

31 March 2006

Our ref: B&D Ctte/Apr06
Contact: Donna Levett
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To: Members of the Baldock and District Committee of North Hertfordshire District Council

(Councillors I.J. Knighton (Chairman), M.E. Weeks (Vice-Chairman), S.K. Jarvis, Marilyn Kirkland, M.R.M. Muir and A.D. Young)

You are invited to attend a meeting of the
BALDOCK & DISTRICT COMMITTEE

to be held at

**THE COMMUNITY CENTRE, SIMPSON
DRIVE, BALDOCK**

on

MONDAY 10 APRIL 2006

at

7.30 p.m.

Yours sincerely,



David Miley
Democratic Services Manager

AGENDA
PART I

ITEM	PAGE
1. APOLOGIES FOR ABSENCE	-
2. MINUTES To take as read and approve as a true record the minutes of the meetings of this Committee held on the 6 April 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 any item(s) raised will be considered.	-
4. DECLARATIONS OF INTEREST To receive from Members of the Committee any Declarations of Interest in respect of business set out in the agenda. Members should either declare a prejudicial or personal interest and are required to notify the Chairman of the nature of any interest declared. Members declaring a prejudicial interest should not seek to influence the decision and leave the room during that particular item of business.	-
5. PUBLIC PARTICIPATION To receive petitions, comments and questions from members of the public. No requests to speak have been received to date. Any public participation requests received within the agreed time will be notified to Members as soon as practicable.	-
6. 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 Baldock since the meeting of the Committee held on 6 March 2006 and events taking place in forthcoming months.</i>	1
7. BALDOCK & DISTRICT AREA COMMITTEE DEVELOPMENT & AREA VISIONING BUDGETS 2006/2007 REPORT OF THE HEAD OF COMMUNITY DEVELOPMENT AND CULTURAL SERVICES <i>The current budget balances for the Committee and grant applications from the following organisations:</i> <i>1. Baldock Festival 2006</i> <i>2. Baldock Retirement Sewing Club</i> <i>3. Ashwell Museum</i>	5

8. PLANNING APPLICATIONS **11**
REPORT OF THE HEAD OF PLANNING AND BUILDING CONTROL

Planning applications for determination by the Committee:

- | | |
|--|-----------|
| 1. Manor Farm, Chapel Street, Hinxworth | 13 |
| 2. Fontley, Halls Green, Weston | 21 |
| 3. 42-44 High Street, Ashwell | 27 |

9. PLANNING APPEALS **33**
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 6 March 2006.

Future meetings of the Baldock & District Committee will be held on:

22 May 2006
3 July 2006
14 August 2006
25 September 2006
23 October 2006
4 December 2006
15 January 2007
19 February 2007
2 April 2007

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BALDOCK & DISTRICT AREA COMMITTEE

MONDAY 10 APRIL 2006

*PART 1 – PUBLIC DOCUMENT

AGENDA ITEM No.

6

TITLE: CHAMPION NEWS

REPORT OF THE HEAD OF COMMUNITY DEVELOPMENT AND CULTURAL SERVICES

1. SUMMARY

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

2. FORWARD PLAN

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

3. BACKGROUND

- 3.1 Not Applicable

4. ISSUES – PROJECT / ACTIVITY / SCHEME DETAILS

4.1 Area Visioning

4.1.1 Baldock Town Hall Feasibility Study

Following the submission of tenders, a local firm of architects from Hitchin, Widdup/Amer has been appointed to carry out the feasibility study for the Baldock Town Hall. Officers are in the process of finalising the requirements of the brief and with the consultants will be meeting and consulting with key stakeholders on various options for the Town Hall in late spring this year.

4.1.2 Baldock Town Centre Enhancement Scheme

The Officers Working Group comprising key officers from Herts County Council, Hertfordshire Highways and NHDC have prepared a brief for consultants to undertake the preliminary works, which will provide the necessary factual information for the preparation of designs for the town centre enhancement scheme. The Brief has been put out to tender requesting submissions for the work to be submitted by 18 April 2006. The intention is to appoint consultants by early May 2006. Members will be advised who the successful consultants are for the

study and their progress via Champions News report updates.

4.1.3 Development of Town Partnership for Baldock

The Fourth development meeting of the Partnership was held on Wednesday 29 March 2006 at 7.00pm at the Tesco conference room.

The meeting commenced with a presentation by Sally Williams from Action for Market Towns, which is funded by the East of England Development Agency. The presentation drew together the generic issues that face small market towns throughout the region.

The Partnership then discussed four initiatives that they could focus on and which would lead to the basis of an action plan for the group.

Town Partnership Proposed Initiatives:

- A Town Guide / Information Brochure
- An encompassing Website for the Town
- Increasing the number and awareness of the Town's Events & Festivals
- Networking Forum for Businesses with Herts Chamber of Commerce

Next meeting planned for Tuesday 25 April 2006 at 7.00pm at the Tesco conference room.

4.2 **Festivals/Fairs/Events**

4.2.1 Baldock Street Fair 2006

Provisional Dates for 2006:

Fair pulls onto the High Street - Approx. 9.00am Sunday 1 October 2006

Fair leaves High Street - Thursday 5 October 2006 tbc

The Traffic Road Order process for the 2006 fair has been initiated and managed by Herts Highways, who have taken on the role as the client, following legal investigations and findings into the validity of the Fair's Chartered Status.

