dwellings in the Countryside

ITEM NO: 3	<u>Location:</u>	Land Adjacent To The Old Bakery, Bendish, Hitchin, SG4 8JH
	<u>Applicant:</u>	Mr J Photiades
	<u>Proposal:</u>	Erection of two bedroom dwelling for use by key worker.
	<u>Ref.No:</u>	06/00612/ 1
	<u>Officer:</u>	Tom Rea 01462 474565

Date of expiry of statutory period: 29 June 2006

Reason for Delay: Committee cycle.

Reason for Referral to Committee: This application was requested to be "considered in the public forum" by the Local Councillor " In view of a similar application having been considered at a Southern Rural Committee meeting and in the interests of continuity".

1. Relevant History

- 1.1 Permission granted in September 1995 for a detached single storey building incorporating garage and store.
- 1.2 A Lawful Development Certificate was granted in April 1999 confirming that permission was not required for the use of the existing garage/outbuilding for residential purposes ancillary to the dwelling.
- 1.3 Permission granted in August 2000 for a replacement single storey building for use as ancillary residential annex.
- 1.4 Permission granted in May 2005 as a renewal of planning permission granted in August 2000 for a replacement single storey building for use as ancillary residential annex. This permission was subject to the following restrictive condition:

'The residential annexe hereby permitted shall only be occupied by the occupiers of the existing dwelling or their close relatives, dependants, guests or household staff and shall not be occupied as a separate, independent dwelling'.

Reason: To avoid the creation of a new dwelling contrary to the planning policies applicable to the area and to avoid the occupation of two separate dwellings by persons unconnected with each other as this would result in an unsatisfactory relationship and inadequate standard of amenity for both properties.'

- 1.5 Permission granted in March 2006 for a replacement single storey building for use as ancillary residential annex (without compliance with condition 4 of planning permission 05/00431/1 granted 06.05.05). This permission was subject to the following restrictive condition:

The building hereby permitted shall not be occupied at any time other than for

purposes ancillary to the residential use of the dwelling known as The Old Bakery

Reason: To ensure that a separate dwelling is not created which would be contrary to Green Belt policy.

2. Policies

2.1 Hertfordshire Structure Plan Review 1991 - 2011

Policy 1 - Sustainable Development

Policy 5 - Green Belt

Policy 38 - Critical Capital and other Important Environmental Assets.

2.2 North Hertfordshire District Local Plan No. 2 with Alterations

Policy 2 - Green Belt

Policy 12 - Landscape Conservation

Policy 20 - Conservation Area

Policy 29 - Rural Housing Needs

Policy 57 - Residential Guidelines and Standards

3. Representations

3.1 **St. Pauls Walden Parish Council:** "object to this application. NHDC Local Plan No. 2 with alterations, states that there is a presumption against inappropriate development, such as the proposed, unless very special circumstances can be demonstrated. It is our view that no such special circumstance has been demonstrated."

3.2 **Hertfordshire County Council (Forward Planning Unit):** To be reported

3.3 **Hertfordshire Highways:** does not wish to restrict the grant of permission subject to the imposition of 3 conditions.

3.4 **Conservation Officer:** No conservation objections to the building. Concern at the possible provision of a boundary fence demarcating the new curtilage which would be harmful to the setting of the listed building and could not be supported as either preserving or enhancing the character and appearance of the conservation area.

3.5 **Site Notice/Local Residents:** Letter received from the occupiers of Willow Corner, Bendish, who comment that they make no objections to the application. A letter has also been received from the applicants enclosing a petition of support for the proposals signed by 30 local residents.

4. Planning Considerations

4.1 Site & Surroundings

4.1.1 The application site comprises the residential curtilage of The Old Bakery (formerly The Harrow Public House) a grade II listed building. A garage and storage building is located approximately 20m to the west of the main dwelling. The site is within the Bendish Conservation Area and the East of Luton Green Belt.

4.2 Proposal

4.2.1 The applicant seeks to demolish the existing building and erect a two bedroom replacement building on the same footprint and to the same design as the existing

building but of more permanent construction. A separate residential curtilage would be created with the main amenity area extending to the north and a separate vehicular access being provided via the existing gated access.

- 4.2.2 The application is supported by a statement explaining that occupation of the new dwelling is to be by Ms Photiades, the daughter of the applicant who currently lives in The Old Bakery. The dwelling is required to safeguard the position of the applicant's daughter should Mr Photiades retire and sell the main dwelling on the site, The Old Bakery. The proposal will also assist Ms Photiades to raise funds to construct the new building. The Local Planning Authority is asked to take into account that Ms Photiades is a local school teacher and therefore a 'key worker'. The applicant would be prepared to accept a replacement condition restricting any future sale of the property to another key worker other than by the default clause in favour of the lender.

4.3 **Key Issues**

- 4.3.1 The application site is located in the Green Belt, a Landscape Conservation Area, a Countryside Area and Bendish Conservation Area, as designated in the North Hertfordshire District Local Plan No. 2 with Alterations. Policy 2 of the Local Plan states that planning permission will only be granted for new buildings, extensions and changes of use of buildings and of land which are appropriate in the Green Belt, and which will not result in significant visual impact. Local Plan policy 12 seeks to ensure that new development would not detract from the need to enhance the landscape. Policy 20 only allows for development proposals that would preserve or enhance the character or appearance of Conservation Areas. Policy 29 of the local plan allows for small scale housing in rural areas for proven local need subject to several criteria. Policy 57 of the local plan seeks to ensure that new development maintains a high standard of design and does not detract from the amenity of adjoining occupiers. Policy 1 of the Structure Plan states that the general aim for considering development proposals in the County will be to make provision for the housing and social needs of people in ways which minimise the need to travel and otherwise exploit the sustainability advantages of urban concentration, with the prime emphasis on regeneration in the county's main towns. Policy 5 of the Structure Plan states the need to safeguard the county's area of Green Belt from inappropriate development.

- 4.3.2 Planning Policy Guidance 2 (PPG 2) '*Green Belts*' (1995) states that there is a presumption against inappropriate development. Paragraph 3.4 states that the construction of new buildings inside a Green Belt is inappropriate unless it is for one of the five specified purposes. These include limited infilling in existing villages in some circumstances and limited affordable housing under development plan policies. Planning Policy Statement 1 'Delivering Sustainable Development (PPS 1) encourages development in locations that do not rely on the private car.

- 4.3.3 Taking account of the policy background referred to above I consider that there are four issues which need to be taken into account in relation to this application. Firstly, whether it is appropriate, in planning policy terms, to permit an additional dwelling in the Green Belt for a key worker. Secondly, whether the development could be considered sustainable in the light of Government advice and Structure Plan Policy. Thirdly whether the development would have an acceptable impact on the Bendish Conservation Area and fourthly whether the development would have an acceptable relationship with adjoining occupiers ie the applicant.

