



# Public Document Pack

*James Ellis*  
Head of Legal and Democratic Services

**MEETING** : EXECUTIVE  
**VENUE** : COUNCIL CHAMBER, WALLFIELDS, HERTFORD  
**DATE** : TUESDAY 8 OCTOBER 2019  
**TIME** : 7.00 PM

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## AGENDA

1. Apologies

*To receive apologies for absence.*

2. Leader's Announcements

3. Minutes - 3 September 2019

*To approve as a correct record the Minutes of the meeting held on 3 September 2019.*

4. Declarations of Interest

*To receive any Member(s) declaration(s) of interest.*

5. Affordable Housing Supplementary Planning Document - draft for consultation (Pages 6 - 51)

6. North and East Ware (WARE2) Masterplanning Framework (Pages 52 - 98)

7. Statement of Community Involvement - final for adoption (Pages 99 - 165)

8. Retail Frontages, Design and Signage Supplementary Planning Document - final for adoption (Pages 166 - 252)

9. Anstey Conservation Area Character Appraisal (Pages 253 - 363)

10. Contract Waiver - East Herts Council - Archaeological Dig at Grange Paddocks (Pages 364 - 369)

11. Council Tax Support Scheme (Pages 370 - 390)
12. Discretionary Business Rates Grant Scheme (Pages 391 - 403)
13. Quarterly Healthcheck Q1 2019/20 (Pages 404 - 439)
14. Update from Performance, Audit and Governance Scrutiny Committee (Pages 440 - 442)

*To receive a report of the Committee Chairman.*

15. Update from Overview and Scrutiny Committee (Pages 443 - 445)

*To receive a report of the Chairman of the Committee's Task and Finish Group on Parking.*

16. Leisure Operator Contract Award (Pages 446 - 459)

17. Exclusion of Press and Public

*To move that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the discussion of item XX on the grounds that it involves the likely disclosure of exempt information as defined in paragraph XX of Part 1 of Schedule 12A of the said Act of the following description:*

18. Urgent Business

*To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.*

# Agenda Item 5

EAST HERTS COUNCIL

EXECUTIVE -8 OCTOBER 2019

REPORT BY LEADER OF THE COUNCIL AND THE EXECUTIVE MEMBER  
FOR PLANNING AND GROWTH

EAST HERTS DISTRICT PLAN: AFFORDABLE HOUSING  
SUPPLEMENTARY PLANNING DOCUMENT (SPD) - DRAFT FOR PUBLIC  
CONSULTATION

WARD(S) AFFECTED: ALL

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## **Purpose/Summary of Report**

- To agree that a Strategic Environmental Assessment (SEA) of the emerging Affordable Housing Supplementary Planning Document (SPD) is not required.
- To seek Members' agreement to publish the draft Affordable Housing Supplementary Planning Document (SPD) for public consultation.

<b><u>RECOMMENDATIONS FOR EXECUTIVE: To recommend to Council that:</u></b>	
<b>(A)</b>	<b>In accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 it has been determined that a Strategic Environmental Assessment of the emerging Affordable Housing Supplementary Planning Document (SPD) is not required as it is unlikely to have significant environmental effects; and</b>
<b>(B)</b>	<b>The draft Affordable Housing Supplementary Planning Document (SPD), as set out in Essential Reference Paper 'B', be agreed and published for a period of public consultation.</b>

## 1.0 Background

- 1.1 There is an ongoing need for affordable housing in East Herts. A significant proportion of this need will be met through the delivery of housing through the planning system by requiring developers to include affordable housing within their open market housing development as a part of planning permission
- 1.2 A key objective of the East Herts District Plan, adopted in October 2018, is to ensure that new housing is accessible to, and meets the needs and aspirations of the District's communities into the future.
- 1.3 Members may recall that in September 2017 it was agreed that a draft Affordable Housing Supplementary Planning Document (SPD) should be produced to complement the adoption of the District Plan. On 19 December 2018 a draft was approved for public consultation, the consultation took place between 2<sup>nd</sup> January 2019 and 13<sup>th</sup> February 2019.
- 1.4 In February 2019 the government updated the National Planning Policy Framework which included a change to the definition of affordable housing. Due to this, the decision was made to produce a new Affordable Housing SPD for consultation in order to accommodate these changes and incorporate comments made during the consultation as well.
- 1.5 Once adopted the Affordable Housing SPD will replace the current Affordable Housing and Lifetime Homes SPD January 2008. The new SPD will be a material planning consideration which will be taken into account in deciding a planning application or on an appeal against a planning decision.
- 1.6 The SPD supports Policy HOU3: Affordable Housing, as set out in the District Plan, and seeks to ensure the effective and consistent implementation of the Plan's policies relating to the provision of Affordable Housing in East Herts.
- 1.6 A copy of the draft SPD is attached at **Essential Reference Paper 'B'**.

## 2.0 Report

- 2.1 Supplementary Planning Documents are documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as affordable housing.
- 2.2 The draft Affordable Housing SPD has been prepared to provide further guidance to applicants in relation to the policies set out in Chapter 14: Housing of the District Plan.
- 2.3 In setting out the Council's expectations for the delivery of affordable housing, the draft SPD seeks to increase the efficiency of the negotiations between the council and the applicant, and ensure the delivery of affordable dwellings of a tenure, type, size and affordability, concurrent with identified need and ensure that it is effectively integrated within development sites in terms of location and design to create mixed and balanced communities.
- 2.4 An update to the Council's Statement of Community Involvement (SCI) is due for decision at Council on 23<sup>rd</sup> October 2019. It is intended that the draft SPD will be published for a period of consultation that will comply with the SCI.
- 2.5 Following consultation, a final version of the SPD will be produced. At the same time a statement will be prepared setting out who was consulted during the preparation of the SPD; a summary of the main issues raised; and how those issues have been addressed in the updated SPD.

## Strategic Environmental Assessment

- 2.6 Under the requirements of the European Union Directive 2001/42/EC and Environmental Assessment of Plans and Programmes Regulations (2004), certain types of plans that set the framework for the consent of future development projects, must be subject to an environmental assessment. It is



therefore a requirement that the Council undertakes a Screening Assessment to determine whether the Draft Affordable Housing SPD should be subject to a Strategic Environmental Assessment.

- 2.7 The Council's Draft Screening Statement concludes that the Draft SPD is unlikely to have significant environmental, social or economic effects beyond those of the District Plan policies it supplements; does not create new policies and only serves to provide useful guidance on how to effectively and consistently implement the District Plan policies and therefore does not require a Strategic Environmental Assessment.
- 2.8 The Regulations require that the Council consults three statutory bodies in reaching this determination. Consultation has therefore been carried out with the Environment Agency, Natural England and Historic England. At the time of this report, one response has been received from Historic England that agreed with the Council's conclusions. No response has been received from the Environment Agency or Natural England at this time, although no contrary view is anticipated. The Screening Statement attached at **Essential Reference Paper 'C'** is therefore provided in draft, pending the receipt of consultation responses.
- 3.0 Implications/Consultations
- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

### Background Papers

District Planning Executive Panel Meeting - 21 September 2017:  
<http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CId=151&MIId=3236&Ver=4&J=3>

Council – 19 December 2018:

<http://democracy.eastherts.gov.uk/mgIssueHistoryHome.aspx?Id=22860&J=6>

### Essential Reference Papers

- ERP 'A':** Implications/Consultations  
**ERP 'B':** Draft Affordable Housing Supplementary Planning Document (SPD)  
**ERP 'C':** Strategic Environmental Assessment Screening Statement

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**IMPLICATIONS/CONSULTATIONS**


Contribution to the Council's Corporate Priorities/ Objectives	Priority 1 – Improve the health and wellbeing of our communities  Priority 2 – Enhance the quality of people's lives  Priority 3 – Enable a flourishing local economy
Consultation:	Consultation on the draft SPD will be undertaken in accordance with the Council's Statement of Community Involvement.
Legal:	Consultation on the draft SPD will meet all the statutory requirements.
Financial:	There are no financial implications arising from this report.
Human Resource:	There are no human resource implications arising from this report.
Risk Management:	The draft SPD will increase the efficiency of negotiations between the council and the applicant, and will ensure that the delivery of affordable dwellings meets identified needs and is effectively integrated within development sites thereby creating mixed and balanced communities.
Health and wellbeing – issues and impacts:	The link between planning and health has long been established. The built and natural environments are major determinants of health and wellbeing.
Equality Impact Assessment required:	No – an EqIA was undertaken on the District Plan.
Environmental Sustainability:	There are no environmental implications arising from this report.

East Herts:


# Affordable Housing SPD

**October 2019**



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 EastHertsDC

 easthertscouncil

01279 655261

[www.eastherts.gov.uk](http://www.eastherts.gov.uk)



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# 1. Introduction

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## **Background:**

- 1.1 The Council believes that everyone should be given the opportunity to access a decent home, which they can afford and is in a community where they want to live. A key objective of the East Herts District Plan seeks to ensure that new housing is accessible to, and meets the needs and aspirations of the District's communities.
- 1.2 The purpose of this Affordable Housing Supplementary Planning Document (SPD) is to aid the effective implementation of the Council's strategic housing objectives. In particular the affordable housing policies in the East Herts District Plan 2018 and also assisting developers in understanding the Council's approach and requirements with regards to viability.
- 1.3 The approach to affordable housing outlined in this document seeks to ensure the effective and consistent implementation of the policies relating to the provision of affordable housing in the East Herts District Plan. It also includes recognition of changes made to the National Planning Policy Framework (NPPF) in February 2019, as well as changes to the Planning Practice Guidance (PPG) with regards to viability.
- 1.4 This SPD provides further information and guidance on the specific District Plan policies contained in Chapter 14: Housing, and in particular those relating to affordable housing. The guidance in the SPD will assist applicants, developers and providers of affordable housing, to understand how the District Plan Policies will be implemented. Extracts of the relevant policies in the District Plan

are provided in Appendix A of this document, and the District Plan in its entirety can be found here: [www.eastherts.gov.uk/districtplan](http://www.eastherts.gov.uk/districtplan)

### **Legislative and Policy Context:**

- 1.5 This draft SPD will be a material consideration in the determination of planning applications when formally adopted by the Council and will also inform pre-application discussions on relevant developments. This document has been prepared in accordance with Regulations 8 & 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 1.6 This Supplementary Planning Document will replace the Affordable Housing and Lifetime Homes SPD 2008 when adopted.

### **What is affordable housing?**

- 1.7 The definition of affordable housing is set out in the NPPF 2019 as; housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers).
- 1.8 In order to be considered affordable, housing must meet the criteria above and also comply with one or more of the following definitions:

**Affordable housing for rent:** *meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes*

*provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).*

**Starter homes:** *is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.*

**Discounted market sales housing:** *is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.*

**Other affordable routes to home ownership:** *is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.*



- 1.9 The above presents the latest definition as at the time the SPD has been published. Should there be any subsequent update to the definition(s) set out in regulations, policy or guidance then it shall supersede what is set out above.

## **How is affordable housing provided?**

- 1.9 The planning system is central to delivering affordable housing across the UK and delivers the majority of affordable housing in East Herts. This is principally provided through requiring developers to include affordable housing within their open market housing development as a part of planning permission. This is what is known as a planning obligation or Section 106<sup>1</sup> agreement and these are legally enforceable obligations used to mitigate the impact of a development proposal.
- 1.10 The level of affordable housing required on development sites is set out in planning policies, namely within the East Herts District Plan 2018 and the NPPF (details on this are explained in Section 2). This also includes the type, size and tenure of affordable housing that is expected to be delivered as part of an open market development.
- 1.11 In some exceptional circumstances there are other routes and mechanisms to enable the delivery of affordable housing, either through off-site provision or through rural exception schemes.

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<sup>1</sup> Section 106 of the Town and Country Planning Act 1990 (as amended).

## Structure of Document

- 1.12 **Section 2** outlines the exact requirements expected of developers as set out in the District Plan and taking into consideration the changes to the NPPF.
- 1.13 **Section 3** sets out the various requirements and expectations when it comes to discussions at pre-application or submitting a full planning application. It also notes the expectations of design and the Council's approach to alternatives to on-site provision.
- 1.14 **Section 4** builds on the previous section by highlighting the Council's process for securing the provision of affordable homes through S106 agreements.
- 1.15 **Section 5** notes the Council's approach to viability which largely follows the updated PPG.

## 2. The Affordable Housing Requirement

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2.1 The specific requirement for affordable housing will be calculated in accordance with District Plan Policy HOU3 as well as any other material considerations, including the most-up-to-date Strategic Housing Market Assessment (SHMA), the National Planning Policy Framework (NPPF) and relevant Planning Practice Guidance (PPG). District Plan Policy HOU3 expects that relevant developments will provide the following proportion of affordable housing:

- a) *up to 35% on sites proposing 10 or fewer gross additional dwellings and where the dwellings would have a combined gross floor space greater than 1,000 sq metres;*
- b) *up to 35% on sites proposing 11 to 14 gross additional dwellings;*
- c) *up to 40% on sites proposing 15 or more gross additional dwellings.*

2.2 In July 2018 and again in February 2019 the NPPF was revised, paragraph 63 notes that the provision of affordable housing should only be sought for residential developments that are classified as a *major development*. Major developments are subsequently defined in the NPPF glossary as: *development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more.*

2.3 Therefore it is unlikely that the Council will seek affordable housing contributions on sites with less than 10 dwellings unless the site is 0.5 hectares or more, or national policy is changed following the publication of this SPD.

- 2.4 The District Plan sets out that affordable housing will be sought on all sites that propose residential development that falls within the use class C3 (dwelling houses), including specialist accommodation such as; sheltered and extra care housing for older people where such schemes provide accommodation that is self-contained. The PPG has been updated to note that with reference to the application of the use class system to specialist housing it is for a local planning authority to consider into which use class a particular development may fall.
- 2.5 There will be cases where the percentage of affordable housing sought for a site does not give rise to an exact number of dwellings (e.g. 40% of 51 dwellings would be an affordable requirement of 20.4). In these cases the approach will be to round up or round down the number to give the final affordable housing figure. Any calculation that results in a requirement of 0.5 or above will be rounded up to the next whole unit, anything below 0.5 will be rounded down to the next whole unit.
- 2.6 On a site with significantly more affordable housing than required by Policy HOU3, the Council will ensure that the policy compliant level of affordable housing of 35% or 40% will be secured as affordable for first and subsequent occupiers of those homes, and that there are provisions for recycling subsidy should the property no longer be an affordable unit.
- 2.7 The phasing of a development or division of the site into separate parts will not result in reducing the proportion of affordable housing to be delivered. Where a site can clearly be identified, irrespective of ownership, the entire site will be used to determine whether the site meets the size criteria for affordable housing provision.

2.8 Inclusion of affordable housing on a development should also include provisions for:

1. housing to either remain at an affordable price for future eligible households and/ or;
2. any recycled grants to be spent on the provision of affordable housing within East Herts.

## 3. Planning Application Stage

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3.0 This section provides further details and guidance on areas such as affordable housing mix, type and design that are commonly addressed at the pre-application or planning application stage.

### Pre-Application Advice

3.1 Applicants are advised to seek pre-application planning advice to discuss all aspects of the planning proposal including the affordable housing requirement of the proposed scheme: <https://www.eastherts.gov.uk/preapplicationservice>

3.2 The purpose of pre-application planning advice in relation to affordable housing is to establish how affordable homes will be delivered, and to help provide all parties with greater certainty as the proposals move forward.

3.3 An Affordable Housing Statement (i.e. the proposed approach to meeting the affordable housing requirement and the housing mix) should be submitted with any pre-application materials to enable pre-application consideration and discussion. If possible, it should include the following:

- the intended quantum, type and tenure, size and number of persons per unit; and
- the proportion of affordable housing to meet M4(3): Category 3 Wheelchair User Dwelling standards and the units specifically identified.

3.4 Pre-application discussions in relation to affordable housing will seek to address the following:

- consider the quantum, type, size and tenure of affordable housing to be provided;
- consider the location;
- identify/involve the (potential) Registered Provider/s and consider the arrangements for the provision of affordable housing prior to the submission of a planning application; and
- consider the Heads of Terms of the S106 Agreement that will be required to ensure the delivery of the affordable housing. A S106 agreement is necessary to secure the affordable housing requirements set out in the District Plan; the agreement must be completed before planning permission is issued

### **Housing Mix, Type and Tenure:**

- 3.5 All developments that provide Affordable Housing will be expected to do so in line with Policy HOU1 of the District Plan and take into account the Council's most up-to-date evidence of housing needs in accordance with Policy HOU3. The tenure mix will be negotiated by the Council on a site by site basis and the type and size of affordable units sought will accord with the most up to date evidence on housing need.
- 3.6 The SHMA is an objective analysis of the housing circumstances in the District. It provides an evidence base to support the Council's affordable housing requirement, however, the Council shall at all times seek to use the most up-to-date information available.

3.7 The most recent SHMA identifies a requirement that 84% of new affordable housing provision should be for affordable rent with the remaining 16% being for intermediate affordable housing tenures as summarised by table 14.2 in the East Herts District Plan and below.

<b>Affordable Rent</b>		<b>Number</b>
Flat	1 bedroom	660
	2+ bedroom	360
House	2 bedroom	930
	3 bedroom	970
	4+ bedroom	250
Subtotal		3,170
% of affordable housing		84%
<b>Intermediate Affordable Housing</b>		<b>Number</b>
Flat	1 bedroom	80
	2+ bedroom	70
House	2 bedroom	180
	3 bedroom	240
	4+ bedroom	40
Subtotal		610
% of affordable housing		16%

3.8 Paragraph 64 of the updated NPPF sets out that where major developments are providing housing at least 10% of the total dwellings are to be made available for affordable home ownership. As this figure is taken from the total dwellings across the site and not just the affordable proportion, the expectation to



provide affordable home ownership is greater than that set out in the SHMA (16% of 40% is less than 10% of 100%).

- 3.9 The Council will therefore accept an uplift in affordable home ownership tenures to accommodate the change in the NPPF up to the level of 25% of the affordable proportion. Regarding the overall mix, it is up to the applicant to provide sufficient evidence to demonstrate why any further deviation from the SHMA is appropriate for a specific site.
- 3.10 The Council's current preferred intermediate tenure is shared ownership. Where applicants wish to propose an alternative intermediate housing product they should submit evidence demonstrating why a particular product is more appropriate and we will consider this against the definitions set out in the NPPF and consider how the product proposed meets identified needs now and in the future.
- 3.11 The Council does have certain expectations for different affordable housing products in particular affordable housing for rent and shared ownership (see below):

### **Affordable Housing for Rent**

- 3.12 Where affordable rented housing is proposed the Council will require that rents, including service charges, are below or capped at the Local Housing Allowance rate (LHA) (or its equivalent). Currently, the District has 3 Local Housing Allowance rate areas in the District:
- Harlow and Stortford;
  - South East Herts, and

- Stevenage and North Herts

Local Housing Allowance is a flat rate allowance based on the size of the household and the area your property is located in. Providers will need to ensure that affordable rents do not exceed the LHA for the area in which the property is situated.

### **Shared Ownership**

- 3.13 For Shared Ownership housing the initial share sold must be between 25% -75 % of the total value. After purchasing the initial share owners have the option to staircase up to 100% ownership, unless the property is within a Designated Protected Area.
- 3.14 In the main, rural areas in the East Herts district are largely within Designated Protected Areas. Where development is in a Designated Protected Area, staircasing on shared ownership properties is restricted to 80% to retain the affordable element of the properties in perpetuity.
- 3.15 For reference, a full list of Designated Protected Areas can be found here: [http://www.legislation.gov.uk/ukxi/2009/2098/pdfs/ukxi\\_20092098\\_en.pdf](http://www.legislation.gov.uk/ukxi/2009/2098/pdfs/ukxi_20092098_en.pdf)

### **Design and Layout**

- 3.16 As with all forms of residential accommodation, the Council expects affordable housing to be built to a high standard of design and amenity. Affordable housing provided within developments should be integrated with the market housing and the design and appearance should be indistinguishable from those market units and built using the same materials, form and quality of design to

ensure that it makes a positive contribution to local character and distinctiveness. This also applies to provision of parking which should be no different to that of market units.

- 3.17 Plans submitted to the Council for planning consideration should clearly show the position of all affordable units within the development, except in those outline applications where only illustrative plans are submitted.
- 3.18 To achieve mixed, inclusive and sustainable communities and to supplement the supporting text in paragraphs 14.4.16 and 14.4.17 of the District Plan, affordable housing should;
- on all sites be distributed across the site rather than provided in one single parcel;
  - on sites incorporating 30 or more residential units be provided in groups of no more than 15% of the total number of units being provided or 25 affordable units, whichever is the lesser.
- 3.19 To meet the needs of current and future household the requirement is for all new dwellings to meet the Building Regulation M4(2): Category 2 accessible and adaptable dwellings. This, alongside the Category 3 requirement (below), is based upon an identified need as the NPPF and PPG allows plan-making authorities to make such a requirement.
- 3.20 On sites proposing 11 or more gross additional dwellings, a proportion of affordable dwellings will be expected to meet the Building Regulations Requirement M4(3): Category 3 – Wheelchair User Dwellings. Such dwellings may be wheelchair adaptable or wheelchair accessible. The Council will

therefore negotiate the proportion of wheelchair adaptable/accessible dwellings on a site-by-site basis.

- 3.21 The most recent assessment of need for wheelchair user dwellings will inform negotiations. The SHMA identifies a need for 15% of affordable housing to meet wheelchair user requirements alongside the 10% of market housing.
- 3.22 The Council's preference is for wheelchair user dwellings to be adaptable to provide a wet room. Where there is a specific and clearly evidenced need, which is outside of that provided for by the wheelchair standard, the Council may have different requirements to meet that need. Such a requirement will be subject to viability considerations.
- 3.23 The Council will negotiate size, layout and design on a site by site basis but it should be noted that DES4 in the District Plan requires all new residential development to deliver internal rooms that are of an appropriate size and dimension. As the Council does not have any local space standards, developers could look to the Nationally Described Space Standards<sup>2</sup> for guidance as to what might be considered a satisfactory size and dimension.
- 3.24 All development including affordable housing should make efficient use of land and meet density requirements. See Policy HOU2 (Appendix A).
- 3.25 To ensure that the design, layout and size of affordable housing provides a dwelling that suits the need of the household its providing for and delivers the

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<sup>2</sup> <https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>

greatest opportunity for longevity within the unit; developers should consider the number of people a unit can accommodate. Where possible, the following criteria should be followed:

- 2 bed units should be suitable for 4 people
- 3 bed units suitable for 5 people
- 4 bed units suitable for 7 people
- 5+ bed units suitable for more than 7 people

3.26 Consideration should also be given in dwellings with more than one double bedroom, that the second and subsequent double bedrooms are suitable for two single beds. This should be demonstrated in the floorplans submitted as part of an application.

## Provision of Affordable housing on an Alternative Site

- 3.25 The Council expects that, in accordance with the District Plan Policy HOU3, the required affordable housing will be provided on site.
- 3.26 In exceptional circumstances, the Council may permit a proportion or the entire affordable housing requirement to be delivered on an alternative site within the District.
- 3.27 Applicants proposing off-site provision should provide justification, setting out why off site provision is necessary, as part of a planning application.
- 3.28 Where off-site provision is agreed by the Council, the amount of affordable housing to be delivered will be calculated using the following formula:
- a) 40% affordable housing requirement:  $40/60 \times M$
  - b) 35% affordable housing requirement:  $35/65 \times M$
- Where M = the number of open market units*
- 3.29 It is strongly recommended that pre-application advice is sought if an applicant considers that an off-site contribution is appropriate.

## Commuted Sums in Lieu of Affordable Housing

- 3.30 Commuted sums will only be considered where the Council is satisfied that there is justification for not providing affordable housing on-site or on an alternative site.

- 3.31 The Council will use the formula in paragraph 3.28 to calculate the amount of affordable housing subject to a commuted sum.
- 3.32 The Council will seek to secure financial contributions broadly equivalent to the cost of providing the affordable housing on-site via an agreed methodology with the Council.
- 3.33 It is strongly recommended that pre-application advice is sought if an applicant considers that a commuted sum is appropriate.
- 3.34 Commuted sums will be subject to indexation for the residential development. Indexing using BCIS mean averages for Hertfordshire will apply.
- 3.35 The applicant should notify the Council when the development commences or the trigger for payment/delivery has been reached. On receipt of the notification the Council will issue an invoice for the amount payable including any indexation.
- 3.36 The Council will monitor Building Control and other sources and will issue an invoice if the Applicant fails to advise the Council that the payment has been triggered.
- 3.37 Indexation applies until the date of the invoice, so in these circumstances the amount may be higher than if the applicant had advised the Council when the payment was triggered. Penalty interest is payable to all unpaid contributions and accrues from the date payment is triggered to the date of actual payment.

## **Provision of Land in Lieu of Affordable Housing**

- 3.38 The Council may accept or seek the provision of land in lieu of part or all of the affordable housing contribution.
- 3.39 If the proposal for alternative land is accepted by the Council, land should be serviced to its boundaries and be of a size that is of equivalent value to on-site provision and in an agreed location close to the original site.

## **Vacant Building Credit**

- 3.40 The NPPF provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floor space of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace.
- 3.41 To qualify for vacant building credit a site must be a brownfield development and contain an existing building at the time the application is made and it is proposed to:
- a) demolish the building for redevelopment; or
  - b) bring the building back into use
- 3.42 Vacant Building Credit will apply where the building is wholly vacant and to be redeveloped completely and may result in a proportionate reduction in the



Affordable Housing Contribution. Vacant Building Credit does not apply where the building:

- a) has been abandoned in planning terms; or
- b) has been vacated for the sole purpose of redevelopment; or
- c) is covered by an extant or recently expired planning permission

3.43 The proportion of the vacant building floor space as part of the total new floor space should be used to calculate the proportion of the affordable housing required by the policy.

## 4. Securing Affordable Housing

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- 4.1 The Council will secure affordable housing requirements through entering into a legal agreement with the developer or landowner, or receive a Unilateral Undertaking under Section 106 of the Town and Country Planning Act (1990) (as amended) and in some cases, dependent on the scale or nature of development, via conditions.
- 4.2 The affordable housing clauses in the S106 agreement will include obligations relating to:
- the size, type, tenure, location, design and layout of the affordable housing;
  - the number of affordable dwellings to be delivered;
  - limitations on the occupation of the affordable housing;
  - nomination rights;
  - the phasing of [the delivery of] affordable housing in relation to market housing;
  - triggers relating to any review mechanism or commencement schedule;
  - indexation
  - the retention of the housing as affordable;
    - obligations relating to the affordable dwellings for first and subsequent residents;
    - requirements to replace the affordable dwellings and for subsidy recycling
    - continued use of affordable dwellings in perpetuity
    - review (clawback) provisions, where relevant.

- 4.3 The S106 Agreement will contain a clause(s) that trigger the delivery/payment of the contribution. This will usually be the commencement of development and will be set out in the obligations.
- 4.4 The Council expect that the S106 guideline(s) and guideline clauses which can be provided by the Council will be utilised.

### **Monitoring the Affordability of Homes in Perpetuity**

- 4.5 The benefits of affordable housing developed in the district should remain in place for future generations.
- 4.6 Regarding rented affordable homes, the Council believes this should be provided in line with the definition of 'affordable housing for rent' given in Annex 2 of the NPPF (or see pages 4-5 of this SPD).
- 4.7 With regard to affordable homes of all tenures, where it is proposed that the completed units are not to be transferred to a Registered Provider the Council will need to be satisfied that, provisions are in place to ensure that:
- the affordable housing will remain at an affordable price for future eligible households *or*;
  - the value of the subsidy or discounted price is recycled for alternative affordable housing provision. These provisions will usually take the form of restrictive covenants within any S106.
- 4.8 If, in any type of scheme, it is proposed that a Registered Provider is not to be involved in the management of affordable housing, the Council will usually

secure the provision of affordable housing for successive occupants through the use of planning obligations, restricting occupancy to households who cannot compete in the housing market.

## **Funding**

- 4.9 Affordable housing provided as part of planning agreements arising from market-led developments is unlikely to receive grant funding. It should therefore be assumed that affordable units required by the Council's District Plan will be delivered without grant funding.
- 4.10 If grant funding for affordable housing is available at the time of application and/or delivery from Homes England, the Council or another funding body, the criteria should be requested from the funding body by the applicant and the applicant must be able to demonstrate to the Council that the viability assessment is based on reasonable and realistic assumptions about subsidy.

## **Nomination rights**

- 4.11 The Council will normally seek 100% nomination rights for the initial lets of affordable rented housing and a minimum of 75% nomination rights for relets.
- 4.12 A Nomination Agreement should be entered into prior to occupation of the affordable rented dwellings and will be a requirement of the S106.

4.13 Shared ownership properties must be made available to eligible applicants. To be eligible the person must meet the Local Authority Shared Ownership Cascade<sup>3</sup> and be financially eligible through the Government's criteria and regulations.

## **Affordability**

4.14 Affordable housing is provided for eligible households whose needs are not met by the market and includes social rented, affordable rented and intermediate housing.

4.15 Affordable rents, including service charges, should be set no higher than current Local Housing Allowance (LHA) rates in the District and shall be secured as part of a S106 agreement.

4.16 The Broad Market Rental Areas (BMRA) for East Herts are

- Harlow and Stortford
- Stevenage and North Herts; and
- South East Herts

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<sup>3</sup> <https://www.eastherts.gov.uk/article/35169/Shared-Ownership-Local-Priorities-Cascade>

## 5. Viability

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- 5.0 The percentage of affordable housing that the Council will expect to secure from development schemes has been informed by development viability assessments which demonstrate that the policy requirements are viable for most locations across the District.
- 5.1 The Council recognises that in some cases there may be abnormal development costs which need to be considered. Negotiations to reduce obligations based on site specific viability considerations should only be necessary where the site circumstances suggest exceptional or abnormal costs that will make policy compliance unviable.
- 5.2 Where there is a proven need for affordable housing, but a developer is not able to provide the scale of provision or contribution expected, the onus will be on the developer to demonstrate why a site should not include provision in line with the Councils' targets.
- 5.4 If possible and where necessary, a viability statement should be provided and discussed at the pre-application stage.

### **What is the Council's Approach to Viability?**

- 5.5 In line with the Planning Practice Guidance, the East Herts District Plan provides up-to-date policies on the contributions expected from development. Therefore, proposals that comply with the District Plan will be assumed to be viable.

- 5.6 Should the applicant successfully demonstrate that a circumstance does justify the need for a viability assessment, then such a viability assessment must be submitted in line with the updated Planning Practice Guidance. This includes submitting assessments compliant with the standardised inputs and be prepared on the basis that it will be made publically available.
- 5.7 The Planning Practice Guidance sets out the key principles in understanding viability in both plan making and decision taking, a link to the relevant guidance can be found here: <https://www.gov.uk/guidance/viability>

# Appendix A

## Policy HOU1 Type and Mix of Housing

- I. On new housing developments of 5 or more gross additional dwellings, an appropriate mix of housing tenures, types and sizes will be expected in order to create mixed and balanced communities appropriate to local character and taking account of the latest Strategic Housing Market Assessment and any additional up-to-date evidence, including the latest East Herts Housing and Health Strategy; local demographic context and trends; local housing need and demand; and site issues and design considerations.
- II. Affordable Housing should be provided in accordance with Policy HOU3 (Affordable Housing).
- III. Where appropriate, provision of specialist housing will be encouraged for older people and vulnerable groups in accordance with Policy HOU6 (Specialist Housing for Older and Vulnerable People).
- IV. Provision of accessible and adaptable dwellings to meet the changing needs of occupants over their lifetime should be provided in accordance with Policy HOU7 (Accessible and Adaptable Homes).
- V. Self-Build Housing in accordance with Policy HOU8 (Self-Build and Custom Build Housing)
- VI. Where appropriate, provision of specialist accommodation will be expected for Gypsies and Travellers and Travelling Showpeople and Non-Nomadic Gypsies and Travellers and Travelling Showpeople, in accordance with Policies HOU9 (Gypsies and Travellers and Travelling Showpeople) and HOU10 (New Park Home Sites for Non-Nomadic Gypsies and Travellers and Travelling Showpeople).



## Policy HOU3 Affordable Housing

- I. Affordable housing provision will be expected on all development sites that propose development that falls within Class C3 (Dwelling Houses) as follows:
  - (a) up to 35% on sites proposing 10 or fewer gross additional dwellings, where the dwellings would have a combined gross floor space greater than 1,000 square metres;
  - (b) up to 35% on sites proposing 11 to 14 gross additional dwellings;
  - (c) up to 40% on sites proposing 15 or more gross additional dwellings.
- II. Affordable Housing provision will be expected to incorporate a mix of tenures taking account of the Council's most up to date evidence on housing need. The Council will negotiate the tenure mix to be provided on a site, having regard to the affordable housing products defined within the National Planning Policy Framework, through the planning application process.
- III. Lower provision may be permitted if it is demonstrated that the 35% and 40%, as appropriate referred to in I (a), (b) and (c) above, cannot be achieved due to viability reasons or where it would prejudice the need to secure other infrastructure priorities.

Applicants seeking to justify a lower percentage level of affordable housing to that referred to in I (a), (b) and (c) above, will be required to provide a financial viability assessment as part of the planning application. Where agreement is not reached, external independent consultants, agreed by both the Council and applicant, will be appointed by the developer, to undertake further independent viability assessment. The applicant will be required to meet the costs of this independent assessment.
- IV. Affordable Housing should normally be provided on site, apart from in exceptional circumstances when agreed with the Council. Applicants will be required to

provide justification as part of the planning application setting out the need for off-site provision or financial contributions in lieu to be made.

V. The affordable housing units should be integrated into the open market housing development using appropriate design methods, i.e. tenure blind, and ‘pepper-potted’ across the site in clusters appropriate to the size and scale of the development.

VI. To secure the benefits of affordable housing for first and subsequent occupiers affordable rented and intermediate housing will be retained as affordable by means of an appropriate legal agreement or condition with the Council, or the subsidy will be recycled for alternative affordable housing provision.

## **Policy HOU4 Rural Exception Affordable Housing Sites**

I. Proposals for rural exception affordable housing schemes, on sites that would not normally be acceptable for general housing development, may be permitted, subject to the following criteria:

(a) The exception site is adjacent to an existing built-up area boundary, or is well related to existing residential development and amenities located in, or adjacent to, a clearly identifiable village or settlement;

(b) The proposed development will contribute towards meeting an identified need for affordable housing within the parish; and

(c) The proposed development would be appropriate to the settlement and area in which it is proposed to be located in terms of scale, form and character.

II. The Council will base its assessment of identified housing need on the Housing Register and other available up-to-date housing needs assessments.

III. A small number of market homes may be permitted, at the Council’s discretion, where a viability assessment demonstrates that a cross subsidy is necessary to

make the scheme viable. Any market housing provided will be expected to meet identified local needs.

IV. Where permission is granted this will be subject to planning obligations and will include safeguards that the scheme provides for the identified local affordable housing need and will continue to do so in perpetuity.

## **Policy HOU7 Accessible and Adaptable Homes**

I. In order to ensure delivery of new homes that are readily accessible and adaptable to meet the changing needs of occupants, and to support independent living, the Council will require that:

(a) all new residential development should meet the Building Regulations

Requirement M4(2): Category 2 - Accessible and Adaptable Dwellings; and

(b) on sites proposing 11 or more gross additional dwellings, a proportion of dwellings will be expected to meet the Building Regulations Requirement M4(3): Category 3 - Wheelchair User Dwellings, where appropriate.

II. Only where circumstances exist where it can be demonstrated by the applicant that it is not practically achievable or financially viable to deliver this policy, will new development be exempt from the requirement.

