

## **Planning WP Report to Kimpton Parish Council**

Name of Working Party: **Planning**

Author: Neil Burns

Report Date: 21<sup>st</sup> October 2020

Council Meeting: 28<sup>th</sup> October 2020

### **1. Key activities undertaken and items achieved during last period.**

- a. Review of planning applications notified by NHDC as attached. See below.
- b. Decisions upon previous applications received are:-
  - I. 20/01647/FPH 1 Blackmore Way, Blackmore End, Granted conditional permission 12 October 2020.
  - II. 20/02026/FPH 59 Lloyd Way  
Granted permission 20 Oct 2020
- c. Response issued to Government upon HCLG proposed 'Changes to the current planning system'.
- d. Response issued to Government upon HCLG proposed 'Planning for the future' white paper on a new planning system.
- e. London Luton Airport and NATS have issued a consultation document upon proposed changes to stacking locations for aircraft and flight path routes to the runway from the east and west. Having considered the issued information the proposals do not currently appear to have adverse implications to KPC.
- f. An extraordinary NHDC meeting was held on the 8<sup>th</sup> October 2020 to review the current emerging Local Plan 2011. After a narrow vote against changing the plan the current proposals have now moved to a hearing stage to be reviewed by the planning inspector. The Green Belt around Kimpton had been part of a planning inspection completed on the 8<sup>th</sup> February 2020 and we are informed that no more comments upon this subject are being considered.,

### **2. Intended achievements in next period.**

- a. Review of planning applications from 21<sup>st</sup> October.

### **3. Items requiring council decisions.**

- a. Council to consider recommendations of planning working party and support or modify as they deem appropriate.

## rev B

**Planning application for Water Tower, Priors Wood, Bibbs Hall Lane.**

**Ref 20/02079/FP: Erection of one detached 4-bed dwelling and detached double garage following demolition of existing water tower.**

**Planning documents can be found as below.**

<https://pa2.north-herts.gov.uk/online-applications/applicationDetails.do?keyVal=QGR77WLK00C00&activeTab=summary>

### **Response from KPC. Comment.**

In consideration of the above application our observations and findings are as follows.

1. We welcome applications that offer a high quality of design, affordability, meet government national space standards, proven defined sustainable delivery, address community defined requirements and add value to the parish.
2. We understand the site is defined by the red lined boundary on the issued location plan. The area under ownership of the applicant is marked in blue. Elements of the associated works to be undertaken occur outside of the area marked in red but within the area marked in blue.
3. The site is remote from local amenities requiring main access by private vehicle transport.
4. The application is for a significant 2 storey dwelling of approximately 230m<sup>2</sup> internal area with 4 bedrooms.
5. In prior applications the applicant has been granted permission, with conditions, to convert the water tower to a 2 bedroom property, with out-buildings, to a total area of approximately 360m<sup>2</sup> internal area.
6. One small 2m high Hornbeam tree is to be removed.
7. Environmental. KPC and NHDC have adopted a “climate emergency” policy. The NPPF 2019 Achieving a sustainable development. Item 8 c) states an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
  - a. Design and access Statement Clause 5 refers to greater environmental outcomes by adoption of “Scandia-hus” construction approach but no quotative improvement above current building regulations is stated. Theb applicant should state what performance is to be provided.