4.3.4 **Green Belt Policy considerations**

Green Belt policy presumes against inappropriate development in the Green Belt (such as residential development). The application proposes new residential

development therefore it is necessary to consider whether there are “very special circumstances” which justify the grant of planning permission in this case.

- 4.3.5 The “very special circumstances” put forward by the applicant is that the proposed dwelling would be intended for his daughter, a key worker and that the development would enable the applicant to retire and sell the family home without prejudicing the accommodation needs of Ms Photiades. I consider that the family considerations do not fall into the special housing needs identified in Policy 29 of the Local Plan which is essentially a policy aimed at registered social landlords seeking to provide a small number of homes in villages to meet needs identified in a local housing needs survey. In this case however, there is no compelling evidence to suggest that the proposal is designed to meet a specific and proven local need or that the need cannot be met in any other way (for example by the applicant's daughter accessing other property in the locality or close to her place of work, either rented or purchasing). Furthermore, I consider that in terms of this policy the proposal is clearly not consistent with the function and purposes of the Green Belt as set out in PPG 2. Even as part of a rural housing policy it is clear that the Council should resist the granting of planning permission for isolated single homes in the countryside, as an exception to the provisions of the development plan, for people with local connections but no proven agricultural or forestry need.
- 4.3.6 The key worker status of the applicant's daughter is acknowledged, however, there is no evidence submitted with the application to substantiate whether Ms Photiades has considered key worker housing offered by local registered social landlords or access to housing under the Government's Key Worker Living Initiative. It is recognised that the applicant has suggested that a condition could be imposed on the occupancy of the new dwelling restricting occupancy to a key worker. However if the Local Planning Authority were to accept the need to house key workers in Green Belt locations as a compelling argument I consider that this would lead to many applications for additional dwellings in the open countryside from teachers and other key workers contrary to the fundamental aim of Green Belt policy which is to keep Green Belt land permanently open.
- 4.3.7 In the light of the above advice, I firmly believe that the erection of the dwelling as proposed would conflict with Local Plan Policies 2 and 29 and Structure Plan Policy 5 as it would involve inappropriate development in the Green Belt.

4.3.8 **Sustainability Appraisal**

It is as a result of a recent appeal decision at Wallington and the decision of this Committee at the last meeting to refuse a dwelling at 4, The Drive, Blackmore End that I consider it is important that a consistent approach should be taken on this issue. Bendish is a very small settlement of houses with no local facilities the nearest settlements of any size, Whitwell and Breachwood Green, being located some distance away and requiring a journey along narrow country lanes. It is likely that the occupier(s) of the proposed dwelling would therefore be heavily dependant on the use of a private car(s) for day to day journeys. For this reason the proposal to create a separate dwelling would conflict with the aims of PPS 1 and Policy 1 of the Hertfordshire County Structure Plan which seeks to ensure that development is located where retail, social and community facilities are available, which would be accessible other than by means of a car and in accordance with the principles of sustainability.

4.3.9 **Impact on the Listed Building and Bendish Conservation Area**

The proposed building would replace an existing building of the same footprint and design therefore there is no objection in listed building and conservation terms to the building itself. However, the creation of a separate curtilage through subdivision

of the rear garden, particularly due to the erection of a garden fence, would be harmful to the setting of the listed building, contrary to Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990. In addition this element of the development would not preserve or enhance the character of the Bendish Conservation Area, contrary to the provisions of Policy 20 of the Local Plan.

4.3.10 **Impact on adjoining occupiers**

The proposal would involve the utilisation of the existing gated vehicular access and the creation of a separate parking and turning area for the new property. The existing access is in close proximity to the rear of the existing property at The Old Bakery and the parking and manoeuvring area for the new dwelling would also be very close to the rear elevation of that property. I consider that this relationship and the coming and goings associated with a new residential property, including tradespersons and visitors, is likely to give rise to significant levels of noise and disturbance to the occupiers of the Old Bakery (particularly if occupied other than by a family member) to the detriment of their residential amenity. As such, the proposal would be contrary to the provisions of Policy 57 of the local plan in my judgement.

5. **Conclusion**

- 5.1 Notwithstanding the issue advanced by the applicant in support of this application I do not consider that the need to accommodate the applicant's daughter on site as a key worker is sufficient reason to override the normal presumption against inappropriate development in the Green Belt. Furthermore, the development is unsustainable, would be harmful to the setting of the Listed Building, the character and appearance of the Conservation Area and the residential amenity of the occupiers of The Old Bakery, due to the proximity of the vehicular access and the general increase in noise and disturbance arising from the establishment of a separate dwelling.

6. **Legal Implications**

- 6.1 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.

7. **Recommendation**

- 7.1 That permission be **REFUSED** for the following reasons:
1. The application site is within the East of Luton Green Belt wherein permission will only be given for the erection of new buildings or the use of existing buildings or land for agricultural use, other essential purposes appropriate to a rural area or small scale facilities for participatory sport or recreation. The application fails to demonstrate that the proposal complies with the criteria set out in Policy 2 of the North Hertfordshire Local Plan No. 2 with Alterations. The proposed development cannot be justified in terms of the purposes specified and no exceptional circumstances are apparent in this case.
 2. The proposal would result in the sub-division of an existing garden and the

provision of boundary fencing which would be harmful to the setting of the adjacent listed building, contrary to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and detract from the character and appearance of the Bendish Conservation Area contrary to Policy 20 of the North Hertfordshire District Local Plan No 2 with Alterations.

3. The proposed dwelling, by reason of its location on the site, the close proximity of the access and parking and turning areas to the adjoining dwelling at the Old Bakery and the general increase in activity would combine to result in a significant increase in noise and disturbance to the detriment of the adjoining occupiers amenity. The development would therefore be contrary to Policy 57 of the North Hertfordshire District Local Plan No 2 with Alterations.
4. The occupiers of the proposed dwelling would be heavily dependent on services provided outside of the settlement, giving rise to a significant reliance on trips by car contrary to the sustainability criteria embodied in Policy 1 of the County Structure Plan Review 1991 - 2011.

ITEM NO: 4	<u>Location:</u>	Land at Green Farm, Bendish, SG4
	<u>Applicant:</u>	Mr B Batchelor
	<u>Proposal:</u>	Retention of vehicle access for emergency vehicles and construction of associated hardstand.
	<u>Ref.No:</u>	06/01069/ 1
	<u>Officer:</u>	Helen Caldwell 01462 474418

Date of expiry of statutory period: 02 October 2006

Reason for Referral to Committee: Associated enforcement issue.

1. Relevant History

- 1.1 An application for the retention of vehicular access and gates was withdrawn in May this year whilst highway consultants were appointed in an endeavour to resolve objections raised by Hertfordshire Highways to the application.