## **Policy HOU8 Self-Build and Custom Build Housing**

I. To support prospective self-builders, on sites of more than 200 dwellings, developers will be expected to supply at least 1% of dwelling plots for sale to self-builders, having regard to the need identified on the Council's Self-Build and Custom Build Register.

II. The Council will support locally proposed self-build projects identified within a neighbourhood Plan wherever possible.

- III. Planning permissions should include conditions requiring self-build developments to be completed within 3 years of a self-builder purchasing a plot.
- IV. Where plots have been made available and marketed appropriately for at least 12 months and have not sold out, the plot(s) may either remain on the open market as self-build or be built out by the developer.

# Affordable Housing Supplementary Planning Document

## Strategic Environmental Assessment Screening Statement

### 1. The Purpose of this Report

- 1.1 This screening statement has been prepared to determine whether the proposed Affordable Housing Supplementary Planning Document (SPD) should be subject to a Strategic Environmental Assessment (SEA) in accordance with the European Union Directive 2001/42/EC (SEA Directive) and the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations).
- 1.2 Purpose of the Affordable Housing SPD is to aid the effective implementation of the Council's strategic housing objectives and the affordable housing policies in the East Herts District Plan 2018, adopted October 2018. It also seeks to provide further information and guidance on district plan policies relating to affordable housing. In particular, the relevant policies are:
- Policy HOU1 – Type and Mix of Housing
  - Policy HOU3 – Affordable Housing
  - Policy HOU4 – Rural Exception Affordable Housing Sites
  - Policy HOU7 – Accessible and Adaptable Homes
- 1.3 The SPD will be a material consideration in the determination of planning applications and will inform Development Management decisions. The SPD will provide practical advice to all parties seeking to comply with the District Plan policies and will therefore be of particular use to developers, architects and agents looking to bring forward development.

### 2. Strategic Environmental Assessment – Regulatory Requirements

- 2.1 The basis for Strategic Environmental Assessment legislation is European Directive 2001/42/EC. This was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations). Detailed guidance of these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM, 2005) and Paragraph 11-008 of the Planning Practice Guidance (PPG), which states that "supplementary planning documents do not require sustainability appraisal but may in exceptional circumstances require a strategic environmental assessment if they are likely to have significant environmental

effects that have not already been assessed during the preparation of the local plan.

- 2.2 Under the requirements of the European Union Directive 2001/42/EC and Environmental Assessment of Plans and Programmes Regulations (2004), certain types of plans that set the framework for the consent of future development projects, must be subject to an environmental assessment.
- 2.3 The objective of Strategic Environmental Assessment is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development.

### **3. The Strategic Environmental Appraisal Process**

- 3.1 The first stage of the process is for the Council to determine whether or not the SPD is likely to have significant effects on the environment. This screening process includes assessing the SPD against a set of criteria (as set out in Schedule 1 of the SEA Regulations). The results of this are set out in Appendix 1 of this statement. The aim of this statement is therefore to provide sufficient information to demonstrate whether the SPD is likely to have significant environmental effects.
- 3.2 The Council also has to consult the Environment Agency, Historic England and Natural England on this screening statement. A final determination cannot be made until the three statutory consultation bodies have been consulted.
- 3.3 Where the Council determines that a SEA is not required, Regulation 9(3) of the SEA Regulations states that the Council must prepare a statement setting out the reasons for this determination. This statement is East Herts Council's Draft Regulation 9(3) statement.

### **4. Other Regulatory Considerations**

#### **Sustainability Appraisal**

- 4.1 Whilst there is no statutory requirement to undertake a Sustainability Appraisal (SA) of the Affordable Housing SPD, the Council has considered whether an SA of this SPD is required. The Council has determined that the SPD is unlikely to have significant environmental, social or economic effects beyond those of the District Plan policies it supplements. This SPD does not create new policies and only serves to provide useful guidance on how to effectively and consistently implement the policies in the East Herts District Plan, which has been subject to a fully comprehensive SA process, incorporating SEA.
- 4.2 More information on the Sustainability Appraisal of the East Herts District Plan can be viewed on the Council's website: [www.eastherts.gov.uk/districtplan](http://www.eastherts.gov.uk/districtplan).

## Habitats Regulations Assessment

- 4.3 In addition to SEA and SA, the Council is required to consider Habitats Regulations Assessment (HRA). HRA is the process used to determine whether a plan or project would have significant adverse effects on the integrity of internationally designated site of nature conservation importance, known as European sites. The need for a HRA is set out within the Conservation of Habitats and Species Regulations 2010, which transposed EC Habitats Directive 92/43/EEC into UK law.
- 4.4 As with the SA, the District Plan was also subject to a comprehensive HRA. The HRA screened out the housing policies at an early stage, concluding that they were unlikely to have a significant effect on the integrity of European Sites. As the purpose of this SPD is to expand upon these policies, the Council has determined that a HRA is not required.
- 4.5 More information on the Habitats Regulations Assessment of the East Herts District Plan can be viewed on the Council's website:  
[www.eastherts.gov.uk/submission](http://www.eastherts.gov.uk/submission).

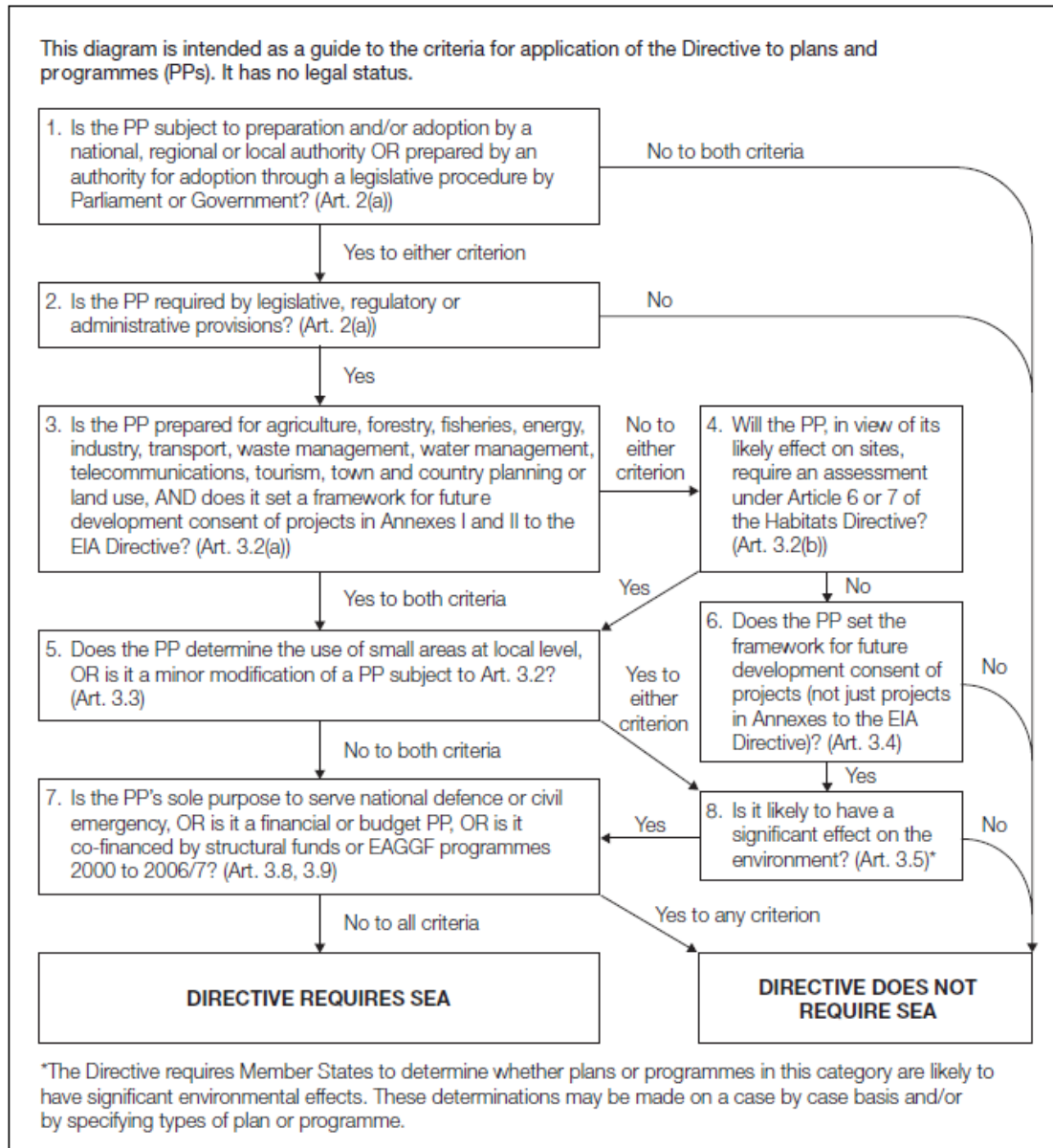
## 5. Conclusion

- 5.1 On the basis of the screening process, it is the Council's opinion that the Affordable Housing SPD does not require a Strategic Environmental Assessment or Sustainability Appraisal. This is because there will be no significant environmental, social or economic effects arising from its implementation, as it seeks only to expand upon and provide guidance for the effective and consistent implementation of District Plan policies.

# Appendix 1

## SEA Screening of the Affordable Housing SPD:

Figure 1: Application of the SEA Directive to plans and programmes guide



A Practical Guide to the Strategic Environmental Assessment Directive, ODPM 2005



**Table 1: Establishing whether there is a need for SEA**

Stage	Yes/No	Assessment
1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Yes to either criterion: proceed to question 2	The SPD has been prepared by East Herts Council to provide more detail relating to affordable housing policies contained in the East Herts District Plan.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes: proceed to question 3	Once the SPD is adopted it will become a material consideration as part of the development plan for East Herts.
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	Yes to both criterion: proceed to question 5	The SPD is prepared for town and country planning and land use AND it sets the framework for future development which may require an Environmental Impact Assessment.
5. Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Yes to first criterion: proceed to question 8	The SPD supplements the District Plan policies on affordable housing which define the type and mix of dwellings on development sites, which may in turn determine the other types of land uses provided.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	No	<b>Directive does not require SEA.</b>

**Table 2: Assessment of the SPD against Schedule 1 of the SEA Directive**

SEA Directive Criteria (Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004)	Potential effects of the SPD
1. Characteristic of the SPD having particular regard to:	
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	The SPD provides more detail on the policies and principles established in the East Herts District Plan 2018, which has been subject to comprehensive SA incorporating SEA. The purpose of the SPD is to provide guidance on the effective and consistent implementation of the relevant housing policies.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	The purpose of the SPD is to supplement the District Plan policies and sits below the District Plan in terms of the Development Plan hierarchy. It will influence the preparation of masterplans relating to strategic scale or significant developments.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	The SPD is highly relevant in terms of promoting sustainable development as it seeks to ensure the effective and consistent implementation of housing policies, the aim of which is to provide a range of housing options to meet the needs of the different communities in East Herts.
(d) environmental problems relevant to the plan or programme; and	There are no environmental problems relevant to the SPD. The SA of the East Herts District Plan identified a number of issues relating to housing affordability, which the housing policies seek to address. This SPD will therefore result in social and economic benefits through the effective and consistent implementation of affordable housing policies.
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	The purpose of the SPD is to provide guidance on the effective and consistent implementation of affordable housing policies. The East Herts District Plan contains other policies relating to these objectives.

2. Characteristics of the effects and area likely to be affected having particular regard to:	
(a) the probability, duration, frequency and reversibility of the effects;	The SPD is not expected to give rise to any significant environmental effects. The SPD seeks to ensure the effective and consistent implementation of affordable housing policies, which in themselves should ensure positive effects relating to affordability within the housing market and access to home ownership for current and future generations.
(b) the cumulative nature of the effects;	The SPD is not considered to have any significant cumulative effects.
(c) the trans-boundary nature of the effects;	The SPD is not expected to give rise to any significant transboundary environmental effects. However, where strategic sites are in close proximity to neighbouring settlements, the provision of affordable housing will assist in providing housing choices for residents from a wider area as well as from within East Herts communities.
(d) the risks to human health or the environment (for example, due to accidents);	There are no anticipated effects of the SPD on human health.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The effective and consistent implementation of affordable housing policies will have positive benefits for all East Herts residents and those who wish to move to East Herts.
(f) the value and vulnerability of the area likely to be affected due to— (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use;	The SPD is not anticipated to adversely affect any special natural characteristic or cultural heritage. Nor would the SPD be expected to lead to the exceedance of environmental standards or promote intensive land use. Matters relating to environmental standards and land use are contained in the East Herts District Plan 2018.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	The SPD is not expected to have any adverse effect on areas with national, community or international protection.

# Agenda Item 6

EAST HERTS COUNCIL

EXECUTIVE – 08 OCTOBER 2019

REPORT BY LEADER OF THE COUNCIL

LAND NORTH AND EAST OF WARE (WARE2) MASTERPLANNING  
FRAMEWORK

WARD(S) AFFECTED: ALL

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## **Purpose/Summary of Report**

- To enable Executive Members to consider the Masterplanning Framework for the WARE2 Land North and East of Ware site.

**RECOMMENDATION FOR EXECUTIVE: To recommend to Council that:**

<b>(A)</b>	<b>The Land North and East of Ware Masterplanning Framework for the strategic allocation known as WARE2 Land North and East of Ware, as detailed at Essential Reference Paper 'B' to this report, be agreed as a material consideration for Development Management purposes.</b>
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### 1.0 Background

1.1 The East Herts Approach to Master Planning was first presented to the District Planning Executive Panel in September 2017 (and agreed by Council on the 18<sup>th</sup> October 2017). The report set out a series of steps that describe the various stages involved and processes expected for each of the District Plan strategic allocations. Whilst not a one-size-fits-all approach, the process is based upon a collaborative

approach to identifying and resolving issues, creating a vision for what the site aspires to achieve, testing design options and consulting upon preferred solutions. The output of this process is a Masterplanning Framework or high-level Masterplan which is presented to members for consideration.

- 1.2 In order to embed the Masterplanning process, District Plan Policy DES1: Masterplanning requires all 'significant' development proposals to prepare a Masterplan. This should set out the quantum and distribution of land uses; access; sustainable high quality design and layout principles; necessary infrastructure; the relationship between the site and other adjacent and nearby land uses; landscape and heritage assets and other relevant matters. Furthermore, the Masterplan should be collaboratively prepared and informed by public participation. Finally, Policy DES1 states that in order to ensure sites are planned and delivered comprehensively, any application for development on part of the site will be assessed against its contribution to the Masterplan as a whole.
- 1.3 The Masterplanning Framework should therefore provide sufficient information to inform the preparation of detailed aspects of the site at the planning application stage. The level of detail required for the Masterplanning Framework will depend upon the likely form of delivery of the site. For example, where delivery is expected by one party who has been involved throughout the Plan-making stages, a Masterplanning Framework may be prepared, which provides key parameters and aspirations which form the basis of detailed design determined through a planning application process at a later stage.
- 1.4 In order to bring forward the strategic sites allocated in the adopted District Plan, Steering Groups have been established by the Council. These are comprised of East Herts councillors, town and parish councillors, representatives of the local community and other interested groups, where appropriate. Each Steering Group is a sounding board for key issues and,

depending upon specific circumstances, for discussing detailed design elements whilst preparing the planning application through to when construction is underway. In respect of the WARE2 allocation, the North & East of Ware Steering Group is the appropriate mechanism for progressing this Masterplanning Framework.

## 2.0 Report

- 2.1 The land to the North and East of Ware is a strategic allocation (WARE2) within the District Plan, which was adopted on 23<sup>rd</sup> October 2018. As such, the site has been released from the Green Belt and is immediately available for development to accommodate at least 1,000 new homes by 2033 with a further 500 dwellings to be provided in the event that suitable mitigation measures to identified constraints on both the local and wider strategic road networks can be identified and agreed by Hertfordshire County Council as Transport Authority, and subject to compliance with relevant policy criteria in any future planning application.
- 2.2 Policy WARE2 of the District Plan sets out the proposed land uses and other policy requirements for the development, as well as a requirement that a Masterplan is produced in a collaborative manner with stakeholders. It is intended that the site will ultimately deliver around 1,500 new homes of varying mix and tenure, including 40% affordable housing, a care home/flexi-care or sheltered properties, self-build and custom housing and the provision of a site for 8 serviced plots for Travelling Showpeople. The site will also deliver a range of other uses and infrastructure, including, *inter alia*, a new link road, primary school/s, a secondary school (to enable ultimate provision of 8 forms of entry); neighbourhood centre, around 3ha of employment provision, indoor and outdoor sports facilities, public open spaces, and consideration of the need for cemetery provision.

2.3 The Masterplan Framework provided at **Essential Reference Paper 'B'** sets out a vision for the development of the site supported by a series of key area strands. These seek to respond to the policy requirements as set out in Policy WARE2 and have been established as a result of an analysis of constraints and opportunities, through discussions with officers, North and East of Ware Steering Group, local communities and other stakeholders.

2.4 The document provides a clear vision (page 2) for the development:

*Our vision is to deliver a comprehensively planned extension for the town of Ware meeting the needs of a growing community, which provides:*

- *A new place sensitively shaped by the rich landscape fabric of the site, integrating woodland, trees and hedgerows into a green network connecting Ware and the countryside;*
- *A community comprising four distinct neighbourhoods, each with focal points at their heart. Hubs with a mix of shops, flexible employment spaces, schools, health and community centres establishing vibrant and thriving neighbourhoods;*
- *A connected place, knit into the town through a network of green corridors providing safe walking and cycling routes. An interconnected sequence of green gathering spaces for relaxation and recreation, with Cowfields retained as a central focal natural greenspace in Ware.*

*Land North and East of Ware has not been identified as a new Garden Village, but the design ethic embodied by those developments is one that underpins this Vision:*

- *innovation and imagination;*
- *marrying town and country;*
- *co-operation in design and place-making;*
- *character, distinctiveness and harmony;*
- *room to breathe.*

*(‘The Garden City Design Ethic’ - Garden City Standards for the 21st Century, Guide 3: Design and Masterplanning’, published by the TCPA December 2017)*

2.5 The Framework itself builds from background policy setting, to an understanding of the local context and site analysis, before describing the engagement process undertaken (see more below) and culminating with the presentation of the Masterplanning Framework and its objectives. The latter part of the document clearly articulates the high level context for the future development of the site and provides the basis for delivery of key features and use of spaces. Due to the ultimate location of the secondary school yet to be finalised, the document sets out three options for the overall concept of the site. The majority of the uses remain in the same locations throughout these permutations, but the three plans have been included so as not to fetter any preferred outcome with HCC going forward.

#### Engagement

2.6 Throughout the Plan-making stage a number of meetings were held with Officers to discuss a wide variety of matters. These discussions informed the initial stages of the Masterplanning Framework and have been ongoing since the adoption of the District Plan.

2.7 A North and East of Ware Steering Group was also established to enable the open discussion of issues appertaining to the allocation in the District Plan. This Group comprises a number of Executive Members, local ward councillors (at county,



district and town/parish levels), The Ware Society, the local Neighbourhood Planning Group, a business representative and community representatives for Ware, alongside officers from East Herts and Hertfordshire County Councils, as appropriate.

- 2.8 To progress the formulation of the Masterplanning Framework, Ptarmigan and its associates have actively engaged with the North & East of Ware Steering Group and there have been four meetings to date since the adoption of the District Plan (in February, June, July and September 2019). These meetings have allowed the Steering Group the opportunity to actively engage with the promoters to probe the emerging approach and discuss material prior to public consultations.
- 2.9 Public consultation has taken place through two public drop-in events, the material for which was agreed with officers in advance. The first public engagement involved community planning workshops held over two days in May 2019 (alongside other meetings held with stakeholders in the communities of Ware, Thundridge and Wareside). This public event was attended by over 700 people and the workshops sought to gain a better understanding of the town from its residents and business operators prior to any development proposals being developed.
- 2.10 The second event in July 2019, at which over 900 people attended, reported back and built on the information gained from the first event. This influenced a first draft of three indicative layouts for the masterplanning framework, which formed part of the second event's display. As with the current Masterplanning Framework proposals, the three versions displayed were broadly similar to each other in proposing four new neighbourhoods, except in respect of the location of the proposed site for the provision of the 8 form entry secondary school site, to which a final location is yet to be determined pending views of HCC Education, *inter alia*. The feedback from

second community engagement has further contributed in shaping the final Masterplanning Framework document.

- 2.11 Prior to an outline planning application being submitted in 2020, it is intended that a further public exhibition event will be held in the New Year. More detailed proposals will be available at that time to build on the broad principles within the Masterplanning Framework.
- 2.12 In respect of the North and East of Ware Steering Group, it is the intention that (as with other Steering Groups in the district), there will be continued engagement as planning application/s come forward for consideration.
- 2.13 It should also be noted that the promoters have engaged with the Hertfordshire Design Review Panel, on 7th August 2019, and that the principles of the draft Masterplanning Framework were generally positively received.

#### Conclusions

- 2.14 With the adopted District Plan in place, it is important that the Council can demonstrate the delivery of its strategic sites, and in particular to expedite the delivery of new homes as planned within the first five years of the Plan (this site is proposed to start to deliver accommodation towards the end of that period). It is therefore important that, while maintaining flexibility, the Masterplanning Framework should provide sufficient breadth of information to guide both future developers and, importantly, decision-makers. An agreed Masterplanning Framework will be a material consideration<sup>1</sup> in the decision-making process and is key to ensuring that any planning application for the WARE2 allocation North and East of Ware should meet the Council's aspirations.
- 2.15 It is the view of Officers that this Masterplanning Framework is a document that provides a strong vision supported by clear

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<sup>1</sup> A material consideration is a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision.

objectives and sufficient detail against which future applications can be measured. It provides a suitable framework for the main issues of significance in relation to the proposal, whilst providing enough flexibility that further detail can be agreed at appropriate stages as application proposals are worked up, as necessary. Officers will continue to work with the Ptarmigan, its agents, and other stakeholders to ensure that the best possible quality design is achieved on this site.

- 2.16 The Masterplanning Framework contains a vision and series of aims that reflect the requirements of Policy WARE2 and, with appropriate design tools, these ambitions should be realised on the site. It is therefore recommended that the Masterplanning Framework, as detailed at **Essential Reference Paper 'B'**, be agreed as a material consideration for Development Management purposes.

### 3.0 Implications/Consultations

- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

#### Background Papers

East Herts District Plan – Chapter 9 – Ware:

[https://www.eastherts.gov.uk/media/33198/9.-Ware-WARE-Policies/PDF/District\\_Plan\\_11\\_-\\_C\\_9\\_-\\_WARE\\_WARE\\_POLICIES.pdf](https://www.eastherts.gov.uk/media/33198/9.-Ware-WARE-Policies/PDF/District_Plan_11_-_C_9_-_WARE_WARE_POLICIES.pdf)

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[kay.mead@eastherts.gov.uk](mailto:kay.mead@eastherts.gov.uk)

**IMPLICATIONS/CONSULTATIONS**

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i>	<p>Priority 1 – Improve the health and wellbeing of our communities</p> <p>Priority 2 – Enhance the quality of people's lives</p> <p>Priority 3 – Enable a flourishing local economy</p>
Consultation:	The report relates to a Masterplanning Framework which has been prepared in collaboration with the community, officers and a member steering group.
Legal:	N/A
Financial:	N/A
Human Resource:	None
Risk Management:	None
Health and wellbeing – issues and impacts:	The link between planning and health has long been established. The built and natural environments are major determinants of health and wellbeing. The District Plan is seeking to ensure the most sustainable outcomes for its residents, thus improving health and wellbeing opportunities. This is a strategic site within the Plan and will be designed to meet these objectives.
Equality Impact Assessment required:	No. The District Plan itself was subject to an EqlA. As this is a site brought forward under that Plan, no additional assessment is required.
Environmental Sustainability:	One of the key objectives of the District Plan is to deliver sustainable development. The Plan also seeks to mitigate, and adapt to, the effects of climate change. The proposals for this site are considered to

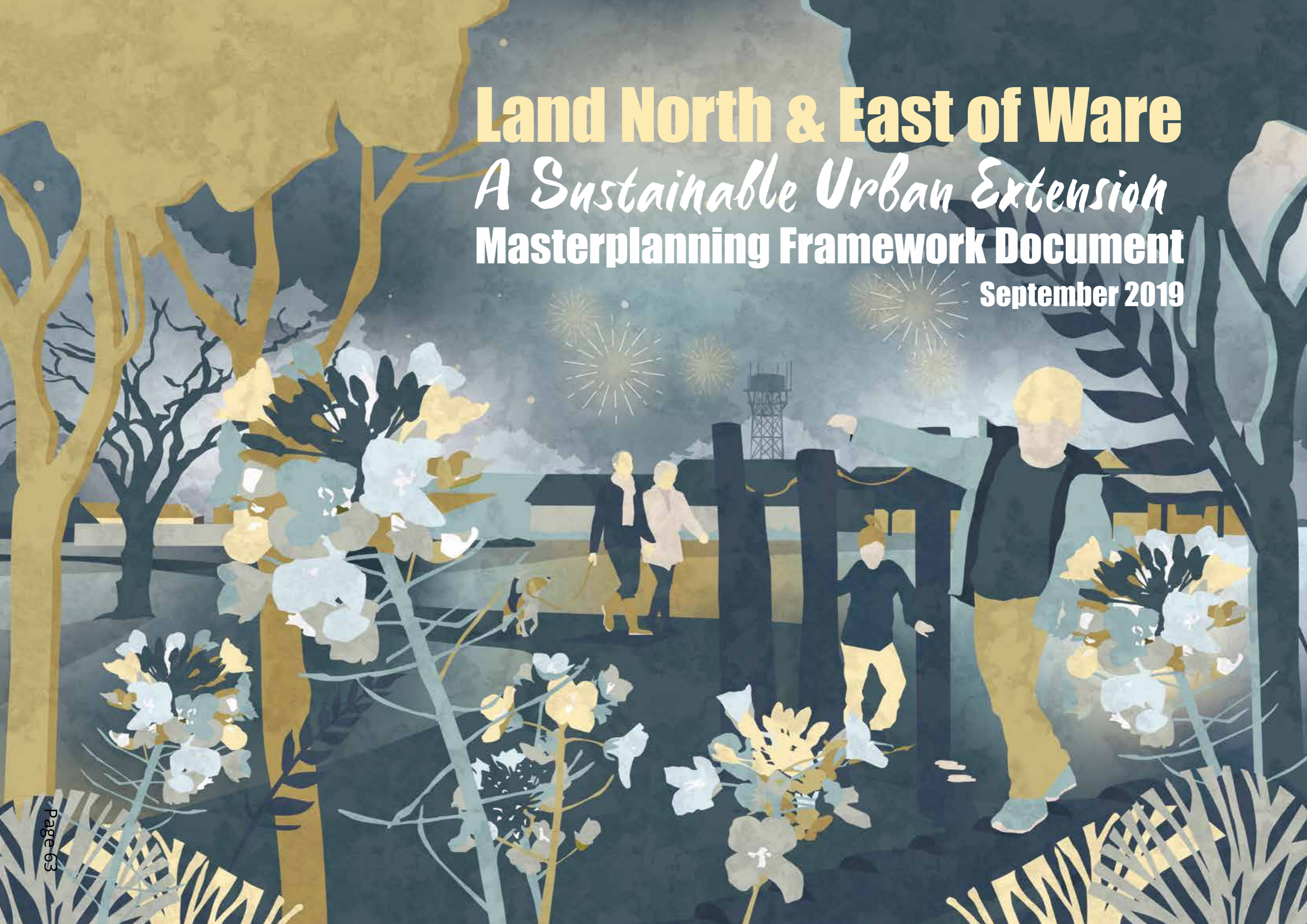
	meet these criteria.
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# Land North & East of Ware

## *A Sustainable Urban Extension*

### Masterplanning Framework Document

September 2019



## Executive Summary

This document forms the Masterplanning Framework for 'Land North and East of Ware', setting out how a comprehensively planned extension to Ware can be achieved, following its allocation in the East Herts District Plan in 2018.

This Masterplanning Framework Document (MFD) is produced in accordance with Policies WARE1 and WARE2. The purpose of the MFD is to provide a high level design framework that sets out principles for any future development within the land to the 'North and East of Ware'.

The various proposed drawings and diagrams included in this document are at design concept stage and therefore do not provide precise representation of existing or proposed features at the land North and East of Ware. The Illustrative Layout Options illustrated in this document are indicative only at this stage of the design process. Further design evolution and detail will be provided as part of future planning applications.

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## Planning Policy

### East Herts District Plan 2018

The East Herts District Plan (2018) identifies the site 'North and East of Ware' for a new mixed use development in policies WARE1 and WARE2. The District Plan allocates at least 1,000 new homes to the site by 2033 and identifies future potential for a further 500 homes, subject to suitable highway mitigation measures. The development of local retail and community uses is identified in addition to employment areas of around 3 hectares.

Other key policy requirements include Primary and Secondary School land provision, indoor and outdoor sports and Travelling Showpeople provision. Key infrastructure requirements include a link road between Widbury Hill and the A10/A1170 and the delivery of sustainable transport measures.

Policy WARE1 (II) identifies a development of 600sqm retail floorspace to be delivered primarily to the North and East of Ware and within the town centre.

Policy WARE1 (III) allocates 3ha of B1 (Office and Light Industry) employment floorspace to be delivered to the North and East of Ware.

In line with HCC LTP4 Policy 1 sustainable travel methods will be at the heart of the development through:

- The promotion of sustainable patterns of movement;
- The provision of cycle routes and linkages;
- Linkages and enhancements to local bus services;
- Prioritising pedestrian and cycle use over car use;
- Measures to encourage modal switching.



# The Planning Context

## Benefits for Ware

- A wide variety of housing types to meet the needs of the growing population
- A new neighbourhood centre including retail, healthcare and community facilities which complements existing town centre
- Helping to improve the vitality of the town centre
- A new secondary school serving the wider area
- New and expanded primary schools
- Beautiful landscaped parkland providing opportunities for equipped and natural play, and wildlife and biodiversity
- A variety of job opportunities
- Enhanced bus service across the development and town-wide



Reference: District Plan Image



# 1. Introduction The Vision

Our vision is to deliver a comprehensively planned extension for the town of Ware meeting the needs of a growing community, which provides:

- A new place sensitively shaped by the rich landscape fabric of the site, integrating woodland, trees and hedgerows into a green network connecting Ware and the countryside;
- A community comprising four distinct neighbourhoods, each with focal points at their heart. Hubs with a mix of shops, flexible employment spaces, schools, health and community centres establishing vibrant and thriving neighbourhoods;
- A connected place, knit into the town through a network of green corridors providing safe walking and cycling routes. An interconnected sequence of green gathering spaces for relaxation and recreation, with Cowfields retained as a central focal natural greenspace in Ware.







Land North and East of Ware has not been identified as a new Garden Village, but the design ethic embodied by those developments is one that underpins this Vision:

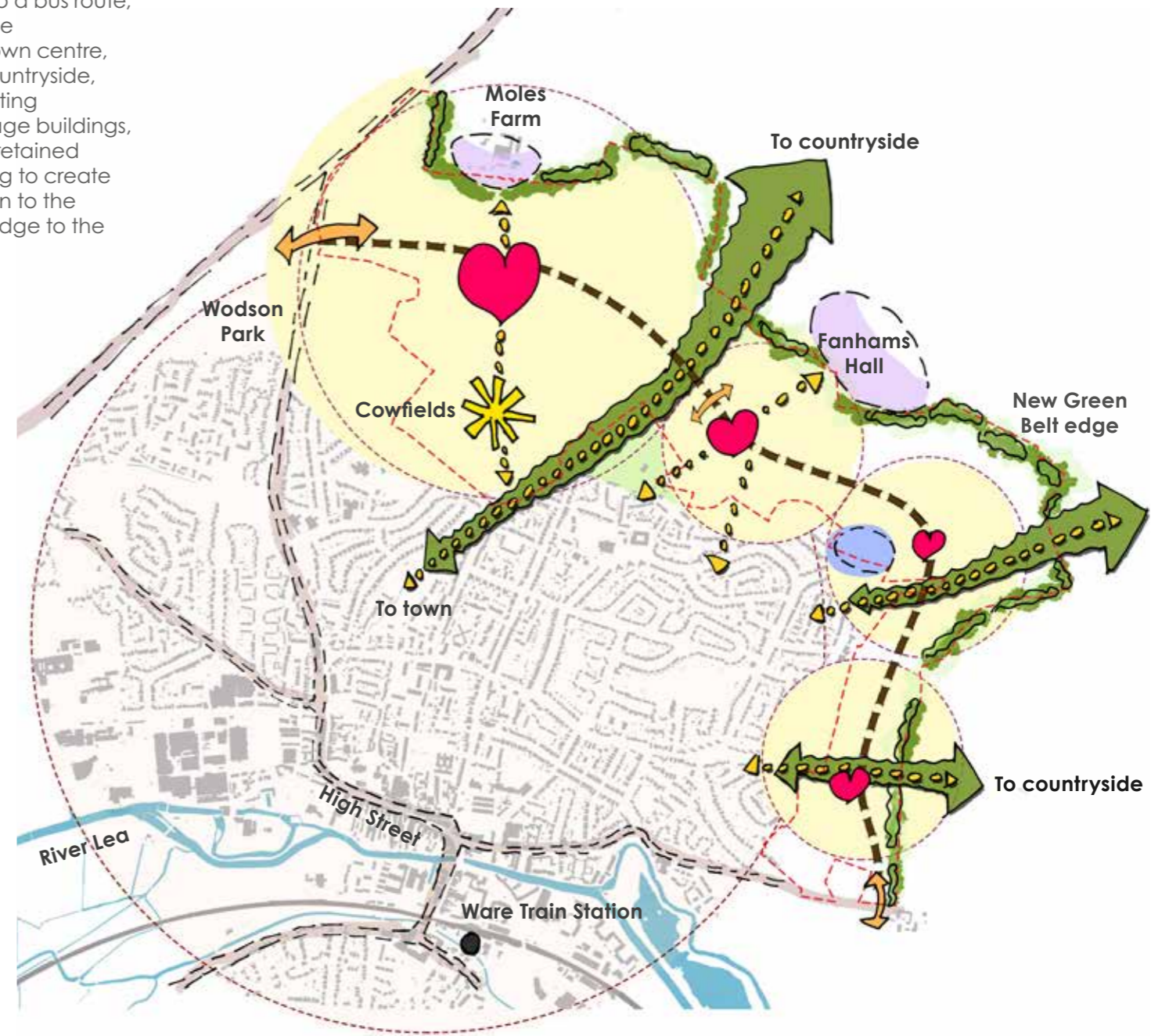
- innovation and imagination;
- marrying town and country;
- co-operation in design and place-making;
- character, distinctiveness and harmony;
- room to breathe.

(*'The Garden City Design Ethic' - Garden City Standards for the 21st Century, Guide 3: Design and Masterplanning'*, published by the TCPA December 2017)

## Initial Concepts

- A series of residential neighbourhoods
- Local facilities within walking distance of homes that complement rather than compete with those in the town centre and adjacent neighbourhoods,
- Homes within close proximity to a bus route,
- Improved pedestrian and cycle connections between Ware town centre, Ware station and the wider countryside,
- A sensitive response to the existing development edge and heritage buildings,
- Key existing landscape assets retained and reinforced by new planting to create green corridors linking the town to the countryside and defining an edge to the town.

-  New neighbourhood
-  New neighbourhood hub
-  Footpath & cycle lane network providing connections to green belt & town
-  Access point
-  Green connections
-  Primary school extension



# Framework Objectives

The vision is founded on three key themes:

- Landscape Links
- Connected to Town & Countryside
- Placemaking

Each theme has two objectives, these objectives have shaped the Masterplanning Framework and design decisions for a new community at Ware.