- b. Design and Access Statement. Clause 8.1 This refers to the provision of solar energy for power and heating. No statement of the quantity of this is made and the statement is therefore of no purpose. The applicant should state the actual in-situ output capacity of the solar panels proposed in KW
  - c. Design and Access Statement Clause 8.6.2 Rainwater Harvesting. We note that this states the storage capacity will be 10,000 litres.
  - d. Design and Access Statement. This makes reference to bore hole for heat pump heating, bore hole for potable water supply, and grey water recovery. The current strategy is incoherent and we request the applicant to quantifiably clarify as to what the proposals actually are.
  - e. No mention is made of providing electric car charging points to either residents or visitors. These should be provided.
8. Design and Access Statement Clause 14. The applicant should provide proposals for the replacement entrance gate for approval.
9. Application Section 7. This states waste storage to be provided within the garage. The drawing referred to, drawing 01 rev G (rev I included in submission) fails to ratify this statement. No details within the application are provided. From discussion with the applicant we believe waste storage is likely intended to be at the main entrance gates. If this is intended it should be indicated on drawings as such.
10. Application Section 17 states a single dwelling of 3 bedrooms. Drawing X01 rev C indicates 4 bedrooms. The proposal is therefore understood to be for a 4 bedroom dwelling.
11. Drawing 01 rev I Indicates a generator. Please confirm the purpose of this equipment and the fuel source.
12. How is the proposal assisting in supporting the requirements of “Kimpton Parish Housing Needs Survey March 2019”? This document clearly states the need for 24 additional affordable homes mainly of 1 and 2 bedroom size within the parish. The current proposal offers only an executive 4 bedroom properties and on its own is of little contribution to the defined needs of the community of Kimpton. The applicant should provide financial contribution to the parish for supporting the delivery of such size properties elsewhere within the parish.
13. There are a number of planning conditions that would require the application to be of exceptional quality. As stated in item 7 above there is information absent that would be required to meet these criteria. Areas
- a. The proposed site is within the Green Belt for the Emerging Local Plan 2011-31 and adjacent to a conservation area. Building within the green belt is only permitted under exceptional circumstances and at present no acceptable case has been demonstrated for this by the applicant. The

statements made by the applicant do not meet the necessary requirements of NHDC criteria and justification to develop within the green belt has yet not been provided.

- b. Kimpton is a category A village as defined under NHDC Emerging Local Plan 2011-31 Policy SP2 page 32. Development is allowable within the defined settlement boundaries. The proposed site is located outside of the defined settlement boundary of Kimpton and development is clearly not permitted under this document section.
- c. NHDC Emerging Local Plan 2011-31 Policy SP5 page 41. Countryside and Green Belt states: -  
*We support the principles of the Green Belt and recognise the intrinsic value of the countryside. Green Belt and Rural Areas Beyond the Green Belt are shown on the Proposals Map. We:*
  - c. *Will only permit development proposals in the Green Belt where they would not result in inappropriate development; and*
  - d. *Will operate a general policy of restraint in Rural Areas beyond the Green Belt.*

The applicant has not yet demonstrated that this proposal is an appropriate development in accordance with item c. and d. above.

- d. The NPPF 2019 Paragraph 145. states: -  
*A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*
  - a) *buildings for agriculture and forestry;*
  - b) *the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
  - c) *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
  - d) *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
  - e) *limited infilling in villages;*
  - f) *limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and 43*
  - g) *limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development; or – not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

The proposal does not meet any of these criteria.

- e. NPPF 2019 Clause 79 states. *Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:*
- a) *there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*
  - b) *the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
  - c) *the development would re-use redundant or disused buildings and enhance its immediate setting;*
  - d) *the development would involve the subdivision of an existing residential dwelling; or*
  - e) *the design is of exceptional quality, in that it: - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.*

None of these have been shown by the applicant to apply.

14. NHDC Pre application report 28<sup>th</sup> November 2019. This required the applicant to provide:-

Methodology for the demolition of the water tower and confirmation of the removal from site of all existing buildings / structures other than those required within the water tower compound.

No reference is made to the manner of reuse or environmentally acceptable disposal of the associated materials.

15. The applicant provides no proposed vehicular and refuse plan. How will refuse vehicles enter and leave the site?

16. NPPF 2019 Clause 108. States. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- b) safe and suitable access to the site can be achieved for all users;

The application does not indicate a safe access for pedestrians. We understand from discussion with the applicant that a pedestrian entrance gate is to be provided at the South/East boundary of the wood directly on to the public foot path that connects to the villages of Ayot St Lawrence and Kimpton. If this is the intention it should be indicated upon the submitted plans.

17. Ecology.

On June 13 2020 the applicant wrote of the adjacent property (Ref 20/01254/FP) where addition of 4 dwellings was proposed.