2. Policies

2.1 Hertfordshire Structure Plan Review 1991 - 2011

Policy 22 - Reduction of Travel Need and Car Usage.
 Policy 29 - Traffic and Road Safety Implications of Development Proposals.
 Policy 38 - Critical Capital and other Important Environmental Assets.

2.2 North Hertfordshire District Local Plan No 2 with Alterations

Policy 2 - Green Belt
 Policy 12 - Landscape Conservation Area
 Policy 13 - Countryside Area
 Policy 20 - Conservation Areas

3. Representations

- 3.1 **St Paul's Walden Parish Council** objects to the application and would like the following comments to be taken into account:

" A NOTES FROM APPLICANT

Special requirement

This access is stated to be for emergency service vehicles only, however this is contrary to the applicants website (greenfarmevents.com) where the terms and conditions state that delivery vehicles will NOT use the same access as cars, i.e. the existing access.

The Licensing Act notification of decision makes the following condition "*an emergency vehicle hard-standing should be established together with emergency access and egress which must be maintained clear at all times*". This statement seems to be at odds with the applicants that this entrance is not a requirement of the license.

This application states that the car park can accommodate up to 65 cars. The licence application stated "*off road car parking for 100 cars is easily accommodated*"

Proposed access/egress location

The various statements about the previous state of the hedging is not compatible with photographic evidence from Google Earth.

Traffic generation

The premises licence is for 12 events each year, but via temporary events notices, 12 more can be held, thus doubling the applicants figures.

The events are for a maximum of 200 people, to suggest that the norm will be 125 is spurious, (especially as income is directly relate to the size of the event).

The estimate of 54 cars is speculative, the applicant has no control over number of occupants per car, or choice of vehicle (stating only saloon cars will be used).

The vehicle movements are said to be over 3 days, but the licence allows for only **single** day events. The applicant seems to completely ignore the impact on traffic levels due to the concentrated periods of time for arrival/departure. It is extremely misleading to represent the increase (2.5%) as an annual figure when the vehicles are not arriving regularly throughout the year. This calculation of 2.5% is based on suspect and unsubstantiated figures. It is unclear where the figure of 1450 vehicle movements per week came from.

B CAPITAL HIGHWAY STATEMENT AND PLANS

1.1 *One of the requirements of the licence is to provide an additional access for emergency vehicles.* This is at odds with the applicants statement (see above).

1.2 The plans show a large section of hedging would have to be trimmed back, which would be damaging to this picturesque area.

1.3 There is no data to accompany the assertion that the 85th%ile is below 22mph. The legal limit is 30 mph, which is the figure that should be used in any calculation.

1.4 The access is on the junction of West End Lane i.e. within 15 metres of a junction contrary to Highways Policy.....*will only be used in the event of an emergency by emergency vehicles*, this assertion would be very difficult to police and once installed, the access will be a permanent fixture and could be used more extensively (see also above). "

In considering the Parish Council views I note their comments in the first sentence under "Traffic generation" but would advise Members that if more than 14 events took place during any calendar year planning permission would be required.

Hertfordshire Highways - recommend refusal for the reasons set out in my recommendation.

Local residents/press and site publicity notice - Objections have been received from the following properties:

West End Farm, Greyfell, Pickerings Cottage, Willow Corner, 3 4 and 5, New Cottages, 5 and 6, Law Hall Cottages, 1, 2 and 4, Law Hall Lane, Law Hall Cottage, White Cottage, Jubilee Chapel, Ramblers Cottage, 1, Hollybush Lane, The Old Bakery, Spencers Cottage and Chapel Row, Bendish, as well as **Law Hall Farm, Whitwell** raising the following objections;

- The use of the access for emergency vehicles cannot be enforced easily.
- The access is to enable temporary events in an unsuitable location.
- The local roads are unsuitable for the numbers of vehicles generated by organised events.
- The access is not existing and is in a location that is a danger to highway safety.

The detrimental visual impact of the new access involving removal of hedgerow.

In addition to these comments I have reproduced a copy of a letter from Ottaways, Solicitors as an Appendix to this report.

4. Planning Considerations

4.1 Site & Surroundings

The access is sited off a quiet rural lane, a classified road C27 also known as Bendish Lane. The site is on the north east edge of the quiet hamlet of Bendish. The area is characterised by narrow rural roads with ditches either side and mature hedgerows. The access is sited close to a road junction and there are nearby residential properties, notably Rose Cottage.

4.2 Proposal

The proposal involves the retention of a vehicular access and the construction of an associated hardstand in connection with the applicants's proposed events business. The applicant has indicated that an access is required for emergency vehicles only.

4.3 Key Issues

4.3.1 Highway Safety

Hertfordshire Highways have recommended that the application is refused for two reasons. The first reason relates to the increase of traffic generated onto the rural road network by use of the access in connection with organised events. Bendish Lane is a local access road and does not have the capacity to accept two way traffic for a large volume of traffic. They consider the development would be prejudicial to highway safety and contrary to Policy 29 of the County Structure Plan Review.

4.3.2 Whilst it is acknowledged that the access would not generate significant traffic, if used solely by emergency vehicles as proposed, nevertheless the present premises licence conditions mean that events activities cannot take place unless the emergency access is provided. Accordingly, I would support Hertfordshire Highways reasons for refusal as, in my view, the use of the events site is inextricably linked to the use of the proposed access and the construction of the hardstand and therefore must be considered together in determining this application.

In addition, the close proximity of the access to an adjacent junction on a C-classified road does not comply with Highway Standards and the location of the access is likely to increase the risk of accident to other highway users.

4.4 **Conclusion**

The proposal is contrary to Policy 29 of the Hertfordshire County Structure Plan Review 1991 –2011 and does not comply with highway standards set out in “Roads in Hertfordshire: A Guide for New Developments”. In addition, should members agree with my recommendation it will also be necessary to take enforcement action as set out in my further recommendation.

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 **REFUSED** for the following reasons:

1. The proposed application for a permanent access, required in connection with the use of the site for events, is likely to generate a significant increase in the amount of traffic using the rural roads in the vicinity. This would be prejudicial to general provisions of highway safety and convenience and contrary to Policy 29 of Hertfordshire County Structure Plan Review 1991 to 2011.
2. The new access as submitted does not comply with the County Council's Roads in Hertfordshire, A Guide for New Developments due to its close proximity to an adjacent junction and as such would result in an unsatisfactory form of development.

6.2 **Further Recommendation**

That subject to the Assistant Director of Legal and Democratic Services being satisfied with the evidence, enforcement action be taken to bring about the closure of the vehicular access, by the erection of a post and rail fence and hedge planting. The reasons it is considered expedient for such action to be taken being for the reasons set out in the recommendation to the above planning application. The time for compliance being 6 months.