## Landscape Links



### A landscape led approach

Reconnect and enhance the existing natural landscape features through a green network of woodland, trees, open spaces, rivers and brooks. A thriving living landscape, bio-diverse and ecologically rich.



### Defining the Green Belt edge

Create a new Green Belt edge for Ware responding to its surroundings. Define a robust and recognisable interface to the countryside. Respect the setting of Fanhams Hall and frame views with new planting within the site.

## Connected To Town & Countryside



### Celebrate the local community spaces

Retain Cowfields and provide links to Wodson Park Sports and Leisure Centre as focal destinations for community gathering and celebration. Spaces for existing and new communities to come together for year-round leisure, activity and outdoor enjoyment.



### Connecting to the context

Retain and enhance existing footpaths and bridleways whilst also establishing a new well-connected network of streets, footpaths and cycleways to encourage sustainable and active transport, connecting the new neighbourhoods with Ware.

## Placemaking



### A planned extension for Ware

Deliver a new sustainable community integrated with the existing settlement in Ware, exemplifying the Garden City Design Ethic. Provide new homes for everyone, of the right scale and type to meet the varying needs of the community. Establish a thriving place where people are proud to live.

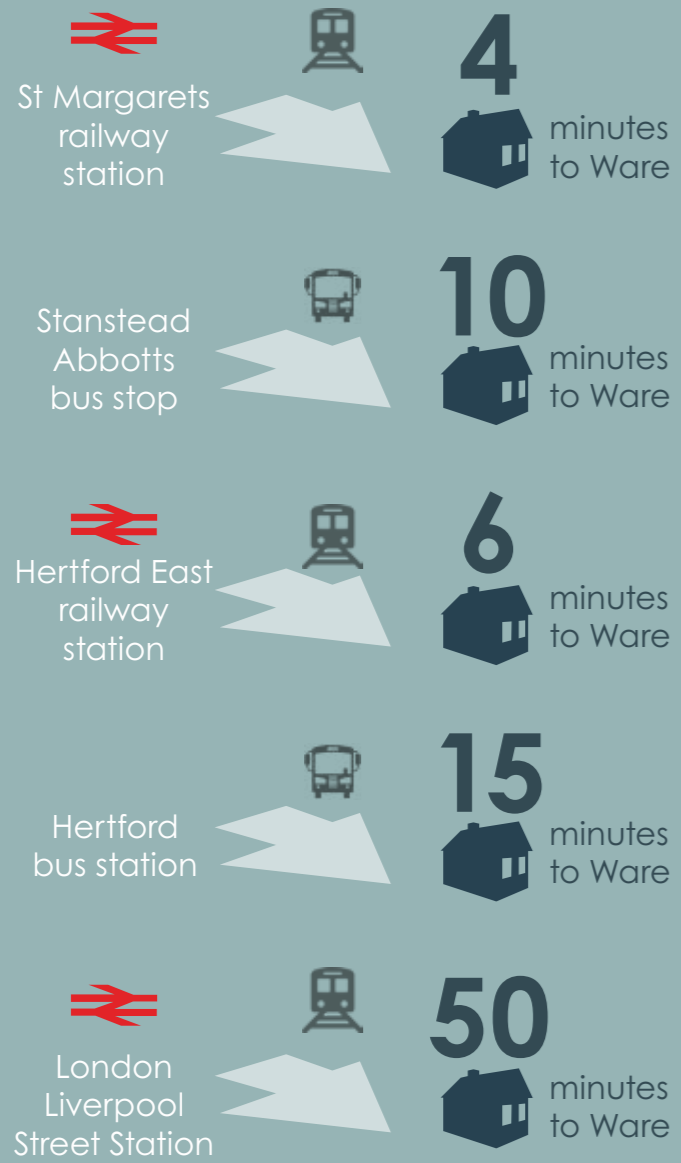


### A vibrant & distinctive place

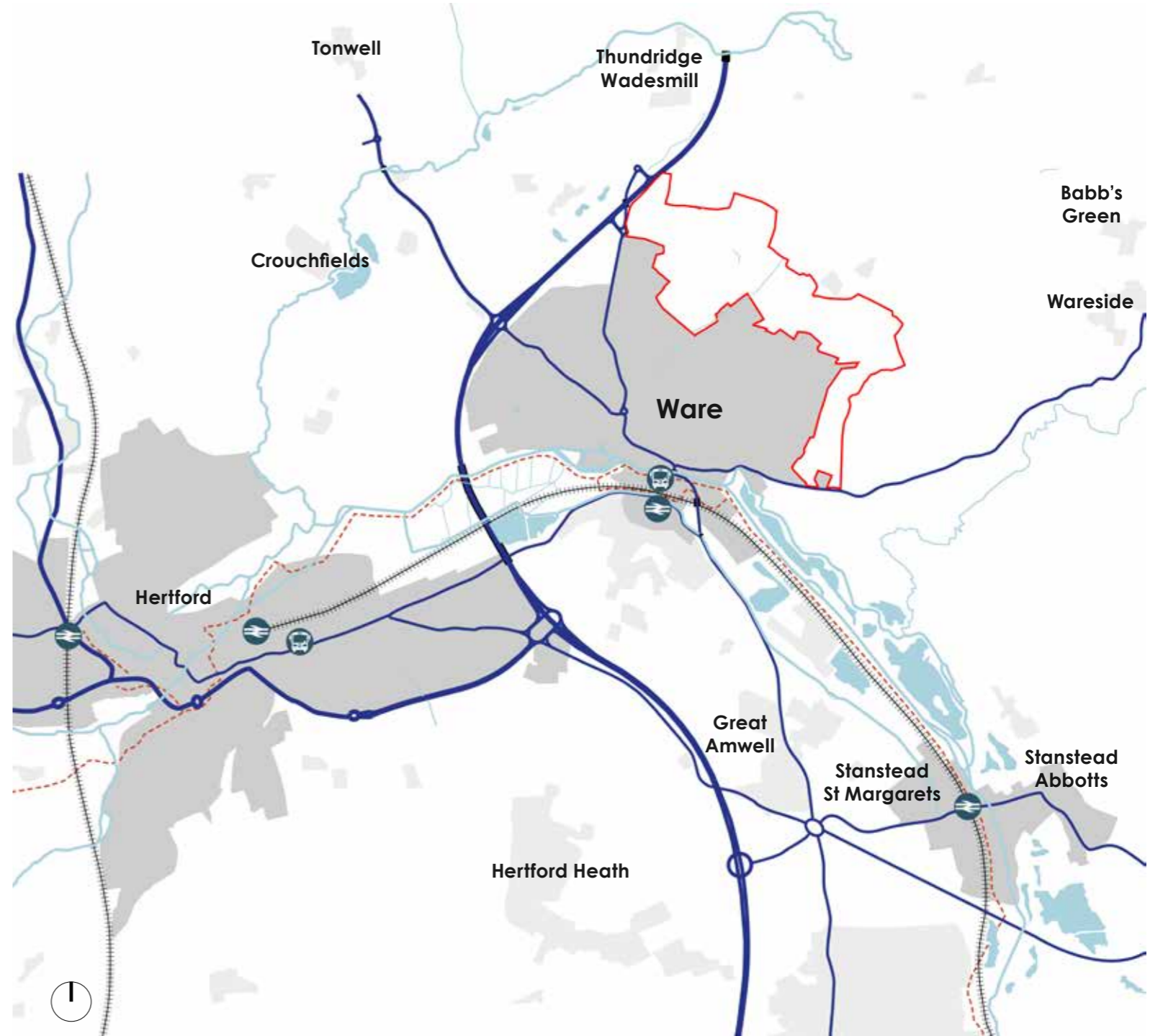
Create a distinct place whilst respecting and celebrating Ware's local heritage and character. Form a series of new neighbourhoods with community hubs at their heart, establishing community spirit and vibrancy from the outset.

## 2. Understanding Ware Local Context

The site benefits from strong transport connections within the East Herts region and beyond. Railway services provide direct routes to London (Liverpool St) and Hertford East. Located east of Hertford, the rural town of Ware is accessible by rail in 6 minutes and by bus in 15 minutes. Stanstead Abbots to the south can be accessed by rail or bus, it is a 4 minute train journey or 10 minute bus ride from Ware.



- Site boundary
- A road network
- B road network
- Railway
- Train station
- Bus station
- Watercourse
- Settlement area



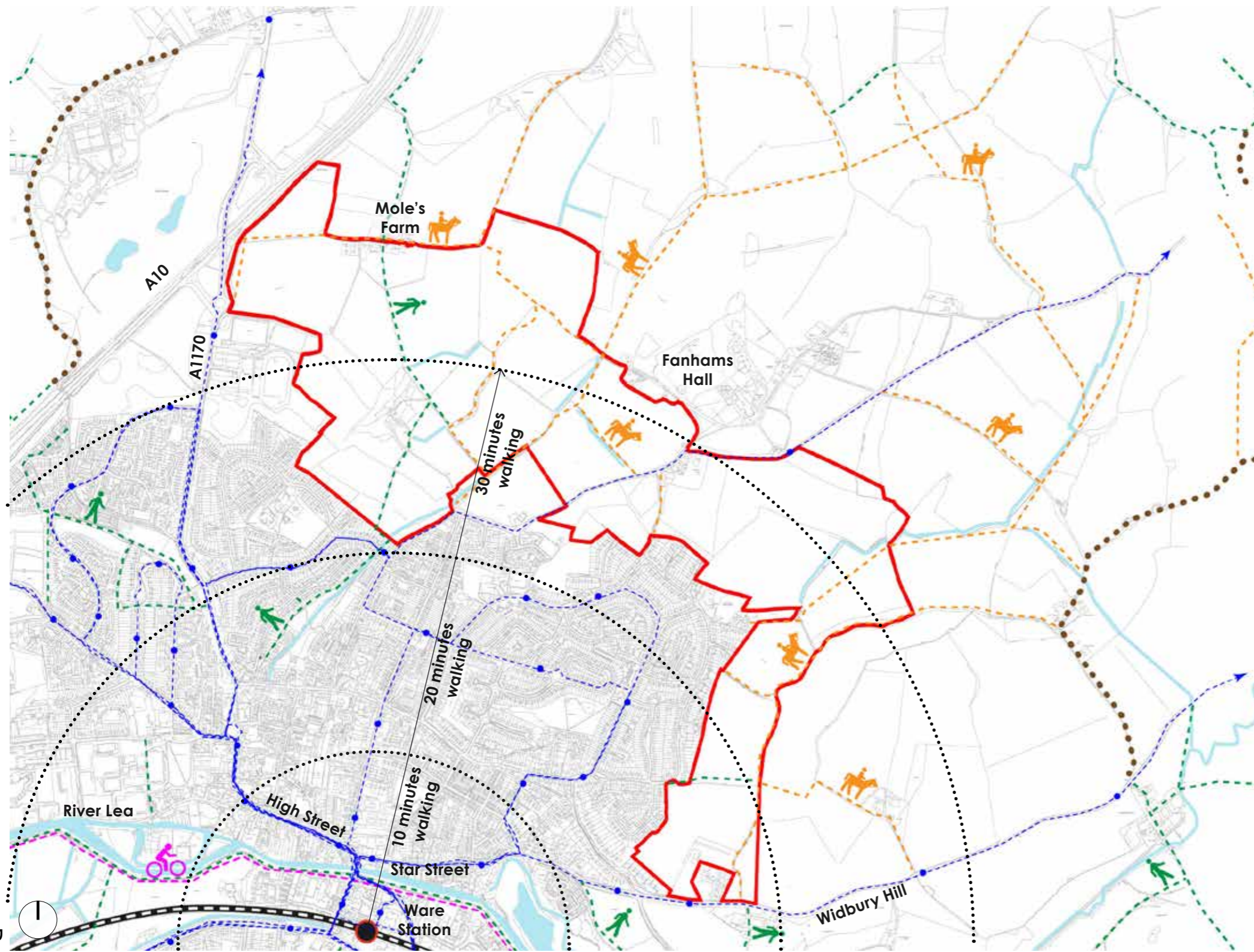
## 2. Understanding Ware

# Transport and Movement

A bus route network serves Ware providing transport connections to nearby towns including Hertford, Cheshunt, Harlow, Welwyn Garden City, Hatfield, St Albans, Stevenage and Waltham Cross.

The town of Ware has a permeable network of footpaths providing pedestrian routes to the town centre and railway station. A wider network of public rights of way and bridleways provide access to the countryside for walkers and horse riders.

A traffic free cycle route follows the south bank of the River Lea providing a safe and attractive leisure route between Ware and Hertford.

























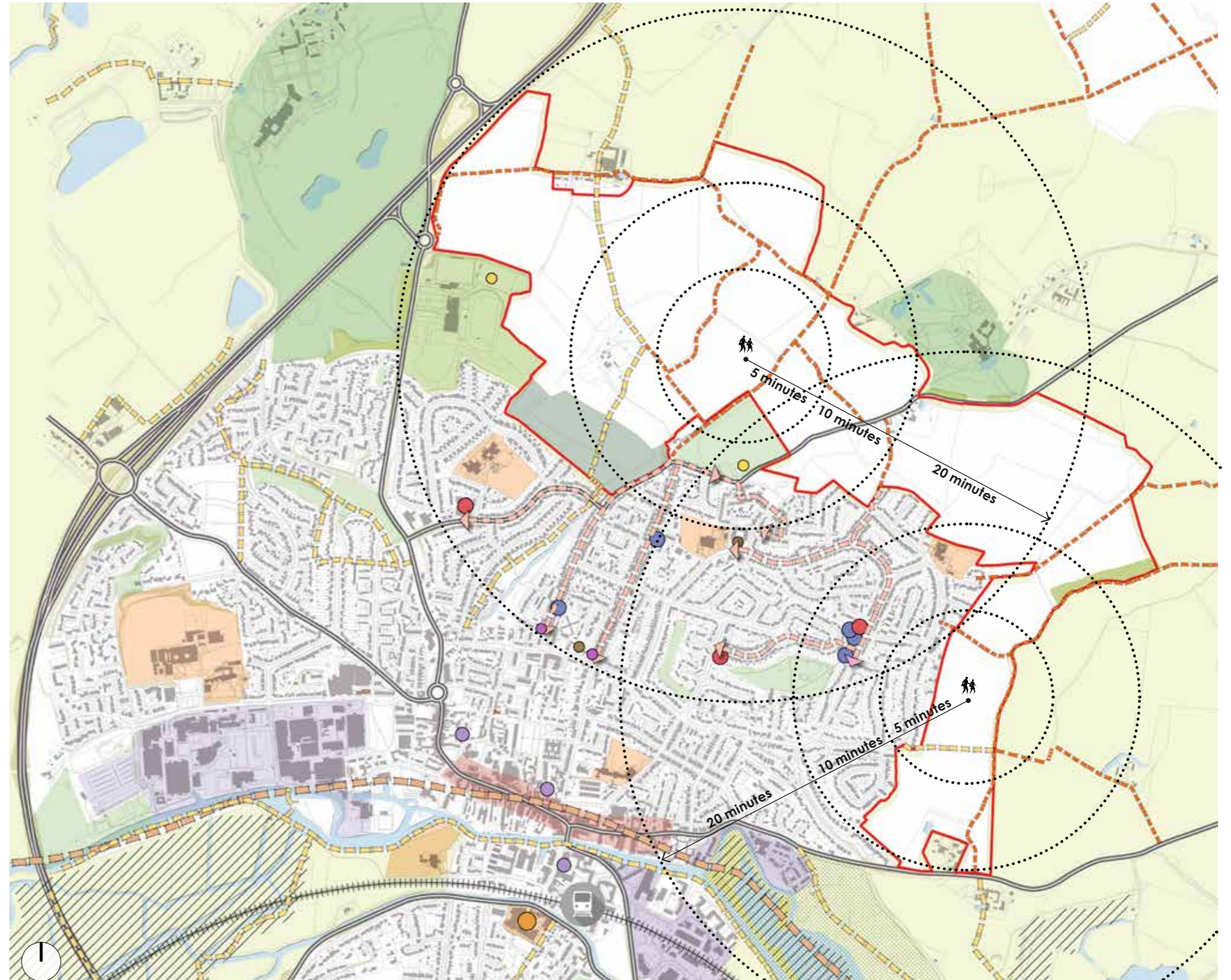
-  Allocated site boundary
-  Public right of way - footpath
-  Public right of way - bridleway
-  Traffic-free cycle routes
-  Other public access routes
-  Bus routes
-  Railway station
-  Existing waterbodies

## 2. Understanding Ware

# Ware Analysis

The plan opposite illustrates the location of facilities and services close to the site. Within a 10 minute walk from the centre of the largest part of the site, there are Registered Gardens and permissive open access areas, schools, recreation facilities, and a football club. The Lee Valley Regional Park is within a 20 minute walk from the eastern part of the site.

-  Allocation site boundary
-  Public bridleway
-  Public footpaths
-  Walking distance to off-site facilities
-  Protected trees/hedgerows
-  Permissive open access
-  Schools/colleges
-  Hertford Regional College
-  Food store
-  Pub/restaurant
-  B&B
-  GP surgery
-  Care centre for elderly
-  Football clubs
-  Ware High Street
-  Green Belt (GBC1)
-  Employment areas (EDE1)
-  Registered gardens (BH16)
-  Special Area of Conservation (ENV12)
-  Wildlife sites (ENV14)
-  Sport & recreation facilities (LC1)
-  Strategic & local green links
-  Lee Valley Regional Park
-  Rivers



## 2. Understanding Ware Local Character

### Ware



High Street



High Street



River Lea Gazebos



Waterside Inn

A character study has been undertaken to provide an understanding of the local character and context to ensure the proposals reflect the rich heritage of Ware and its surroundings.

The River Lea flows through the centre of Ware, accessible via footpaths and cycleways the river corridor provides a green and blue link through the town. The Lee Valley Regional Park stretches along the River Lea from Ware, to the River Thames in London. Footpaths, cycle routes and pathways run through the Park offering specialist leisure and recreational facilities within an area of biodiversity for the region.

Ware has many listed buildings including the remains of a 14th century friary. Some of the buildings along the High Street date back to the 14th century.

The Masterplanning Framework will reference the distinctive character of Ware, the hierarchy of routes and spaces, building types, scale and active frontages. Reflecting the local character will reinforce familiarity, define a 'sense of place' and integrate the new development into the local area.

### Thundridge



Ermine Street

### Wareside



Wareside Dwellings



Wareside Church



Tudor Square

## 2. Understanding Ware The Site

The site is located to the north and east of Ware covering an approximate area of 147 hectares. It lies within 3 parishes; Ware, Wareside and Thundridge and is predominantly agricultural land.

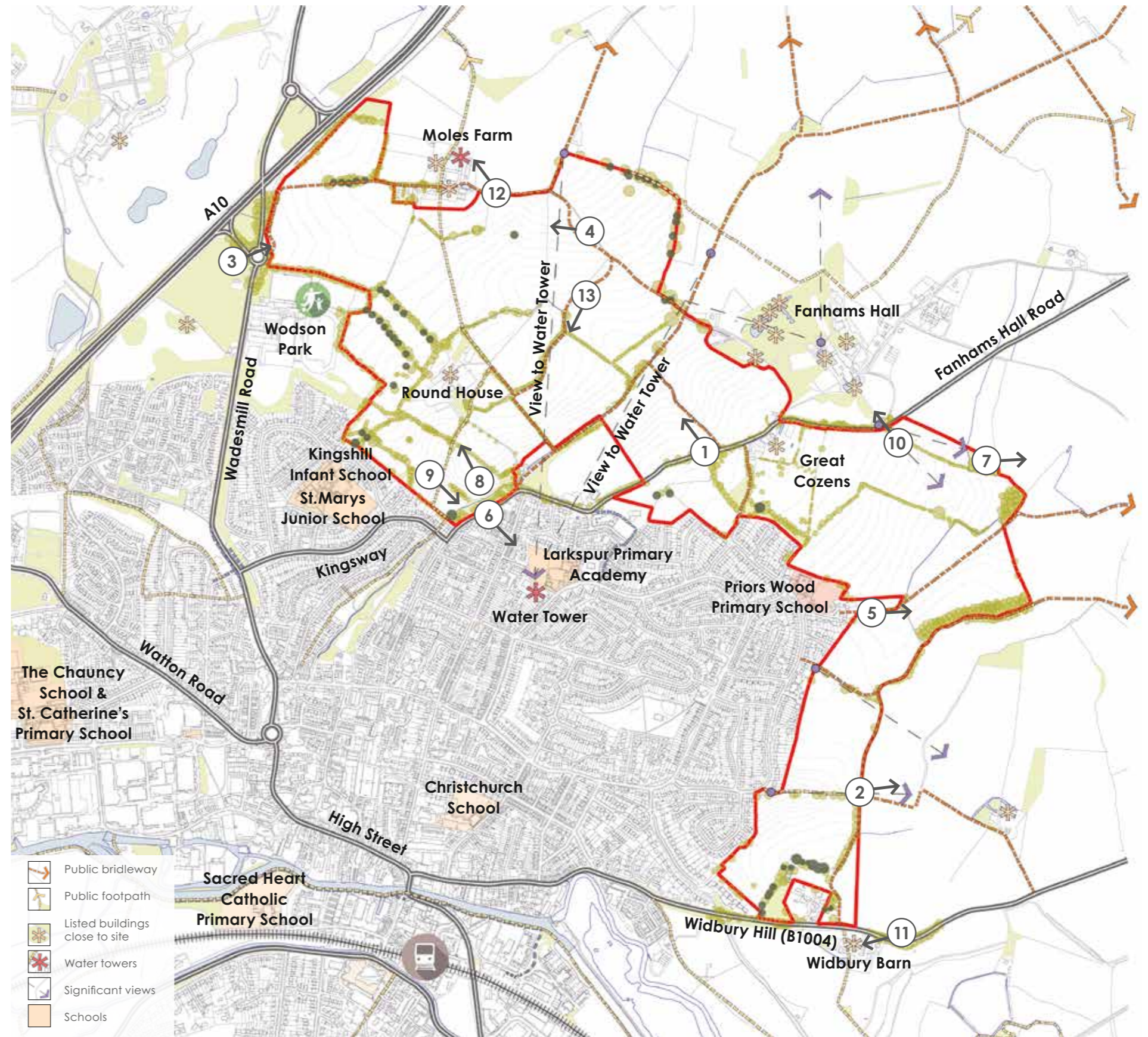
The site is bounded by the A10 to the west, Widbury Hill to the south and Fanhams Hall Road passes through the middle of the site. Residential properties and gardens about the southern edge of the site boundary.

The site comprises mainly agricultural land and The Bourne tributary flows north-south through the site.

A number of listed buildings, parks and garden lie within the vicinity of the site including Moles Farm, Fanhams Hall and Widbury Barn. The Round House and Great Cozens are listed properties situated within the site boundary.

An extensive network of public footpaths and bridleways provide connections from Ware through the site to the countryside, to the north and east.

Wodson Park Sports and Leisure Centre is located to the west of the site on Wadesmill Road.





### 3. Site Analysis

# Site Photographs



### 3. Site Analysis

# Site Constraints

The site has a network of woodland and tree belts providing a strong landscape character. A full tree survey has identified key trees which should be retained where possible within the Masterplanning Framework.

The western edge of the site is affected from road traffic noise from the A10.

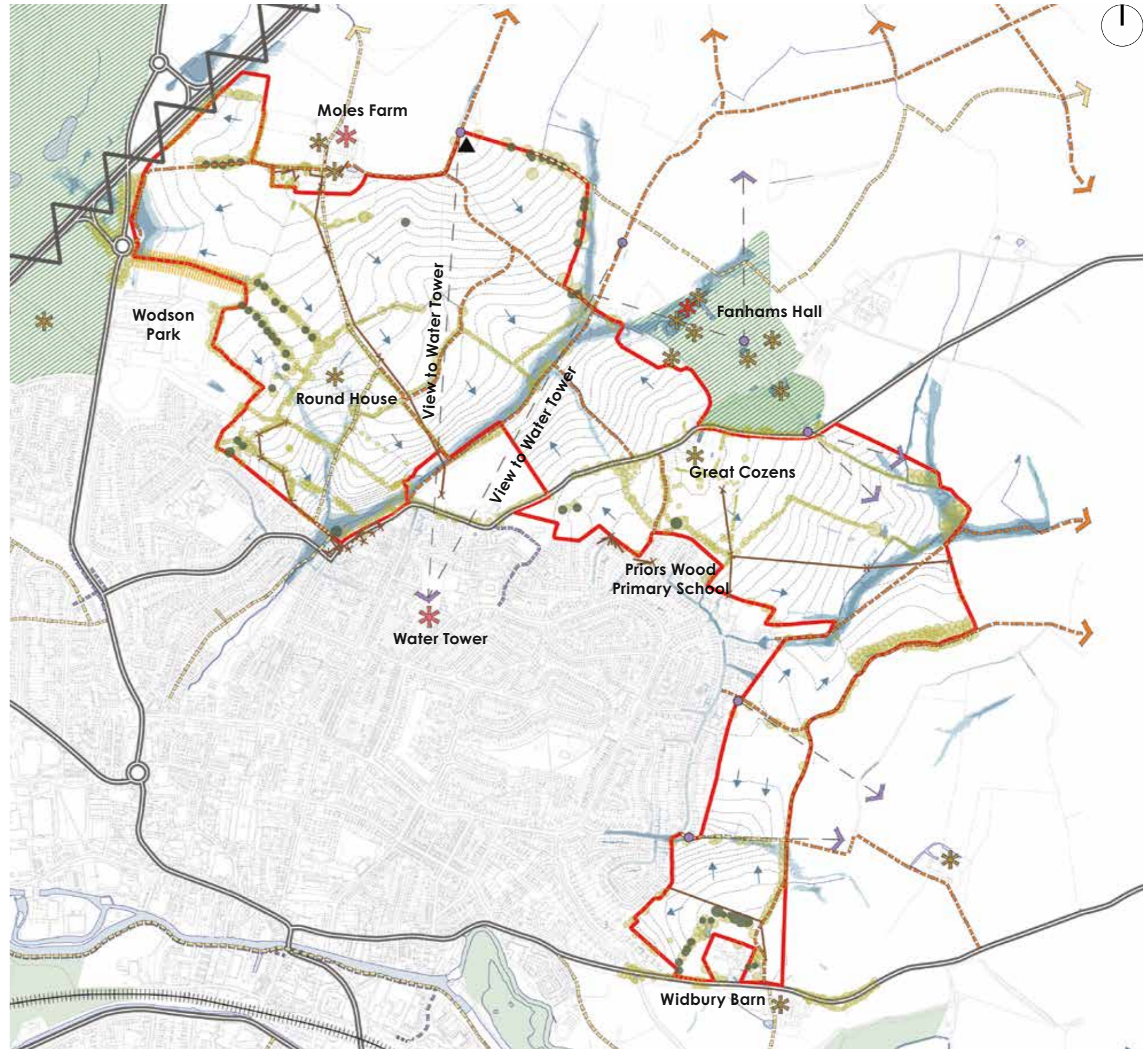
Overhead power lines cross the site from Fanhams Hall Road to Moles Farm and cross east-west to the north of Priors Wood Primary School.

There are a number of listed buildings parks and gardens within the vicinity of the site. The Masterplanning Framework will respect the setting of these heritage assets and consider views to landmark features such as the Water Tower and the Gatehouse at Fanhams Hall.

As assessment of the flood risk considered the site to be at low risk from flooding as the majority of the land is located within Flood Zone 1. The plan opposite shows areas of surface water flooding which correlate to low spots in site topography and onsite watercourses.

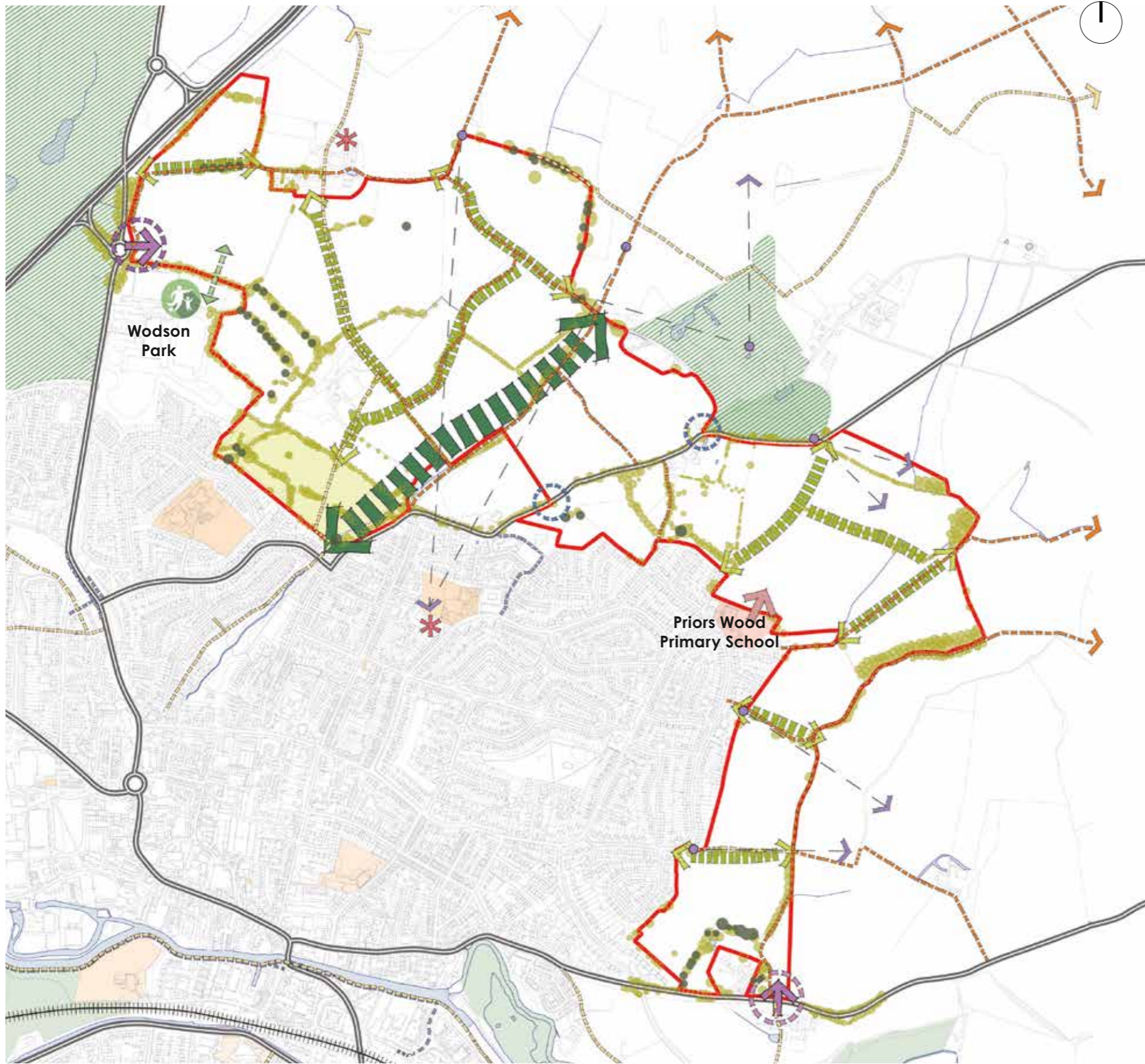
Congestion in the town centre is a key issue for local residents and the development should seek to not exacerbate this problem.

- |   |                            |   |                                    |
|---|----------------------------|---|------------------------------------|
|  | Site boundary              |  | Floodlights                        |
|  | Site contours (1m)         |  | Drains / ditches                   |
|  | Listed buildings           |  | Surface water flow                 |
|  | Sensitive views            |  | 100 YR Surface water flood extent  |
|  | Registered gardens         |  | 1000 YR Surface water flood extent |
|  | Wildlife sites             |  | Public footpath                    |
|  | Existing trees / hedgerows |  | Public bridleway                   |
|  | Notable trees/ hedgerows   |  | Public cyclelane                   |
|  | Overhead cables            |  | High point                         |
|  | Noise                      |   |                                    |



### 3. Site Analysis

# Site Opportunities






















Key woodland and tree groups are to be retained and enhanced where possible within an interconnected green landscape network, through careful structuring of the Illustrative Layout Options.

Footpaths and bridleways will be incorporated within green corridors through the site, providing attractive walking and cycling links from Ware to the surrounding countryside and Green Belt.

The site will deliver a link road between Widbury Hill and the A10/A1170.

There is an opportunity to provide a pedestrian and cycle link to Wodson Park Sports & Leisure Centre and create community cohesion through shared use of facilities.

In addition, there is an opportunity to provide land for the expansion of Priors Wood Primary School adjacent to the site.

- |   |                                |   |                                     |
|---|--------------------------------|---|-------------------------------------|
|  | Site boundary                  |  | Public footpath                     |
|  | Site contours (1m)             |  | Public bridleway                    |
|  | Drains / ditches               |  | Public cyclelane                    |
|  | Sensitive views                |  | Primary vehicular access points     |
|  | Registered gardens             |  | Secondary vehicular access points   |
|  | Wildlife sites                 |  | Primary green corridor to enhance   |
|  | Existing trees / hedgerows     |  | Secondary green corridor to enhance |
|  | Notable trees / hedgerows      |  | Potential link to Wodson Park       |
|  | Cowfields open space           |  | Primary school expansion            |
|  | Landscape buffer to Moles Farm |   |                                     |

### 3. Site Analysis

# Technical Surveys

The following technical reports have been undertaken. Further survey information will inform subsequent planning applications.

#### Ecology

A full suite of ecological surveys have been undertaken since 2014. Key habitat areas have been identified, such as, Local Wildlife Site, historic hedgerows and Traditional Orchard. A number of mitigation measures are required as part of the future development of the area.

#### Landscape

A detailed Landscape & Visual appraisal found a variety of landmark features, such as Water Towers at Moles Farm and the Gatehouse at Fanhams Hall that are of particular interest. A notable and attractive character of the landscape is the many coverts in and around the Site. A defining north-south ridge effectively and visually divides the site.