" I am concerned about the increased traffic along a single track lane. I hope the planners will not allow any proposals (overtly or by stealth) for lane widening/improvement to take place as this will wholly alter the character of a

rural area. In this connection I am concerned about the community of wildflowers which live on the verge were any changes to the road take place, and my concern extends to during the development phase when large vehicles will traverse the lane, harming the verges and hedge. Extant wildflowers include Devil's-bit (*Succisa pratensis*) and Field Scabious (*Knautia arvensis*), Common Knapweed (*Centaurea nigra*), Hedge bedstraw (*Galium mollugo*), Common Toad flax (*Linaria vulgaris*), Field (Rosa *arvensis*) and Dog rose (*Rosa canina*), and so on. Rather than this community being threatened the Council should impose a condition on the developer so that (a) the verges leading to the development are protected from construction traffic during the development; and, (b) fund an on-going management plan to care for these verges sympathetically - I suggest the devising of a management plan and on-going care should be delegated to the local wildlife trust and funded by the developer in order to ensure this development has some beneficial outcomes."

Will the applicant be applying these conditions to their own proposed development?

18. Prior application 13/01815/1 Conversion to 2 bed dwelling, 14/03118/1 Single storey out buildings, and 15/00187/1PUD Temporary accommodation were made by the applicant and conditional permission/granted responses received from NHDC. Can NHDC please confirm that a meaningful commencement of these permissions has been made by the applicant. Were relevant conditions discharged?
19. None of the trees to be retained on the application site shall be felled, lopped, topped, uprooted, removed or otherwise destroyed or killed without the prior written agreement of the Local Planning Authority. Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.
20. Development must proceed in strict accordance with methods and measures specified in the submitted Woodland Management Plan, Arboricultural Impact Assessment, and Timetable. No works shall commence until all protective measures, including installation of fencing, have been undertaken. This shall remain in place and be properly maintained until development works are complete. Reason: To protect trees and in the interest of safeguarding the integrity of the Local Wildlife Site.
21. No external lighting shall be installed or affixed to any buildings on the site unless the Local Planning Authority has first approved in writing details of position, height, design and intensity. Any that needs to be installed should be downward facing and directed away from any sensitive areas, including bat flight paths, potential or known bat access points and any installed artificial roosts. Reason: To avoid adverse impacts on bats and other nocturnal wildlife.
22. The occupation of the dwelling hereby approved is limited to a person(s) or successors who is responsible for the management and conservation of Priors Wood, or a dependent of such a person residing with him or her, or a widow or widower of such a person. Reason: The site is within an area where there is a

presumption against new development unless there are special circumstances to justify the development.

23. Before any development commences on site, full details of the foul water treatment plant, and where on the site it is to be sited, are to be submitted to, and agreed in writing by, the Local Planning Authority. The approved details are to be implemented on site. Reason: To ensure that there is no adverse impact on nearby trees.

rev C

**Planning application for 1a Hampden.**

**Ref 20/02173/LDCP: Replace single storey attached garage door with a window to facilitate conversion of garage into habitable accommodation**

**Planning documents can be found as below.**

<https://pa2.north-herts.gov.uk/online-applications/applicationDetails.do?keyVal=QHCCAOLKH3700&activeTab=summary>

**Response from KPC. No Comment.**

In consideration of the above application our observations and findings are as follows.

1. No comment.



rev D

**Planning application for Rye End Farm, Green Lane**

**Ref 20/02230/EC: Erection of 8 x 9m light poles**

**Planning documents can be found as below.**

<https://pa2.north-herts.gov.uk/online-applications/applicationDetails.do?keyVal=QHKLNPLK00Y00&activeTab=summary>

**Response from KPC. Comment.**

In consideration of the above application our observations and findings are as follows.

1. We welcome applications that offer a high quality of design, affordability, meet government national space standards, proven defined sustainable delivery, address community defined requirements and add value to the parish.
2. No details of the proposal are included within the application. A constraint must be placed to ensure that any lighting does not cause light pollution or disturbance to neighbours
3. Further details of the proposal should be requested from the applicant.

rev E

**Planning application for 1 Blackmore Manor, Beech Way.**

**Ref 20/02271/FPH: Insertion of two dormer windows to existing rear  
roofslope and a rooflight to existing front roofslope to facilitate  
conversion of loftspace into habitable accommodation**

**Planning documents can be found as below.**

<https://pa2.north-herts.gov.uk/online-applications/applicationDetails.do?keyVal=QHTK6DLKHAV00&activeTab=summary>

**Response from KPC. Comment.**

In consideration of the above application our observations and findings are as follows.