ITEM NO: 5	<u>Location:</u>	Ballslough Farm, High Street, Kimpton, SG4
	<u>Applicant:</u>	Oxford University
	<u>Proposal:</u>	Detached building to provide grain store, workshop and additional storage
	<u>Ref.No:</u>	06/00622/ 1
	<u>Officer:</u>	Helen Caldwell 01462 474418

Date of expiry of statutory period: 12 July 2006

Reason for Delay: Committee cycle.

Reason for Referral to Committee: Site area greater than 1 hectare.

1. Relevant History

- 1.1 Permission granted in August 2001 for a detached building to provide grain store, workshop and storage bay.

2. Policies

- 2.1 **Hertfordshire Structure Plan Review 1991 - 2011**
Policy 5 - Green Belt
- 2.2 **North Hertfordshire District Local Plan No2 with Alterations**
Policy 6 - Rural Areas beyond the Green Belt.
Policy 13 - Countryside Area.

3. Representations

- 3.1 **Kimpton Parish Council** - "No comment."
- 3.2 **Hertfordshire Highways** - "does not wish to restrict the grant of permission."

4. Planning Considerations

4.1 Site & Surroundings

- 4.1.1 The site is on the eastern outskirts of the village of Kimpton, comprising a group of large farm store buildings. There is open countryside surrounding the site with the land to the rear sloping uphill.

4.2 Proposal

- 4.2.1 The proposal involves the erection of a new farm store building situated 13 metres to the south of the existing easternmost grain store at this site. It would measure

30m in width, 27m in depth and have a ridge height of 8.8 m with the highest eaves level, at the rear of the building, measuring 6m. The application is similar to the permission granted in 2001, which proposed a grain store 9 metres to the south of the easternmost grain store, measuring 30 metres in width and 20 metres in depth. It is proposed that the building be set into the landscape and hence excavation will be necessary at the rear of the site. The proposed building will be split into different areas, the majority of which will be a grain store, with smaller areas used as an implement store, workshop and fertiliser store. The building is proposed to be built with a corrugated profile fibre cement roof, steel cladding with coloured plastisol coating walls and roller shutter doors with galvanised finish.

4.3 **Key Issues**

4.3.1 **Visual Impact**

The proposed building would be largely hidden by the existing grain store at the front of the site and to the rear by the change in levels of the land and the part excavation of the site to accommodate the building. The front elevation would serve as the implement store and be open fronted, the grain store is shown on the west elevation and has roller shutter doors. The east elevation is shown as the workshop and fertiliser store with roller shutter doors. I consider that the proposed building is in keeping with the farm yard surroundings and would not cause any significantly greater visual intrusion on its surroundings than the previous permission.

4.3.2 **Highway Issues**

Hertfordshire Highways raise no objections to the proposal.

4.4 **Conclusion**

- 4.4.1 The proposal does not adversely impact on the visual amenities of the area and would cause no harm to highway safety.

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 proposed farm building hereby approved would not adversely impact on the visual amenities of the area or highway safety of the local road network and 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 5 -Green Belt

North Hertfordshire District Local Plan No 2 with Alterations

Policy 6 - Rural Areas beyond the Green Belt

Policy 13 - Countryside Areas

ITEM NO: 6	<u>Location:</u>	156 High Street, Codicote, SG4 8UB
	<u>Applicant:</u>	Mr and Mrs S Gregory
	<u>Proposal:</u>	Single storey rear extension, front porch and reinstatement of chimney stack to side (south east) elevation.
	<u>Ref.No:</u>	06/00745/ 1HH
	<u>Officer:</u>	Victoria Woodbridge 01462 474543

Date of expiry of statutory period: 17 July 2006

Reason for Delay: Committee cycle

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

1. Relevant History

None

2. Policies

2.1 North Hertfordshire District Local Plan No 2 with Alterations

Policy 5 - Excluded Villages
Policy 28 - House Extensions

3. Representations

3.1 **Codicote Parish Council** - no objection to the extension and chimney but objects to the porch as it is 'not in keeping with the house'

3.2 **Local Residents** - no representations received

4. Planning Considerations

4.1 Site & Surroundings

4.1.1 The property is a 19th Century detached Victorian town house which fronts onto the south west side of the High Street. The property was previously sub-divided into two flats but is now to be returned to a single family dwelling.

4.1.2 To the rear of the property is a new development, Dollimore Close, with the entrance to this development being adjacent to the dwelling. To the south of the dwelling is a church which has a single storey front projection to the edge of the footpath.

4.1.3 To the rear of the dwelling is a small courtyard garden.

4.2 **Proposal**

4.2.1 The application proposes a single storey extension to the rear of the property, this extension would project 1.85m from the existing rear elevation and span a width of approx 3m. The extension would be rendered to match the existing dwelling and would provide a utility room area.

4.2.2 The applicant also proposes an entrance porch to the front elevation, this would be 2.6m wide and 1.25m deep and would have a pitched roof. The porch would be rendered to match the side elevation of the dwelling, there would also be a small side window.

4.2.3 The final element of the application is the reinstatement of the chimney stack to the south east (side) elevation.

4.3 **Key Issues**

4.3.1 The main issues relating to the consideration of this application are the potential impact of the proposal on the street scene and the residential amenities of the neighbouring properties.

4.3.2 To the rear boundary of the property is a 2m high brick wall and parking for Dollimore Close, the rear extension is a small addition to the dwelling and would cause no material harm to the residential amenities of 2 Dollimore Close. In addition the extension would not project beyond the rear elevation of the existing two storey rear projection and so would not harm the amenities of the church situated adjacent to the application property.

4.3.3 Although the rear extension would be publicly visible from Dollimore Close I consider the design and proposed material of the extension would relate to the existing dwelling and therefore are acceptable in terms of Policy 28 of the North Hertfordshire District Local Plan No 2 with Alterations.

4.3.4 I do not consider the proposed reinstatement of the chimney stack would harm the residential amenities of any neighbouring dwellings. In my opinion it is of benefit that properties be restored to their former state and consider that the proposed chimney would enhance the visual aesthetics of the dwelling.

4.3.5 The addition of the porch to the front elevation is the element of the proposal which the Parish Council have objected to as they feel it is out of keeping with the house. However, I consider the porch is designed to be sympathetic to the main dwelling with the roof pitch reflecting the pitch of the roof to the main house. In addition the brick detailing matches that above the windows of the main dwelling.

4.3.6 In terms of impact on the street scene the church adjacent to the application property has a large single storey front projection which extends to the edge of the footpath. Accordingly, since the proposed porch would not extend as far out as this building I am unable to conclude that this element of the scheme would harm the street scene or have any significant adverse impact on the visual amenity of the locality.