#### Topographic survey

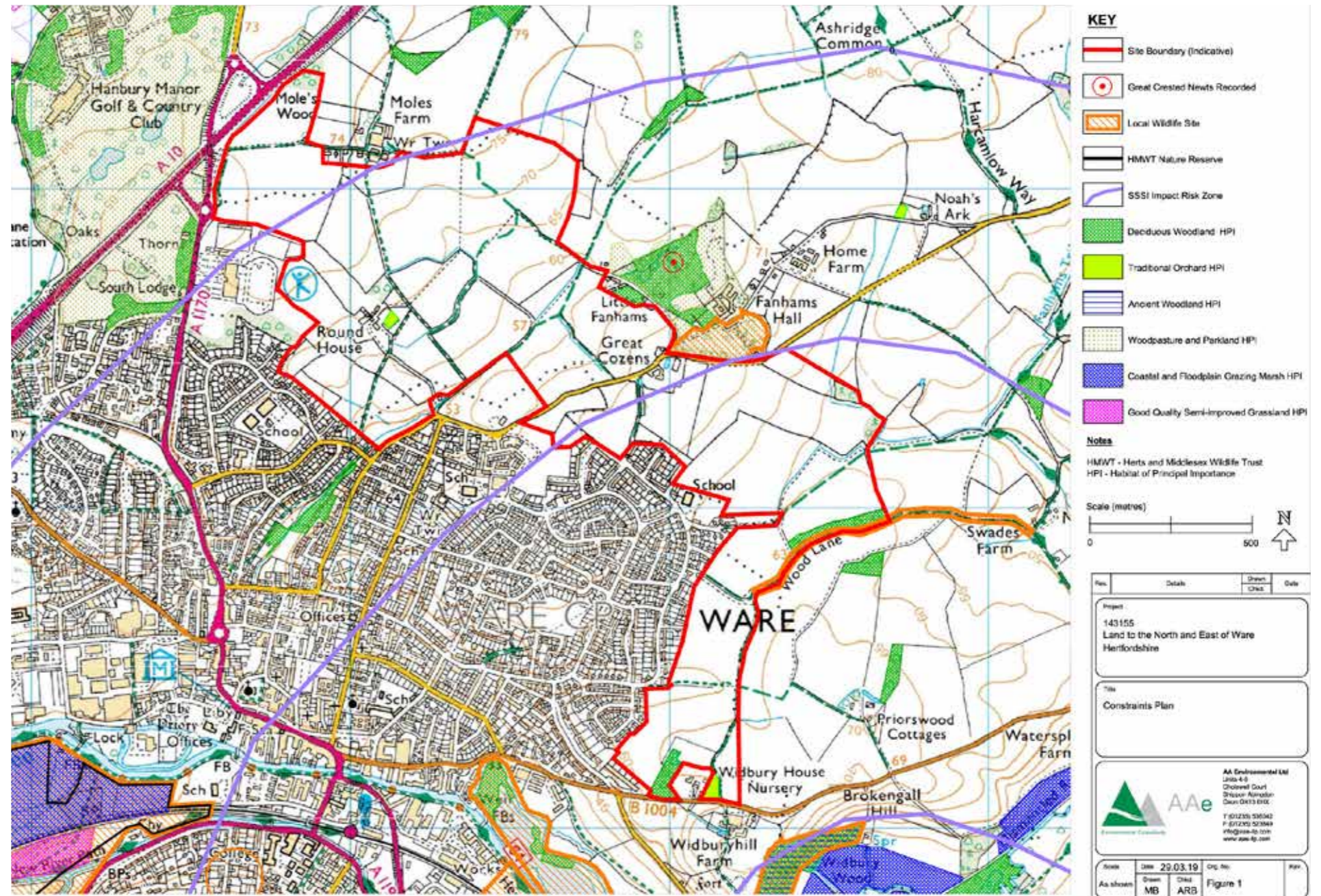
A topographical survey has been undertaken across the site to help aid detailed modelling and design for the various technical disciplines.

#### Tree survey

A full tree survey has been carried out over the area of the allocated site identifying the various tree species, age and location. This data has assisted the development of the Illustrative Layout Options.

#### Utilities

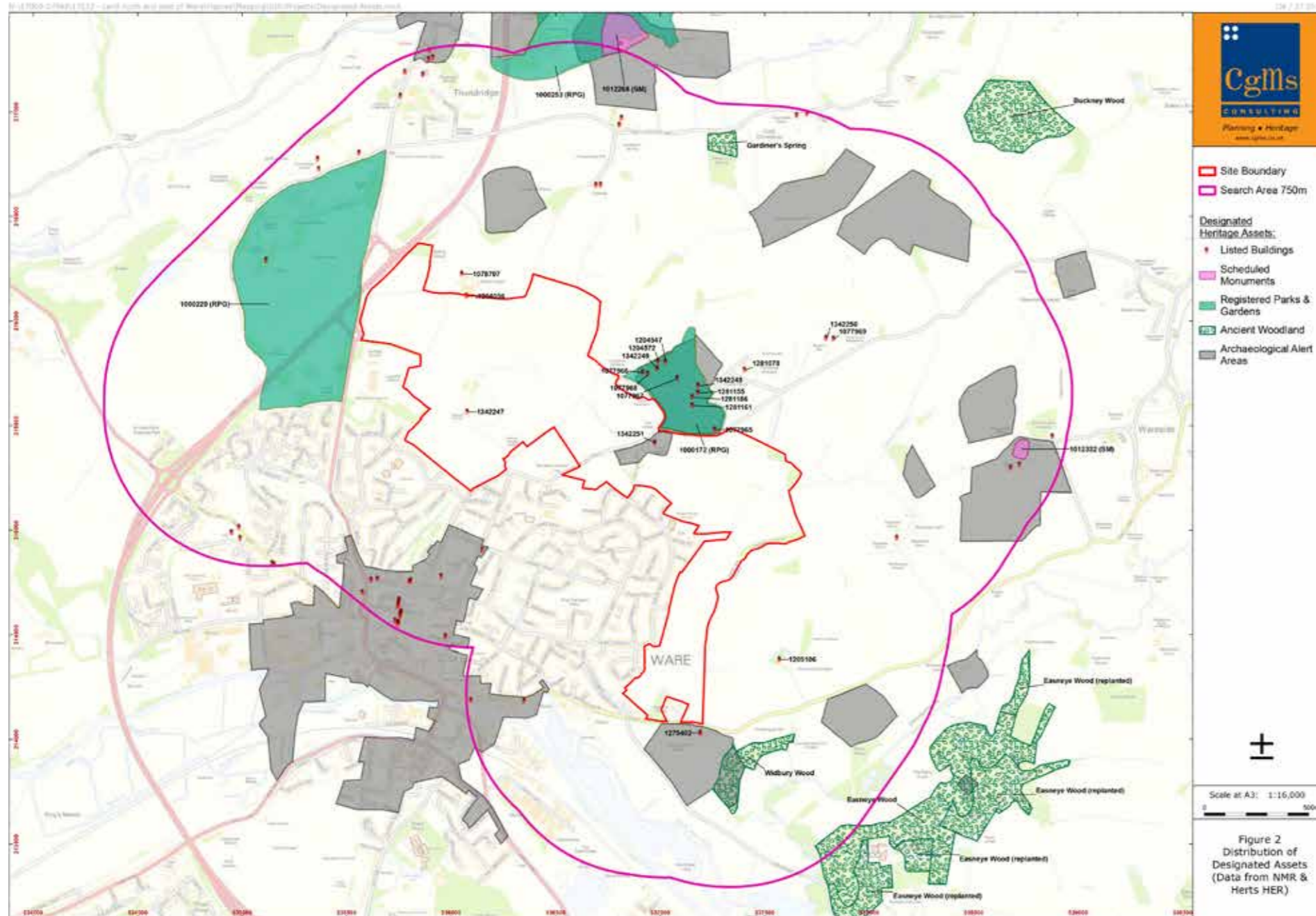
A utilities report highlighted that there is access to all strategic utilities within the vicinity of the site boundary. Further work is required to understand the capacity and the reinforcement upgrades necessary to serve the development. We are in regular contact with Thames Water as the foul drainage undertaker for this site. We have provided them with the anticipated delivery trajectory to ensure that the network has sufficient capacity to meet the demands of the development.



Ecological Survey Findings

# 3. Site Analysis

## Technical Surveys



Initial Archaeological and Heritage Survey Findings

### Phase 1 Geoenvironmental

Phase 1 geological and environmental assessment has been undertaken. This confirmed that the potential localised contamination risks across the site are considered to be 'low' and 'low to moderate'.

A full investigation into the mineral deposit will be undertaken and additional intrusive ground investigations to be completed.

### Initial Archaeological & Heritage

Phase 1 heritage constraints and built heritage assessments were undertaken. This assessment has identified a number of listed buildings including Fanhams Hall, its Registered Park and the Roundhouse to the north of the allocated site and the Registered Park and Garden at Hanbury Manor to the west. A geophysical survey has been undertaken to identify areas of interest with trial trenching to be carried out within key areas in the future.

### Flood Risk & Drainage Strategy

An assessment of the flood risk considered the site to be at low risk from flooding as the majority of the land is located within Flood Zone 1. Soil infiltration testing has been completed across the site, which has informed the Masterplanning Framework. Intrusive works involving drainage pits and bore holes were conducted to establish the site's drainage strategy.

### Strategic Highway Modelling

Extensive modelling and sensitivity analysis has been undertaken to indicate any capacity issues or improvements required. Areas where capacity issues have been identified have been subject to additional modelling exercises. Suitable transport measures will be implemented in and around the town centre. By achieving the right balance of land uses within the development site, there is significant scope to create an interconnected environment, which is explored later in this document.

# 4. The Engagement Process

The engagement process carried out to date has directly informed the emerging Masterplanning Framework for the site. Regular Steering Group Meetings began in February 2019, which have established a continued dialogue with local key stakeholders in the development of the emerging proposals.

The community engagement process involved a two day community planning workshop in May and a public consultation event over two days in July.

In addition, the team has met with local community groups and held workshops with local schools throughout the development of the MFD.

## Community Planning Workshops

Over 700 people took part in the Community Planning Workshops on the 17-18 May, which provided an opportunity for local people to share local knowledge and help shape the future plans for the area, through workshops, walkabouts and hands-on planning (HoP) groups.

Each day began with a discussion workshop. Local people were invited to share what they particularly liked and didn't like about the area; their dreams for the neighbourhood and what they thought would make this an even better place to live. This was followed by themed HoP workshops where local people worked with the architects to sketch out how their ideas could be incorporated into the proposals for the Land North and East of Ware. A representative of each group then fed back to the whole room on what they had discussed and the possible solutions they had come up with.



Community Planning Event



Community Planning Workshop

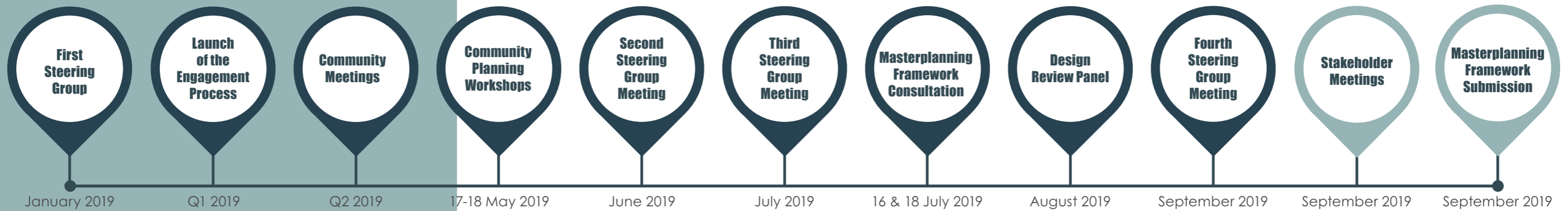


Hands on Planning Workshop



Hands on Planning Report Back

*“ We discussed the strategy: what’s necessary, how do we do it, how do we link everything up? ”*



### Public Consultation Timeline

Consultation with Stakeholders →

# 4. The Engagement Process Community Engagement



Local Community Walkabout



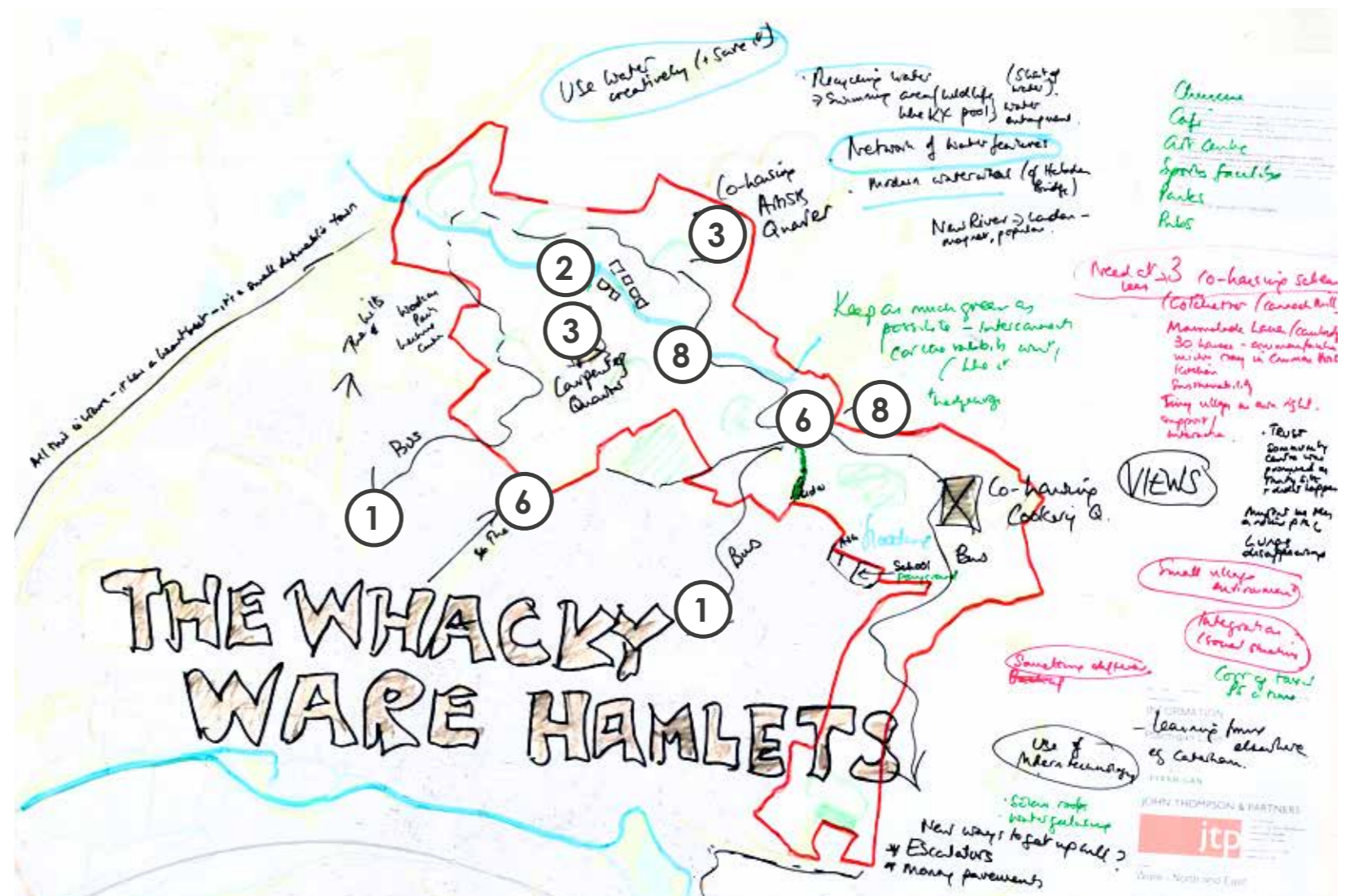
Team Site Visit



Chauncy School Workshop



Post-it Workshop



“ There has to be change...  
we know there have to be more houses...  
but you must keep the Cowfields community space. ”

- ① Bus links into town
- ② Use water creatively to mitigate flooding
- ③ Need at least three separate co-housing schemes throughout the development
- ④ A small village environment
- ⑤ Community trust to run the community facilities
- ⑥ Link footpaths to community assets around town
- ⑦ Make transport fun and move away from car use
- ⑧ A series of hamlets/villages interspersed with green space

# Community Engagement

## Community Planning Workshops Key Themes

After the Community Planning Workshops, the design team analysed and summarised the ideas people had, in order to start shaping the proposals. The following key themes are a summary of the various discussions and design workshops that have taken place to date.

### Shaping The Best Possible Proposals

Although many local people resisted the principle of development, it is now generally accepted that it will happen and that community participation is important to shape the best possible proposals and to maximise the benefits for Ware. Many people attended the community planning event to ask questions, raise issues and co-design ideas for the future of the site.

### Respecting Local Heritage

Ware began as an ancient settlement on the River Lea and has built up a rich physical and cultural heritage over the centuries, with a strong and active community. Those who live and work in Ware are passionate about the town and keen that new development should respect the town's local distinctiveness, its historic heart and their quality of life.

### The Cowfields

The Cowfields is a natural, community space used for the annual Rotary Club fireworks display, dog walking, blackberry picking, hedgerow exploration, and as a place for children to sledge in winter (when there is snow). It was emphasised by all age groups that Cowfields is an important and well-used space that should be retained.

### Neighbourhoods Set In Landscape

People feared the construction of a single, amorphous 'estate', which could impose a change of character on the area. Rather than an isolated 'estate', ideas emerged for a carefully designed framework of places and spaces to respond sensitively to the context of the rural edge location, including to adjacent properties, and integrate with the neighbouring communities and Ware as a whole. The new development should comprise distinct neighbourhoods set in the landscape, with mixed-use community hubs connected by sustainable green links.

### Traffic, Parking & Getting Around

Traffic is both an existing and future concern as Ware's road network is often congested at peak times and made worse by on-street parking and unloading of deliveries. The new development will be planned to encourage sustainable and active transport and brings with it the potential for significantly improved bus, pedestrian and cycling provision, including to the town centre, the train station and Wodson Park Leisure Centre. The car will need to be accommodated and the routing and timing of the new link road will be important.

### Open Space & Rights Of Way

Participants were worried that existing paths and rights of way may be blocked by the new development. Planning a network of green and blue open spaces and corridors will help maintain a 'rural' character for the new development and foster active lifestyles. A network of footpaths and cycleways should be designed to encourage sustainable movement and link the new neighbourhoods to rural tracks, local facilities and the rest of Ware.

### Drainage

Participants reported problems with water run-off and ground water drainage in certain locations. Many ideas emerged of how to plan water infrastructure and management to create attractive and bio-diverse habitats. Through the masterplanning process possible on-site drainage solutions will be assessed.

### Community Facilities & Employment

The provision of local, inter-generational community facilities (shops, healthcare, community, employment, village greens, etc) will help build community and minimise vehicle use. However, shops and businesses within the neighbourhoods should complement, not compete with, Ware's town centre uses. Other suggested provision included space for worship, community orchards, gardening and food production, outdoor gym, crafts centre and 'sheds for men'. It was felt that employment use could be distributed throughout the new neighbourhoods, rather than one single location, and that community infrastructure should be phased in tandem with housing.

### Housing

Housing should be well designed, in keeping with the context and with sustainability built-in. A mix of style, size and tenure is important to build a balanced community. The provision of affordable housing is key, and the suggestion was made that the development offers the opportunity to think creatively about variety of residential provision, perhaps incorporating self-build, bungalows, co-communal housing, supported living for appropriate young people and even a dementia village.

### Trust & Delivery

Some participants were sceptical about the community participation process and whether proposals that emerge will actually be delivered. Trust in the process is important and will need to be built over time, so that the community can see that engagement can genuinely help shape viable, contextual proposals that will be delivered. Exploring how this planning process can lock in quality and delivery is key.

### Continued Community Engagement

Many participants appreciated the opportunity to be involved at the early stage in helping shape the Vision for Land North and East of Ware and are keen to stay involved and informed. The masterplanning process includes regular liaison with the broadly based Masterplanning Steering Group and the wider community.



## 4. The Engagement Process

# Community Engagement



Masterplanning Framework Consultation



Masterplanning Framework Consultation



Masterplanning Framework Consultation



Masterplanning Framework Consultation

### Masterplanning Framework Consultation

A consultation exhibition was held on the 16th and 18th July which provided an opportunity to report back to the local community on how the Key Themes from the Community Planning Workshops had been addressed in the evolving Masterplanning Framework. Over 950 people attended the two day event and over 200 comments and emails were received. Below is a summary of the comments received:

#### Principle of Development

- General support for new housing with additional community facilities

#### Getting Around

- Extra cars would have a negative impact on existing roads that are already at capacity
- Exit from proposed junction at Widbury Hill would be dangerous due to fast moving traffic along Widbury Hill
- Concern that link road will lead to more congestion
- New bus service should start early, end late, run on time and be integrated with the existing bus service to encourage use
- Concern there won't be enough space on streets for combined cycle/pedestrian routes
- Ensure adequate space for on street/private parking

#### Community Facilities

- Desire to see a range of new facilities that cater for the whole community

#### Drainage

- Identified flooding and drainage issues at Beacon Road and other locations

#### Green Space & Cowfields

- Ensure protection/relocation of existing trees/wildlife
- Support for the retention of Cowfields
- Cowfields should be left as natural as possible, lightly maintained and run by the community

#### Health

- Ware will need an increased GP provision

#### Impact

- Ensure minimal overlooking of existing homes on boundary
- Maintain a landscape buffer

#### Housing

- A desire to see a mixed tenure for all ages including affordable/ social for local people, provision of self-build plots

#### Phasing

- Infrastructure and services should be completed before/in parallel with first phase of new homes

#### Retail

- Retail should complement and not compete with Ware town centre
- New retail should be varied and meaningful including local independent grocery stores

#### Schools

- Schools should be located away from main roads to minimise exposure to pollution

### Consultation Shaping the MFD

The Key Themes have informed the Framework Objectives set out on page 3. Feedback from both the Community Planning Workshops and Masterplanning Framework Consultation have fed into the development of the Masterplanning Framework.

*“ If it's done well it could be quite beneficial to the town. ”*

## 5. The Masterplanning Framework

This section of the document illustrates how an understanding of the site and its opportunities has developed a series of structuring elements which will form the layers of the Masterplanning Framework. The structuring elements ensure the Illustrative Layout Options respond to and connect with the surrounding context, linking to Ware and the wider countryside. These elements establish design principles for a new community, a series of distinct neighbourhoods with vibrant centres structured by their landscape setting.

The section concludes with three Illustrative Layout Options, each underpinned by the structuring elements. These options show alternative possible locations for the secondary school site, which will serve the wider Hertford and Ware area.

The Illustrative Layout Options show three potential locations for the proposed secondary school. The suitability of each school site will be considered further as part of ongoing design development and will be informed by further site survey information.

Ongoing consultation with East Herts Council (EHC) and the education authority will determine the school size, appropriate location, phasing and delivery required.

The Masterplanning Framework Illustrative Layout Options provide flexibility to deliver the education requirements for the site as set out in policy whilst meeting the needs of EHC.

The first three structuring elements seek to recognise and respond to the existing key features of the site, the existing landscape features, local heritage assets and the Cowfields community greenspace.

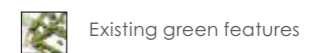
Elements four and five illustrate how the existing landscape features can be reinforced and enhanced to create a strong green and blue network.

The final two structuring elements illustrate the design principles for establishing a vibrant new place; four distinct neighbourhoods each with a mixed use centre connected by green corridors and a link road.



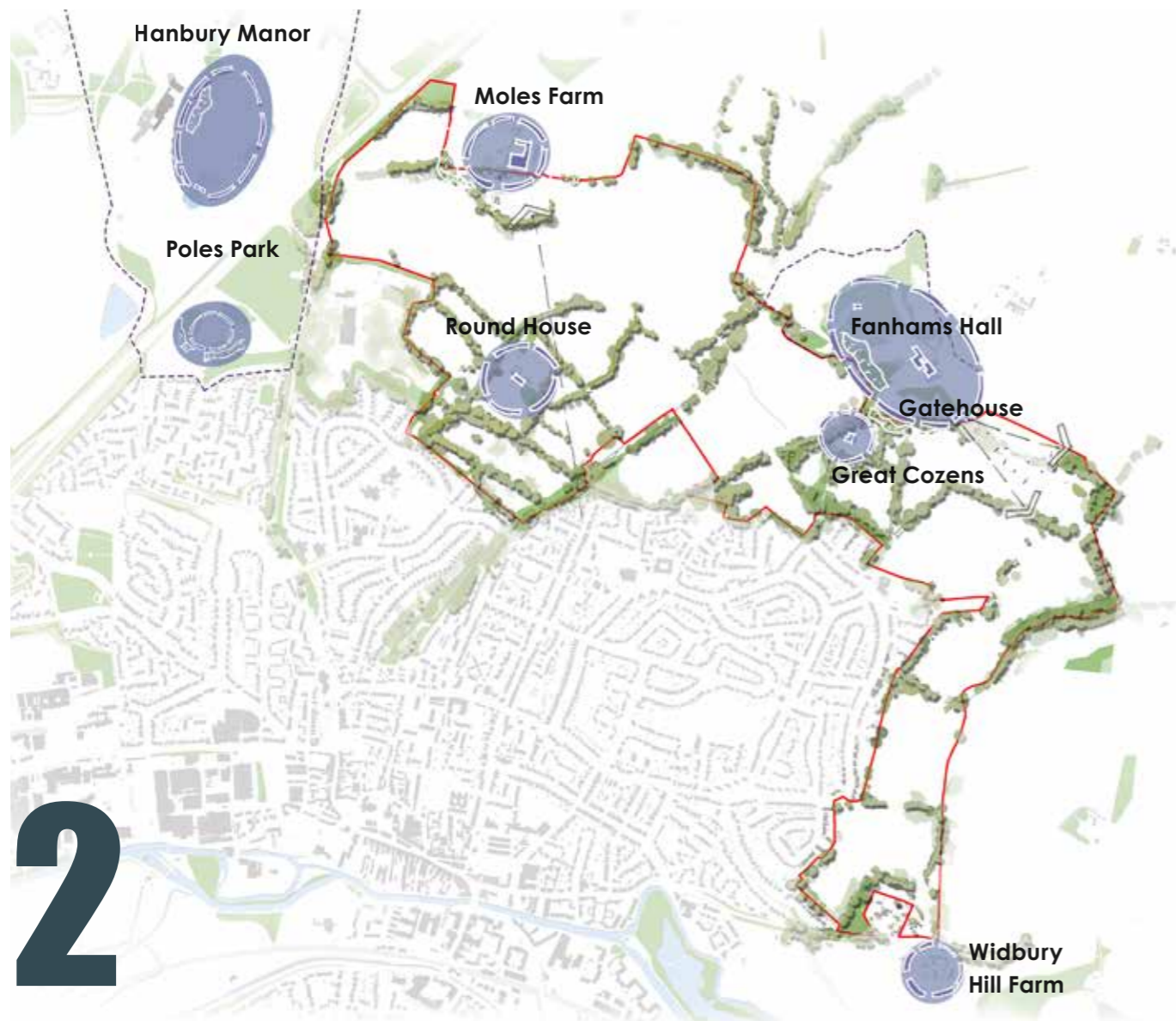
### Existing Landscape Features

Retain existing hedgerows, native woodlands and mature trees within the structure of the new community. There are a high number of veteran oak trees which will contribute to the landscape setting of the proposed neighbourhoods.



## 5. The Masterplanning Framework

# Structuring Elements



# 2

### Respect Heritage Assets

Respect the setting of heritage assets and listed buildings within and surrounding the site. Protect the views and sightline from Fanhams Hall and the Gatehouse across the north-eastern edge of the site.



Heritage assets



# 3

### Celebrate Cowfields

Retain Cowfields as a natural greenspace central within Ware, accessible to existing and new residents. Celebrate Cowfields as a focal destination open space used for community gatherings, dog walking, leisure and recreation.



Cowfields



# 5. The Masterplanning Framework

## Structuring Elements



### Green Connections



Reinforce and enhance the existing north-south landscape features, connecting trees and woodlands to create links between Ware town centre and the countryside. Introduce east-west green links connecting to the north-south green corridors, creating a strong landscape framework.

-  Existing green features
-  Proposed green features

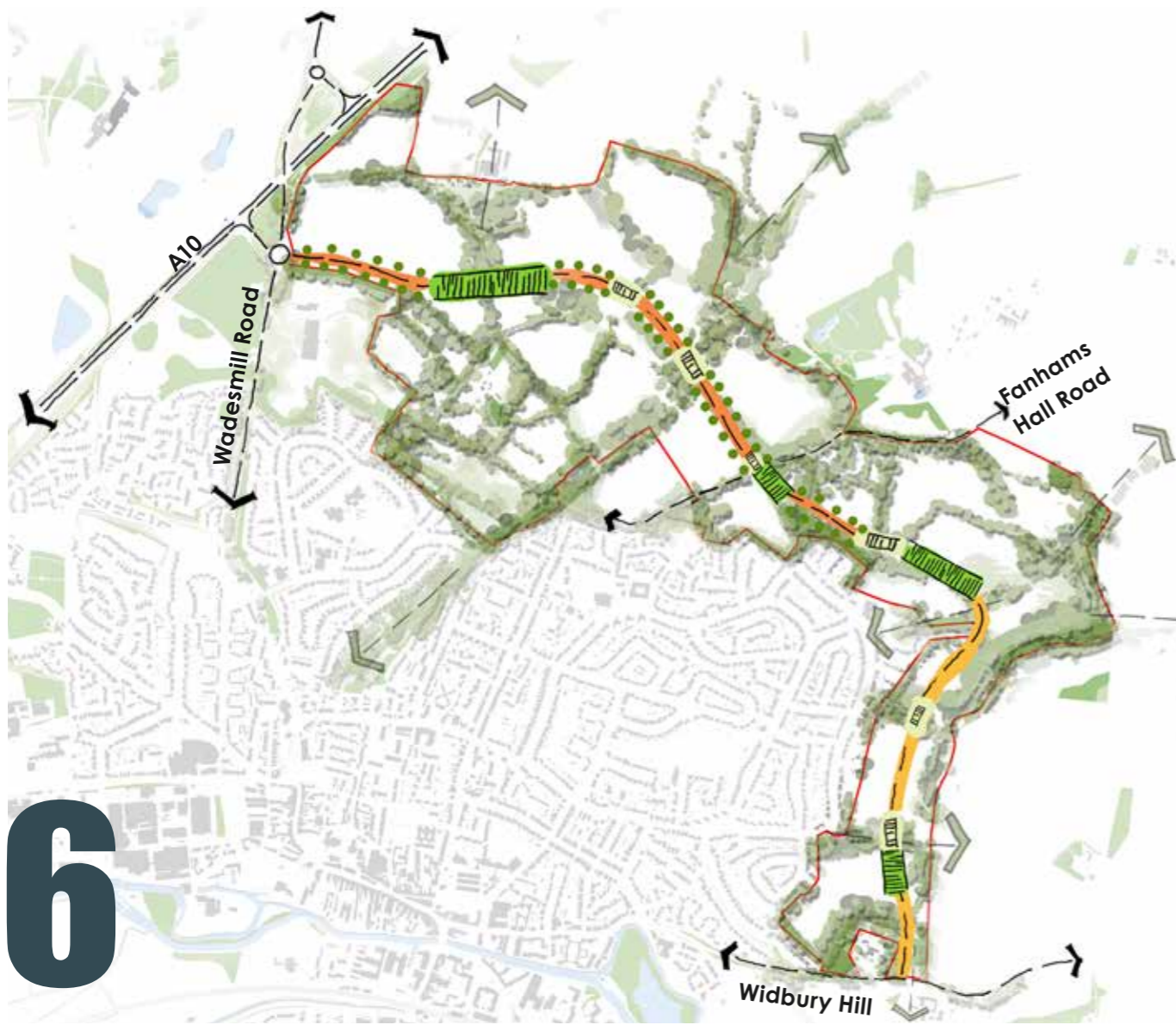


### Blue Infrastructure

Retain The Bourne flowing through the central north-south green link. Incorporate the existing watercourse and ditch network into the landscape framework and introduce SuDs such as attenuation ponds and swales.

-  Green connections to town and Green Belt
-  Water attenuation features

# 5. The Masterplanning Framework Structuring Elements

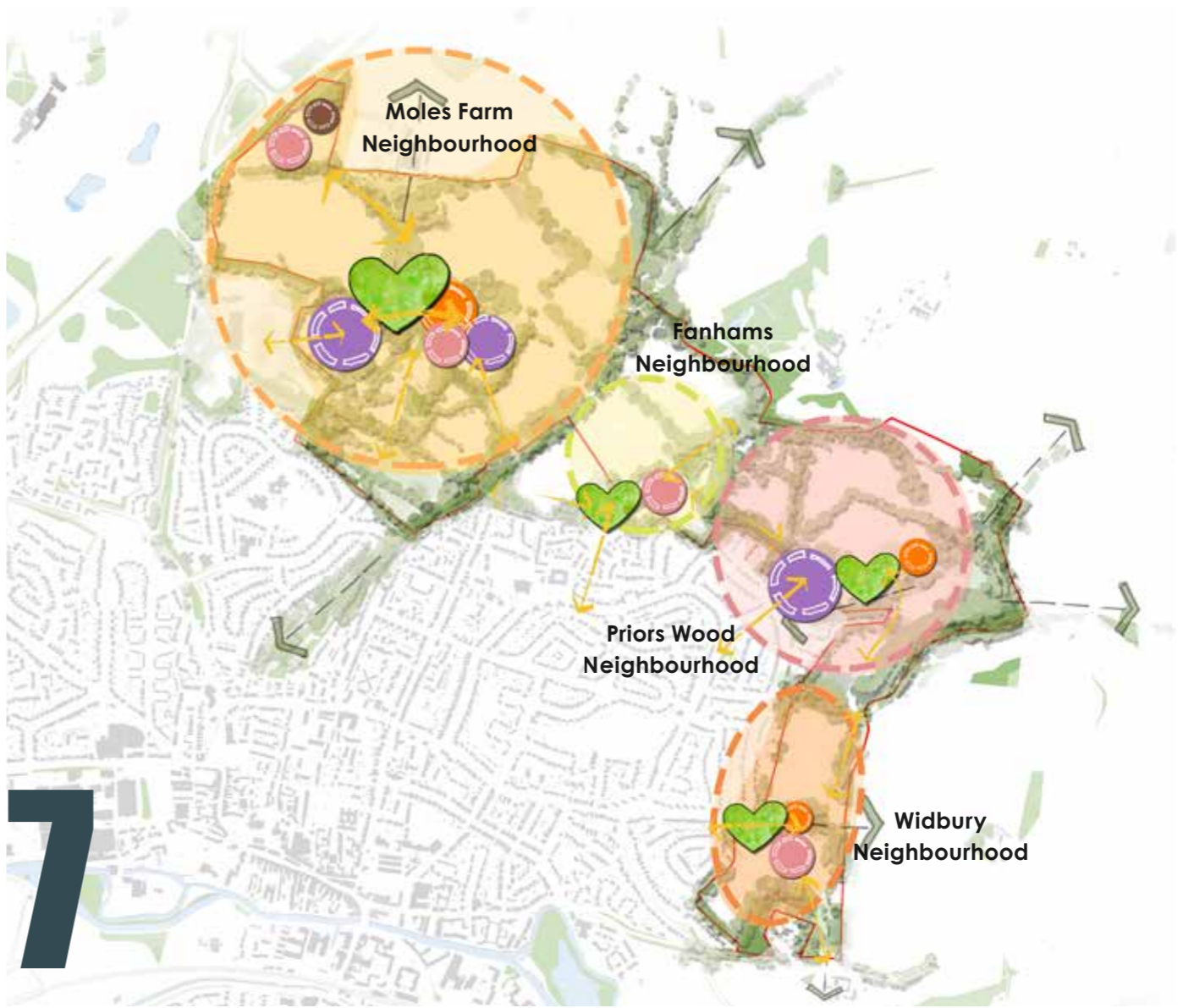


6

### Street Character

Deliver a low speed link road from Widbury Hill to the A10 providing access to the new community and linking the four neighbourhoods. The street will change in character along its route, travelling through neighbourhoods, squares and greenspaces.

- Neighbourhood centre street
- Tree lined street
- Residential street
- Green Route
- Existing road network



7

### Distinct Neighbourhoods with Community Hubs

Establish a mix of uses, including schools, employment and local facilities forming a community hub within each of the four neighbourhoods. Neighbourhood centres will have complimentary uses and be accessible to existing and new communities. Each neighbourhood with a distinct character and identity.

- Community hub
- Mixed use
- School
- Employment
- Travelling Showpeople
- Moles Farm neighbourhood
- Fanhams neighbourhood
- Priors Wood neighbourhood
- Widbury neighbourhood

# 5. The Masterplanning Framework

## Illustrative Layout Options

The Illustrative Layout Options show three potential locations for the proposed secondary school. The suitability of each school site will be considered further as part of ongoing design development and will be informed by further site survey information.

Ongoing consultation with East Herts Council (EHC) and the education authority will determine the school size, appropriate location, phasing and delivery required.




















The Masterplanning Framework Illustrative Layout Options provide flexibility to deliver the education requirements for the site as set out in policy whilst meeting the needs of EHC.