Herts Highways with support from North Hertfordshire District Council are currently researching the possibility of procuring a Permanent Road Closure Order to cover the future Fair dates in perpetuity.

4.2.2 Baldock Festival 2006

Full approval from all agencies that make up the North Herts Safety Advisory Team has been received to run this year's events. The 23rd Festival fortnight is planned to commence on Saturday 6 May through to Sunday 21 May 2006, with the Medieval Street Fair held on Saturday 20 May 2006 from 10am to 4pm on its usual High Street event area site.

The Community Development Officer has liaised with the event organiser throughout the winter months. All that now remains (at a date nearer the event) is for the formal raising of the Town, Police and Closures Act - Road Traffic Order to officially close the High Street Car Park from the early hours of Saturday 20 May 2006 to approximately 6.00pm that day. Correspondence has been lodged with the Council's Engineering section to action this request and well within the necessary timescale.

The Community Development Officer will also offer assistance in publishing this year's activities via the North Hertfordshire District Council's Public Relations Office.

4.3 **General**

4.3.1 Baldock Bypass

Opening Event:

The official opening of the bypass took place on Thursday 16 March 2006 at 1:00pm. The opening ceremony was performed at the north portal of the tunnel by the Chairman of Hertfordshire County Council and in response a speech was made by the Chairman of the North Hertfordshire District Council.

The event involved participation from local school children at the formal cutting of the ribbon at the tunnel. Invitees also experienced an open top Bus Tour through the town celebrating the opening of the Bypass.

The media turned out in force & there is a report on the event on the BBC website:

www.bbc.co.uk/threecounties/content/image_galleries/baldock_bypass_opens_2006_gallery.shtml?17

Traffic Management / Programme:

There is still be some minor works to complete following the opening of the bypass including grass seeding and landscaping, which will require some for of traffic management on the main line.

There are also some works on the side roads, in particular the A507, to be completed.

Works at the A1(M) junction will continue until the end of April and there will be traffic management at this point until that date.

These works involve the construction of a new free-flow slip lane onto the southbound A1(M) with associated lighting etc.

Works to install traffic signals on the northbound off-slip are due to start in early June 2006.

Environmental:

As part of the Bypass environmental plan the Community Development Officer is liaising with representatives from Hertfordshire Highways re the installation of Bat Hibernation Units and Boxes to be located throughout the Weston Woods.

4.3.2 Local Organisations and Community Groups Support

Ashwell & Sandon Village Halls:

The Community Development Officer and the Community Facilities Manager are supporting and advising the respective project groups / representatives at both the Village Halls.

Site visits have been made and practical support has been offered in procuring external funding for both projects.

4.3.3 Flower Hanging Basket, Pyramid Planter & Window Box Provision

BALDOCK & DISTRICT (10.04.2006)

Members' attention is drawn to the recent savings option, concerning the withdrawal in the provision of hanging baskets, window boxes and pyramid planters throughout the District.

Community Development Officer has been asked to seek the Area Committee's thoughts on whether provision might be maintained by local resources / funds.

5. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS

- 5.1 Consultation with the respective agencies, organisations and Ward Members has taken place with regards to the projects, activities and events mentioned in section 4 of this report.

6. RECOMMENDATIONS

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

7. REASONS FOR RECOMMENDATIONS

- 7.1 That the Committee enforces the actions and policies involved in the tasks and projects undertaken by the Community Development Officer.

8. CONTACT OFFICER

- 8.1 Stuart Izzard (Community Development Officer – Baldock & District Area & Youth
Telephone: 01462 474854
E-Mail: stuart.izzard@north-herts.gov.uk

TITLE: BALDOCK & DISTRICT AREA 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 new base budgets for financial year 2006/2007 and the carry forward balances of the Area Committee delegated budgets from the previous financial year 2005/2006.
- 1.2 To seek the Committee's approval and views on the release of the Annual Small Area Grants for the financial year 2006/2007.
- 1.3 To bring to the Committee's attention details of recent allocation and commitment of delegated funds for Community initiatives and projects.

2 FORWARD PLAN

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

3. BACKGROUND

- 3.1 Not Applicable

4. ISSUES AND FUNDING DECISIONS TO BE MADE

- 4.1 The Committee to consider and note the allocation and commitment of carry forward delegated budgets from the financial year 2005/06.

- 4.2 The Committee to consider the Annual Small Area Grants for 2006.

Baldock Festival - £1,060
Baldock Retirement Sewing Club - £420
Ashwell Museum - £340

- 4.3 STATEMENT OF COMMITTEE DELEGATED BUDGETS 2006/2007

- 4.3.1 See Appendix 1 – Spreadsheet of Committee Delegated Budgets 2006/2007.

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 1 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 relating to allocated Visioning Budgets available to the respective wards within the Baldock & District area.

7. HUMAN RESOURCE AND EQUALITIES IMPLICATIONS

7.1 Not Applicable

8. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS

8.1 Consultation with the respective Ward Members has occurred in connection with the pre allocation of funds for Community Initiative & Projects from the previous financial year 2005/2006 Ward Development Discretionary Budgets to the current financial year 2006/2007.