4.4 **Conclusion**

4.4.1 I do not consider that the proposal would cause any significant harm to the visual amenity of the locality or the residential amenities of the neighbouring dwellings. The proposal would therefore comply with Policies 5 and 28 of the North

Hertfordshire District Local Plan No 2 with Alterations and are, therefore, acceptable.

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 rear extension, front entrance porch and chimney, hereby permitted, would have no adverse effect on the amenities of the neighbouring residential properties or the visual amenity of the locality and, as such, complies with the relevant provisions of the development plan, as summarised below.

North Hertfordshire District Local Plan No 2 with Alterations

Policy 5 - Excluded Villages

Policy 28- House Extensions

the side and front elevations. At first floor level the side and front elevations would have a weatherboarded/timber cladding finish. Roof tiles would match the existing dwelling.

4.3 **Key Issues**

4.3.1 The key issues to the determination of this application relate to its acceptability having regard to Policy 28 of the District Local Plan, whether the development would harm the character and appearance of the Codicote Conservation Area and its effect upon the residential amenities of neighbouring properties.

4.3.2 Insofar as the first issue is concerned I consider the proposal would be sympathetic to the existing house in height, form, proportions, window details and materials. However, the development would come within one metre of the boundary of 5, The Green at first floor level. Accordingly, it does not comply with part of Policy 28 of the Local Plan and hence the reason it needs to be determined by this Committee. Nevertheless, the relevant part of Policy 28 seeks to prevent the closing of gaps between properties so as to avoid a possible terracing effect which would harm the visual amenities of the locality. In this case, due to the extension being set back from the front of the house and its orientation with 5 The Green, I do not consider the development would result in a terracing effect occurring.

4.3.3 Turning to the second issue, and having consulted with my conservation colleagues upon the proposal, I have concluded that the development would not harm the visual quality of the development and would maintain the character and appearance of the Conservation Area. Accordingly there is no basis to object to the development on this ground.

4.3.4 Finally, the development would only impact upon the residential amenities of 5 The Green. However, the part of their house nearest to the proposed extension serves a utility room with only a single glazed door in the ground floor front elevation of the property. At first floor there are no windows facing the proposal, with the en-suite facilities at this level being served by two obscure glass windows in the side elevation.

4.4 **Conclusion**

4.4.1 The proposed extension would not undermine the objectives of Policy 28 of the District Local Plan, harm the character or appearance of the Codicote Conservation Area or adversely effect the residential amenity of any adjoining dwelling.

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 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 extension, hereby permitted, would have no adverse effect on the amenities of the neighbouring residential properties or the character and appearance of the Codicote Conservation Area and, as such, complies with the relevant provisions of the development plan, as summarised below:

Hertfordshire Structure Plan Review 1991 - 2011

Policy 38 - Critical Capital and other Important Environmental Assets

North Hertfordshire District Local Plan No 2 with Alterations

Policy 5 - Excluded Villages

Policy 20 - Conservation Areas

Policy 28 - House Extensions

ITEM NO: 8	<u>Location:</u>	Land rear of, 37 Tower Road, Codicote, SG4 8XH
	<u>Applicant:</u>	Domus Developers Ltd
	<u>Proposal:</u>	Pair of 3 bedroom link-detached dwellings with 2 parking spaces to serve each dwelling (as amplified by plan no 0639/1A received 20.07.06).
	<u>Ref.No:</u>	06/00913/ 1
	<u>Officer:</u>	John Chapman 01462 474516

Date of expiry of statutory period: 21 August 2006

Reason for Delay: Committee cycle

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

1. Relevant History

- 1.1 Permission granted in 1995, and subsequently renewed in 2000 and 2005, for 2 semi-detached one bedroom dwellings and parking spaces.
- 1.2 In May this year an application for a pair of 3 bedroom semi-detached dwellings with 2 parking spaces to serve each dwelling was withdrawn as a result of concerns being raised over the potential loss of a tree to facilitate access to the parking spaces for one of the dwellings.

2. Policies

- 2.1 **Hertfordshire Structure Plan Review 1991 -2011**
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 5 - Excluded Villages
Policy 55 - Car Parking Standards
Policy 57 - Residential Guidelines and Standards

3. Representations

- 3.1 **Codicote Parish Council** - " objects because the building is still too high for its position in the back garden and on the edge of the village."
- 3.2 **Hertfordshire Highways** - raised no objection to the scheme as originally submitted. Following the receipt of amended plans which provided information relating to a condition imposed upon the previous permissions regarding alterations to the access from St. Giles Road and the grasscrete driveway I re-notified them of the proposals and they have confirmed that they do not wish to restrict the grant of permission, subject to the conditions set out in my recommendation.

- 3.3 **Property Services (Senior Estates Surveyor)** - to be reported.
- 3.4 **Site Notice/Local residents** - the occupier of **56, St, Giles Road** objects to the proposed access to the dwellings as it would involve digging up and modifying the driveway, which is owned by a consortium of three and which they are 60% shareholders. They also query a decision made by the Council in 2004 to grant a developer permission to cross Council land using their driveway without them having been consulted.

4. Planning Considerations

4.1 Site & Surroundings

- 4.1.1 This site is located at the northern edge of the village and was formerly part of the rear garden of 37, Tower Road, although it is now separately fenced from this property. Access to the site would be via the hammer head of the public highway at St. Giles Road and then via a private grasscrete driveway, across Council owned land, which I understand was constructed by the residents of 52, 54 and 56 St. Giles Road to serve their properties. To the north of the site is the Codicote Recreation Ground.

4.2 Proposal

- 4.2.1 This application seeks permission for a pair of 3 bedroom link-detached dwellings with 2 parking spaces to serve each dwelling. The two properties would consist of a hall, kitchen, dining/living room area and study at ground floor level, 2 bedrooms and a bathroom at first floor level and the third bedroom with en-suite shower facilities in the roof space.
- 4.2.2 The houses would have a maximum ridge height of 9.3 metres whilst the single storey link between the two properties would measure 4.9 metres to the ridge. The two dwellings would have an overall width of 17.9 metres. The depth of the two storey element of the houses would measure 7.7 metres. The single storey link would be set back approximately 4.4metres from the main front wall of the dwellings and have a depth of approximately 4.5 metres, thereby extending 1.3 metres back from the main rear wall of the house. To the front of the single storey link part of the dwellings driveways measuring 10 metres in length would provide 2 parking spaces for each property.
- 4.2.3 Amenity space to serve each dwelling would exceed 75sq metres in area. Access to the site would be via the hammer head at the end of St. Giles Road with the existing grasscrete driveway being widened to 4.1 metres at its entrance fore a distance of 6 metres and 6 metres in width at its northern end in front of the four parking spaces proposed 56 St. Giles Road and part way along the frontage of 54 St. Giles Road.