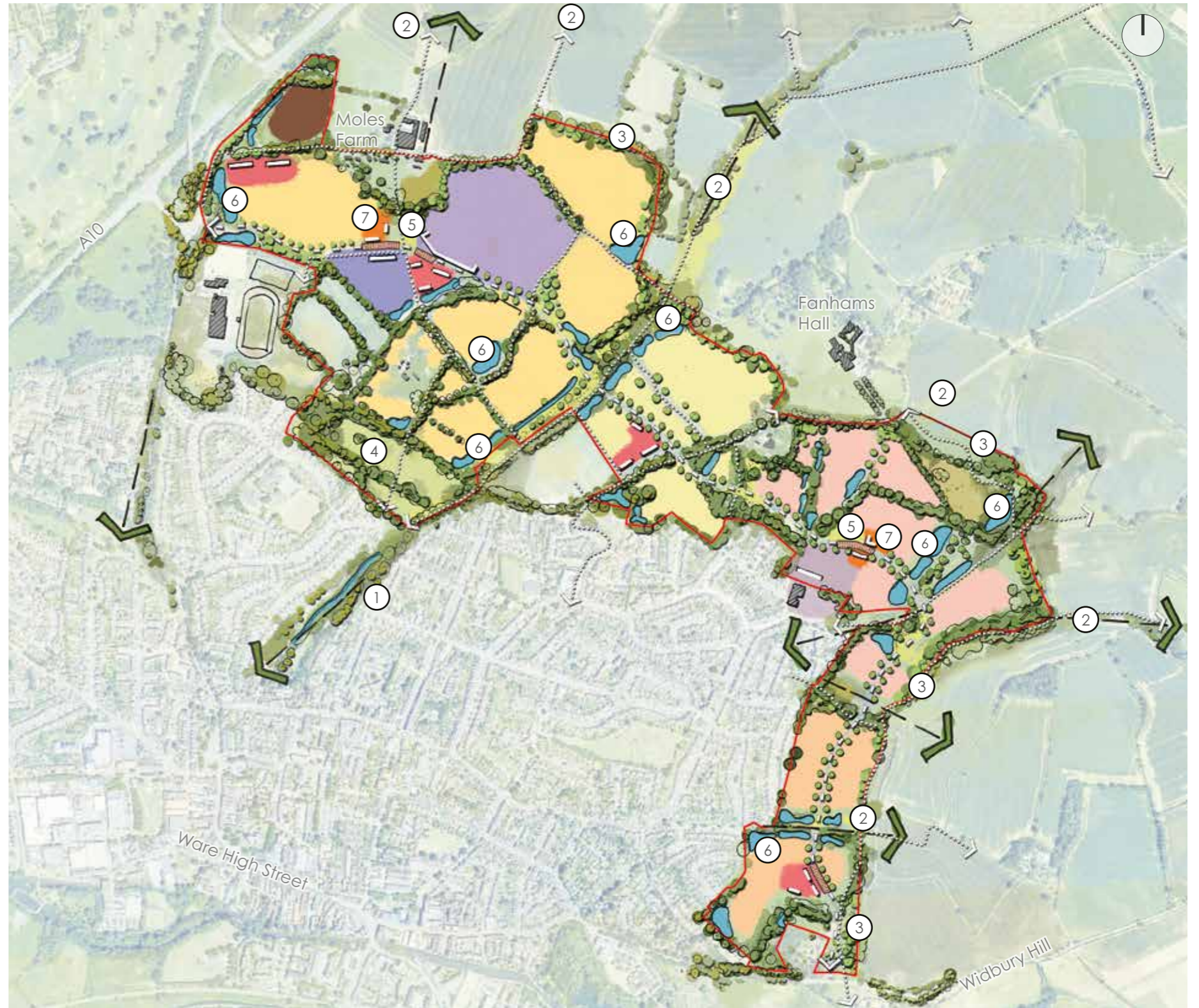
### Option 1

This Illustrative Layout comprises four neighbourhoods with community hubs. These include small flexible employment spaces, a mix of shops, health and a community centre.

A new primary school is proposed adjacent to the main hub to the north-west of the development, in addition to the Priors Wood primary school being extended. A new secondary school is located to the north of the site within walking distance of Wodson Park Sports and Leisure Centre to allow shared use of sports facilities. (There are three options for the location of the new secondary school. This plan shows option one.)

A Travelling Showpeople site is proposed close to the A10. Public footpaths are retained and enhanced, providing strong links into the town and the countryside. The Cowfields greenspace is retained, celebrating the community gathering space for the town. A new Green Belt edge is defined for Ware.

- |  |   |
|--|---|
|  Mixed use (including residential)    |  Connections to The Bourne   |
|  Employment                           |  Connections to the Green Belt                                     |
|  New primary school                   |  New Green Belt edge   |
|  New secondary school                 |  Retained Cowfields  |
|  Priors Wood Primary School expansion |  Neighbourhood green   |
|  Travelling Showpeople                |  Ponds and attenuation features                                    |
|  Moles Farm neighbourhood             |  Neighbourhood hub   |
|  Fanhams neighbourhood                |  Indicative Corridor for Link Road including footpath and cycleway |
|  Priors Wood neighbourhood            |  Footpaths / Cycleway  |
|  Widbury neighbourhood                |   |



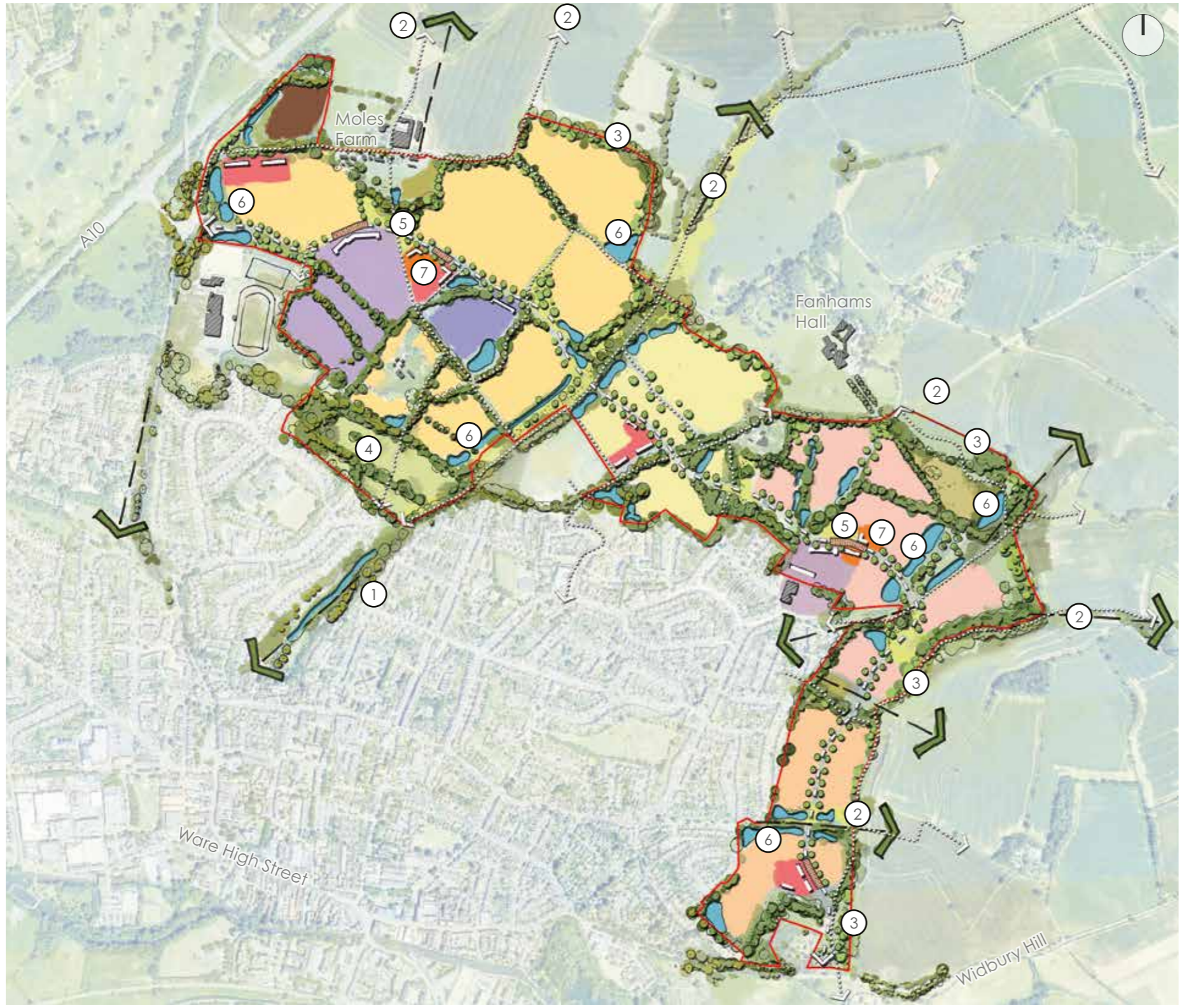
# 5. The Masterplanning Framework

## Illustrative Layout Options

### Option 2

There are three options for the location of the new secondary school. This plan shows option two.

The main difference to the first option is that a new secondary school is located adjacent to Wodson Park Sports and Leisure Centre. This option maximises the relationship between the two, and enhances community cohesion through shared facilities and premises.



- Mixed use (including residential)
- Employment
- New primary school
- New secondary school
- Priors Wood Primary School expansion
- Travelling Showpeople
- Moles Farm neighbourhood
- Fanhams neighbourhood
- Priors Wood neighbourhood
- Widbury neighbourhood
- 1 Connections to The Bourne
- 2 Connections to the Green Belt
- 3 New Green Belt edge
- 4 Retained Cowfields
- 5 Neighbourhood green
- 6 Ponds and attenuation features
- 7 Neighbourhood hub
- Indicative Corridor for Link Road including footpath and cycleway
- Footpaths / Cycleway




















# 5. The Masterplanning Framework

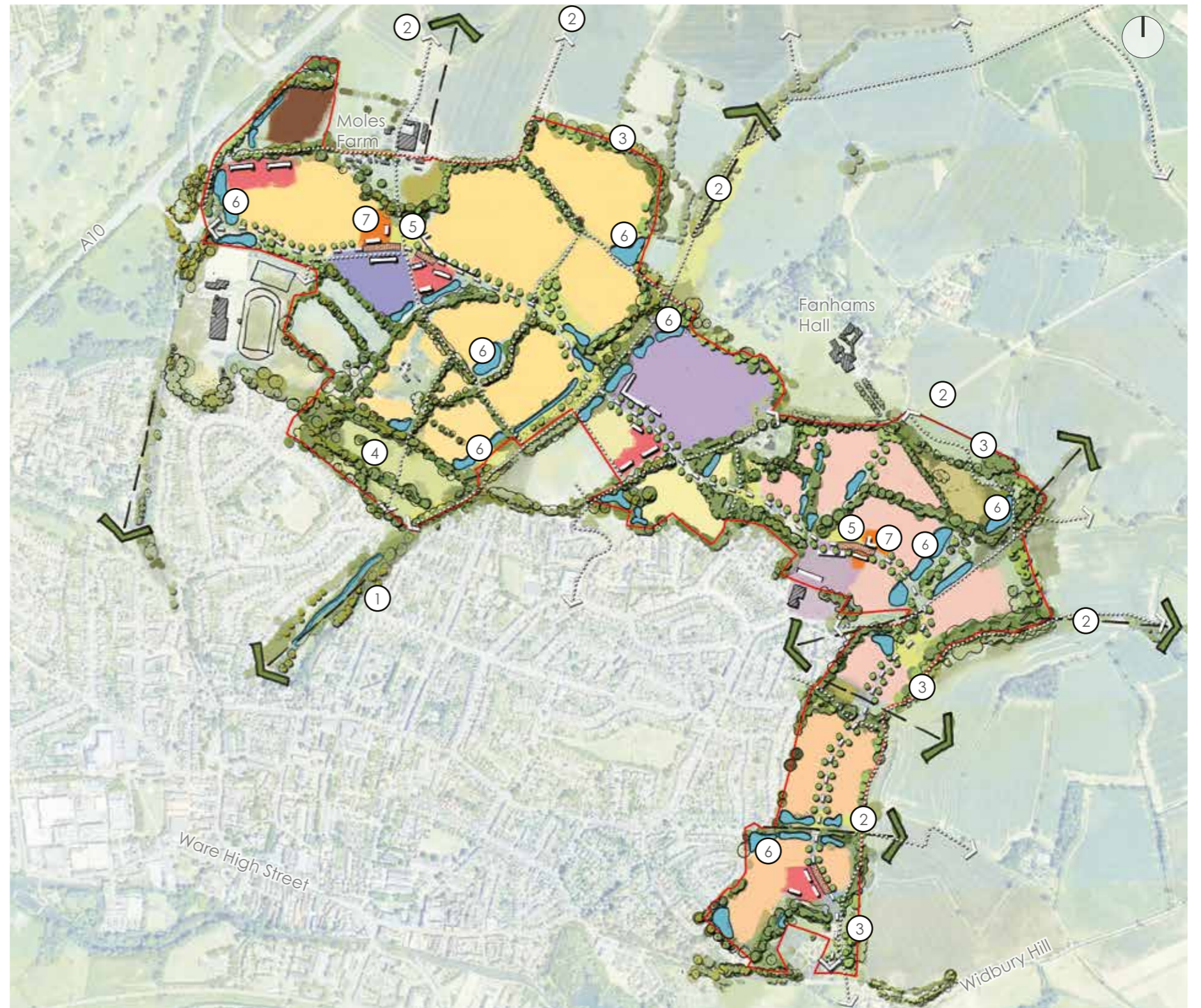
## Illustrative Layout Options

### Option 3

There are three options for the location of the new secondary school. This plan shows option three.

The only difference to the first option is that a new secondary school is located centrally within the Illustrative Layout. It serves to minimise walking distances for all residents and remains within walking distance of Wodson Park Sports and Leisure Centre to allow shared use of sports facilities.

- |   |                                      |   |   |
|---|--------------------------------------|---|---|
|  | Mixed use (including residential)    |  | Connections to The Bourne   |
|  | Employment                           |  | Connections to the Green Belt                                     |
|  | New primary school                   |  | New Green Belt edge   |
|  | New secondary school                 |  | Retained Cowfields  |
|  | Priors Wood Primary School expansion |  | Neighbourhood green   |
|  | Travelling Showpeople                |  | Ponds and attenuation features                                    |
|  | Moles Farm neighbourhood             |  | Neighbourhood hub   |
|  | Fanhams neighbourhood                |  | Indicative Corridor for Link Road including footpath and cycleway |
|  | Priors Wood neighbourhood            |  | Footpaths / Cycleway  |
|  | Widbury neighbourhood                |   |   |







## 6. Framework Objectives

This section of the document illustrates how the Framework Objectives (set out on page 5) have been met in the development of the masterplan options.

Framework Objectives:

### Landscape Links

- A landscape led approach
- Defining the Green Belt edge

### Connected to Town and Countryside

- Celebrate the local community spaces
- Connecting to the context

### Placemaking

- A planned extension for Ware
- A vibrant & distinctive place



-  Primary green route
-  Secondary green route
-  Community green
-  Potential Green Belt buffer
-  Cowfields
-  Wodson Park

Landscape Framework

## 6. Framework Objectives

# Landscape Links



Artists Impression of The Bourne Green Link

### A Landscape Led Approach

The new neighbourhoods are set within a rich landscape network made up of a sequence of green spaces connected by green corridors.

Green corridors link north-south and east-west creating an interconnected living landscape of woodlands, trees, hedgerows and waterways where people can live close to nature. Three green corridors will incorporate a variety of sustainable drainage systems to mitigate the potential risk of flooding and through innovative design will seek to promote water efficiency as part of a comprehensive landscape strategy to enhance the sustainability of the site.

### Defining the Green Belt Edge

The new community is wrapped by a new Green Belt edge. This comprises a variety of different treatments responding to the surroundings.

Structure planting is proposed on the northern boundary, respecting the nearby listed buildings. Landscaping and planting, both within the site and peripheral, responds to the existing landscape and complements the development, as appropriate, providing a defined and recognisable boundary to the Green Belt.

“ Reconnect and enhance the natural landscape. ”



# Connected to Town & Countryside

## Celebrate the Local Community Spaces

### Cowfields

Cowfields is retained as a natural community greenspace located where the new community meets the town of Ware. Highly valued by the local community Cowfields will be a space where new and old residents can enjoy the outdoors for gatherings, leisure and recreation.

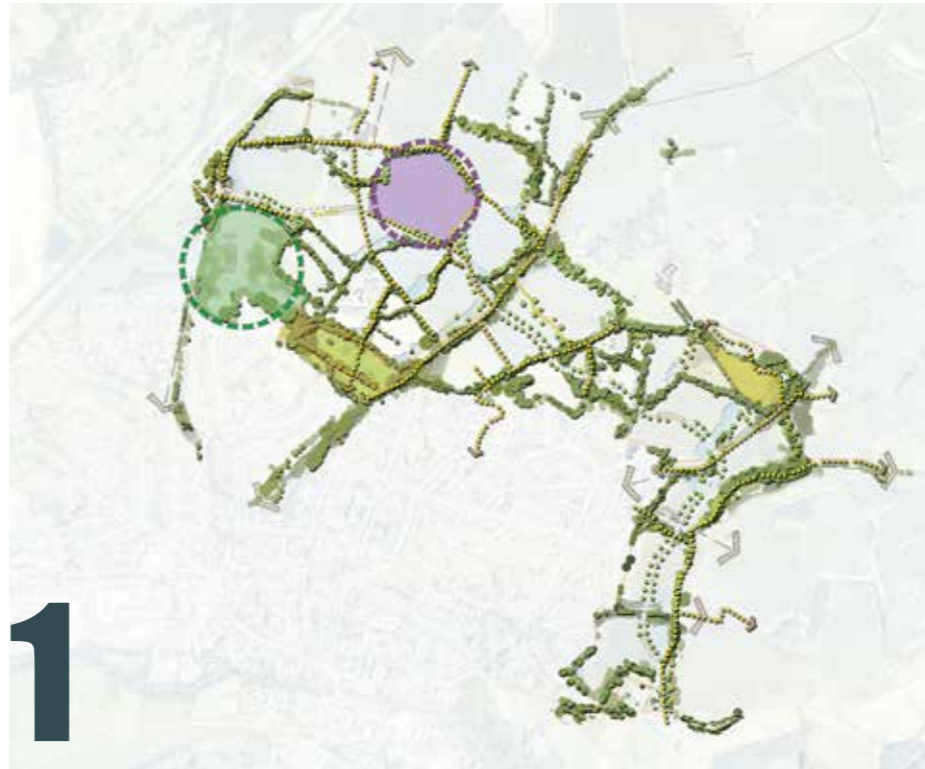
Situated on The Bourne corridor, Cowfields is one of a sequence of green spaces which lead from the town centre of Ware through the new community to the countryside.

### Wodson Park Sports and Leisure Centre

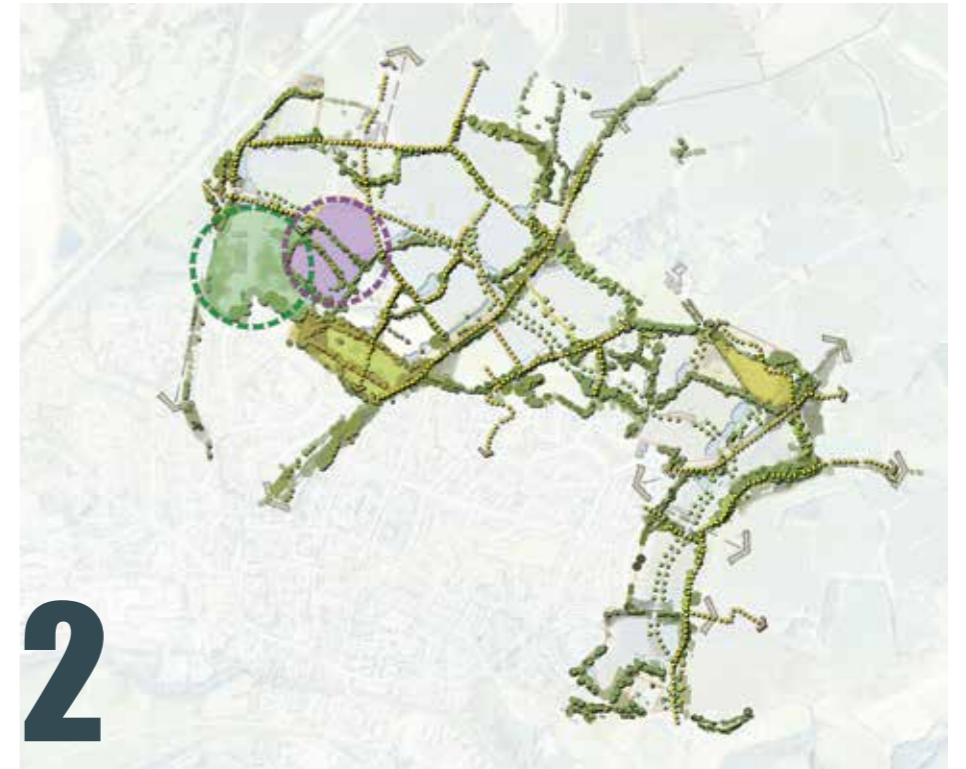
Wodson Park Sports and Leisure Centre is a strong community asset located adjacent to the site. It includes indoor sports halls and fitness facilities and outdoor sports facilities including an athletics track, netball and tennis courts and 3G artificial turf football pitches.

The Masterplanning Framework provides footpath and cycle links to Wodson Park from the new neighbourhoods encouraging sustainable transport modes and healthy lifestyles.

All three illustrative layout options provide an opportunity for shared use of sports facilities between Wodson Park and the proposed secondary school. Access to additional sports provision for both existing and new residents will integrate the new development within Ware and encourage community cohesion.








1



2

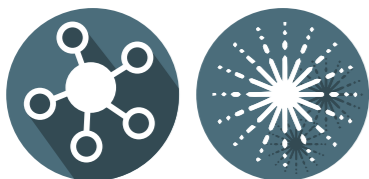


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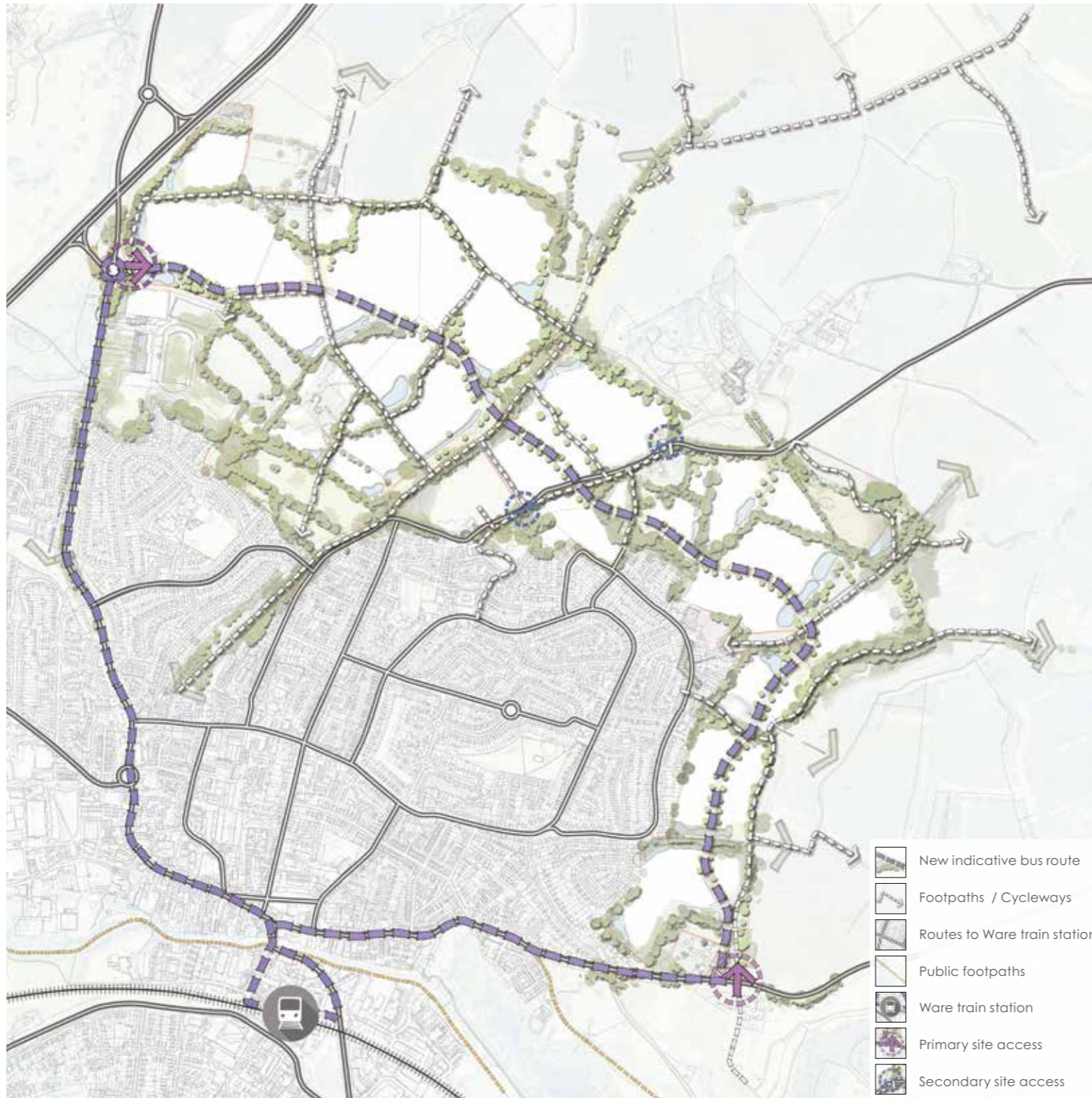
-  New secondary school
-  Wodson Park
-  Cowfields
-  Open space
-  Footpaths / Cycleways

“ Retain Cowfields for community gathering and celebration. ”

“ Provide links to Wodson Park as a focal destination. ”



# Connected to Town & Countryside



Movement Framework

## Connecting to the Context

### Movement Strategy

A link road is proposed between Widbury Hill and the A10 to serve the new community and mitigate congestion elsewhere in the town. The alignment is indicative only at this stage of the design process. The exact route will be designed in detail as part of future planning applications, in accordance with the Hertfordshire Design Guide and Manual for Streets.

Design principles for the link road include designing for low vehicular speeds, providing bus priority and creating a high quality pedestrian and cycle environment, increasing opportunities for sustainable travel.

The link road will be designed to accommodate a bus route with all homes within walking distance of a bus stop. Bus stops will include real time bus information with buses timed to rail station departures encouraging modal shift and providing improved infrastructure and connections to Ware Railway Station and the town centre via a circular route running in both directions.

Comprehensive travel plans will be prepared as part of future planning applications, including travel plans for the new schools, residential dwellings and workplaces.

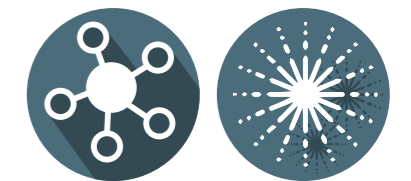
### Walking & Cycling

The extensive network of existing public rights of way and bridleways are retained and the network is extended with new footpaths and cycleways through the site. New routes follow desire lines to neighbourhood centres, connect back to Ware and the Lee Valley Regional Park, encouraging sustainable movement.

The Masterplanning Framework will promote a permeable network of streets which consider the healthy streets indicators to facilitate behavioural change. Walking and cycling will be promoted through guided rides and walks, route signage and bicycle parking.

An electric bicycle scheme and electric vehicle charging points will be investigated further as part of the sustainable transport plans for the development.

“ A well-connected network of streets, footpaths & cycleways to encourage sustainable & active transport. ”



# 6. Framework Objectives

## Placemaking

### A planned Extension for Ware

Four new neighbourhoods are proposed each with a distinct character, providing a sense of ownership and belonging for the new residents. The new development will deliver a range and mix of dwellings including affordable housing to be planning policy compliant.

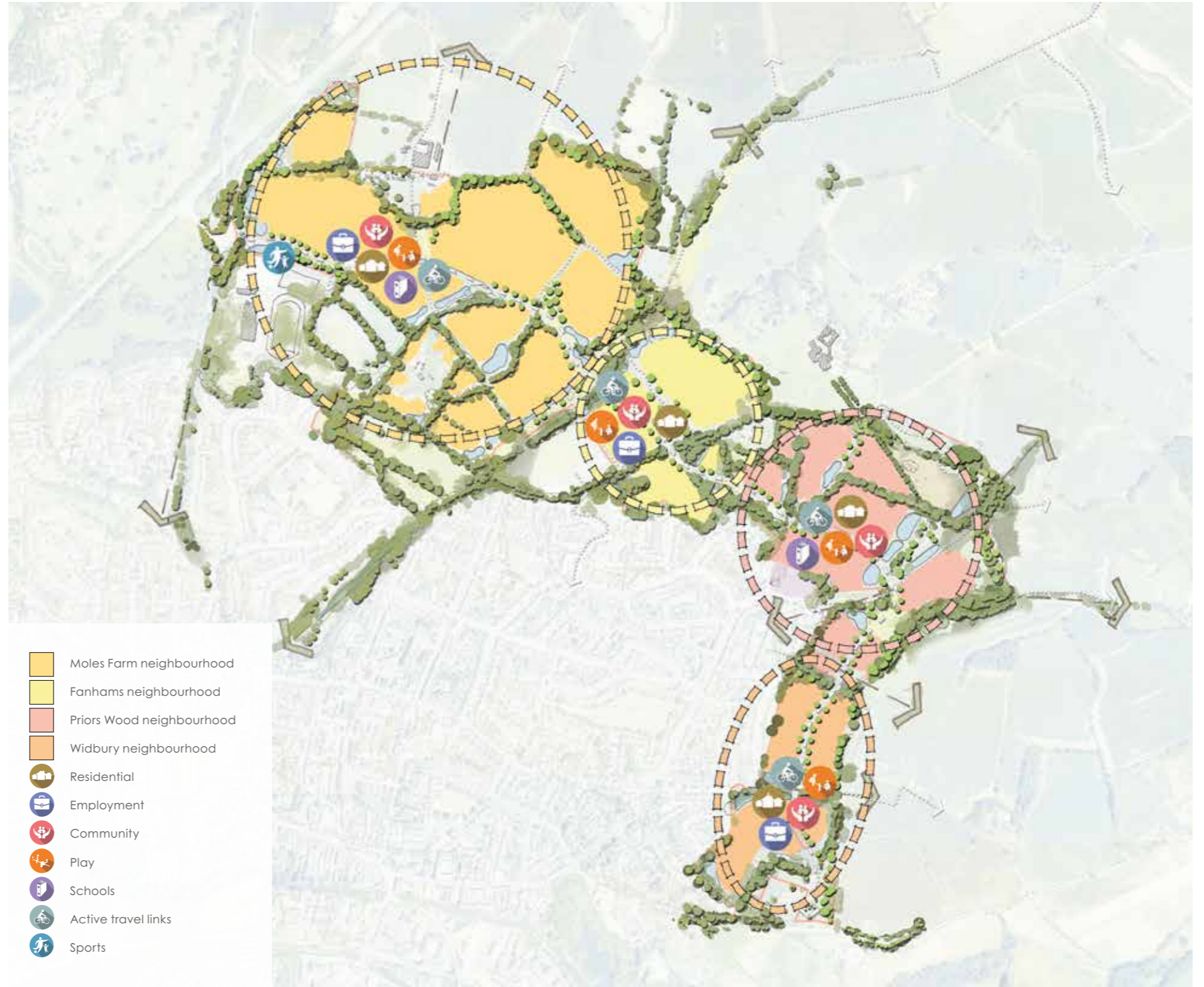
### Moles Farm Neighbourhood

Moles Farm neighbourhood is the gateway from the north via the A10. The community hub at the heart of the neighbourhood includes a mix of uses; education, employment, local shops and a doctor's surgery. The neighbourhood centre is arranged around a village green with children's and young people's play areas, existing footpaths connect back into the town centre passing through Cowfields on the way or northwards to the countryside.

### Fanhams Neighbourhood

Fanhams neighbourhood lies centrally within the new community, located either side of Fanhams Hall Road. Fanhams community hub is formed around a small scale employment area, referencing the character of the nearby Great Cozens farmstead buildings with regard to building form and character.

“ New neighbourhoods with community hubs at their heart. ”



Neighbourhood Framework

## 6. Framework Objectives

# Placemaking



### Priors Wood Neighbourhood

Priors Wood neighbourhood is formed around the extension to the existing Priors Wood Primary School on the northern edge of Ware.

The Priors Wood community hub fronts onto a green link between Ware and Fanhams Hall, including education and a community centre with indoor and outdoor sports provision.

### Widbury Hill Neighbourhood

Widbury Hill neighbourhood forms the gateway to the new community from the south-east. A small scale employment area lies at the entrance to the neighbourhood, a cluster of barn buildings will reflect the character of the Widbury Barns to the south of the site.

A green corridor through the centre of the neighbourhood, with play areas, attenuation ponds and an existing public right of way provides a landscaped link from Cozens Road on the edge of Ware to the open countryside.

### Character Areas

Each neighbourhood will comprise character areas which will be defined by the masterplanning context:

- the relationship with green corridors, woodland and the open space network,
- the density of the development including the mix and variation in house types,
- the activity and mix of uses including proximity to the neighbourhood centres.

Existing landscape character and features will help to shape the distinct character and function, and unique nature of each neighbourhood. These features will in turn define the distinct characters and the choice of materials.

Each character area will reflect the local character of Ware and its surroundings, referencing building style, architectural features and local materials reinforcing local distinctiveness, creating a 'sense of place' and identity for new residents. Further detail on the design of character areas will be provided in future planning applications.

*“ A thriving place where people are proud to live. ”*



## 7. Summary

Our vision is to deliver a comprehensively planned extension for the town of Ware meeting the needs of a growing community. The scheme seeks to promote sustainable practices throughout the design, construction and occupation of the site. The Land North and East of Ware provides:

- A new place sensitively shaped by the rich landscape fabric of the site, integrating woodland, trees and hedgerows into a green network connecting Ware and the countryside;
- A community comprising four distinct neighbourhoods, each with focal points at their heart. Hubs with a mix of shops, flexible employment spaces, schools, health and community centres establishing vibrant and thriving neighbourhoods;
- A connected place, knitted into the town through a network of green corridors providing safe walking and cycling routes. An interconnected sequence of green gathering spaces for relaxation and recreation, with Cowfields retained as a central focal natural greenspace in Ware.

*Please note that the various proposed drawings and diagrams included in this document are at design concept stage and therefore do not provide precise representation of existing or proposed features at the land North and East of Ware.*

### Scheme Benefits

The proposals will deliver a number of economic, social and community benefits for the new residents and community of Ware.

#### Landscape Links

1. The eventual delivery of around 1500 new high quality dwellings within a landscaped setting and with a strong sense of identity
2. The reinforcement and enhancement of the existing natural environment
3. A landscape led approach through the provision of a high quality landscape framework.
4. An integrated network of public open spaces.
5. A comprehensive SuDs strategy
6. Children's play areas within the landscaped setting

### Stewardship and Governance

The delivery of the Land North and East of Ware includes a mechanism for:

- securing the long term stewardship, protection and maintenance of the parkland, open spaces, play areas and community assets;
- managing the construction process to address potential impacts on existing and future communities;
- encouraging a successful and active community, including an innovative approach to create the conditions for local resident participation in the design and stewardship of their new communities.