9. RECOMMENDATIONS

9.1 The Committee is asked to note the budgetary expenditure, balances and carry forwards from the Ward Development Budgets, the Small Area Grants Budget and the allocated Visioning Budgets.

9.2 That the Committee approves the release of the Annual Small Area Grants for 2006:-

Baldock Festival - £1,060

Baldock Retirement Sewing Club - £420

Ashwell Museum - £340

10. REASONS FOR RECOMMENDATIONS

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

11. ALTERNATIVE OPTIONS CONSIDERED

11.1 Not Applicable

12. APPENDICES

12.1 Appendix 1 – Spreadsheet of Committee Delegated Budgets 2006/07.

13. CONTACT OFFICERS

13.1 Stuart Izzard (Community Development Officer - Baldock & District Area & Youth)
Telephone: 01462 474854
E-Mail: stuart.izzard@north-herts.gov.uk

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

14. BACKGROUND PAPERS

14.1 None

<u>SUMMARY/ TOTALS</u>	<u>Funding</u>	<u>Allocated</u>	<u>Spent</u>	<u>Outstanding</u>	<u>Unallocated Budget</u>				
VISIONING	£3,420	£3,420	£0	£3,420	£0				
SMALL AREA GRANTS	£2,010	£1,820	£0	£1,820	£190				
BALDOCK TOWN	£17,110	£3,470	£0	£3,470	£13,640				
BALDOCK EAST	£9,000	£780	£0	£780	£8,220				
ARBURY	£11,570	£7,330	£0	£7,330	£4,240				
WESTON & SANDON	£10,800	£4,330	£0	£4,330	£6,470				
Total	£53,910	£21,150	£0	£21,150	£32,760				

<u>VISIONING</u>	<u>Funding</u>	<u>Year Allocated</u>		<u>Project</u>	<u>Allocated</u>	<u>Date</u>	<u>Spent</u>	<u>Outstanding</u>	<u>Comments</u>
Preallocated Funds C/F from 2005/06	£3,420	2004/2005		Ivel Springs	£730	23.02.04	£0	£730	
		2005/2006		Town Centre Strategy	£2,690	11.04.05	£0	£2,690	
Total	£3,420				£3,420		£0	£3,420	£0

<u>DEVELOPMENT BUDGETS</u>									
<u>SMALL AREA GRANTS</u>	<u>Funding</u>			<u>Project</u>	<u>Allocated</u>	<u>Date</u>	<u>Spent</u>	<u>Outstanding</u>	<u>Comments</u>
Base Budget 06/07	£2,010		Proposed	Retirement Sewing Club	£420	10.04.06		£420	
			Proposed	Baldock Festival	£1,060	10.04.06		£1,060	
			Proposed	Ashwell Museum	£340	10.04.06		£340	
Total	£2,010				£1,820		£0	£1,820	£190

BALDOCK TOWN	Funding		Project	Allocated	Date	Spent	Outstanding	Comments
Preallocated Funds Brought Forward from 05/06	£3,470		Street Furniture	£250	27.08.03	£0	£250	
Baldock Town Community Projects (c/f 05/06)	£450		Additional funds for Street Furniture	£150	15.08.05	£0	£150	Finance from Community Projects C/F
Baldock Town Community Projects (c/f 05/06)	£3,760		Baldock Allotment Association - Plot for disabled holders North Rd	£390	26.09.05	£0	£390	
			Alcohol Free Zone - Consultation	£460	07.11.05	£0	£460	
			Tree Works in Nightingale Way & Willan Way	£1,210	12.12.05	£0	£1,210	
			Tree Works Brewery Lane & Park Drive	£250	06.03.06	£0	£250	
			Baldock Town Clock	£760	06.03.06	£0	£760	
Base Budget 06/07	£9,430							
Total	£17,110			£3,470		£0	£3,470	£13,640

BALDOCK EAST	Funding		Project	Allocated	Date	Spent	Outstanding	Comments
Preallocated Funds Brought Forward from 05/06:	£780		Bench for the Clothall Estate	£400	15.08.05	£0	£400	
Baldock East Community Projects (C/F 04/05)	£2,420		Alcohol Free Zone - Consultation	£140	07.11.05	£0	£140	
Baldock East Community Projects (c/f 05/06)	£2,900		Baldock Town Clock	£240	06.03.06	£0	£240	
Base Budget 06/07	£2,900							
Total	£9,000			£780		£0	£780	£8,220

ARBURY	Funding			Project	Allocated	Date	Spent	Outstanding	Comments
Preallocated Funds Brought Forward from 05/06	£7,330			Arbury Community Projects (c/f from 04/05 Small Area Grants)	£180	07.03.05	£0	£180	
Arbury Community Projects (c/f 05/06)	£980			Community Visioning Projects	£5,520	07.11.05	£0	£5,520	
				Hinxworth Parish Magazine - Printer Scanner	£230	06.03.06	£0	£230	
				Sheltered Housing Centre - Ashwell	£700	06.03.06	£0	£700	
				Ashwell Parish Council - Parish Survey	£500	06.03.06	£0	£500	
				Ashwell Music Festival	£200	06.03.06	£0	£200	
Base Budget 06/07	£3,260								
Total	£11,570				£7,330		£0	£7,330	£4,240