4.3 Key Issues

- 4.3.1 The key issue to the determination of this application is whether the proposal would cause any significant harm to the visual amenity of the locality, the residential amenities of neighbouring properties or raises any highway objection.
- 4.3.2 On the first issue I consider that the proposed dwellings, whilst higher than the permission referred to at paragraph 1.1 by 0.3 metres and a different layout and siting, would not result in any significant change to the overall visual amenities of the locality so as to justify the refusal of planning permission.

4.3.3 Insofar as the second issue is concerned the changes from the previously approved schemes which impact upon the residential amenities of neighbouring properties are the introduction of two additional parking spaces, the insertion of roof lights to serve the bedroom in the roofspace in the higher roof and a bedroom window to both dwellings in the first floor rear elevation. Insofar as the first issue is concerned I do not consider that the additional traffic which would be generated by the proposed development would give rise to a significant loss of residential amenity to form a sustainable planning reason for refusal. The proposed roof lights are angled along the roof slope and since they would not overlook any habitable room of any adjoining dwelling I consider their introduction to be unobjectionable. With regard to the introduction of a bedroom window in the first floor rear elevation of the dwellings whilst overlooking to the rear part of the neighbours rear garden at 35 Tower Road would occur there would be no overlooking to this dwelling or the immediate rear garden area of their property, due to the angle and orientation to this neighbour. Accordingly, I do not feel that this change raises a valid planning ground to object to this application.

4.3.4 Finally, with regard to the third issue Members will note that Hertfordshire Highways raised no objection to the scheme as originally submitted. Subsequently amended plans were received, which have addressed the condition imposed on previous permissions and which Hertfordshire Highways had recommended should be imposed on this application. The access arrangements have, however, raised objection from a local resident although these relate to how the Council have dealt with access across a driveway they and other neighbours constructed on Council land. Whilst I will update Members orally at the meeting of any advice I receive from the Property Services and Estates Manager to my consultation with them upon this matter I do not consider this raises any valid planning grounds to refuse this application and needs to be resolved, if necessary, through other Council procedure.

4.4 **Conclusion**

4.4.1 In conclusion I consider the proposed development, when compared with the previous residential development granted on this site and which remains extant, raises no sustainable planning grounds for objecting to this application.

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended, no development as set out in Classes A, B, C, E and F of Part 1 and Class A of Part 2 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.

4. All building construction work associated with the development hereby approved shall only be carried out between the hours of 8AM to 5PM Monday to Fridays and Saturdays. No such work shall be carried out on Sundays.

Reason: In the interests of the amenities of adjoining residents.

5. The development, hereby permitted, shall not be commenced until the proposed access and access road have been constructed in accordance with the approved details shown on drawing number 0639/1A and the footway has been reinstated to the current specification of Hertfordshire County Council and the Local Planning Authority's satisfaction.

Reason: To ensure a satisfactory means of access is provided to serve the two dwellings and allow the free and safe flow of traffic at the junction of Tower Road and St. Giles Road.

6. Prior to the occupation of the dwellings, hereby permitted, the two parking spaces shown on drawing no 0629/1A shall be provided and marked out and thereafter be kept available solely for the parking of motor vehicles.

Reason: In the interests of highway safety and amenity.

Reason for Decision

The dwellings, 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:

Hertfordshire Structure Plan Review 1991 -2011

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

North Hertfordshire District Local Plan No 2 with Alterations

Policy 5 - Excluded Villages

Policy 55 - Car Parking Standards

Policy 57 - Residential Guidelines and Standards

ITEM NO: 9	<u>Location:</u>	Priory Farm, Priory Lane, Little Wymondley, SG4 7HD
	<u>Applicant:</u>	Mr A R Wallace
	<u>Proposal:</u>	Change of use of redundant agricultural building to car repair business (Use Class B2).
	<u>Ref.No:</u>	06/00944/ 1
	<u>Officer:</u>	Joanne Cousins 01462 474418

Date of expiry of statutory period: 24 August 2006

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

1. Relevant History

- 1.1 Permission granted in April 2006 for the change of use of an agricultural building to purposes within Use Class B8 (Storage and Distribution) within the courtyard enclosure at Priory Farm.

2. Policies

2.1 Hertfordshire Structure Plan Review 1991-2011

Policy 5 - Green Belt

Policy 25/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 25 - Re-use of Rural Buildings

Policy 55 - Car Parking

3. Representations

3.1 Wymondley Parish Council - have strong objections summarised as follows:-

1. This is an agricultural location and the proposal could be considered to be industrial and out of keeping with the site and the area in which the farms situated.

2. The farm may be in a Countryside Conservation Area and thus such a change of use would be contrary to local plan policy.

3. The access road is a very narrow country lane mainly used by agricultural machinery and is unsuitable for the increase in traffic that the change would bring. There is major concern about the level of traffic in this road and the damage caused by lorries to the verges and environment. This use would bring an increase in vehicles for servicing, staff, suppliers and waste removal contractors.

4. The nature of the business would require major changes to the building and w

should be considered as new build. An Auto repair business would need to take into account that the existing weather boarded building would not meet Environmental, Fire, Health and Safety Regulations. Safety issues such as storage of flammable materials, fire walls, fire doors, electrical systems and adequate ventilation.

5. Collection and disposal of waste materials need proper and correct drainage.

6. The granting of permission could set a precedent for the development of an industrial site in this rural area.

3.2 **Hertfordshire Highways** - do not wish to restrict the grant of permission.

3.3 **Herts Biological Records Centre** - no comments received.

3.4 **Local residents/site notice** - any representations to be reported orally at the meeting.

4. Planning Considerations

4.1 Site & Surroundings

4.1.1 The application site is located on the eastern side of Priory Lane, a rural road linking the villages of Great and Little Wymondley. The site is accessed via an entrance that also serve residential properties to the road frontage and The Priory to the rear with its associated business activities (weddings etc). The application premises is part of an established working farm complex of old and modern buildings and includes a range of Grade II Listed barns. The barn in question abuts the Listed range and is located on the southern side of an enclosed courtyard.

4.2 Proposal

4.2.1 The application seeks planning permission to change the use of a barn approx. 13 metres long by 6.5 metres wide from agricultural use to a use specified as a car repair business within Class B2. The barn is an older structure of good quality with a traditional weather boarded finish and corrugated tin roof. It makes a positive contribution to the grouping of buildings, which include Listed Buildings to its eastern side.

4.3 Key Issues

4.3.1 The main issues are the appropriateness of the re-use of this rural building within the Green Belt, highway considerations and the impact of the proposals upon the amenities of the locality.