#### Connected To Town & Countryside

1. Well defined streets travelling through neighbourhoods, squares and greenspaces
2. An improved network of cycle and footpath links in and around the site
3. New bus service connecting the development to the town centre and train station which will run in both directions
4. Alternative modes of sustainable transport to be explored, which may include; car clubs, charging points and electric bikes
5. The retention of Cowfields as a natural community greenspace
6. Linkages to Wodson Park and shared use of sports facilities with proposed secondary school

#### Placemaking

1. The inclusion of different character areas throughout the site that reflect the features of the surrounding area
2. A new secondary school, a new primary school and land for the expansion of Priors Wood primary school
3. Neighbourhood centres including a vibrant mix of uses creating distinctive hubs
4. The delivery of affordable housing to be policy compliant and meet local needs
5. Buildings that frame and overlook the main streets and open spaces providing active frontages
6. Sustainable design and construction methods developed from the Building Futures Sustainable Design Toolkit
7. Opportunities for accommodating renewable energy will be explored
8. Smart Homes with fibre to the premises (FTTP) to be provided throughout the site
9. As per the requirement of Policy, the provision of a burial site on or close to the site will be explored.





ISSUED ON 17 SEPTEMBER 2019



AAe

EAST HERTS COUNCIL

EXECUTIVE – 8 OCTOBER 2019

REPORT BY LEADER OF THE COUNCIL AND THE EXECUTIVE MEMBER  
FOR PLANNING AND GROWTH

STATEMENT OF COMMUNITY INVOLVEMENT (SCI): DOCUMENT FOR  
ADOPTION

WARD(S) AFFECTED: ALL

---

## **Purpose/Summary of Report**

- To outline the results of the public consultation on the draft revised Statement of Community Involvement (SCI) and seek Members' agreement to adopt a revised document.

<b><u>RECOMMENDATIONS FOR EXECUTIVE:</u> To recommend to Council that:</b>	
<b>(A)</b>	<b>The responses of the consultation be noted and the officer responses and proposed changes to the draft revised Statement of Community Involvement be supported; and</b>
<b>(B)</b>	<b>The East Herts Statement of Community Involvement 2019, as detailed at Essential Reference Paper 'B' to this report, be approved for adoption.</b>

### 1.0 Background

- 1.1 A Statement of Community Involvement (SCI) explains how a local authority intends to involve the community in the preparation, alteration or review of local planning policies or in

determining planning applications. The planning system can be complex and the SCI aims to address uncertainty by setting out how the Council will engage with people at various stages of the planning process.

- 1.2 The preparation of an SCI is a legal requirement of the Planning and Compulsory Purchase Act 2004 (section 18) as amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017. The legislation requires that the SCI is reviewed every five years.
- 1.3 Whilst consultation on an SCI is not mandatory, members will recall that public consultation on a draft SCI for a period of six weeks was agreed at Executive on 4<sup>th</sup> June 2019. The consultation subsequently took place between 20 June and 5pm on 1 August 2019.

## 2.0 Report

- 2.1 The SCI has been prepared to ensure that it addresses both the current national legislative position and internal procedural changes to Council operations that may affect how consultations relating to planning matters are undertaken.
- 2.2 Once adopted, the preparation of all planning related documents that the Council produces must comply with the adopted SCI. Failure to comply could mean that an inspector may recommend that a draft document is withdrawn or that the Council would be open to challenge on decisions taken.
- 2.3 A total of 17 responses were received from 10 respondents in relation to the consultation. One of the responses stated that the respondent had no comments on the draft SCI and six expressed support for the document. There were five objections (from one respondent) and 5 comments.
- 2.4 The matters raised in these submissions are included in the consultation statement, which is attached at **Essential**

**Reference Paper 'D'**. This includes summaries of the main issues raised; the officer response to those issues; and proposed amendments to the SCI, where appropriate.

- 2.5 The comments generally relate to planning application procedure or planning policy consultation processes. A number of the responses make detailed comments about who should be engaged and/or about a particular consultation process. Many of these comments are beyond the scope of the SCI and/ or are too prescriptive.
- 2.6 Whilst the Council is committed to community engagement and will meet the statutory requirements as a minimum, the SCI is not prescriptive. The approach to consultation will vary depending upon local circumstances and the approach to future consultation needs to be flexible. Therefore, although these matters have been included in the schedule of responses they have not resulted in any recommended changes to the document.
- 2.7 However, several representations suggested amendments that would add value to the SCI either in terms of factual content or for clarification of the proposed text. For these cases, proposed amendments to the document have been suggested in the schedule.
- 2.8 It should be noted, there is no longer a requirement for SCIs to be independently examined. Members are therefore invited to agree the officer responses to the issues raised as part of the public consultation; the proposed changes to the draft SCI; and the adoption of the final document. A copy of the final SCI is attached at **Essential Reference Paper 'B'**.
- 3.0 Implications/Consultations
- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

## Essential Reference Papers

- A- Corporate Issues and consultation information
- B- Statement of Community Involvement 2019
- C- Equalities Impact Assessment
- D- Consultation Statement

## Background Papers

- The Town and Country Planning (Local Planning) (England) Regulations 2012  
<http://www.legislation.gov.uk/uksi/2012/767/contents/made>
- The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017  
<http://www.legislation.gov.uk/uksi/2017/1244/made>
- Equality Act 2010  
<http://www.legislation.gov.uk/ukpga/2010/15/contents>
- Neighbourhood Planning (General) Regulations 2012  
<http://www.legislation.gov.uk/uksi/2012/637/contents/made>
- Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2017  
<http://www.legislation.gov.uk/uksi/2017/1243/made>
- National Planning Policy Framework 2019  
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- Planning and Compulsory Purchase Act 2004  
<http://www.legislation.gov.uk/ukpga/2004/5/contents>
- Neighbourhood Planning Act (2017)  
<http://www.legislation.gov.uk/ukpga/2017/20/contents/enacted>
- Town and Country Planning (General Permitted Development) Order 2015  
<http://www.legislation.gov.uk/uksi/2015/596/contents/made>
- Town and Country Planning (Development Management Procedure) (England) Order 2015  
<http://www.legislation.gov.uk/uksi/2015/595/contents/made>
- The Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)

<http://www.legislation.gov.uk/ukpga/1990/9/contents>

- National Planning Policy Framework 2019  
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- East Herts District Plan 2018  
<https://www.eastherts.gov.uk/districtplan>

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**IMPLICATIONS/CONSULTATIONS**

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i>	Priority 1 – Improve the health and wellbeing of our communities  Priority 2 – Enhance the quality of people's lives  Priority 3 – Enable a flourishing local economy
Consultation:	A 6 week consultation on the draft SPD took place between 20 June 2019 and 1 August 2019.
Legal:	It is a legal requirement for the Council to produce an SCI and to carry out consultation on planning policies and planning applications in line with the SCI. The draft SCI reflects current planning legislation.  There is also a legal requirement to revise the SCI every five years. Given that the District Plan was adopted in October 2018 and the current SCI was adopted in 2013, the SCI needs updating.
Financial:	There are no financial implications arising for this report.
Human Resource:	There are no human resource implications arising from this report.
Risk Management:	The SCI allows for more resource-intensive methods of consultation to be used when appropriate and if budgets allow, but the document does not commit the Council into carrying out any additional consultation beyond the requirements of planning regulations.
Health and wellbeing – issues and impacts:	The link between planning and health has long been established. The built and natural environments are major determinants of health and wellbeing. By setting out simply how and when people can get involved in the planning process, it is hoped this will encourage people to engage with proposals for

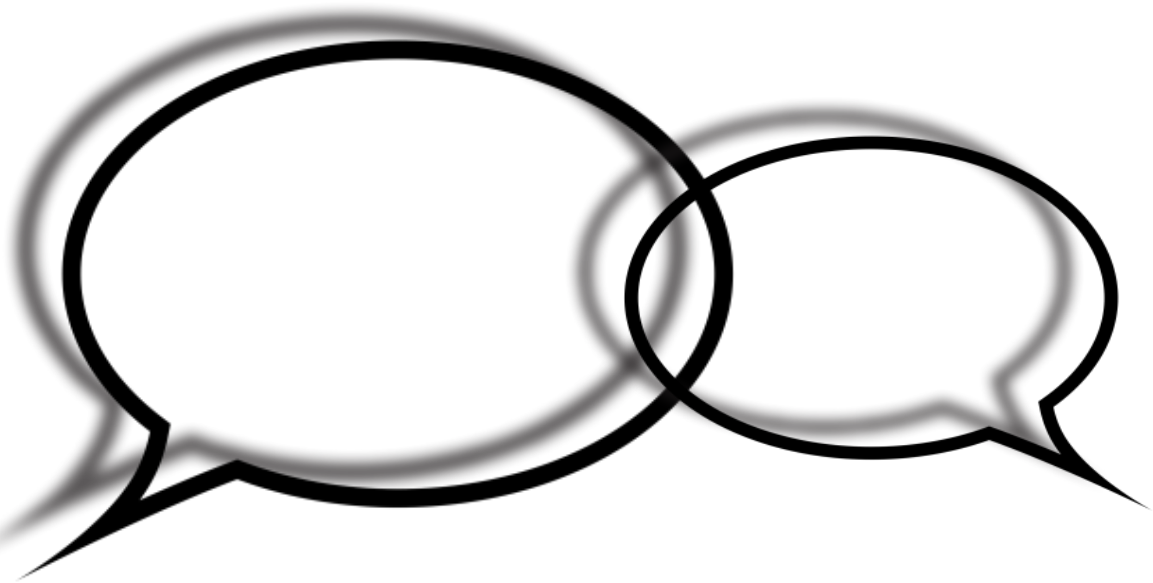


	development within the local area. Community involvement and an inclusive approach to consultation can help enhance community well-being.
Equality Impact Assessment required:	Yes- see ERP C
Environmental sustainability	There are no environmental sustainability implications arising from this report.



# Statement of Community Involvement

October 2019



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## 1 Introduction

### What is the Statement of Community Involvement?

- 1.1** This Statement of Community Involvement (SCI) explains how East Herts District Council will involve the community in plan-making and in the consideration of planning applications. The planning system can be complex and the SCI aims to address uncertainty by setting out how the Council will engage with people at the various stages of the planning process.

#### The SCI sets out:

**WHEN** the community will be consulted on planning policy documents

**HOW** the Council will involve the community in the planning process, take into account views and provide feedback to those who engage

**WHAT** the Council involve the community on

**WHO** will be involved

### Why prepare an SCI?

- 1.2** Planning shapes the places where people live and work. Community engagement is fundamental to ensuring that stakeholders and the local community are involved with the planning system and have the opportunity to influence a wide range of planning decisions. The NPPF (2019) requires that local planning authorities engage early, proportionately and effectively.
- 1.3** The Council wants to involve all sectors of the community in the planning process and is committed to always either meeting or exceeding the minimum legal requirements for consultation set out in the Planning Regulations<sup>(1)</sup> This approach is in accordance with East Herts District Council's Corporate Plan (2016-2020),<sup>(2)</sup> which has a priority to improve the wellbeing of communities by ensuring communities are engaged in local issues. As the Local Planning Authority (LPA), the Council has a legal duty to prepare an SCI in accordance with the requirements of the Planning and Compulsory Purchase Act 2004 (section 18).<sup>(3)</sup>

1 Currently the Town and Country Planning (Local Planning) (England) Regulations 2012; the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017; The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended); Neighbourhood Planning (General) Regulations 2012; Neighbourhood Planning (General) (Amendment) Regulations 2015; The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2017; The Town and Country Planning (General Permitted Development) (England) Order 1995.

2 <https://www.eastherts.gov.uk/article/34767/Vision-Corporate-Priorities>

3 As amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017.



## Why revise the current SCI?

- 1.4** The Council's first SCI was published in 2008 and revised in 2013. Since then there have been changes to legislation and the District Plan has been adopted. There is now a statutory requirement to review the SCI every five years and also to include policies for giving advice or assistance on making and modifying neighbourhood development plans. Also, the Council's use of social media has increased over recent years and it is important that the SCI is updated to reflect this.

## Contacting us

### Planning policy

- 1.5** If you have any questions on the SCI or any other policy issues, please contact the planning policy team on 01279 655261 or via email to [planningpolicy@eastherts.gov.uk](mailto:planningpolicy@eastherts.gov.uk). You can also contact us by post at East Herts District Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ.

### Development Management Service

- 1.6** If you have any questions about the planning application process, please contact the development management team on 01279 655261 or via email to [planning@eastherts.gov.uk](mailto:planning@eastherts.gov.uk). You can also contact us by post at East Herts District Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ.



## 2 Guiding Principles

### What are the guiding principles?

- 2.1** There are a number of principles that underpin the Council's approach to planning consultation, which reflect the aim to inform, consult and involve the community.
- 2.2** We will seek to ensure that:
- Consultation publications are clear and concise, making it obvious what is being proposed; how and when people can get involved; and with planning jargon used only where absolutely necessary;
  - It is easy for groups and individuals with little or no knowledge of the planning process to get involved;
  - Effective consultation is used as early as possible in the process;
  - Appropriate consultation methods are used in order to maximise opportunity for community involvement, including those who are hard to reach or seldom heard, while making sure that these processes are proportionate, i.e. cost and time effective;
  - We promote electronic methods of consultation, including email, website and social media, to make involvement easier, quicker and more cost effective;
  - We inform people how their consultation responses will be taken into account; how they can view the Council's response to issues they have raised; and also of opportunities to become further involved at any later stages;
  - Planning decisions are carried out in a transparent way;
  - Involvement will be open to all regardless of background and personal circumstance;
  - We involve representatives of a cross-section of stakeholders, ensuring that different needs and a view of different sections or groups of the community are considered;



- Written information (such as publications and leaflets) will be made available on request in accessible formats such as large print, Braille, audio, electronic format or translated into another language;
- All responses to consultations will be handled in accordance with the Council's Data Protection Policy and Guidelines, which are designed to ensure that the activities of the Council comply with the General Data Protection Regulation (2018) which came in to force on 25th May 2018.

**2.3** It is recognised that some parts of the community are less likely to get involved in some activities and may, as a result, be underrepresented in the consultation process. In East Herts our 'hard to reach' or 'seldom heard' groups may include young people, students, the elderly, ethnic minorities, Gypsies and Travellers, homeless people, single parent families, and people with disabilities. They may also include whole sections of the community living in the rural areas or more deprived areas of the district. We must also consider those who have difficulties accessing information and those with limited time to become further involved.

**2.4** Therefore, the way in which we consult is important to ensure that we try to encourage hard-to-reach groups to become fully involved in consultations from an early stage. These guiding principles set out the inclusive engagement methods that the Council will use (making use of current guidance and good practice) to encourage participation by people of all backgrounds. Examples of specific engagement we have used before include presentations at local schools to engage younger people and the use of summaries to make information more accessible.

**2.5** It is important to note that the Council reserves the right not to consider or include in its documentation any inappropriate comments submitted as a result of its consultations. These may include, but not be limited to:

- Discriminatory comments;
- Offensive or inflammatory remarks;
- Personal information - this will be redacted where needed.

**2.6** The SCI aims to ensure that all consultation is carried out in a professional, cost effective and coordinated way. The central role of elected council members as representatives of their community is unaffected by the SCI; councillors are important as representatives of the Council and the local community. Their knowledge of, and role within, the community can be used to great advantage and should be regarded as central to the determination and implementation of both consultations and policy decisions.





## 3 Planning Policy Documents

### Introduction

3.1 This section outlines when, how and who the Council will consult when plan making. The planning policy framework for East Herts is set out in two types of document:

- **Development Plan Documents (DPDs)** - The Local Plan, together with the Minerals and Waste Local Plans for Hertfordshire and any adopted Neighbourhood Plans form the Development Plan for East Herts. These documents (as set out in Figure 1) are the basis upon which planning applications will be decided, unless there are material planning considerations that indicate otherwise. They are subject to various stages of community involvement and examination by an independent Inspector.
- **Supplementary Planning Documents (SPDs)** – These provide guidance to supplement the policies and proposals in the District Plan. They are not part of the development plan, but are a material consideration in planning decisions. SPDs cover a range of issues including topic based advice and site development briefs. They are subject to consultation but not to examination.



**Figure 1: Overview of planning policy documents**



**3.2** Both development plan documents and SPDs must accord with national planning policy, be supported by technical evidence and informed by the views of residents, businesses and stakeholders, as appropriate.

**3.3** East Herts Council is responsible for producing the Local Plan, which sets out how the District will develop over the next 15 years. The most recent Local Plan, the East Herts District Plan was adopted in October 2018. It contains strategic policies and site allocations alongside detailed policies for determining planning applications. Minerals and Waste Local Plans are



produced by Hertfordshire County Council so East Herts Council is a statutory consultee but not directly involved in their production. The County Council has produced its own SCI for matters which it is responsible for.

**3.4** Neighbourhood Plans are led by Parish and Town Councils or Neighbourhood Forums. However, East Herts Council has a legal responsibility to advise or assist in the preparation of Neighbourhood Plans. Consideration of this role and the consultation involved is set out in section 4 of this SCI.

**3.5** Alongside the Development Plan and SPDs the Council also produces a number of other supporting documents:

- Statement of Community Involvement
- Local Development Scheme - A timetable setting out when documents will be produced
- Authority Monitoring Report - An annual report setting out the Council's progress against targets and policies

## Who will we consult?

**3.6** The Council wants to know the opinions of the people who live, work and visit East Herts. We are required to consult a wide range of statutory organisations and stakeholders during the process of preparing our planning policies. However the Council is also committed to involving as many local people, groups and organisations as possible in the preparation of the Local Plan and SPDs.

## Specific and General bodies

**3.7** We are legally required to consult a range of specific and general consultees when preparing planning policy documents. These are groups with particular knowledge in certain areas or those that represent specific interest groups. The regulations allow councils to select 'such of' the Specific and General Consultation Bodies that may have an interest and/or the 'local planning authority consider appropriate' to the consultation document being prepared.

**3.8** These consultation bodies are defined in appendix A but include:

- Hertfordshire County Council
- Adjoining local authorities
- Parish or town councils within or adjoining East Herts
- Organisations that represent business interests in East Herts
- Organisations that represent the interests of specific parts of the community
- Infrastructure providers
- National agencies or bodies



## Other consultees

**3.9** Legally the Council must also notify and consult such residents or other persons carrying out business as they consider appropriate. This includes those that have asked to be consulted. The Council recognises that the views of the wider community are important and consults a range of groups and individuals as relevant to the scope and subject of the planning document. These may include the following:

- Residents' Associations
- Social, economic and environmental organisations
- Developers, agents and landowners

**3.10** The Council maintains a database of people and organisations and will consult them where relevant. Individuals, groups and organisations who want to be involved in future planning policy consultations can be added to the database. They can register on the Council's consultation portal <http://consult.eastherts.gov.uk/portal> or contact the Planning Policy Team. Consultees on the database will also be emailed copies of the District Planning Bulletin as new editions are published.

**3.11** The purpose of holding your personal information is to assist in preparing Development Plan Documents and other supporting documents such as SPDs.

## Duty to Cooperate

**3.12** In accordance with the Localism Act 2011, East Herts Council has a 'duty to cooperate' with neighbouring authorities and various public bodies on strategic matters that cross administrative boundaries. These bodies are engaged throughout the plan preparation process and play a key role in delivering local aspirations. Cooperation is vital to ensure planning policies are effective. Duty to Co-operate bodies are listed in appendix A and include:

- Hertfordshire County Council
- Adjoining District/Borough Councils
- The Environment Agency
- Historic England
- Civil Aviation Authority
- Homes England
- Clinical Commissioning Group
- National Health Service
- Office of Rail Regulation
- Highways England



- Hertfordshire Local Nature Partnership
- Hertfordshire Local Enterprise Partnership

## When will we consult?

**3.13** The Council will undertake consultation at various stages in the plan preparation process. The main opportunities for community involvement are set out in tables 1 and 2. These are in accordance with the Town and County Planning (Local Planning) England) Regulations 2012 as amended<sup>(4)</sup>. As a minimum, we will ensure we comply with the planning regulations but consult more widely where it is relevant and appropriate to do so.

**Table 1: Stages in the preparation of the Local Plan**

Stage	Consultation opportunities
Preparation and evidence gathering	Early consultation with relevant stakeholders may be used to inform research and evidence gathering.
<b>Regulation 18</b> - Public participation in preparation of the plan	Key opportunity to engage the community in the emerging Local Plan  Minimum 6 week consultation
<b>Regulation 19 &amp; 20</b> - Publication and consultation on Submission Local Plan	After taking into account representations (comments) and considering the previous draft, the Council will publish the 'submission' version of the Local Plan. This is essentially the final draft of the Local Plan.  Minimum 6 week consultation.  At this stage representations must relate to the soundness of the plan prior to submission to the government.
<b>Regulation 22</b> - Submission to the Government	The Local Plan will then be submitted to the government for examination.

<sup>4</sup> The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017

# Statement of Community Involvement 2019



Stage	Consultation opportunities
	A summary of all the consultation, the main issues raised and how these were taken into account will be submitted alongside the Plan.
<b>Regulations 23 to 25 - Examination</b>	An independent Inspector will be appointed to examine the Local Plan.  Relevant consultees and those who made a representation at the submission consultation stage (Reg 20) will be notified of the Examination.
<b>Regulation 26 - Adopt</b>	Following the Examination the Inspector will publish a report which assesses the 'soundness' of the planning document. If considered to be significant 'material changes' the Inspector can advise a further round of public consultation.  East Herts Council will incorporate the Inspector's recommendations and then formally adopt the Local Plan.

**3.14** Supplementary Planning Documents do not have to go through the formal examination process, but consultation with stakeholders and the wider community is still a vital part of the preparation process. The scope of consultation and decision on who will be consulted will reflect the nature of the SPD.

**Table 2: Stages in the preparation of the Supplementary Planning Documents**

Stage	Consultation opportunities
Preparation and evidence gathering	Depending on the content and scope of the SPD early consultation with relevant stakeholders may be used to inform research and evidence gathering.
<b>Regulations 12 &amp; 13 - Public participation in preparation of the plan</b>	Key opportunity to engage the community in the emerging SPD.  Minimum 4 weeks of consultation.



<p><b>Regulation 14 - Adoption</b></p>	<p>After taking into account representations, the Council will formally adopt the SPD.</p>
--	--

## How will we consult?

**3.15** The Council can use a variety of methods to engage and consult with the community as and where appropriate. The scope of the planning document and the availability of resources will influence how the Council consult. The list below is not definitive, but it includes the statutory requirements and sets out some of the effective and practical methods we will consider throughout the plan making process:

- Notify relevant consultees in writing (including email) when a document is published for consultation. Encourage the use of email where possible to reduce costs.
- Email updates from the Planning Policy database about consultation and other relevant planning matters. This could include the planning newsletter 'Planning Bulletin'.
- Ensure planning policy consultations are publicised and available to view on the council's website [www.eastherts.gov.uk](http://www.eastherts.gov.uk). People can comment on documents online using the consultation portal during consultation periods.
- Make sure paper copies of consultation documents are available on display at specific locations across the District.
- As appropriate, use different media types to inform residents, local groups and organisations about planning consultations as well as publicising the methods of responding to a consultation. Methods could include social media, local newspapers, Link magazine, the planning bulletin, posters, leaflets, exhibitions.
- Increase use of social media (such as Twitter, Facebook and Instagram), in accordance with corporate guidelines, as an important tool for publicising consultation and involving the wider community in planning discussions.
- Where appropriate, hold stakeholder meetings and workshops to inform evidence gathering and the plan development.
- Where appropriate, organise or support other consultation events, such as community based planning meetings. These events will be at accessible times and locations.
- Appropriate feedback from councillors will be sought by taking the documents to relevant committee meetings.

## How should people respond to consultations?

**3.16** Comments can be made as follows:



- using the Council's online consultation portal <http://consult.eastherts.gov.uk>
- by email [planningpolicy@eastherts.gov.uk](mailto:planningpolicy@eastherts.gov.uk)
- by post to East Herts District Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ

**3.17** It is easy to register and respond via the online consultation portal and all the consultation documents and sections can be easily viewed and downloaded in pdf format. You can then submit comments against the relevant part of the document. The portal is particularly useful for managing a high volume of consultation responses efficiently. The Council can provide help on how to use it if required.

### How will we respond to comments?

**3.18** The Council will take account of all comments received within the consultation period. Once comments are received we will:

- Send confirmation that comments have been received;
- Publish all comments received as soon as feasible;
- Comments received in hard copy format will be made available online in an appropriate format where practicable (either scanned or typed up), or if not practicable, the original documents will be available for viewing at the Council offices upon request;
- Petitions will be addressed in accordance with council policy. Details about the process are set out on the website: [www.eastherts.gov.uk/petitions](http://www.eastherts.gov.uk/petitions);
- Standard responses will be considered collectively;
- We will respond to comments or a summary of the main issues raised by the comments, explaining how these have been considered. This process will be reported to either the District Planning Executive Panel or Executive and subsequently recommendations will be agreed by Full Council.



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- At the required stages we will produce a consultation statement setting out who was consulted, the main issues raised and how those issues have been addressed.
- We will inform all those people who have requested to be notified of the adoption of future development plan documents and SPD's, when they have been adopted, including details of where and when they can be inspected.

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## 4 Neighbourhood Planning

### Introduction

**4.1** Neighbourhood planning in East Herts is led by parish and town councils or designated Neighbourhood Forums. However, East Herts District Council has a legal responsibility to advise or assist in the preparation of Neighbourhood Plans. The main aspects of Neighbourhood Planning are:

- Neighbourhood Development Plans - a local framework for guiding the future development, regeneration and conservation of an area;
- Neighbourhood Development Orders - a way for Town and Parish Councils or designated Neighbourhood Forums to grant planning permission for certain kinds of development within a specified area;
- Community Right to Build Orders - a special kind of Neighbourhood Development Order, which grant planning permission for certain development schemes.

**4.2** A Neighbourhood Development Plan has to follow a similar process to that carried out by the Council for a Local Plan, including public consultation and an examination process. However, there is an additional step of a local referendum whereby if more than half the vote is in favour, the plan must then be adopted by the Council. Once brought into legal force, a Neighbourhood Plan will form part of the statutory Development Plan and decisions on whether or not to grant planning permission in the Neighbourhood Area will need to be made in accordance with it, unless material considerations indicate otherwise.

**4.3** There are currently five adopted Neighbourhood Plans in East Herts and one non-adopted Plan that has reached statutory stage. Details about the production of all Neighbourhood Plans is set out on the Council's Neighbourhood Planning webpage, which is updated regularly: <https://www.eastherts.gov.uk/neighbourhoodplanning>

### When and how are we involved in plan consultation?

**4.4** The process for preparing Neighbourhood Plans and Orders is set out in the Regulations.<sup>(5)</sup> We have published our own guidance on Neighbourhood Planning which is available on the Council's website and outlines the key stages of the preparation process and how the Council will work with groups to prepare Neighbourhood Plans. The Locality Neighbourhood Plans Roadmap Guide also provides additional advice and is available on its



website. A summary of the plan preparation process and how we guide and assist the neighbourhood planning process is set out in table 3. Where the Council consults on the NP, the guiding principles outlined in section 2 will be applied.

**Table 3: Stages in advising and assisting Neighbourhood Plan groups**

Stage	Consultation opportunities and who leads on the consultation
<p><b>Regulation 6 &amp; 9</b> - Receipt of a Neighbourhood Area Designation</p>	<p>The Council will consult for a minimum of 6 weeks.</p> <p>We will publish the application on the website and inform local people in the relevant locality.</p>
<p><b>Regulations 7 &amp; 10</b> - Publishing designation of Neighbourhood Area/ Forum</p>	<p>If the Council approves the application, we will publicise the decision on the website.</p> <p>If refusing, the Council will publish the reasons for the decision and details about where it can be viewed.</p>
<p><b>Regulation 14</b> - Publicity of a Neighbourhood Development Plan prior to submitting to the Council (Reg 14)</p>	<p><b>Led by the Parish/ Town Council or Neighbourhood Forum.</b> The NF can determine how to consult at this stage but they must draw up a consultation statement, setting out who and how they have consulted for the next stage of the process.</p> <p>They will consult for a minimum of 6 weeks.</p> <p>Ensure that they consult the relevant consultation bodies and bring the plan to the attention of people who live, work or carry on business in the area to which the plan relates.</p> <p>Send to East Herts District Council. The Council will advise on the content of the Neighbourhood Plan and provide advice</p>

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	on key assessments such as the Strategic Environmental Assessment (SEA) or other evidence.
<b>Regulation 16</b> - After Neighbourhood Plan is submitted to the Council.	If the Council agrees that the Neighbourhood Plan meets the legal requirements we will publicise the final version of the Plan for a minimum of 6 weeks.
Examination, referendum and adoption	<p>The Plan will be examined by an Inspector and a report issued.</p> <p>The results of the examination will be published. The Council will decide if the Plan should move forward to a referendum, publicise that decision and the reasons for it and then coordinate a referendum.</p> <p>Following a successful referendum the Council will adopt the NP and notify any person that has asked to be notified.</p>

## How does the Council make decisions at each stage?

**4.5** The District Council, as noted in Table 3, needs to make a number of decisions to support a Neighbourhood Development Plan through the process. Table 4 below clearly sets out the different decision-making process behind each of the steps. The Non-key decision process is explained in the glossary.

**Table 4: Decision-making stages for Neighbourhood Plan process**

Stage	Decision-making Process/Body
Regulation 7 & 10	Executive Committee
Regulation 14 Comments	Non-key Decision
SEA	Non-key Decision
Consideration of Examiners report and decision to proceed to referendum	Non-key Decision
Making the Neighbourhood Plan	Full Council



## How do I respond to a Neighbourhood Plan consultation?

- 4.6** Whilst the first statutory (Regulation 14) consultation is run by the Parish Council or Neighbourhood Forum, the second (Regulation 16) is run by East Herts District Council and so is the initial consultation for the application for designation of a neighbourhood area. During these consultations, comments must be made in writing either in hard-copy form or digitally via email.
- 4.7** All comments submitted by email should be sent to: [planningpolicy@eastherts.gov.uk](mailto:planningpolicy@eastherts.gov.uk)
- 4.8** All comments sent by the post should be sent to: Planning Policy, East Herts District Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ
- 4.9** At the Regulation 16 stage all representations made will be submitted to the examiner for their consideration.



## 5 Harlow and Gilston Garden Town

### Introduction

**5.1** Harlow and Gilston was designated as a Garden Town in 2017 by the Ministry for Homes, Communities and Local Government. A significant amount of development is proposed in this area within East Herts, Epping Forest and Harlow Districts. The three local authorities, together with Hertfordshire and Essex County Councils are working together to deliver growth at the Garden Town which reflects local priorities. The individual Councils remain the decision-makers for both policy documents and planning applications within their local authority area, but the current governance and management arrangements have been set up to help ensure collaborative working:

- **Garden Town Board** – comprising members and officers from each of the five authorities, for discussion of joint matters. Board members can consider and endorse technical studies, policy guidance and other emerging work relating to the Garden Town and can make recommendations back to their separate authorities. The Garden Town Board is not a decision-making body and will typically not engage separately with stakeholders or the community. It is represented in that respect by those individual authorities who remain the decision-makers in terms of their respective functions and duties.
- **Garden Town officer groups** – comprising officers from each of the five authorities and other stakeholders where appropriate as a forum for joint-working, including preparing and sharing technical studies, policy guidance and other emerging work relating to the Garden Town. Documents may subsequently be considered by the Member Board and then for adoption or approval by the individual authorities.
- **Garden Town Quality Review Panel** – a design panel which can review any emerging work relating to the Garden Town, including development proposals from landowners / developers. The Panel provides an independent critique in relation to matters presented to it. Its recommendations and observations may then be considered by applicants or the local authorities.



- **Garden Town Developer Forum** – comprising landowners, developers and promoters active in the Garden Town, for discussion and engagement in relation to planning policies, guidance, evidence and the sharing of information in respect of masterplans and planning applications.
- **Gilston Area Steering Group** – comprising representatives of the local authorities, parish councils, neighbourhood plan groups and developers in the Gilston Area in accordance with the terms of engagement set up for the Steering Group. The group is a forum for discussion and for co-ordination of community engagement.

**5.2** However, given the cross-boundary implications of development at Gilston, the Council has agreed the following consultation principles with Harlow and Epping Forest Councils.

## Agreed consultation principles

**5.3** The following consultation principles should be taken into account when consulting on policy and other documents and planning applications relating to land and sites which form part of the Garden Town:

- We will consult statutory consultees, and as appropriate, engage as proactively as possible with relevant local stakeholders and the community in and around the Garden Town, including across district boundaries. The extent of consultation will reflect the scope of a proposal or document.
- We will consult on planning applications for at least the statutory period, but for a longer timescale when appropriate.
- Developer, business or community forums and engagement may be set up/undertaken to assist the joint working and delivery of the Garden Town.
- Masterplans, design coding and application proposals will be taken to the Garden Town Quality Review Panel for independent design advice and critique.
- Documents relating to the Garden Town may be endorsed by the Garden Town Board to indicate that they should be taken into account when shaping and informing planning proposals. However, they will need to be approved by the individual local authorities if they are to be considered material planning considerations in planning decision-making



## 6 Planning Applications

### Introduction

- 6.1** For many people, the submission of a planning application is the first experience of the planning system, either as an applicant submitting an application, or in relation to applications on a neighbouring or nearby site. While some development can be carried out as Permitted Development,<sup>(6)</sup> a significant amount of new development in East Herts will require planning permission.
- 6.2** There are a number of different types of planning application, with the type of application determined by the size, scale and nature of the proposed development. Whilst the process for consulting on all types of planning application is similar, there are some differences. As a minimum the relevant statutory requirements will always be met.
- 6.3** There are four key stages to the planning application process:
- **Pre-application-** before an application is submitted, a developer is encouraged to engage with the Council, stakeholders and the community about its proposals.
  - **Application-** a planning application is submitted to the Council.
  - **Decision-making-** a decision is made either by a planning committee or delegated officer.
  - **Appeals-** the application has a right to appeal if they disagree with the decision to refuse permission.
- 6.4** This section of the SCI therefore sets out the Council's approach to consulting and notifying statutory bodies and the wider community before and after planning applications are submitted.

### Who will we consult?

- 6.5** The Government sets out minimum requirements for consultation in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and The Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended).
- 6.6** The legislation identifies statutory consultees that the council must engage with. These include environmental organisations (such as Natural England, the Environment Agency and Historic England) and local services and infrastructure providers (including Highways Agency, Hertfordshire County





Council and utilities companies). The local community is also engaged as appropriate. The scale of consultation reflects the type and stage of the planning application.

## How and when will we consult?

### Masterplan process

- 6.7** All significant development proposals in the district are required to prepare a masterplan because the Council is committed to delivering well designed growth. They should deal with a range of issues including landuse, infrastructure and design and once endorsed by the Council they are used as the basis by which planning applications on site will be determined.
- 6.8** Policy DES1 of The East Herts District Plan (2018) outlines the approach that will be taken to masterplanning. The significance of a development will be measured not only on its scale, but on the potential impact on the community and the local character of a place. Generally a threshold of fifty homes or more will apply, however in some cases a smaller scale of development may be considered to have a significant effect.
- 6.9** Masterplans must involve collaboration with East Herts District Council, other stakeholders and the local community, including town/ parish councils. Engagement from an early stage should inform the development of the master plan. Steering groups have been established for each town in the district to help inform the development of strategic sites allocated in the adopted District Plan. These often comprise of East Herts councillors, town and parish councillors, representatives of the local community and other interested groups, where appropriate. Membership of the steering groups will be determined on a site by site basis, depending on the local issues and circumstances. Wider public participation should also be undertaken as appropriate. An approach to masterplanning was agreed by Full Council in October 2017 and details are explained online: [www.eastherts.gov.uk/masterplans](http://www.eastherts.gov.uk/masterplans)

### Pre-application advice

- 6.10** Before submitting a planning application, we advise and encourage potential applicants to seek pre-application advice from the Council.<sup>(7)</sup> It is not a statutory requirement, but it allows for the identification of any issues, concerns and constraints at an early stage. This may help avoid delays or a refusal once a planning application has been submitted.<sup>(8)</sup>

7 It should be noted that, in respect of the pre-application service, any advice given at this stage is not binding and there are no statutory requirements for pre-application discussions. Because of the resources involved in providing pre-application advice, in many cases it is necessary to charge a fee for this service

8 It could also be helpful to have pre-app discussions with other relevant agencies including Hertfordshire County Council, Thames Water and the Environment Agency.