WESTON & SANDON	Funding			Project	Allocated	Date	Spent	Outstanding	Comments
Preallocated Funds Brought Forward from 05/06:	£4,330			Community Visioning Projects	£4,330	07.11.05	£0	£4,330	
Weston & Sandon Community Projects (c/f 04/05)	£1,390		Provisional	Footpath Lighting -Hitchin Road to Friars Road		10.04.06			
Weston & Sandon Community Projects (c/f 05/06)	£2,540		Provisional	The Snipe - Weston Childrens Play Equipment		10.04.06			
Base Budget 0607	£2,540								
Total	£10,800				£4,330		£0	£4,330	£6,470

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

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

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

AGENDA INDEX

ITEM:	REF NO:	LOCATION:DESCRIPTION	CONTACT OFFICER:	PAGE:
1.	06/00213/ 1	Manor Farm, Chapel Street, Hinxworth, SG7 5HN Erection of replacement workshop and farm office (following the demolition of 1628m ² of existing farm buildings). The conversion of present vehicle workshop to additional grain store. The use of existing outbuilding as shooting lodge and the erection of a summer house. The enlargement of the existing lake and the creation of a new lake in a landscaped setting and ancillary works (as amplified by drawing MF-SS03B received on 20 March 2006)	Richard Tiffin 01462 474522	13
2.	06/00186/ 1	Fontley, Halls Green, Weston, SG4 7DU Replacement 5 bedroom dwelling with attached double garage, 6 car parking spaces and ancillary works following demolition of existing dwelling, garages, stables, stores and outbuildings.	Richard Tiffin 01462 474522	21
3.	06/00238/ 1	42-44 High Street, Ashwell, SG7 Change of use from Class A2 offices to Class D1 dental surgery, incorporating internal alterations and external alterations to rear and side elevations following removal of existing external rear spiral staircase.	Kirstie Hough 01462 474311	27

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ITEM NO: 1	<u>Location:</u>	Manor Farm, Chapel Street, Hinxworth, SG7 5HN
	<u>Applicant:</u>	A Stutley & Sons Ltd
	<u>Proposal:</u>	Erection of replacement workshop and farm office (following the demolition of 1628m² of existing farm buildings). The conversion of present vehicle workshop to additional grain store. The use of existing outbuilding as shooting lodge and the erection of a summer house. The enlargement of the existing lake and the creation of a new lake in a landscaped setting and ancillary works (as amplified by drawing MF-SS03B received on 20 March 2006)
	<u>Ref.No:</u>	06/00213/ 1
	<u>Officer:</u>	Richard Tiffin 01462 474522

Date of expiry of statutory period: 05 April 2006

Reason for Referral to Committee: The application site area exceeds that which can be determined under delegated powers. A Parish Council representation raising concerns has also been received.

1. Relevant History

- 1.1 Planning permission was granted in 1997 for the formation of a lake with landscaping.

2. Policies

- 2.1 DLP No 2 Policy 6 - Rural Area Beyond the Green Belt
- 2.2 DLP No 2 Policy 13 - Countryside Areas
- 2.3 County Structure Plan (CSP) Policy 1 – Sustainable Development.

3. Representations

- 3.1 **Environment Agency** - To be reported.
- 3.2 **Hertfordshire Highways** - No objections.
- 3.3 **Housing and Environmental Health Service** – No objection.
- 3.4 **Hinxworth Parish Council** - Raises a number of concerns summarised as follows:
- What will the new workshop be used for?
 - The proposed grain store would appear small.
 - Does the retention of a building for a shooting lodge herald the start of

commercial shooting?

- If commercial activities follow this application concern is expressed over increased traffic, particularly in Chapel Street.

3.5 **Hertfordshire Biological Records Centre** – Has commented widely on the biological implications of the proposals including the potential presence of bats in the existing buildings and the possibilities for increased bio diversification in the lakes. In both regards relevant planning conditions have been recommended (see recommendation).

3.6 **Local residents** – Representations have been received from the occupiers of Cantebury, Orchard Lodge and Cammocks (all in Chapel Street) raising concerns and objections in relation to the following issues:

- Increased vehicular activity, particularly in Chapel Street arising from commercial intensification.
- Loss of amenity and danger to the public resulting from increased shooting.
- Adverse impact on water table.

Two residents indicated that they did not oppose the changes to the existing agricultural buildings or the proposed new summerhouse.

4. Planning Considerations

4.1 Site & Surroundings

4.1.1 The Manor Farm complex is located at the end of a track leading from Chapel Street in the village of Hinxworth

4.1.2 The site currently comprises a series of utilitarian farm buildings and two dwellings associated with the holding. A large pond stands to the west of the current building group.

4.1.3 The application site boundary encloses all of the farm buildings, the pond and 34 ha of the surrounding agricultural land.