4.3.2 In Green Belt terms I am satisfied that the proposals would be appropriate and would not result in any significant visual impact upon the locality. The building is small in scale and of a quality worth retaining in my view. In terms of Policy 25 the structure would not require major repair or adaptation to accommodate the proposed usage, having a good weather tight roof and being well maintained at present.

4.3.3 The Highway Authority have clarified there views stating that Priory Lane is an unclassified road with a restricted speed limit of 30 mph, visibility from the existing access is considered acceptable for vehicles entering and exiting the site. There is sufficient room within the curtilage of the site for vehicles to turn around and leave in forward gear. The site has sufficient parking around the courtyard to serve the

floorspace intended. It is therefore considered that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways.

4.3.4 The use for car repairs, B2 purposes, would be limited by the size of the storage facility and would not intensify the use of the site over that possibly associated with the existing farm use. I do not consider that such a small scale use in this location would have any adverse impact upon either the visual amenities of the area or those currently enjoyed by residential properties in the vicinity.

4.3.5 With regard to the comments received from the Parish Council, whilst I can understand their concerns over the creation of a precedent, any potential future changes of use would need to be considered on their own merits at that time. The scale of this building would limit the potential operations to a very small scale employing one person on a full time basis. The issues that the Parish Council raise relating to any safety measures that may be required are not of any material weight in planning terms to justify the refusal of permission. I am, however, seeking advice as to any Building Regulation requirements that may arise as a result of the change of use and shall update my report orally at the meeting.

4.4 **Conclusion**

4.4.1 In the absence of any material 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 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 change of use of the agricultural building, 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:

Hertfordshire County 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 25 - Re-use of Rural Buildings

Policy 55 - Car Parking Standards

ITEM A

Location: **LAND AT DEPOT, 1A HIGH STREET, GRAVELEY**

Officer: **John Chapman**
01462 474516

1. Purpose of Report

- 1.1 To seek the views of the Committee, for response to Hertfordshire County Council upon their consultation with the Local Planning Authority, regarding an application seeking permission for the change of land use from Haulage Yard to Waste Processing Yard at the above site.

2. Planning Considerations

- 2.1 This application is for the use of the above site to provide a waste processing yard. By definition, given the location of the site in the Green Belt, the proposed development constitutes “inappropriate development”. It is therefore for the applicant to demonstrate that “very special circumstances” exist to allow a relaxation of the normal policy presumption against such development. In support of this application the applicants have therefore provided an eight page report, which is reproduced as an Appendix to this report.
- 2.2 The three reasons identified as providing the “very special circumstances” are set out in paragraph 7.6 of this statement. Insofar as the first issue is concerned the County Council have consulted with Hertfordshire Highways on the highway improvements which incorporate a proposed access road off a new roundabout on Graveley Road. Their views, together with the environmental impact of the new highway works upon the locality, will be taken into account in reaching their decision. Subject to Hertfordshire Highways being satisfied with the proposed works, I would raise no environmental objection to this element of the scheme.
- 2.3 Turning to the second issue, this is an area over which the County Council has the expertise to assess this aspect. The only issue I would raise is whether, given the lawful and unrestricted use of the site, other nearby sites are available to accommodate the proposed use which may be better suited. If not, and there is a shortfall of such facilities, the use of the land could be more effectively controlled than the present lawful use by conditions restricting hours of operation, number of vehicle movements, lighting, noise and air pollution which, together with the proposed highway improvements, I consider would provide a unique set of circumstances for granting permission to the proposed use.
- 2.4 Finally, on the third issue I consider that if it is accepted that “very special circumstances” have been demonstrated to allow the proposed use then the proposed landscaping improvements would help further mitigate the development in terms of its visual impact upon the locality and should be welcomed.

3. Conclusion

- 3.1 I consider that, subject to the County Council concluding that the proposed use satisfies the waste policies set out in the Hertfordshire Structure Plan and that the site provides the most appropriate location for such a use in this vicinity, the

proposed use is supported by “very special circumstances” for allowing a relaxation of the normal Green Belt policy. Furthermore, by controlling the use of the site by conditions relating to the hours of operation, number of vehicle movements, lighting, noise and air pollution the use of the site would lead to an environmental improvement when compared to its present unrestricted lawful use. The proposed highway works and additional landscaping of the site would be integral to these environmental improvements.

4. Recommendation

- 4.1 That the above views be passed to Hertfordshire County Council as representing the Local Planning Authority’s formal views upon the proposed development.

Background Papers: Application file no. 06/01198/1CM

ITEM B

Location: **BREACHWOOD GREEN JMI SCHOOL, OXFORD ROAD, BREACHWOOD GREEN**

Officer: **John Chapman**
01462 474516

1. Purpose of Report

- 1.1 To seek the views of the Committee, for response to Hertfordshire County Council upon their consultation with the Local Planning Authority, regarding their application for a new school hall, extension to the main entrance and alterations to existing school buildings at the above site.

2. Planning Considerations

- 2.1 This application involves the erection of two extensions to the existing school building. To the side (west) of the existing main entrance to the school it is proposed to erect a 4.15 metre square flat roof extension to provide a new entrance and reception area and a new admin room. This element of the scheme would have a negligible impact upon the appearance of the building and the character of the area. I therefore do not consider there are any views that need to be expressed to this proposed extension.
- 2.2 Insofar as the new school hall is concerned, I consider its design, size and appearance raise matters upon which this Council should comment. In this respect it is proposed that following the removal of the existing mobile classroom at the rear of the site an extension, linking the main school building to a new hall, kitchen facilities and storage area, be built. The main part of the building would measure approximately 20 metres in width, 10m in depth and 5 metres in height. To the side (west) of the building an attached 3.5m wide canopy area is proposed. A 3 metre high link between the new hall and the existing school buildings would provide a new lobby and toilet facilities, as well as a possible future storage area. The height of the proposed hall building would be more dominant than the existing flat roof school extensions but given the proposed use I do not consider it is reasonable to object to this aspect. However, I consider that the proposed canopy and the 3 supporting columns would tend to emphasise the bulk of the extension and although it has been justified as providing solar screening, I do not consider this is necessary when it would be built on the western elevation where sunlight would only occur during the late afternoon and evening. The canopy would also result in the likely removal of an existing evergreen tree which contributes toward the appearance of this part of the school grounds.
- 2.3 Turning to the appearance of the hall extension it is proposed that it would be constructed of Trespa Meteon panels of varying colours; indicated in the Planning Design Statement as being white, champagne, aquamarine, dark blue and beige. An artist's impression of the canopy elevation is also included in the design statement. In my opinion, the range of colours, particularly the use of dark blue and aquamarine panels is inappropriate and should be limited to only one or two of the other colour panels.