1. We welcome applications that offer a high quality of design, affordability, meet government national space standards, proven defined sustainable delivery, address community defined requirements and add value to the parish.
2. The new second floor is over 4.5m above ground. Has a compliant means of escape or acceptable fire protection systems been provided for?

## **Bench Working Party Report**

### **1. Works completed 23 09 20 to 19 10 20**

#### **Churchyard**

Completed trimming yews and Prunus trees on church path from SW gateway to South Door. Cleared branches growing at base of Lime Trees abutting Church Lane, cleared grass and weeds from west side of churchyard. Straightened up several gravestones and grave surrounds to the south of the Church.

#### **Parish Council**

Cleared the bonfire site and took to Ben Cole's farm for burning.

Replaced or reset several right of way signs around the footpath network. Cleared vegetation surround some of them too.

Benches cleaned and painted.

#### **Memorial Hall**

Reset two of the tubs at the front of the Memorial Hall and dumped the other two. Car park cleared of vegetation and weeds.

### **2. Approval from KPC**

#### **Trailer refurbishment**

A list of items to be forward to the Parish Clerk for purchase up to £100 (£500 agreed for KBWP in the KPC budget).

#### **Waste bin, by Court 3, Parkfield Sports Ground**

My view is to lose the concrete one, already a nicer one with a lid within a few yards. We can get rid of the concrete one. Or replace it with a nice wooden one, subject to KPC financial approval.

Bob Finch 19/10/20

# **Kimpton Parish Council Allotment Working Party Terms of Reference**

**Membership:** Cllr L Hawke (Lead), Mr Neil Page, Mrs Catherine Page, Mr Gary Ewington, Mrs Christine Lawrence

Parish Clerk to act in an advisory capacity.

**Quorum:** Three

**Meetings:** Monthly (*first Tuesday afternoon in the month*)

**Purpose of the Allotment Working Party:**

1. To review the allotment site to ensure plot cultivation to the standard required in the allotment tenancy agreement and make recommendations to Kimpton Parish Council.
2. To be responsible for monitoring the terms laid out as part of allotment tenancy agreements and identify cases where tenancy agreements, policies or rules are not being observed.
3. To review the allotment site to ensure maintenance to the level required by the parish council e.g. paths, rubbish removal, gates.
4. To offer a strimming service to allotment tenants for the grass paths between plots.
5. To offer keys to allotment tenants only for the padlock at Pam's Lane vehicle entrance at a refundable fee of £15.
6. To put forward ideas and proposals for the upgrading and improvement of the allotment site.
7. To develop, oversee and promote projects, after parish council approval, that relate to the upgrading and improvement of the allotment site
8. To make recommendations, fully costed against specifications, to Kimpton Parish Council any for capital projects and submit a budget in September for the forthcoming financial year.
9. To liaise with the Parish Clerk regarding maintenance plans for the allotment site.
10. To be responsible for the upkeep of the bonfire site, see guideline relating to the bonfire.
11. To be responsible for implementing the Parish Council's Health & Safety Policy on the allotment site.
12. To annual review the terms and conditions of the allotment tenancy agreement and make recommendations to Kimpton Parish Council.

**Guidelines for Cultivation Standard**

Each plot will receive a grade from 1 to 5 as follows:

Grade 1	Commendation
Grade 2	Good
Grade 3	Satisfactory
Grade 4	Requires improvement
Grade 5	Unacceptable

Approved: KPC Wednesday 28<sup>th</sup> October 2020

Review: May 2021

New tenant      Under development

Grade 5 means that the plot needs a great deal of work to bring it up to scratch. This could/would include strimming paths, clearing rubbish, cultivation, removal of extraneous items and tidying up the total plot. Plots categorised as 5 would have 3 months to undertake this work or, under the tenancy agreement conditions, the tenancy will be withdrawn.