4.2 Proposal

4.2.1 The proposal, subject of this application, seeks permission to rationalise the use and form of the existing farm buildings for continued agricultural purposes and to improve and enhance the amenity of the surrounding countryside. The applicant asserts that this can be achieved by removing redundant farm buildings and re-providing others to meet modern agricultural demands and requirements.

4.2.2 The applicant has itemised works to buildings as follows:

Building A - New double bay workshop following demolition of exiting structures.

Building B - Existing vehicle building converted to grain store

Building C/D – New single storey extension to existing shooting lodge

Building E – New single storey summerhouse associated with residential property know as "Laycroft".

Some seven existing buildings are to be removed.

4.2.3 A new lake is to be created to the north east of the farm complex and the existing lake to the east enlarged. Extensive landscape proposals accompany these changes, including the planting of excavated soil bunding.

4.2.4 The applicant's agent was asked to clarify the nature and scope of the proposals by identifying the post-development users and uses. In terms of the buildings identified above he responded as follows:

Building A – Agricultural workshop for current owners and tenant farmer.

Building B - Grainstore for tenant farmer.

Building C – Farm office for owner.

Building D – Shooting lodge for owner.

Building E - Summerhouse for owner.

Existing buildings not demolished would continue to be used for agricultural storage purposes by the tenant farm (Rogers) or the owner applicant.

4.2.5 In answer to the issue of post-development uses, the applicant's agent made the following statement:

"Apart from the occasional couple of guns roaming the entire 150 hectares (370 acres) of land at Manor Farm shooting rabbits, pigeons and other pests, between 1 November and 1 February in any one year cycle, Robert and James Stutley organise nine formal shoots at the farm, each shoot containing nine guns. During and on completion of the proposed development, my clients anticipate that the existing shooting pattern which has been undertaken at the farm for many years will continue precisely in the manner which I have described. In terms of existing fishing patterns, there simply are none. Both Robert and James Stutley fish the existing lake on a very occasional basis, as do I, with a colleague, two or three times a year. Upon completion of the development it is envisaged that this „owners and invited friends“ basis will continue. My clients wish to categorically state that they have no intention whatsoever of opening a commercial shooting and/or fishing enterprise at Manor Farm. On that basis therefore, they would have no objections should the District Council in their grant of planning permission seek to condition the consent accordingly."

4.3 Key Issues

4.3.1 The key issues in this case centre on the following matters:

- Principle of new buildings and engineering works in the rural area.
- Proposal's impact on the landscape character and physical form of the countryside.
- Traffic generation / highway issues.
- Sustainability and biodiversity issues.
- Impact on residential amenity, principally Chapel Street, Hinxworth.

4.3.2 Policy 6 of the District Local Plan seeks to maintain the character of the countryside outside of Green Belt areas by restricting development to that associated with a number of identified land uses, including agriculture. The application at Manor Farm seeks to rationalise an existing complex of farm buildings by removing some and improving others. These buildings would continue to be used for farming purposes and would, in my view, affect an improvement in the visual amenities of the site in terms of the surrounding rural landscape. The proposal also specifies a small summerhouse and an extended shooting lodge. These are small structures in the overall context of the complex and I see no landscape objection in terms of their physical appearance or the principle of their use so long as they are subordinate and incidental to the overall operation of the agricultural holding and associated farm houses as stated by the applicant's agent above. I will deal with the issue of shooting on the site later in this report when considering traffic impact and local residential amenity.

- 4.3.3 The new and extended lakes may also be perfectly acceptable in terms of their appearance in the rural landscape subject to the specification of an appropriate planting scheme. At the time of writing this report I have asked the Council's landscape officer to comment in detail on the scheme submitted with the proposal and hope to be in a position to update Members on the night of the Committee.
- 4.3.4 Representations have been received from local residents and the Parish Council expressing concerns that the proposals herald the commencement of 'commercial' activities on the site other than those which pre-exist. Members will note that no objection has been raised by the Highway Authority and that the applicant's agent has given a clear undertaking that the submitted scheme does not represent a precursor to commercial fishing or shooting.
- 4.3.5 From a statutory land use perspective, the owner does enjoy temporary use rights for up to 28 days in any calendar year upon which he may rough shoot (not clay pigeon) or fish without the need for planning permission. The stated frequency does not exceed this allowance and is therefore not part of this application to control. If it transpired that fishing or shooting activity exceeded this tolerance, a separate planning application would be required. This said, I would suggest that a condition restricting the use of the entire holding to agriculture and no other commercial activity, leisure or otherwise, would be prudent.
- 4.3.6 In terms of sustainability and biodiversity issues, the application represents an opportunity to increase the areas biodiversity and landscape value. Members will note the representation from Herts Biological Records Centre. In this regard I would recommend conditions requiring the requisite bat surveys and that the applicant submits greater detail relating to the lake profiles and construction.
- 4.3.7 Turning finally to the issue of residential amenity, I am aware that residents in Hinxworth, specifically Chapel Street, have concerns about shooting both in terms of noise and public safety. However, at the levels indicated in the applicant's submission (see 4.2.5 above) planning permission is not required for this activity and this being the case conditional controls over the use of land within the 28 days set by statute can not be imposed as part of this proposal. Remedy in this case would have to be sought under the appropriate environmental protection legislation operated by the Council in its Environmental Health role. This said I do consider that it would be appropriate to control the use of the shooting lodge or any other building put to that purpose within the complex to the number of shoots stated by the applicant.