- 2.4 Finally, the hall extension allows the relocation of the existing kitchen facilities

for the school from a very unattractive flat roof side extension on the eastern side of the Victorian building. A photograph of this extension will be displayed at the meeting. As Members will note this flat roof extension detracts from both the character and appearance of this historically important, albeit unlisted, building. The submitted floor plan indicates the present kitchen would then be used for storage purposes. However, I consider it is important that the opportunity should be taken to remove or at least encourage the future removal of an extension which is no longer needed for its original purpose, when it is so damaging to the character and appearance of the Victorian building. If the school requires additional storage space this should be achieved by utilising the storage area (shown brown and indicated on the coloured ground floor plan as not forming part of this project) and/or extending the kitchen/storage part of the hall extension.

3. Recommendation

- 3.1 That the above views be passed to Hertfordshire County Council as representing the Local Planning Authority's formal views upon the proposed development.

Background Papers: 06/01206/1CC

**TITLE: PLANNING ENFORCEMENT – LAND ADJACENT TO JUNCTION 8, A1(M)
NORTHBOUND & SOUTHBOUND
REPORT OF THE HEAD OF PLANNING & BUILDING SERVICES**

1. Purpose of Report

- 1.1 To seek authorisation from the Committee for the Planning Control and Conservation Manager to take enforcement action to secure the removal of the unauthorised advertisements displayed in fields adjoining the A1(M) motorway.

2. Background

- 2.1 A complaint was made on 26 July 2006 concerning advertisements displayed in fields adjoining the A1(M) motorway between Letchworth and Stevenage.
- 2.2 On 31 July 2006 a site inspection by my Senior Compliance Officer revealed that two large double sided advertisements had been erected in fields adjoining the A1(M) motorway northbound and southbound carriageways, north of Graveley Lane and Junction 8 near Graveley. The advertisements are situated within the Green Belt.
- 2.3 The advertisements require Advertisement Consent for their display. Our records do not show any record of consent having been sought or granted for their display. The advertisements are very prominent from the A1(M) motorway, situated within the Green Belt and therefore an application for Advertisement Consent would be recommended for refusal on visual amenity and highway safety grounds.
- 2.4 The display of the advertisements is contrary to Policy 2 of the North Hertfordshire District Local Plan – Green Belt – since they encroach into open countryside and erode its openness. Their display is also contrary to advice given in Government Planning Policy Guidance - Outdoor Advertisement Control (PPG19 – paragraphs 2 and 11) and Circular 05/1992, since the advertisements adversely affect amenity and could constitute a danger to traffic.
- 2.5 In addition, the Highways Agency has intimated that it encourages Local Planning Authorities to exercise their enforcement powers to remove unauthorised advertisements as it is their concern that as unauthorised signs proliferate beside motorways, there may be an increased impact on road safety.
- 2.6 On 31 July my Senior Compliance Officer spoke to the landowner and explained that the advertisements were unlikely to receive consent for their display due to visual amenity and highway safety reasons. A letter was sent confirming this and stating that the advertisements should be removed within 14 days of the letter. The letter explained that it was my intention to seek authorisation from the Southern Rural Committee for enforcement action if the advertisements were not removed. No response to this letter has been received, but the landowner stated in a telephone conversation that the advertisements would be removed by 24 August 2006.

- 2.7 Members should be aware that in August 2005 an unauthorised advertisement was displayed in a field adjoining the A1(M) northbound in a similar position to one of the advertisements the subject of this report, and on land owned by the same landowner. The unauthorised advertisement was reported to committee on 6 October 2005 but had been removed on 3 October and the Committee resolution was "The Planning Control and Conservation Manager advised that the sign which had been displayed at the above site had now been removed. As a result the Committee **RESOLVED** to take no further action on this matter."

3. Considerations

- 3.1 In deciding whether enforcement action is justified the main considerations, in my opinion, are the adverse impact the unauthorised advertisement has on the visual amenity of the Green Belt and the highway safety implications for road users of the A1(M) motorway

4. Conclusions

- 4.1 The unauthorised advertisements were first reported in July 2006 and site visits have confirmed that the advertisements are still being displayed without consent up to the date of this report. A similar unauthorised advertisement was displayed in August 2005 and was reported to committee. The display of these advertisements has an adverse impact on highway safety, and an adverse impact on the visual amenity of the Green Belt. Authorisation for enforcement action is therefore sought to protect the Green Belt, and highway safety.

5. Legal Implications

- 5.1 It is an offence under section 224 of the Town and Country Planning Act 1990 to display an advertisement without advertisement consent. It is open to the Planning Authority to bring a prosecution in the Magistrates Court for this offence. Criminal Courts are subject to their own appeal procedures.

6. Recommendations

- 6.1 That the Committee authorises the Planning Control and Conservation Manager, subject to the Head of Legal and Democratic Services being satisfied with the evidence, to authorise enforcement action to secure the removal of the unauthorised advertisements.

Background Papers

Planning Enforcement File 06/00186/1ENF

Contact Officer

Sue Cawthra Ext. 4362

**TITLE: PLANNING ENFORCEMENT UPDATE
REPORT OF THE HEAD OF PLANNING & BUILDING SERVICES**

<u>Address</u> <u>(Breach of Planning Control)</u>	<u>Date of Authorisation</u> <u>(Committee Meeting)</u>	<u>Current Status</u>
The Forge, Graveley (Car Sales)	17.01.01	Further investigation necessary following complaint received from Graveley Parish Council last December that use had recommenced. Enforcement Notice dated 25.06.01 with subsequent appeal dismissed on 12.03.02
Pulmore Water St Albans Road, Codicote (Detached bungalow)	11.07.01	Enforcement Notice dated 15 th May 2002 with subsequent appeal dismissed on 10 th February 2003. Prosecution proceedings taken in 22.06.05. Building remains; further action under review.
Land at and to rear of Pulmore Water, St Albans Road, Codicote (Extension to caravan site)	14.04.05	Further legal advice being sought relating to committee report
Cottonwood Barn Paddock View Mangrove Green Cockernhoe (Dog training business)	02.06.05	Resolved 10.02.06

<u>Address (Breach of Planning Control)</u>	<u>Date of Authorisation</u>	<u>Current Status</u>
Land to the rear of the Old Coach House, Maydencroft Lane, Gosmore/Land to the rear of Gosmore Nursing Home, off Maydencroft Lane, Gosmore/Land adjacent to 20 Maydencroft Lane, Gosmore/Land to the North West of Birch Cottage, Hitchin Road, Gosmore/Land to North East of Gosmore End House, Hitchin Road, Gosmore	22.12.05	Expediency of pursuing enforcement action under consideration

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

12

TITLE: PLANNING APPEALS

REPORT OF THE HEAD OF PLANNING AND BUILDING CONTROL

This item will take the format of an oral report

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