### **Guidelines for holding a bonfire on allotment plot 22b**

1. Wherever possible, items from the allotments or community works should be recycled or composted and only as a final resort to be burnt on a bonfire.
2. Legislation
  - a) Bonfires must not cause a 'statutory nuisance' as defined in the Environmental Protection Act 1990. For example causing a nuisance would be if the smoke was to enter people's houses or if it were blowing across people's garden and prevent their normal use of their garden.
  - b) Under section 161A of the Highways Act 1980, you cannot allow smoke from a fire to drift across a nearby road. You will face a fine if it poses a danger to traffic or leads to injury.
3. Only burnable items to be placed on the bonfire site. All non-burnable items, such as all plastics, to be taken home.
4. Bonfires are not to be held when the neighbouring fields have crops that are close to being harvested or if there is a danger of fire.
5. Build a bonfire well clear of sheds, fences and hedges.
6. Never use flammable liquids to start a bonfire, and never burn dangerous items such as aerosol cans, paint tins, foam furniture, or batteries.
7. Don't leave bonfires unattended. An adult should supervise it until it is fully extinguished, with no hot embers, before you leave it. If it has to be left, damp it down with plenty of water.
8. Always keep a bucket/water butt of water or a hosepipe nearby in case of emergencies.
9. Check the weather – wind direction should be NW to NE and avoid lighting bonfires in high winds.
10. Avoid having a bonfire when the air is still or damp hangs in the air which will only make the smoke linger and take longer to disperse
11. Keep children away from a bonfire.
12. Only add fuel (cuttings, branches, etc.) a bit at a time.
13. For safety reasons it is preferable for two people to be present when a bonfire is lit.

## Agenda item 20/127

### Website and social media opportunities

**Objective:** to improve the parish council online presence and encourage greater community inclusion.

**Website:** Following the request for three things that residents wish to see on the website, it will include easy navigation to events, council meetings and planning. The Clerk will be responsible for the uploading of official council documents to the website.

**Social media:** to increase effective use of KPC FaceBook through posts, videos and blogs to promote council and community activities. Especially during the coming months people will need to be uplifted to assist their mental and physical health. Some of these ideas will hopefully assist our support of the well-being of our residents whatever their age or circumstance. Social media can be used for the launch and continual promotion of council and community events through lively posts and FaceBook Live.

These thoughts below are the start of what can be achieved and, with the input and collaboration of other individuals from the creative and dynamic community we belong to, I believe it has the potential to develop. Volunteer offers of support have been received and I'm working with them regarding the new design of the KPC website.

1. Regular posts, for example, posts can be scheduled for twice a week;
  - Monday for the promotion of events taking place during the week, including council meetings, and celebrating what has happened over the weekend, match scores of local teams!
  - Friday for the promotion of events taking place over the weekend and news/information from the week e.g. decisions from the council meeting
2. Kimpton Virtual Christmas Market. The Kimpton Christmas Market is a static list of businesses on the Kimpton Christmas Market page of the Kimpton Village website. This needs to come alive with videos from the owners, photographs with promotional text, feedback from customers etc. Stall holders will benefit from the promotion of their wares using social networks in other local villages and towns e.g. Wheathampstead, Harpenden, Welwyn.
3. Light up Kimpton in December! Residents to be encouraged to create a piece of 'stained glass' for your window or a lantern. Why not have daily uploads of photos of windows? The story behind why someone has created that piece. A word from the organisers. Promotion of the Church during Advent through the historic, and more recent, pieces of stained glass.
4. Use of surveys to obtain the views of residents on a wide range of subjects. Easy and quick call outs to check what the community thinks.
5. Photographs of the local countryside to promote more walking and cycling.
6. Talks by individuals – should we set up zoom meetings to hear from local historians, gardeners, allotment holders, musicians, parish councillors etc. Social media can be effective in the promotion of events.

**Council decision**

Digital communications is a new venture for the parish council and requires investment of time and money to ensure success. It will be a blend of the KPC/community website and FaceBook, both KPC sites and Kimpton Village Group. Further to using volunteer help, additional professional resource for the implementation of the above is required. A budget of up to £1,000 is requested for the casual employment of contractor(s); their tasks to be agreed weekly with constant review. This initiative would be fully reviewed after a period 4 months and a report presented to the KPC in March.