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 permission be **GRANTED** subject to the following conditions:
1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

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

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

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

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

4. Prior to any work commencing to implement this permission (including the demolition of buildings), a comprehensive site survey shall be carried out to establish the presence or otherwise of bats. This survey shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To identify any protected species which may be present.

5. If a protected species is identified the applicant shall, before any works to implement the permission commence (including demolition), submit a full bat mitigation strategy for written approval of the Local Planning Authority.

Reason: To safeguard the presence of a protected species.

6. Before any works to implement this permission commence, the applicant shall first submit topographical details of the proposed lakes, indicating water depths, together with details of the aquatic stocking and planting program. These details shall be approved in writing by the Local Planning Authority in conjunction with the Hertfordshire Biological Records Centre.

Reason: To safeguard and enhance biodiversity.

7. The new buildings and site identified as part of the application and subject of this approval, shall remain within agriculture or uses incidental thereto as set out in the letter from Mr Brian Hull dated 18 March 2006.

Reason: To safeguard the amenities of local residents and the character of the rural area.

Reason for Decision

The development hereby permitted is not considered to have any materially adverse impact on the amenities of neighbouring residential properties, the

visual amenities of the rural area or on highway conditions in the vicinity of the site and, as such, complies with the relevant provisions of the development plan as set out below:

North Hertfordshire District Plan No 2 with Alterations.

Policy 6 (Rural Areas Beyond the Green Belt)

Policy 18 (Countryside Areas)

County Structure Plan Review

Policy 1 (Sustainable Development)

ITEM NO: 2	<u>Location:</u>	Fontley, Halls Green, Weston, SG4 7DU
	<u>Applicant:</u>	Mr M Wood
	<u>Proposal:</u>	Replacement 5 bedroom dwelling with attached double garage, 6 car parking spaces and ancillary works following demolition of existing dwelling, garages, stables, stores and outbuildings.
	<u>Ref.No:</u>	06/00186/ 1
	<u>Officer:</u>	Richard Tiffin 01462 474522

Date of expiry of statutory period: 30 March 2006

Reason for Referral to Committee: Application site area exceeds that which may be determined under delegated powers.

1. Relevant History

- 1.1 Planning permission was granted in 2001 for a large 5-bedroom house and buildings to replace the existing dwelling. This has never been implemented but remains extant.

2. Policies

- 2.1 **District Local Plan No. 2 with Alterations**
Policy 30 - Replacement or Extension of Dwellings in the Countryside
- 2.2 **District Local Plan No. 2 with Alterations**
Policy 12 - Landscape Conservation, Improvement and Creation

3. Representations

- 3.1 **Weston Parish Council** - No objection

4. Planning Considerations

4.1 Site & Surroundings

- 4.1.1 The application property is situated at the end of a tree-lined drive in open countryside off the road leading out of Hall's Green in the Walkern direction.
- 4.1.2 The property occupies an isolated position and is not open to public views

4.2 Proposal

- 4.2.1 The proposal seeks permission to erect a large replacement dwelling in place of that which currently occupies the site.

- 4.2.2 The proposal specifies a large neo-classical style 5-bedroom house orientated to face the tree lined entrance drive replicating a classical layout.
- 4.2.3 The proposal specifies the removal of a number of substantial outbuildings and shows the proposed new country house as the only building within the curtilage post-development.
- 4.2.4 The application specifies a 'ground heat' recovery system as part of the proposal. This would be installed beneath the main lawn and provide the new dwelling with a renewable energy source.

4.3 Key Issues

- 4.3.1 The key issues in the case centre on two discrete considerations. Firstly, whether the principle of the replacement dwelling is acceptable in policy terms and secondly whether the design of the proposal is appropriate to the location. I will deal with these questions and their associated issues in turn.
- 4.3.2 Contrary to the applicant's assertion the application site is not within the Green Belt rather it lies just outside the boundary. Nevertheless, the criteria for judging the acceptability of a replacement dwelling are so similar as to be indistinguishable. In the rural area beyond the Green Belt Policy 30 of the Local Plan states that a replacement dwelling will not be acceptable if a 'materially greater impact would result'. In this case, the site is occupied by a large detached dwelling with an extensive range of outbuildings. Moreover, an approval exists for a large 5-bedroom dwelling together with a substantial detached annexe, stable block, linked swimming pool building and garages (LA ref 01/01522/1). Against this background it is for the applicant to demonstrate and for the Planning Authority to judge as to whether a "materially greater impact" would result.
- 4.3.3 In this case the applicant's agent has gone to commendable lengths in order to make the case that the proposed building would be within the bounds set by Policy 30 (above). As part of this case the following table has been produced which I consider is instructive if not totally conclusive:

	Footprint	Floorspace	Height
Existing House	527m ²	585m ²	9.2m
Permitted Replacement	566m ²	624m ²	8.6m
Current Proposal	488m ²	643m ²	9.9m

As will be noted the latest proposed occupies the smallest footprint yet offers the greatest floorspace. It will also be noted that the latest proposal is marginally higher than the existing dwelling then that permitted in 2001.