- 6.11** This service allows the Council to provide advice and guidance to potential applicants on development proposals prior to the submission of any application. Subsequently, in accordance with the advice provided, amendments can be made to proposals prior to the submission of a planning application. Free advice may be available depending on the application type. However, for other application types there is a charge due to resource implications. Details of the pre-application process is set out on website: <https://www.eastherts.gov.uk/preapplicationservice> A duty planner is also available at certain times to provide general planning advice.
- 6.12** The advice provided by case officers during the pre-application process is based on the professional judgement of the officer and is therefore informal and not binding on any subsequent formal decision made by the Council. If a scheme progresses to a formal submission it will be subject to consultation and any formal decision will take the results of that consultation into account.
- 6.13** The submission of a request for pre-application advice and the advice provided is generally treated as private and confidential. Therefore, the submitted information is not made available to the public via our online portal of applications, nor are any surrounding neighbours notified<sup>(9)</sup>. Therefore, the public are generally not provided with the opportunity to comment upon such enquiries.

## Pre-application consultation

- 6.14** We do not tend to consult statutory consultees on requests for pre-application advice. However, there may be instances where consultation with other teams within the Council is required to aid the advice provided, for example on proposals which relate to Listed Buildings or major development proposals.
- 6.15** Pre-app consultation is not legally required for most types of development. It is however strongly encouraged that applicants involve the community in formulating their proposals as early as possible, particularly if the site is particularly sensitive or would have a significant impact on local communities. This is advised to assist in addressing any issues that may arise from the community and may help to avoid unnecessary objections during the consideration of a planning application.
- 6.16** For large scale major developments, it is expected that the applicant carries out pre-application consultation which may involve:
- public meetings and exhibitions
  - Individual letters or leaflets
  - Engagement with parish/ town councils



- Engagement with Design Review Panels
- Social media

## Application stage

- 6.17** Once an application has been submitted, East Herts District Council will always meet its statutory consultation requirements as a minimum. The formal consultation period will normally last for 21 days.
- 6.18** Formal consultation on planning applications will be undertaken in accordance with article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and regulations 5 and 5A of The Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended) or any amending orders, and any relevant consultation directions<sup>(10)</sup>. Table 5 sets out the consultation methods used by the Council.

**Table 5: Consultation methods used to publicise planning applications**

Type of application	Site notice	Site notice or neighbour notification letter/ email	Press notice in local paper	Parish Council notification	Website	Ward member notification
Major development		✓	✓	✓	✓	✓
Minor Development		✓		✓	✓	✓
Householder Applications		✓		✓	✓	✓
Applications subject to EIA which are accompanied by an Environmental Statement		✓	✓	✓	✓	✓
Applications that do not accord with the development plan	✓	✓	✓	✓	✓	✓

<sup>10</sup> The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) includes powers for the Secretary of State to direct local planning authorities that additional consultation must take place in specific circumstances. These are referred to as 'consultation directions'.



Listed Building applications and applications affecting the setting of a Listed Building		✓	✓	✓	✓	✓
Applications relating to an advertisement				✓	✓	✓

**6.19** All new applications can be viewed on the Council's website. People can also use pre-set searches to see weekly lists of planning applications received or determined.

**6.20** Where an application falls within a Conservation Area, a site notice may be required, the council will advise. Prior Notification applications will be publicised as set out in the relevant regulations, the council will advise. There is no statutory requirement to consult on the following types of applications:

- Certificates of Lawfulness of proposed use or development;
- Certificates of Lawfulness of existing use or development;
- Approval of details/ discharge of conditions;
- Non-material amendments.

**6.21** People can respond to applications online. Alternatively comments can be made by email or post.

## How will the Council deal with consultation responses?

**6.22** All comments received will be made publicly available online alongside the planning application documents. It is important to note that the Council reserves the right not to consider or include in its documentation any inappropriate comments submitted as a result of its consultations.

**6.23** The Council will take account of all responses received as a result of its consultations on planning applications where the issues raised are material planning considerations. These comments will be considered in the officer's report.

**6.24** All relevant planning issues raised within the consultation period will be taken into account in the Planning Officer's report to help inform the recommendation.



## Amendments to applications during the consideration of the application

- 6.25** Following the initial period of consultation, it may be that further additional consultation on changes submitted by an applicant prior to any decision being made, is considered necessary. In these cases it is up to the Council to decide whether further publicity and consultation is necessary, and the requirement to consult will be determined based on whether the proposed changes are significant and whether there were objections or concerns raised in the original consultation stage. Where it is decided that re-consultation is necessary, it is open to the Council to set the timeframe for responses which is likely to be for a period of 14 days or less.

## Decision stage

- 6.26** Once the consultation period has concluded, the Council will determine the planning application. It is therefore important to make comments before the statutory deadline for the end of the consultation period.
- 6.27** The Council typically deals with around 2,600 applications per year; most of these (over 90%) are determined by planning officers under delegated powers granted to them by the Committee.
- 6.28** The remaining applications are determined by the Development Management Committee. This Committee generally meets every four weeks and handles the larger and more complex applications, in accordance with the criteria set out in the Council's Constitution. If the application is to be considered by the Development Management Committee, we will inform anyone who responded to the consultation before the meeting takes place.
- 6.29** The Council allows supporters, objectors and town/parish council representatives to make a short oral statement to the Development Management Committee on any of the planning applications which are being considered by the Committee<sup>(11)</sup>
- 6.30** Development Management Committee meetings are webcast.

## After a decision is made

- 6.31** The Council will:
- Publish the decisions on all planning applications on its website.
  - Write back to respondents (by email if possible and by post where no email address is available) to inform them of the Council's decision

<sup>11</sup> One person may be allowed to speak in support of an application, and one person to speak in objection to each application at the meeting. Each person or group of people opposing or supporting the proposal will be allowed up to three minutes (or 6 minutes for strategic sites allocated in the District Plan) to speak to the Committee. How to register to speak and the rules for these meetings are explained in greater detail on the Council's website <http://www.eastherts.gov.uk>



## Appeals

- 6.32** An applicant may appeal to the Planning Inspectorate against a refusal or contest any of the conditions imposed to the granting of permissions or the non-determination of an application. The council will inform all those people who responded to the consultation on the original planning application (although the rest of the appeal procedure will be handled by the Planning Inspectorate)<sup>(12)</sup>

## Enforcement

- 6.33** Planning Enforcement is concerned with works which have taken place in breach of normal planning controls. Where a breach of planning control is reported, an officer will investigate and assess the complaint, gather evidence and establish what, if any, the most appropriate course of action should be. Many investigations result in the submission of a planning application to try and regularise a breach. This means the community will be involved in the same way as any other planning application. If a breach cannot be regularised the council will consider formal enforcement action. Officers are delegated to make these decisions on behalf of councillors. The council will ensure that the complainant is informed of decisions made in relation to the case. Further details about the process are set out in the Planning Enforcement Plan.



## 7 Appendix A - Specific and General Consultation Bodies

### Specific and General Consultation Bodies

In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.

Specific consultation bodies means:

- The Coal Authority;
- Environment Agency;
- Historic England
- Natural England;
- Network Rail Infrastructure Limited
- the Highways Agency
- Hertfordshire County Council
- Adjoining local authorities
- Parish and town councils within and adjoining East Herts
- Local policing body
- any person to whom the electronic communications code applies by virtue of a direction given under Section 106 (3)(a) of the Communications Act 2003;
- any person who owns or controls electronic communications apparatus situated in any part of the area of the local authority;
- any of the bodies from the following list who are exercising functions in any part of the area of the local authority:
  - Primary Care Trust (now known as Clinical Commissioning Group - CCG);
  - person to whom a licence has been granted under Section 7(2) of the Gas Act 1986;
  - person to whom a licence has been granted under section 6 (1) (b) or (c) of the Electricity Act 1989
  - sewage undertaker;
  - water undertaker;
  - Homes and Communities agency.

General consultation bodies means:

- voluntary bodies some or all of whose activities benefit any part of the local planning authority's area,
- bodies which represents the interests of different racial, ethnic or national groups in the local planning authority's area,



- bodies which represent the interests of different religious groups in the local planning authority's area,
- bodies which represent the interests of disabled persons in the local planning authority's area,
- bodies which represent the interests of persons carrying on business in the local planning authority's area,

### **Duty to Cooperate Bodies for East Herts**

In accordance with the Localism Act 2011 and Town and Country Planning (Local Planning) (England) Regulations 2012

- Neighbouring Authorities
- The Environment Agency
- Historic England
- Natural England
- The Civil Aviation Authority
- Homes and Communities Agency
- Each Primary Care Trust established under section 18 of the National Health Service Act 2006 or continued in existence by virtue of that section;
- Office of Rail Regulation
- Each Integrated Transport Authority
- Highway Authority
- Local Enterprise Partnerships
- Local Nature Partnerships





## 8 Appendix B - Glossary

- 8.1 Deposit or Inspection Point:** Locations across the district where consultation documents can be viewed.
- 8.2 Development Plan:** This includes adopted Local Plans, Mineral and Waste Plans and Neighbourhood Plans and is defined in section 38 of the Planning and Compulsory Purchase Act 2004.
- 8.3 Development Plan Documents:** A generic term for the different plans that constitute the Development Plan.
- 8.4 Environmental Impact Assessment (EIA):** A procedure to be followed for certain types of project to ensure that decisions are made in full knowledge of any likely significant effects on the environment.
- 8.5 Local Development Scheme (LDS):** The Local Authority's timetable for the preparation of Development Documents.
- 8.6 Local Plan:** The District Plan which sets out the Council's planning framework for the district. It consists of a Written Statement and Policies Map.
- 8.7 Masterplan:** A plan that shows an overall development concept that includes urban design, landscaping, infrastructure, service provision, movement, present and future land-use and built form.
- 8.8 National Planning Policy Framework (NPPF):** Sets out the Government's planning policies for England and how these are expected to be applied.
- 8.9 Neighbourhood Plan:** A plan prepared by a Parish/ Town Council or Neighbourhood Forum for a particular neighbourhood area.
- 8.10 Non-key Decision:** Executive decisions taken by Executive Members and Officers on less significant matters, rather than using the relevant committee process.
- 8.11 Strategic Environment Assessment (SEA):** A procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.
- 8.12 Supplementary Planning Documents (SPDs):** Documents which add further details to the policies of the Local Plan. These documents are not part of the development plan, but are material considerations in planning decisions.



- 8.13** Disclaimer- This glossary is neither a statement of law nor an interpretation of law, and its status is only as an introductory guide to planning issues and it should not therefore be used as a source for statutory definitions.

## Equality Impact Analysis (EqIA) Template

**EqIAs make services better for everyone and supports value for money by getting services right first time.**

EqIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then action plan to get the best outcomes for staff and service-users. They analyse how all our work as a council might impact differently on different groups. They help us make good decisions and evidence how we have reached these decisions.

EIAs are always proportionate to:

- The size of the service or scope of the policy/strategy
- The resources involved
- The numbers of people affected
- The size of the likely impact
- The vulnerability of the people affected

The greater the potential adverse impact of the proposed policy on a protected group (e.g. disabled people), the more vulnerable the group in the context being considered, the more thorough and demanding the process required by the Act will be.

### When to complete an EIA:

- When planning or developing a new service, policy or strategy
- When reviewing an existing service, policy or strategy
- When ending or substantially changing a service, policy or strategy
- When there is an important change in the service, policy or strategy, or in the city (eg: a change in population), or at a national level (eg: a change of legislation)

Assessment of equality impact can be evidenced as part of the process of reviewing or needs assessment or strategy development or consultation or planning. It does not have to be on this template, but must be documented. Wherever possible, build the EIA into your usual planning/review processes.

### Do you need to complete an EIA? Consider:

- Is the policy, decision or service likely to be relevant to any people because of their protected characteristics?
- How many people is it likely to affect?
- How significant are its impacts?
- Does it relate to an area where there are known inequalities?
- How vulnerable are the people (potentially) affected?

If there are potential impacts on people but you decide not to complete an EIA it is usually sensible to document why.

**Age:** People of all ages

**Disability:** A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The definition includes: sensory impairments, impairments with fluctuating or recurring effects, progressive, organ specific, developmental, learning difficulties, mental health conditions and mental illnesses, produced by injury to the body or brain. Persons with cancer, multiple sclerosis or HIV infection are all now deemed to be disabled persons from the point of diagnosis.

**Gender Reassignment:** In the Act a transgender person is someone who proposes to, starts or has completed a process to change his or her gender. A person does not need to be under medical supervision to be protected

**Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.

**Race/Ethnicity:** This includes ethnic or national origins, colour or nationality, and includes refugees and migrants, and Gypsies and Travellers

**Religion and Belief:** Religion includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief.

**Sex/Gender:** Both men and women are covered under the Act.

**Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people

**Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.

## 1. Equality Impact Analysis (EqIA) Template

First, consider whether you need to complete an EIA, or if there is another way to evidence assessment of impacts, or that an EIA is not needed.

<b>Title of EqIA</b>	Statement of Community Involvement	<b>Date</b>	5 May 2019
<b>Team/Department</b>	Planning & Implementation Team		

<p><b>Focus of EqIA</b></p> <p>What are the aims of the new initiative?          Who implements it?          Define the user group impacted?          How will they be impacted?</p>	<p>The Council is legally required to produce a Statement of Community Involvement every 5 years, which sets out how the Council will involve the community in the planning process. The previous SCI was adopted in 2013 but is being revised to reflect changes to legislation and increased use of social media.</p> <p>The aim of the SCI is to ensure that, as far as possible, all parts of the community have the opportunity to get involved in preparing planning documents and processing planning applications. In addition to setting out the council’s publicity and consultation procedures, the SCI also outlines what we expect applicants to do before they submit a planning application. When the Council consults on planning policy documents and planning applications it must comply with the SCI.</p> <p>The SCI will impact on a range of user groups. Generally it will have a positive impact on all people who live and work in East Herts because it encourages engagement with stakeholders and the wider community at various opportunities in the planning process. By providing clarity about when and how to get involved and the varied methods for notifying, consulting and responding, it is beneficial for various sections of the community as defined in the Equality Act 2010. Specific reference is made to promoting accessible and inclusive consultation procedures so no group should be disadvantaged. There is also an aim to increase the involvement of ‘hard to reach groups’ on the basis of age, race and disability.</p> <p>The SCI provides the framework for consultation that the Council’s District Plan must comply with. The current District Plan, which was adopted on 23 October 2018, was subject to an EQIA. This assessment demonstrated the District Plan will generally benefit all people who live, work and visit East Herts to some degree. While the Plan will have no impact on certain groups, there will be positive impacts for particular sections of the community as defined in the Equality Act 2010, specifically for race, disability age, religion or belief, being pregnant or having a child. In addition, the Plan will have positive impacts on those disadvantaged by socio-economic factors, and some residents who live in the rural area of East Herts. No specific impacts were identified in relation to the equality groups defined by gender, sexual orientation, transgender or those who are married or in a civil partnership.</p>
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2. Review of information, equality analysis and potential actions

Protected characteristics groups from the Equality Act 2010	What do you know? Summary of data about your service-users and/or staff		What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts (actual and potential, positive and negative. Clearly state each)	What can you do? All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
Age	<p><b>Age profile of the district:</b></p> <p>Under 20                    24.2%</p> <p>20-24                        4.5%</p> <p>25-29                        5.5%</p> <p>30-44                        19.8%</p> <p>45-59                        22.9%</p> <p>60-64                        5.4%</p> <p>65-74                        9.6%</p> <p>75-84                        5.6%</p> <p>85-89                        1.6%</p> <p>90                              0.9%</p>		<p>This document will be published for consultation in June.</p>	<p>The SCI seeks to ensure an inclusive approach to planning engagement regardless of background or personal circumstance, which is a positive impact.</p> <p>However, younger people are identified in the SCI as a 'hard to reach' group as they are generally less likely to engage in the planning process. The SCI aims to consult in a way that ensures hard to reach groups are involved in consultations from an early stage.</p>	<p>To foster good relations the SCI aims to improve engagement by involving representatives of a cross-section of stakeholders, ensuring that different needs and views of different sections or groups of the community are considered.</p> <p>Specific techniques that may attract younger people include promoting electronic methods of consultation and social media and where appropriate encouraging the use of community events/ displays, producing summaries to make information easier to read and visiting local schools.</p> <p>This process will have a positive impact by increasing awareness of planning opportunities and enhancing opportunities to be involved</p>

<b>Protected characteristics groups from the Equality Act 2010</b>	<b>What do you know?</b> Summary of data about your service-users and/or staff	<b>What do people tell you?</b> Summary of service-user and/or staff feedback	<b>What does this mean?</b> Impacts (actual and potential, positive and negative. Clearly state each)	<b>What can you do?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
				and respond to planning consultations.
<b>Disability</b>	11,663 households in East Herts have one person in the household with a long-term health problem or disability.	This document will be published for consultation in June.	The SCI seeks to ensure an inclusive approach to planning engagement regardless of background or personal circumstance, which is a positive impact.  However, people with disabilities are identified in the SCI as a 'hard to reach' group. The SCI aims to consult in a way that ensures hard to reach groups are involved in consultations from an early stage.	To foster good relations the SCI aims to improve engagement by involving representatives of a cross-section of stakeholders, ensuring that different needs and views of different sections or groups of the community are considered.  The SCI sets out a number of methods that could assist people with disabilities: <ul style="list-style-type: none"> <li>• Written information will be made available on request in accessible formats such as large print, Braille, audio.</li> <li>• Summaries will be produced when relevant to ensure information is easily accessible.</li> <li>• The aim to improve engagement by</li> </ul>

Protected characteristics groups from the Equality Act 2010	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts (actual and potential, positive and negative. Clearly state each)	What can you do? All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
				<ul style="list-style-type: none"> <li>• promoting electronic methods of consultation and social media may help some people with disabilities access and respond to consultation material.</li> <li>• Events will be at accessible locations.</li> </ul>
Gender reassignment	Not known	This document will be published for consultation in June.	<p>The SCI seeks to ensure an inclusive approach to planning engagement regardless of background or personal circumstance, which is a positive impact.</p> <p>However no specific gender reassignment impact has been identified.</p>	<p>To foster good relations the SCI aims to improve engagement by involving representatives of a cross-section of stakeholders, ensuring that different needs and views of different sections or groups of the community are considered.</p> <p>A range of consultation principles and techniques are proposed to ensure consultation is inclusive so all sectors of the community should benefit. In addition the SCI sets out clear processes for dealing with discriminatory comments, which is a positive approach to addressing</p>



Protected characteristics groups from the Equality Act 2010	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts (actual and potential, positive and negative. Clearly state each)	What can you do? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				discrimination.
Pregnancy and maternity	Not known	This document will be published for consultation in June.	The SCI seeks to ensure an inclusive approach to planning engagement regardless of background or personal circumstance, which is a positive impact.  However no specific pregnancy and maternity impact has been identified.	To foster good relations the SCI aims to improve engagement by involving representatives of a cross-section of stakeholders, ensuring that different needs and views of different sections or groups of the community are considered.  A range of consultation principles and techniques are proposed to ensure consultation is inclusive so all sectors of the community should benefit. In addition the SCI sets out clear processes for dealing with discriminatory comments, which is a positive approach to addressing discrimination.
Race	<p><b>White</b></p> <p>English/Welsh/Scottish/ Northern Irish/ British Irish</p>	<p><b>95.47%</b></p> <p>90.25%</p> <p>1.14%</p>	This document will be published for consultation in June.	To foster good relations the SCI aims to improve engagement by involving representatives of a cross-

Protected Characteristics groups from the Equality Act 2010	What do you know? Summary of data about your service-users and/or staff		What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts (actual and potential, positive and negative. Clearly state each)	What can you do? All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
	Gypsy or Irish Traveller Other White  <b>Mixed/ multiple ethnic groups</b> White and Black Caribbean White and Black African White and Asian Other Asian  <b>Asian/ Asian British</b> Indian Pakistani Bangladeshi Chinese Other Asian  <b>Black/African/Caribbean/ Black British</b> African Caribbean Other Black  <b>Other ethnic group</b> Arab Any other ethnic group	0.04% 4.04%  <b>1.61%</b> 0.45% 0.15% 0.62% 0.38%  <b>1.95%</b> 0.73% 0.15% 0.20% 0.37% 0.49%  <b>0.71%</b> 0.43% 0.22% 0.07%  <b>0.26%</b> 0.10% 0.16%		background or personal circumstance, which is a positive impact.  However, people from ethnic minorities are identified in the SCI as a 'hard to reach' group. The SCI aims to consult in a way that ensures hard to reach groups are involved in consultations from an early stage.	section of stakeholders, ensuring that different needs and views of different sections or groups of the community are considered.  A range of consultation principles and techniques are proposed to ensure consultation is inclusive so all sectors of the community should benefit. In addition the SCI sets out clear processes for dealing with discriminatory comments, which is a positive approach to addressing discrimination.  The SCI also promotes targeted consultation where relevant to help engage specifically with particular groups, for example Gypsy and Travellers.

<b>Protected characteristics groups from the Equality Act 2010</b>	<b>What do you know?</b> Summary of data about your service-users and/or staff		<b>What do people tell you?</b> Summary of service-user and/or staff feedback	<b>What does this mean?</b> Impacts (actual and potential, positive and negative. Clearly state each)	<b>What can you do?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
<b>Religion or belief</b>	Christian Buddhist Hindu Jewish Muslim Sikh Other religion No religion Religion not stated	62.75% 0.32% 0.45% 0.33% 0.72% 0.12% 0.32% 27.75% 7.26%	This document will be published for consultation in June.	The SCI seeks to ensure an inclusive approach to planning engagement regardless of background or personal circumstance, which is a positive impact.  However no specific religion or belief impact has been identified.	To foster good relations the SCI aims to improve engagement by involving representatives of a cross-section of stakeholders, ensuring that different needs and views of different sections or groups of the community are considered.  A range of consultation principles and techniques are proposed to ensure consultation is inclusive so all sectors of the community should benefit. In addition the SCI sets out clear processes for dealing with discriminatory comments, which is a positive approach to addressing discrimination.
<b>Sex/Gender</b>	The district is 51% female and 49% male		This document will be published for consultation in June	The SCI seeks to ensure an inclusive approach to planning engagement regardless of background or personal circumstance, which is a positive impact.	To foster good relations the SCI aims to improve engagement by involving representatives of a cross-section of stakeholders, ensuring that different needs and views of different sections or groups of the

Protected characteristics groups from the Equality Act 2010	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts (actual and potential, positive and negative. Clearly state each)	What can you do? All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
			However no specific sex/gender impact has been identified.	community are considered.  A range of consultation principles and techniques are proposed to ensure consultation is inclusive so all sectors of the community should benefit. In addition the SCI sets out clear processes for dealing with discriminatory comments, which is a positive approach to addressing discrimination.
Sexual orientation	Not known	This document will be published for consultation in June	The SCI seeks to ensure an inclusive approach to planning engagement regardless of background or personal circumstance, which is a positive impact.  However no specific sexual orientation impact has been identified.	To foster good relations the SCI aims to improve engagement by involving representatives of a cross-section of stakeholders, ensuring that different needs and views of different sections or groups of the community are considered.  A range of consultation principles and techniques are proposed to ensure consultation is inclusive so all sectors of the community should benefit. In addition the

<b>Protected characteristics groups from the Equality Act 2010</b>	<b>What do you know?</b> Summary of data about your service-users and/or staff	<b>What do people tell you?</b> Summary of service-user and/or staff feedback	<b>What does this mean?</b> Impacts (actual and potential, positive and negative. Clearly state each)	<b>What can you do?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
				SCI sets out clear processes for dealing with discriminatory comments, which is a positive approach to addressing discrimination.
<b>Marriage and civil partnership</b>	Single- 30.5% Married- 52.3% Civil partnership- 0.2% Separated – 2.3% Divorced- 8.6% Widowed- 6.2%	This document will be published for consultation in June	The SCI seeks to ensure an inclusive approach to planning engagement regardless of background or personal circumstance, which is a positive impact.  However no specific marriage and civil partnership impact has been identified.	To foster good relations the SCI aims to improve engagement by involving representatives of a cross-section of stakeholders, ensuring that different needs and views of different sections or groups of the community are considered.  A range of consultation principles and techniques are proposed to ensure consultation is inclusive so all sectors of the community should benefit. In addition the SCI sets out clear processes for dealing with discriminatory comments, which is a positive approach to addressing discrimination.

**Assessment of overall impacts and any further recommendations**

<b>Protected Characteristics groups from the Equality Act 2010</b>	<b>What do you know?</b> Summary of data about your service-users and/or staff	<b>What do people tell you?</b> Summary of service-user and/or staff feedback	<b>What does this mean?</b> Impacts (actual and potential, positive and negative. Clearly state each)	<b>What can you do?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
It is not considered that the Statement of Community Involvement will give rise to actual or likely adverse impacts to the groups identified as being potentially affected.				

**3. List detailed data and/or community feedback which informed your EqIA (If applicable)**

<b>Title</b> (of data, research or engagement)	<b>Date</b>	<b>Gaps in data</b>	<b>Actions to fill these gaps: who else do you need to engage with?</b> (add these to the Action Plan below, with a timeframe)
<b>NOT APPLICABLE</b>			

#### 4. Prioritised Action Plan (If applicable)

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
NB: These actions must now be transferred to service or business plans and monitored to ensure they achieve the outcomes identified.				
NOT APPLICABLE				

**EIA sign-off:** (for the EIA to be final an email must sent from the relevant people agreeing it or this section must be signed)

**Lead Equality Impact Assessment officer:** **Kirsty McKenzie** **Date: 15/05/19**

**Directorate Management Team rep or Head of Service:** **Sara Saunders** **Date: 15/05/19**

**Author of Equality Impact Analysis:** **Laura Guy** **Date: 15/05/19**

Statement of Community  
Involvement  
**Consultation Statement**



## 1. Introduction

- 1.1 The Statement of Community Involvement (SCI) explains how East Herts District Council intends to involve the community in the preparation, alteration or review of local planning policies or in determining planning applications. The planning system can be complex and the SCI aims to address uncertainty by setting out how the Council will engage with people at various stages of the planning process.
- 1.2 The preparation of an SCI is a legal requirement of the Planning and Compulsory Purchase Act 2004 (section 18) as amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017. The legislation requires that the SCI is reviewed every five years. In addition there have been changes to legislation and some of the Council's procedures so it is important that the SCI is revised to reflect these changes.

## 2. Consultation undertaken

- 2.1 Formal public consultation was undertaken on the draft SCI for a period of six weeks from **20 June to 1 August 2019**. The Council consulted widely on the SCI in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) via email; or post where no email address was provided. This has included the Specific Consultation Bodies, community organisations including resident's associations, developers and agents, and a range of other national, regional and local organisations. The SPD consultation was also advertised via the Council's website ([www.eastherts.gov.uk/sci](http://www.eastherts.gov.uk/sci)), social media and newsletter Network.
- 2.2 Representations could be made via the Council's consultation portal <http://consult.eastherts.gov.uk/portal>; emailed to [planningpolicy@eastherts.gov.uk](mailto:planningpolicy@eastherts.gov.uk)

or sent to; Planning Policy, East Herts Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ.

### **3. Issues raised during the consultation**

3.1 During the consultation, 17 representations were received, made by 10 respondents. Of the representations 5 were objections, 6 of the representations were supports and 5 were comments.

3.2 The main issues raised include:

- More clarity about the definitions of planning policy consultees;
- Amendment to planning application consultations or procedures ;
- Membership of masterplan steering groups;
- Notification of proposed Neighbourhood Planning Areas.

3.3 A summary of the consultation responses is set out in the schedule below. This table outlines the comments by topic, the Council's response to these issues and any consequential changes to the SPD. If text is to be deleted from the draft SPD it is shown ~~struck through~~. If new text is to be inserted it is shown underlined.

Rep No.	Topic/Section/para. Number	Support or Object	Issue	Officer Response	Proposed modification
<b>General Comments</b>					
1 – C. Jones		Support	An excellent document, clearly explained, informative and easy to read.	Support noted	No amendment in response to this issue.
10- Natural England		Support	Supportive of the principle of meaningful and early engagement with community, community organisations and statutory bodies. Unable to comment in detail on individual Statements of Community Involvement.	Noted	No amendment in response to this issue.
11- Hertfordshire County Council			No comment on the draft SCI.	Noted	No amendment in response to this issue.
12- Hertford Town Council		Support	Discussed at Planning Sub-committee in July 2019. Supportive of the document.	Support noted	No amendment in response to this issue.
<b>3. Planning Policy Documents</b>					
3 Historic England	Who will we consult (3.7- 3.11)	Support	Support general aims and approach to the draft Statement of Community Involvement.  Welcome the acknowledgement of Historic England as a Statutory consultee and Duty to Cooperate body. Would like Historic England listed as a Specific consultee in paragraph 3.7, in addition to	Support noted.  Paragraph 3.7 outlines that the statutory consultees include 'national agencies' and details that statutory consultees are defined in appendix A.  Historic England is listed in Appendix A as a 'Specific Consultee' so it is clear it is a statutory consultee. It is not considered necessary to list all	No amendment in response to this issue.

			appendix A.	the statutory consultees twice in the SCI, especially as the document aims to be concise.	
8- Roydon Parish Council	Who will we consult (3.7)		Seek amendment to paragraph 3.7 to include reference to statutory consultation with adjoining parish and town councils, such as Roydon.	Agreed. The Regulations identify that specific consultation bodies include: <i>'a relevant authority any part of whose area is in or adjoins the local planning authority's area within or adjoining the local authority'</i> .  Relevant authorities include parish/town councils, so the SCI should make it clearer that adjoining parish/town councils are consulted.	Add text to the third bullet point of paragraph 3.7 as follows: <ul style="list-style-type: none"> <li>Parish or town councils <u>within or adjoining East Herts.</u></li> </ul> Amend Appendix A to add text to the following bullet point relating to specific consultation bodies: <ul style="list-style-type: none"> <li>Parish and town councils <u>within or adjoining East Herts.</u></li> </ul>
7- Bishop Stortford Civic Federation	Who will we consult (3.7)	Object	Concerned about lack of clarity in paragraph 3.7 between the description of <i>'voluntary organisations that represent the interests of specific parts of the community'</i> as statutory consultees and the description of 'community groups' as other consultees. The Bishops Stortford Civic Federation complies with the description of a voluntary organisation as is the case for many community groups. The SCI should clarify the status of such organisations.	Noted.  The Town and Country (Local Planning) (England) Regulations 2012 set out the 'Specific Consultation Bodies' and 'General Consultation Bodies' that local planning authorities should consider when preparing planning policies. The Regulations allow the Council to consult the Specific or General Consultation bodies that have an interest in the document or as considered appropriate.  Unlike for Specific Consultees, General Consultation Bodies	Amend paragraph 3.7 and 3.8 as follows, to provide more clarity about the status of different consultees.  <b>Specific and General bodies</b> 3.7 We are legally required to consult a range of specific and general consultees <u>when preparing planning policy documents, who are relevant to the document being prepared.</u> These are groups with particular knowledge in certain areas or those that represent specific interest groups. <u>The Regulations allow councils to select 'such of the Specific and General Consultation Bodies that may have an interest and/or the 'local planning authority consider appropriate' to the consultation</u>

				<p>are not identified in the legislation. However, it is agreed that the Civic Federation meet the definition of a General Consultation Body in the Regulations (as set out in Appendix A). As such, when relevant, they will be consulted on planning policy documents in accordance with the Regulations. East Herts Council generally consults all consultees on the database for each planning policy consultation, so exceeds the requirements of the legislation.</p> <p>It is agreed that the status of consultees in the SCI is slightly confusing and more clarity would be helpful to ensure the SCI more closely reflect the regulations. The list of other consultees should be refined to avoid repetition.</p>	<p><u>document being prepared.</u></p> <p>These consultation bodies <del>statutory consultees</del> are defined in appendix A but include:</p> <ul style="list-style-type: none"> <li>• Hertfordshire County Council</li> <li>• Adjoining local authorities</li> <li>• Parish or town councils</li> <li>• Organisations that represent the interests of specific parts of the community</li> <li>• <del>Voluntary</del> Organisations that represent the interests of specific parts of the community</li> <li>• Infrastructure providers</li> <li>• National agencies or bodies</li> </ul> <p>Other consultees          Legally the Council must also notify and consult, <del>as appropriate</del> <u>such local residents or other persons carrying out businesses as they consider appropriate</u> <del>those that live, work and carry out business in the area.</del> This includes those that have asked to be consulted. The Council recognises that the views of the wider community are important and consults a range of groups and individuals who do not fall into the above categories. These <u>may</u> include the following:</p> <ul style="list-style-type: none"> <li>• <del>Community groups</del></li> <li>• Residents' Associations</li> <li>• Social, economic and</li> </ul>
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					<p>environmental organisations</p> <ul style="list-style-type: none"> <li>• <del>Businesses or members of the general public who have asked to be consulted.</del></li> <li>• Developers, <u>agents</u> and landowners</li> </ul>
16- Bishop Stortford Civic Federation	Who will we consult (3.9)	Object	Support the use of a consultee database. However, assume it will not just be users on the Council's general consultation portal but a database of interested stakeholders for all planning consultation processes.	<p>The consultation database referred to in paragraph 3.9 is used for planning policy consultations and incorporates a range of consultees. The Council generally exceeds the statutory requirement and consults all those registered for each policy consultation.</p> <p>With regard to planning applications, there are separate admin processes for contacting consultees in accordance with legislative requirements. This is set out in section 6 of the SCI.</p> <p>However, it may be helpful to add reference to using the weekly lists of planning applications on the website. This can help inform people of</p>	<p>Insert a new paragraph after table 5 as follows:</p> <p><u>All new applications can be viewed on the Council's website. People can also use pre-set searches to see weekly lists of planning applications received or determined.</u></p>

				applications they may wish to comment on.	
15 - Bishop Stortford Civic Federation	When will we consult (3.1 and 3.13)	Object	In some cases, for example site BISH8, SPDs are required to provide the framework for masterplanning and pre-application process for major developments. SCI should specify more clearly the sequencing of public and other stakeholder consultation opportunities and requirements before the SPD process is engaged.	The production of both SPDs and masterplanning frameworks are separate processes and it is appropriate that they are explained separately in the SCI.  That does not preclude the integration of the two processes as is the case for BISH8.	No amendment in response to this issue.
<b>4. Neighbourhood Planning</b>					
17- Historic England	When and how are we involved in plan consultation (Table 3)		Would welcome notification of proposed neighbourhood planning areas as well as consultation on draft plans. The regulations state that Historic England should be consulted on draft plans where their interests are considered to be affected.  Would welcome consultation at an informal level, in addition to the requirements of the legislation, where issues may benefit from our early involvement.	The Council acknowledges that the legislation requires that Historic England is consulted at Regulations stages 14 and 16, where relevant. Table 3 sets out the different stages of the consultation process.  As in other aspects of planning, the Council is supportive of early engagement with Historic England, to help address potential issues at an early stage.  Where appropriate and possible the Council will engage early with Historic England. However, it is not considered necessary to	No amendment in response to this issue.