- 4.3.4 The above table should be viewed with some caution as it clearly represents all residential floorspace in the case of the existing and approved dwellings. That is, it includes outbuildings. This said I am satisfied that such an analysis helpfully demonstrates that, in terms of building footprint, the proposal compares favourably with what currently occupies the site.
- 4.3.5 Further to the above, it is incumbent on the Authority to consider the massing of the new dwelling compared with the existing building group and the relationship of this massing with its surroundings and, importantly, public views. In this regard it is clear to me that the new building would represent a more monolithic structure than the existing dwelling and its associated outbuildings. The sustained two storey elevation and 'mansion' proportions would undoubtedly be more imposing than the modest proportions of the existing dwelling, despite the removal of the rather

sprawling outbuildings associated with the latter. However, this localised assessment is, in my view, only prejudicial to a favourable consideration if it holds true from wider public views of the site. In this case, 'Fontley' occupies a well-landscaped and extensive curtilage which is remote from public vantage points, notably the serving highway. Moreover, the proposal specifies the removal of an extensive range of outbuildings and the application offers the Local Authority the significant opportunity to remove Class 'E' development rights within the extensive curtilage of the property. In view of these factors and circumstances I am satisfied that the proposal, as presented, would be acceptable under the terms of Policy 30 of the District Local Plan and not give rise to a dwelling with a 'materially greater' impact in the rural area.

4.3.6 Turning now to the issue of design, I have asked the Council's consultant architect to offer an opinion on what would represent a significant new country house in the rural area. This request was borne out of a concern that the proposal failed to articulate vernacular styles or relate well to the area's sense of place. Leaving aside the detail of his response, the consultant architect offered the following summary which, I consider, encapsulates the essence of my concerns in this case:

"There are of course many precedents for this kind of neo-classical house style in the countryside. I personally do not find it very appropriate for our time, since it does not reflect our life-style and is very rarely carried out with the authentic detailing which made many of the original houses of that time attractive"

4.3.7 This sentiment expresses my concern that the application is a wasted opportunity to create something of greater architectural value and relevance. Rather it is a tired and over-used solution to the problem of a new 'grand' house in the countryside. What I would have liked to have seen or encouraged, given the opportunity to discuss this site pre-application, would have been a design which took the opportunity to contemporise a vernacular style - to advance the architectural art with reference to local style and flavour. Sadly this scheme, in my view, represents a failure in this regard. However, the question for the Planning Authority must be whether this perceived failure amounts to a reason to refuse planning permission. In pursuit of an answer to this question I suggest that impact of the proposal on the public realm must be at the forefront of the Council's considerations.

4.3.8 In this case I am satisfied that the site's relative isolation and enclosure within established gardens and grounds militates against any significant public exposure. Moreover the poor quality of the existing building and the surrounding group allows the Authority, in my view, a more flexible disposition in respect of the submitted design.

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 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 Class E of Part 1 of Schedule 2 to the Order shall be carried out without first obtaining a specific planning permission from the Local Planning Authority.

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.

Reason for Decision

The development hereby permitted is not considered to give rise to a materially greater impact in the rural area or adversely affect the character or visual amenities 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 set out below:

North Hertfordshire District Local Plan with Alterations.

Policy 30 - Replacement or Extension of Dwellings in the Countryside.
Policy 12 - Landscape Conservation, Improvement and Creation.

ITEM NO: 3	<u>Location:</u>	42-44 High Street, Ashwell, SG7
	<u>Applicant:</u>	Ms B Shah
	<u>Proposal:</u>	Change of use from Class A2 offices to Class D1 dental surgery, incorporating internal alterations and external alterations to rear and side elevations following removal of existing external rear spiral staircase.
	<u>Ref.No:</u>	06/00238/ 1
	<u>Officer:</u>	Kirstie Hough 01462 474311

Date of expiry of statutory period: 10 April 2006

Reason for Referral to Committee: Parish Council objection

1. Relevant History

1.1 None

2. Policies

2.1 North Herts District Local Plan No 2 with Alterations

Selected Village- Policy 7
Landscape Conservation Area- Policy 12
Conservation Areas- Policy 20

Hertfordshire Structure Plan Policy 25: Car Parking

3. Representations

3.1 **Parish Council-** Object to the application on the grounds of close proximity of the proposed windows to those of No 1 Swan Street, potentially causing noise from dentist drills, obscured glass not overcoming the feeling of being constantly overlooked and guarantee that the windows would not be replaced with clear glass in the future and windows not opened

3.2 **Hertfordshire Highways-** No objection

3.3 **Neighbours-** Representation received from occupiers No 1 Swan Street who object to the application on the grounds of close proximity of the proposed windows to those of No 1 Swan Street, potentially causing noise from dentist drills, obscured glass not overcoming the feeling of being constantly overlooked and guarantee that the windows would not be replaced with clear glass in the future and windows not opened.

4. Planning Considerations

4.1 Site & Surroundings

- 4.1.1 This site is located on the corner of Church Lane and High Street, with the rear boundary abutting the rear of No's 1 Church Lane and 1 Swan Street. The site abuts the flank of 46 High Street to the southwest.
- 4.1.2 These two properties have rear projections. A two storey gable projection from the rear of No 44, and a single storey lean-to projection from the rear of No 42. The gable projection has a door at first floor level served by an external metal spiral staircase.
- 4.1.3 The rear of No 1 Swan Street is sited approximately 3.9 metres away from the rear gable projection of the application property at No 44. The rear projection of No 42 is sited approximately 6 metres away from the rear of No 1 Church Lane. This area to the rear of the site is used as a parking area for the surgery.
- 4.1.4 The current use of No 44 is a dentist surgery (which has 3 surgery rooms), and No 42 is offices.

4.2 Proposal

- 4.2.1 The proposal seeks permission for a change of Use from Class A2 Offices to D1 Dental Surgery. This would create a further surgery in No 44, and a separate reception and waiting area, store room and disabled W.C.
- 4.2.2 The proposal includes external alterations in the form of replacing a first floor door and spiral staircase with two fixed, obscure glazed windows on the rear elevation.
- 4.2.3 No 42 would not accommodate any further surgery rooms, but would accommodate an office, store and reception area to serve the dental practice.

4.3 Key Issues

- 4.3.1 The key issues in this case are; whether the proposed change of use is in accordance with policy contained in the District Local Plan; whether the change of use would have any impact upon neighbouring properties and whether the change of use would have any highway implications on the surrounding road network.
- 4.3.2 In terms of impact upon the adjacent properties, No 1 Swan Street to the rear of the application site is located in close proximity. The specification of two fixed and obscure glazed windows in the rear elevation of the application building means that users of the practice would not be able to look into the rear windows of No 1. Obscured and fixed glazed windows would safeguard any loss of privacy for this property.
- 4.3.3 Fixing the windows would also attenuate any noise from the use containing it within the building. This being the case, I do not consider that the amenities of No 1 Swan Street would be unduly effected.
- 4.3.4 In terms of the above, I would suggest that a condition be imposed on any permission to ensure that the windows remain fixed and obscure glazed. This safeguards any possible loss of privacy for the adjacent property, and addresses the concerns received in representations from No 1 Swan Street and the Parish Council.

- 4.3.5 In terms of compliance with policy contained in the Local Plan, the site is located

within the High Street of the village, in a central location within the Ashwell Conservation Area.

- 4.3.6 The external changes comprise the removal of the rear door and external staircase, and replacement with a window on both the ground and first floors. A smaller window would replace an existing window on the northeastern flank of the rear projection. I do not consider that the removal of the staircase and addition of these two rear windows would affect the character or appearance of the Conservation Area.
- 4.3.7 In terms of the change of use from offices to dentist surgery, I do not consider that this would bring any adverse impact upon the character or appearance of the Conservation Area, and therefore complies with policy 20 in the District Local Plan.
- 4.3.8 With regards to highway implications, the level of parking required for the additional surgery is a consideration. The submitted statement from the agent suggests that the majority of Ashwell's population is registered at the surgery, with the rest coming from the surrounding villages. There is a regular bus service through Ashwell to Baldock, Letchworth, Hitchin, the Mordens and Littlington where the majority of patients come from. The bus stop is approximately 90 metres from the practice.
- 4.3.9 Hertfordshire Highways have commented that the application does not incorporate any changes to the existing access arrangement to the highway and the proposal does not affect any of the surrounding highway network in terms of vehicle and pedestrian visibility. They consider that there would be no significant increase in users at the dental practice from the original office use, and therefore the traffic generation would not change on this development. They therefore do not wish to restrict the grant of planning permission.

4.4 Conclusion

- 4.4.1 The proposed change of use does not conflict with policies in the District Local Plan. Accordingly, the proposal is not considered to have any adverse impact on the character of the Conservation Area or other environmental impacts.
- 4.4.2 With regards to highway implications, it is not considered that the proposed change of use incorporating 1 additional surgery in place of the present office use would have a materially detrimental impact upon the surrounding highway network.
- 4.4.3 It is considered that the specification of two obscure glazed and fixed windows, suitably conditioned, would acceptably safeguard the amenities of the neighbouring property No 1 Swan Street, in terms of loss of privacy or increased noise levels
- 4.4.4 In conclusion, it is considered that there are no material planning grounds to withhold permission for this proposed change of use and associated external alterations.

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 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 Class A within Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 as amended, no windows (other than those shown on the approved plan) shall be inserted on the rear north-western elevation of the building facing no 1 Swan Street.

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

4. The windows at ground and first floor level on the northwestern rear elevation of the building facing No 1 Swan Street shall be permanently glazed with obscure glass and fixed shut.

Reason: To safeguard the privacy and residential amenities of the occupiers of No 1 Swan Street.

Reason for Decision

The change of use hereby permitted would have no significant adverse impact upon neighbouring properties, local highway conditions, the local environment, or the visual amenity of the conservation area and, as such, complies with the relevant provisions of the development plan as summarised below.

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

North Hertfordshire District Local Plan No 2 with Alterations

Conservation Areas- Policy 20

Hertfordshire Structure Plan

Car Parking- Policy 25

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

9

TITLE OF REPORT: 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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