				require this approach for non-statutory consultation (as is the case for notifying Historic England of Neighbourhood Area Designation). Given the potential resource implications early engagement is better considered on a site specific basis and not prescribed in the SCI.	
<b>5. Harlow and Gilston Garden Town</b>					
9-Roydon Parish Council	Steering group engagement		Would like to become a member of the Gilston steering group.	<p>Noted. Detailed information about steering group membership is outside the scope of the SCI because it relates to site-specific masterplan processes.</p> <p>However, the request will be considered by the Council and existing steering group members and Roydon Parish Council will be informed as soon as possible.</p>	No amendment in response to this issue.
<b>6. Planning applications</b>					
6- Bishops Stortford Civic Federation	Masterplan process (6.7-6.9)	Object	Expresses concern that for some sites, the Bishop's Stortford steering group has not involved appropriate stakeholders. Therefore, the SCI should be more explicit about which stakeholders and community organisations	<p>Noted.</p> <p>The SCI identifies the approach to masterplanning set out in the District Plan. The broad principles are outlined, but the detail will vary depending on the local context. Membership</p>	<p>Amend paragraph 6.9, as follows:</p> <p>Masterplans must involve collaboration with East Herts District Council, other stakeholders and the local community, including town/parish councils. Engagement from an early stage should inform the</p>



			should participate in the masterplan process.	of the steering group and the approach to wider participation will depend on the issues and circumstances relevant to the site.  Therefore it is not appropriate or necessary for the SCI to be too prescriptive. New text will be added to provide more clarity about the role of the steering groups, but will not prescribe membership.	development of the master plan. <u>Steering groups have been established for each town in the District to help inform the development of strategic sites allocated in the adopted District Plan. These often comprise of East Herts councillors, town and parish councillors, representatives of the local community and other interested groups, where appropriate. Membership of the steering groups will be determined on a site by site basis, depending on the local issues and circumstances.</u> Wider public participation should also be undertaken as appropriate. <del>methods, such as community events or displays, may also be used if required.</del>
13- Thames Water	Pre-application		Would welcome inclusion of text in the section of pre-application advice to advise developers to liaise with Thames Water to discuss wastewater infrastructure requirements ahead of the submission of any application.	Recognise the importance of pre-application discussions to address issues early in the planning process and to ensure timely infrastructure provision.	Insert the following sentences as a new footnote at the end of paragraph 6.10:  <u>It could also be helpful to have pre-app discussions with other relevant agencies. This may include Hertfordshire County Council, Thames Water and the Environment Agency.</u>
4- Much Hadham Parish Council	Application Stage (6.17)	Support	Outlines that the Parish Council often have to apply for an extension due to the timing of parish meetings. Ask if the SCI should include a section on the process by which extension to the consultation	The Council generally allows time extensions beyond the statutory consultation period for Parish and Town Councils, in accordance with their meeting timetable. In general late representations are taken	No amendment in response to this issue.

			period may be requested and the criteria for whether such a request would be granted?	into account up until the point of determination of the application.  However, the Council prefer that comments are received during the time period indicated in the publicity. Therefore it is not considered appropriate to mention or encourage the use of extensions in the SCI.	
5- Much Hadham Parish Council	How will Council deal with responses (6.21)	Support	Seek clarification that comments will be made publicly available via the planning portal, so will be visible online.	Paragraph 6.21 specifies that all comments received will be made publicly available. For clarity should make it clear that comments will be published online.	For clarity amend paragraph 6.21 (now 6.22) as follows:  All comments will be made publicly available <u>online alongside the planning application documents.</u>
14- Bishops Stortford Civic Federation	Decision Stage	Object	Raise the following concerns about the planning application process that the SCI should take the opportunity to rethink: <ul style="list-style-type: none"> <li>Length of consultation period should be increased to 42 days for major developments.</li> <li>The location of the DMC meeting- major developments should have a dedicated meeting as close as possible to the location of the proposed</li> </ul>	Noted. The Council now allow supporters/ objectors 6 minutes to speak at DMC committee for major sites so the SCI should be updated to reflect this.  However, no other changes are considered appropriate for the following reasons: <ul style="list-style-type: none"> <li>The length of the consultation period reflects statutory guidance.</li> <li>Given the number of applications from across the district it is</li> </ul>	Amend paragraph 6.28 (now 6.29) and footnote 10 (now 11) as follows:  The Council allows supporters, objectors and town/parish council representatives to make a short ( <del>normally 3 minute</del> ) oral statement to the Development Management Committee on any of the planning applications which are being considered by the Committee.  Footnote 10:  For clarity delete the following text in footnote 10:  <del>Up to one</del> One person may be allowed

			<p>development.</p> <ul style="list-style-type: none"> <li>• Increase the number of objectors and supporters allowed to speak (particularly those registered on the database)</li> <li>• Increase the time periods for preparation of a response by ensuring officer reports are</li> <li>• Increase the time for delivering the statement to 6 minutes.</li> </ul>	<p>not feasible or practical to have dedicated DMC committees at different locations for each major site. Committees are filmed via the webcast so can be viewed across the district. Equally, when requested, the Council will consider showing the committee at alternative venues. This will be determined on a case by case basis and does not need to be prescribed in the SCI.</p> <ul style="list-style-type: none"> <li>• Increasing the number of speakers is not practical given that number of applications to be considered at committee.</li> <li>• In most cases the officers' reports are published around 2 weeks before committee, but occasionally they are published closer to the committee date due to particular circumstances. The SCI aims to be flexible so seeks to avoid setting rigid timescales for non-</li> </ul>	<p>to speak in support of an application, and one person to speak in objection to each application at the meeting. Each person or group of people opposing or supporting the proposal will be allowed up to three minutes <u>(or 6 minutes for strategic sites allocated in the District Plan)</u> to speak to the Committee. How to register to speak and the rules for these meetings are explained in greater detail on the Council's website <a href="http://www.eastherts.gov.uk">http://www.eastherts.gov.uk</a></p>
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				statutory processes.	
Appendix A					
2- Canal and River Trust	Specific Consultees		The Canal and River Trust is a statutory consultee in the Development Management Process. The organisation should be consulted if an application is going to affect any inland waterway or canal feeder canal. Early engagement in both the plan making and with planning applications is key. Would like to be included in the list of 'Specific Consultees' in appendix A.	<p>Noted and East Herts Council welcome engagement with the Canal and River Trust. It is recognised that the Canal and River Trust are prescribed as a statutory consultee for Development Management purposes in The Town and Country Planning (Development Management Procedure) (England) Order 2015. As such they will be consulted about relevant planning applications, in accordance with legislation</p> <p>However, the list of Specific Consultees in appendix A relates to the requirements of the Town and Country Planning (Local Planning) (England) Regulations. As a voluntary organisation The Trust would be considered a General Consultee and meet the criteria set out in Appendix A: <i>'voluntary bodies some or all of whose activities benefit any part of the local planning authority' area'</i></p>	No amendment in response to this issue.

### Additional Officer modifications

There are also several additional minor factual or grammatical errors noticed by officers, as follows:

- In Appendix A in the list of Specific Bodies add the following text for clarity:  
Primary Care Trust (now known as Clinical Commissioning Group- CCG);
- In Appendix A delete reference to the ~~Metropolitan police~~ in the list of Specific Bodies, as this is an only relevant in London.

# Agenda Item 8

EAST HERTS COUNCIL

EXECUTIVE - 08 OCTOBER 2019

REPORT BY LEADER OF THE COUNCIL AND EXECUTIVE MEMBER FOR  
PLANNING AND GROWTH

EAST HERTS DISTRICT PLAN: RETAIL FRONTAGES, DESIGN & SIGNAGE  
SUPPLEMENTARY PLANNING DOCUMENT (SPD) - FOR ADOPTION

WARD(S) AFFECTED: ALL

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## **Purpose/Summary of Report**

- To outline the results of the public consultation on the draft Retail Frontages, Design & Signage Supplementary Planning Document (SPD) and seek Members' agreement to adopt a revised document.
- To report that the three statutory consultees have no comment on the Strategic Environmental Assessment (SEA) Screening report, so confirm that an SEA of the Retail Frontages, Design & Signage Supplementary Planning Document (SPD) is not required.

<b><u>RECOMMENDATIONS FOR EXECUTIVE:</u> To recommend to Council that:</b>	
<b>(A)</b>	<b>The responses of the consultation be noted and the officer responses and proposed changes to the Retail Frontages, Design &amp; Signage Supplementary Planning Document (SPD) be supported;</b>
<b>(B)</b>	<b>The Retail Frontages, Design &amp; Signage Supplementary Planning Document (SPD), as detailed at Essential Reference Paper 'B' to this report, be approved for adoption; and</b>

(C)	<b>In accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 it has been determined that a Strategic Environmental Assessment of the emerging Retail Frontages, Design &amp; Signage Supplementary Planning Document (SPD) is not required as it is unlikely to have significant environmental effects.</b>
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## 1.0 Background

- 1.1 The District Plan promotes high quality design and aims to safeguard the vitality and viability of the town centres whilst recognising the importance of preserving and enhancing their historic character. The need to ensure that retail and town centres are of a high environmental quality has also been seen to become more important because of the changing nature of our town centres.
- 1.2 Supplementary Planning Documents are documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular topics, such as design.
- 1.3 The Retail Frontages, Design & Signage SPD has been produced by Murphy Associates working in collaboration with the Council.
- 1.4 Members will recall that public consultation on a draft version of the SPD for a period of six weeks was agreed at Executive on 26<sup>th</sup> February 2019. The consultation subsequently took place between 20 June and 5pm on 1 August 2019.

## 2.0 Report

- 2.1 The new National Planning Policy Framework (NPPF), published in February 2019, emphasises that the creation of high quality buildings and places is fundamental to what the planning and development process is seeking to achieve. Good

design is a key aspect of sustainable development and being clear about design expectations is essential for achieving this.

- 2.2 The Council has had guidance in place relating to the preferred treatment to be applied to retail frontages for a number of years. As part of the Hertford Urban Design Strategy (HUDS), further consideration has been given to the quality and character of Hertford town centre as part of the works taking place there.
- 2.3 The purpose of the draft Retail Frontages, Design & Signage SPD is to aid the effective implementation of the Design and Heritage policies in the District Plan (Chapters 17 and 21 respectively) relating to the design of shopfronts and advertisements, particularly within Conservation Areas and on Listed Buildings. Once adopted the SPD will be a material consideration in planning decisions.
- 2.4 In accordance with the Town and Country Planning (Local Planning (England) Regulations 2012, the draft SPD was subject to six weeks of consultation. A total of 13 responses were received from 11 respondents. Two of the responses stated that the respondents had no comments on the draft SPD. Four comments expressed support for the document, including Historic England, which welcomed the production of the SPD. There were two objections to the SPD and 5 comments.
- 2.5 The matters raised in these submissions are included in the statement of consultation, which is attached **at Essential Reference Paper 'D'**. This includes summaries of the main issues raised; the officer response to those issues; and proposed amendments to the SCI, where appropriate. It also includes a late representation (ID14), which has been considered but does not result in any amendment being proposed.
- 2.6 Many of the comments, including the two objections, relate to issues outside the scope of the SPD such as retrospective planning decisions, excessive use of A-boards, parking and



strategic development in the Green Belt. Two representations promote the importance of addressing the signage of shopping centres separately. This is not considered necessary as modern design and illumination are already sufficiently considered in the SPD. Therefore, although these matters have been included in the schedule of responses they have not resulted in any recommended changes to the document.

- 2.7 However, a couple of the representations have suggested amendments that would add value to the SPD in terms of clarification of the proposed text and photos. For these cases proposed amendments to the document have been suggested in the schedule.
- 2.8 Members are therefore invited to agree the officer responses to the issues raised as part of the public consultation; the proposed changes to the draft SPD; and the adoption of the final document. A copy of the final Retail Frontages, Design & Signage SPD is attached at **Essential Reference Paper 'B'**.

#### Strategic Environmental Assessment

- 2.9 Under the requirements of the European Union Directive 2001/42/EC and Environmental Assessment of Plans and Programmes Regulations (2004), certain types of plans that set the framework for the consent of future development projects, must be subject to an environmental assessment. It is therefore a requirement that the Council undertakes a Screening Assessment to determine whether the draft Retail Frontages, Design & Signage SPD should be subject to a Strategic Environmental Assessment.
- 2.10 The Regulations require that the Council consults three statutory bodies in reaching this determination. Consultation has therefore been carried out with the Environment Agency, Natural England and Historic England. All three organisations have confirmed that they have no comment on the Council's draft Screening Statement.

2.11 Therefore, the final Screening Statement is attached at **Essential Reference Paper 'C'**. It concludes that the draft SPD is unlikely to have significant environmental, social or economic effects beyond those of the District Plan policies it supplements; does not create new policies and only serves to provide useful guidance on how to effectively and consistently implement the District Plan policies and therefore does not require a Strategic Environmental Assessment.

### 3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

#### Background Papers

None

#### Essential Reference Papers

<b>ERP 'A':</b>	Implications/Consultations
<b>ERP 'B':</b>	Retail Frontages, Design & Signage Supplementary Planning Document (SPD)
<b>ERP 'C':</b>	Strategic Environmental Assessment Screening Statement
<b>ERP 'D':</b>	Consultation Statement

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## ESSENTIAL REFERENCE PAPER 'A'

### IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i>	Priority 1 – Improve the health and wellbeing of our communities  Priority 2 – Enhance the quality of people's lives  Priority 3 – Enable a flourishing local economy
Consultation:	A 6 week consultation on the draft SPD took place between 20 June and 1 August 2019.
Legal:	The adopted SPD will be a material consideration in the consideration of planning applications.
Financial:	There are no financial implications arising from this report.
Human Resource:	There are no human resource implications arising from this report.
Risk Management:	The adopted SPD will increase the efficiency of negotiations between the council and applicants.
Health and wellbeing – issues and impacts:	The link between planning and health has long been established. The built and natural environments are major determinants of health and wellbeing.
Equality Impact Assessment required:	No – an EqIA was undertaken on the District Plan.
Environmental Sustainability:	There are no environmental sustainability implications arising from this report.



# East Herts Retail Frontages: Design & Signage SPD

October 2019





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# 1 . Introduction



## 1 Introduction

### The Purpose of this Guidance

- 1.1** This Supplementary Planning Document (SPD) has been produced by East Herts District Council as a material consideration to be taken into account when determining planning applications or listed building consents for works to or for new shopfronts and advertisement consents for the display of signage. The advice advances the policy requirements set out in the National Planning Policy Framework (July 2018) and the relevant policies of the East Herts District Plan 2018.
- 1.2** The aim of this SPD is to provide guidance to applicants, agents, architects, retailer and independent traders on the requirements for high quality retail frontages, the replacement of existing and the installation of new shop fronts throughout the district, in order to raise the standard of design quality and to enhance the attractiveness and local distinctiveness of the District's shopping environments.
- 1.3** The Council attaches considerable importance to suitably-designed shopfronts, not only for the preservation of the character of individual buildings and retail areas, but also for the attractive overall appearance of shopping streets and the impact on their commercial success. This includes signage and lighting. It explains the strong role of shopfronts and associated signage in historic environments which are of particular relevance to the East Herts, given that the retail and commercial areas of the five main settlements fall within conservation areas, containing many listed buildings.
- 1.4** Where shopfronts of character do survive, particularly if they are of some age, every effort should be made to keep them. Modern and traditional styles are equally acceptable, subject to their design quality, materials and context.
- 1.5** The purpose of the SPD is not to suggest a rigid application of a set of rules but to provide guidance on designing, altering and improving retail frontages and in a number of cases, restoration or appropriately designed replacements. It also explains the expectations arising from planning policy for well-informed applications where planning permissions and listed building consents are required. It also seeks to ensure that any impact arising from changes to our retail frontages is positive and enhancing. It relates not only to retail units, but also to Banks, Building Societies, Estate Agents, Betting Offices, Public Houses, Restaurants and hot food outlets or, indeed, to any premises which have a window display and/or signage.



## 2 The Issue

- 2.1** As the prime retail and commercial areas of the main settlements are within conservation areas and contain a high percentage of listed buildings, the character and appearance of individual and groups of buildings and street scenes can be harmed by insensitive and inappropriate shopfront designs and signage. For example, an overly large plastic fascia may be inappropriate in terms of size and materials and may cover traditional architectural features. Also, standardised corporate 'house designs' of multiple 'chain' franchise retailers present a particular problem when they are applied insensitively to existing buildings, adopting a one-size fits all approach.
- 2.2** Whilst the desire for corporate identity and image is appreciated, in some cases standard designs will need to be modified in order to fit sympathetically with the period and architectural style of the building they are being applied to and where there are statutory heritage designations. It is important, therefore, that alterations, restoration and replacement are sympathetically carried out, especially in conservation areas and on listed buildings, in order to protect their special character.
- 2.3** Size, scale, elaborate or simple design and detailing, the use of correct materials and colour schemes are all important in making shopfronts an acceptable part of existing buildings and areas. With that, there is a strong relationship between the attractiveness of town centres and their economic competitiveness. Consistently well-maintained shopfronts therefore affect the prosperity of individual businesses. This guidance is intended to strengthen those links.
- 2.4** Due to the nature and characteristics of the settlements in East Herts, the extent to which there is an issue with shopfront design and signage varies. This is due to the size of the settlement but also the designations that exist. In East Herts the majority of the historic centres and their retail areas are within conservation areas, and contain a considerable number of listed buildings.

### The main settlements

- 2.5** The five main settlements experience issues to varying degrees. For instance:

#### Buntingford:

- 2.6** Buntingford's main shopping area starts where Station Road meets Market Hill, the location of the former cattle market. It continues northwards along the High Street. It retains an attractive environment which is largely due to



## 2 . The Issue



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the fact that it is within the conservation area and contains historic buildings ranging from the 15th to the 19th century, many of which are in commercial use.

- 2.7** Despite the historic sensitivity of the shopping street, modern shiny fascia signs, wall mounted signage, window decals and the considerable use of external lighting have made an appearance. A-boards are apparent as well as retail clutter spilling onto the pavement.
- 2.8** Sections of properties that once accommodated shops have returned to their original domestic use yet still retain the evidence of the former shop display window or shopfront.



Figure 1 – Formerly a house but adapted to provide a double fronted shop to the ground floor.



Figure 2 - A conversion to a commercial use considered to be less successful in terms of the treatment of the historical significance of the building.

**Sawbridgeworth:**

**2.9** The main shopping area is contained within the medieval core of the settlement which is part of the conservation area. It starts at the junction of London Road and Bell Street, stretching eastwards to the Square, Bell Street, Church Street, and part of Knight Street. With a number of medieval properties still in existence, it is not uncommon for buildings to have retail uses to the ground floor with residential above or the ground floor being split. More modern developments have occurred to the west side of London Road with a parade of shops to the rear 1 – 7 Bell Street, utilising former burgage plots. A Budgens Store is located to the east side of London Road.

Page 178 There are a limited number of national retailers present. Independent

## 2 . The Issue



retailers are more prevalent. Financial institutions are present but display their corporate identities in a more muted manner. Some former coaching inns have remained.

- 2.10** Shopfronts are typically of painted timber, small in scale, with generally modest fascias and signage, apart from in London Road, where there are some poor aluminium shopfronts and over-sized or garish signs. Some are 19th century or earlier, and a few are of very high quality, with sophisticated classical detailing.
- 2.11** However, there are the exceptions. Over time some fascias have been over-boarded with plastic, shiny signboards, including variants with an aluminium frame. Disproportionately long fascia signs and wall mounted signage is noticeable, particularly on buildings where there is no defined fascia area. Supermarkets tend to see their display windows obscured with window decals and there is an evidential preponderance for the use of bulky external lighting.



Figure 3 - A Medieval building with two different retail displays.



Picture Figure 4 – A blank frontage.

### Ware:

**2.12** The shopping environment in Ware is largely contained within the historic market area of the town and its medieval streets including the approach along Baldock Street, High Street, West Street, East Street, Bridge Street and Amwell End, all within the Ware Conservation Area. Many premises are listed and a number of buildings are identified as making a positive contribution to the Ware Conservation Area.

**2.13** In general there are a number of attractive shopfronts and signs that have sought to respect the buildings into which they have been inserted. As a larger retail environment compared to Buntingford and Sawbridgeworth, there are more issues with fascias and hanging signage, materials and colours, canopies, window decals and A-Boards. In some cases, little respect

## 2 . The Issue



Figure 5 - A variety of architectural styles, some inappropriate shopfronts and blinds



Figure 6 – Turning the corner



Figure 7 - A late 19th/early 20th century shopfront with traditional elements.



Figure 8 – Some features lost and with an imbalance between signage and other treatments.

### Bishop's Stortford:

- 2.14** The shopping area of Bishop's Stortford is contained by the River Stort, Castle Gardens, Hadham Road to Station Road/Newtown Road. The historic core is centred on the junction of High Street, North Street, Bridge Street and Market Street/Market Square which coincides with the heart of the shopping environment which also continues along Potter Street and South Street. Some side lanes and 'walks' also accommodate retail premises with the main shopping mall, Jackson Square, is located between Potter Street, Bridge Street, Riverside and The Causeway. The majority of the shopping area falls within the Bishop's Stortford Conservation Area and contains many listed buildings and buildings that make a positive contribution to the character and appearance of the conservation area.
- 2.15** Due to the nature of the buildings, there is clear change between North Street, Potter Street and South Street. Buildings span from the medieval period to the late 19th/early 20th centuries, some retaining historic shopfronts and traditional features including signage. There is a greater percentage of national multiple stores with corporate identity signage in Bishop's Stortford than in other centres of the district. Some companies have adapted their signage to respect the host building whereas others have had little regard to the building or the street scene.
- 2.16** Regrettably, the area includes a number of reproduction frontages, poor quality fascia signs concealing historic features, projecting internally illuminated fascia boxes, garish colour schemes, overly large lettering, sign boards, banners, window decals and a clear over presence of A-boards. Trough lighting and inappropriately placed roller shutters are equally jarring.

## 2 . The Issue



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Figure 9 – a 15th century timber-framed house converted to retail use on the ground floor. The shopfront dates from the early 20th century and is of an appropriate design.



Figure 10 – A less than successful 1960's parade of shops on the corner of South Street & Station Road.

### Hertford:

- 2.17** This market town sees its main retail and commercial area along St. Andrew Street, Old Cross, Mill Bridge /The Wash, Parliament Square, Maidenhead Street, Bull Plain, Market Place, Bircherley Green, Railway Street, and Fore Street. This area is within the Hertford Conservation Area and contains a



high percentage of listed buildings with a number identified as making a positive contribution to the character and appearance of the conservation area.

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- 2.18** There are a number of surviving, good quality shopfronts and signs as well as an attractive variety of traditional materials and details. Equally, and within the central historic core, there are a number of poor quality shopfronts, fascias and advertisements that detract from, not only the buildings themselves, but the streetscene. In many cases fascia signs are placed below the 'integrated' fascia area; and therefore the frontage may have two fascias, one above the other. This is particularly noticeable in Maidenhead Street.
- 2.19** Others tend to be overly large obscuring architectural details; made of shiny materials. Some traditional shopfronts have seen the introduction of unacceptable window display areas, a poor choice of colours, even to the traditional wooden shopfronts.
- 2.20** There are many examples of buildings being subdivided into separate units with frontages that do not match. Swan neck, bulk head downlights, strip lighting, poorly added blinds (Dutch and roller), security cameras and alarm boxes add to the visual clutter on frontages.



## 2 . The Issue



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East Herts District Plan | East Herts Retail Frontages: Design & Signage SPD (2019)



Figure 11 – Pizza Express signage adapted to fit.



Figure 12 – Discordant adjacent colours.



Figure 13 – The 15th century jettied, timber-framed building, St. Nicholas Hall or Verger's House accommodating retail.



Figure 14: Signage respecting the medieval buildings.

## 3 . Historical Background



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### 3 Historical Background

- 3.1** Retail and commercial uses have been a defining element of our town centres. Just as towns have evolved over time so shops have changed in response to factors such as design, lighting, security, environmental health and fashion. Retail methods have also changed from service to self-service and shopping has progressed from a functional to a recreational activity. Both corporate organisations and individual traders endeavour to highlight their location and products in competition with rivals. Shopfronts remain an important feature in the street scene of the towns and villages and this is evident in East Herts where the main settlements have their origins in historic medieval market towns.
- 3.2** Historically valued shopfronts saw their origins and influences emerge from the medieval period when the 'shop' was a market stall. There was then a move toward more permanent buildings where one or two rooms became shops with the upper floors used as living accommodation. The earliest shops were open fronted, typically having shutters that folded down to form the stall. This was supported by the infilling of the lower part of the opening, which is still known as the stallriser. A primary factor is the shopfront because it provides the welcome and frames the display of goods and services.



Figure 15 – An early 18th century shopfront inserted into a medieval building with simple detailing (Buntingford).

- 3.3** It is only from the mid-18th century that shop fronts, as we know them, begin to survive in reasonable numbers. Their greater elaboration coincided with accelerating commercial activity connected with an increase in what we now call consumer goods – articles of luxury and fashion rather than necessity. The appearance of the shops in which such things were bought became increasingly important from the 1700s.



Figure 16 - Early 18th century frontage to a 16th - 17th century building. Generally retaining traditional details but with some modern signage and swan neck lighting.

- 3.4 The majority of 18th and 19th century shop fronts were designed on an individual basis, utilising a variety of architectural detailing and styles. As the importance of the shop in its own right was recognised, this led to the move toward increasingly large, purpose-built frontages.
- 3.5 The 1830s saw the introduction of larger windows as manufacturers were able to provide glass panes of varying sizes for the 'new' shop front types, far cheaper than ever before. This marked a move away from small-paned bow windows towards large-paned ones of varying types (although there was a brief return to small-paned windows with the 'Queen Anne revival in the late-19th century).

### 3 . Historical Background



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East Herts District Plan | East Herts Retail Frontages: Design & Signage SPD (2019)



Figure 17 - Early 19th century frontage, double fronted with multi-paned oriel bays including slim glazing bars and traditional features.



Figure 18 - late 19th century Emporium with multi-paned display windows to first floor with altered 20th century timber shopfronts.



Figure 19 - Neo-classical revival building with defined fascia and architectural features.

- 3.6** The use of plate-glass windows led to a different scale in the design of shop fronts, with the stallriser at the base of the window virtually disappearing and the front being carried much higher up, thereby increasing natural internal light and display space, for instance, the aptly named 'Deco' building in Hertford which is contained within the ground floor of a 4-storey building of the neo-classical period, early 1900's.
- 3.7** Another often overlooked aspect of shopfront design is the use of shutters. These would have been a necessity, both for security and in order to prevent 'accidental' damage to the glazing and the contents of the shop which they protected.
- 3.8** Early shutters, comprising wooden panels on a framework, were normally put in place at the end of the working day. They would be slotted into position in a groove under the architrave, located on the sill with pins and held in place together by an iron strap. Fixings and metal plates with holes for the pins can still be found on old shopfronts. In some cases, the design of the front permitted the shutters to be housed externally, often hinged and folded back into boxes to the sides of the windows.
- 3.9** A further innovation in the early-to-mid-19th century was the introduction of roller blinds on springs. These served to shade the customer, protect goods and reduce reflections and glare in the windows. They could easily be fitted to the cornice and operated by a long boathook opening on metal stays fixed to the pilasters on either side.

## 3 . Historical Background



- 3.10** By the mid-19th century, only fresh food shops had open fronts. These persisted into the 20th century until the benefits of fresh air were overtaken by concerns for environmental health. Ventilation grills or opening lights above the top transom/fanlight were then used instead.
- 3.11** Competition in the high street of the late-19th century produced a range of styles with Gothic, neo-Georgian and Art Nouveau influences. Stonework and terracotta surrounds became common. New materials also included decorative glazed tiling with terracotta insets. Recessed entrances increased the area of window displays and transom lights allowed for cast-iron ventilation grilles and coloured glass to hide gas-light fittings.
- 3.12** With the introduction of pattern-book designs, shopfronts became an integral part of new town centre buildings in the early 20th century. Structural elements could be made more elegant with the use of bronze and polished stone, while Art Deco styles of the 1930s introduced features, such as sunbursts and stepped fascias, with new materials, such as chrome and Vitrolite/Carrara (a pigmented structural glass), chrome metalwork and chrome lettering. From the 1950's onwards the trend was for further simplicity in shopfront design and more minimal styles of modern architecture that have made much of the structural system of shopfront redundant. This was at a time when 'float' glass became available in large sheets. Although creating larger areas for window displays these also brought with them the added concerns of safety and security, and led to the widespread installation of security shutters and grilles. It was not until the 1970's when new interpretations of classical designs became popular.
- 3.13** Today many of the shopping streets in East Herts are not only of local, but national and international importance and display some fine original shopfronts of historic and architectural significance. There is a rich variety of styles and types from those inserted in medieval timber-framed buildings to Victorian, Edwardian and late-19th / early-20th century buildings. Using its statutory powers as a planning authority and through providing advice, the council is committed to preserving the retail heritage of its shopping environment.



### 4 Legislation and Policy

#### Legislation – the need for Planning Permission

**4.1** A new or replacement shop front will always require Planning Permission. Alterations to an existing shop front that involve a material change in its appearance will also require Planning Permission. Typical examples are:

- The removal of a shop front in whole or in part.
- The replacement or alteration of architectural features such as window frames and doors, decorative cornices, corbel brackets or other mouldings.
- Altering the frontage line (i.e. installing or removing a bay window, closing or creating a recessed entrance).
- Enlarging or reducing the size of a shop window or changing its shape, form, proportions or materials.
- Removing or adding mullions, transoms or glazing bars.
- Moving the position of the entrance.
- Replacing the shop door(s) with one of a different design or in different materials.
- Enlarging or reducing the size, depth or bulk of the fascia.
- Installing reflective or obscure glass.
- Applying stone, artificial stone, timber, plastic or tile cladding to pilasters, stall risers etc.
- Removing or installing steps or a ramp.
- Boarding up a shop front.
- Adding a blind or roller shutter. Where a roller shutter previously existed, changing the colour of the fabric or adding lettering will result in the need for planning permission and possibly Advertisement Consent.

**4.2** Works of repair or minor 'like for like' replacement do not require Planning Permission. Redecoration does not require planning permission unless the property is covered by an Article 4 Direction.



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### Listed Building Consent

**4.3** A new or replacement shop front within or attached to a listed building and any alterations which affect its special architectural or historic interest will always require Listed Building Consent. For example, in addition to the items requiring Planning Permission mentioned above, the following works will require Listed Building Consent:

- The removal, addition or alteration of entrance floor tiles.
- The removal of an original blind and/or blind box.
- The installation of an extractor fan outlet.
- Painting any previously unpainted areas of the shop front.
- Repainting in a markedly different colour.
- Painting with a textured paint.
- Alterations to the interior.

### Advertisements

**4.4** Under the provisions of the Town and Country Planning (Advertisements) Regulations 2015, shop owners and retailers are able to display signage under 'deemed' consent or 'express' consent. However, where signs are erected under deemed consent provisions, harm can still arise. This includes the use of overly large fascias obscuring features and details, poor quality materials, garish designs, colours and overly large letters.

### Enforcement

**4.5** Where shop fronts that fail to comply with the advice in this SPD and are installed without the necessary permission, the Council will consider taking enforcement action to secure compliance with the design guidelines set out in this document. The Council does not embark on enforcement action lightly, but considers that the protection of the character of retail areas of the District and their vitality is important.

### National Planning Policy Framework 2019

**4.6** In addition to legislation, the government has set out guidance on a range of planning matters in the National Planning Policy Framework (NPPF) 2018. Central to this is the need to ensure the vitality of town centres. This is supported by expectations for good design but equally, the need to reinforce local distinctiveness and to safeguard heritage assets. Historic England's Advice Note 2: Making Changes to Heritage Assets (2016) provides further guidance regarding changes to frontages in conservation areas, or to listed buildings.



- 4.7** Section 7 'Ensuring the vitality of town centres' sets out the planning framework to safeguard and promote sustained vitality for town centres. Whilst no specific reference is made to the detail of shopfronts paragraph 85 states:

*“Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation”.*

- 4.8** Section 12 'Achieving well-designed places', sets out the requirement for good design to be at the heart of planning policy and decision making, paragraph 124 states:

*“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.”*

- 4.9** Section 16 'Conserving and enhancing the historic environment' places greater emphasis on proposals affecting or related to heritage assets. This is particularly important as the main five settlements fall within conservation areas and contain a high proportion of buildings that are listed or identified as making a positive contribution. Proposals for change will be required to take account of the special historic or architectural interest of conservation areas and listing buildings when submitting proposals for change.

- 4.10** This SPD sets out best practice design guidance and a set of principles that will act as supplementary guidance to the East Herts District Plan. The guidance will meet the requirement for well-informed design guidance contained in the NPPF (2019) and at the same time seek to maintain quality at the heart of the Districts town centres and promote vibrant retail environments.

### **East Hertfordshire District Plan, 2018**

- 4.11** The East Herts District Plan was adopted in October 2018. Chapter 7 addresses Retail and Town Centres issues and sets out that:

*“East Herts’ town centres play a vital role in providing for the every-day needs of residents, providing not only a varied retail offer, but also for banking and administrative needs, leisure and social opportunities.”*

- 4.12** All of the towns in the District are historic market towns. The town centres have an identified hierarchy with Bishop’s Stortford identified as the principal town centre. Hertford is identified as a secondary town centre and all others

## 4 . Legislation and Policy



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are minor town centres. The policies (RTC1) identify town centre boundaries within which main town centre uses (as defined in the NPPF) will be supported in principle. Policies RTC2, 3 and 4 address primary shopping areas, and primary and secondary shopping frontages. The Plan also recognises that a range of facilities in local centres and villages support people's day-to-day retail and service needs whilst also helping to reduce the need to travel and promoting local employment. The Council recognises that a crucial aspect of the attractiveness of a town centre is its accessibility to all members of the community, whichever mode of travel they choose. Retail and leisure facilities should be accessible to all users and access for people with disabilities should be provided.

- 4.13** The District Council recognises the importance of retaining vitality within town centres, and the associated advantages of establishing and maintaining residential accommodation above retail units. These benefits include environmental sustainability, economic regeneration, security, and conservation of the District's heritage.
- 4.14** Chapter 17 sets out policies relating to design, policy DES4 covering a range of issues that all development proposals would be expected to address. Policies DES5 refers to crime and security matters. It sets out the requirement that measures to achieve those aims should not significantly compromise the provision of high quality design. With regard to advertisements and signs, policy DES6 specifies that these must respect the character and appearance of the environment.
- 4.15** Policies relating to heritage assets are set out in Chapter 21. Development proposals should preserve and, where appropriate, enhance the historic environment of the district. As indicated, the centres of all the historic retail areas in the district are designated as conservation areas. Policy HA4 indicates that, within these, development will be permitted where it preserves or enhances the special interest of the area.

Policy HA5 addresses Shopfronts in Conservation Areas specifically stating:

- I. Proposals for a new shopfront or commercial premise frontage or alterations to existing ones will be permitted where the proposed design follows historic shopfront design, is sympathetic to the scale, proportions, design details and materials of the structure or adjoining buildings and the character and appearance of the Conservation Area.*
- II. Shopfronts of architectural or historic interest shall be retained and repaired as necessary.*
- III. Security features should be designed in a sensitive manner which respects the overall character of the frontage and location, facilitates natural passive surveillance and maintains an attractive street scene. The use of architectural solutions combined with the use of an internal open lattice grill is preferred. Alarm boxes should be of a discreet*



*colour and size, located carefully in relation to the elevation of the building, whilst being obvious enough to deter an intruder.*

**4.16** In its consideration of applications within Conservation Areas for express consent made under the Town and Country Planning (Control of Advertisement) Regulations 2015 (policy HA6), the Council will only accept advertisements where they:

- a. are either painted or individually lettered in a suitable material of a proportionate size and design in relation to the building or fascia upon which they are to be displayed;
- b. are preferably be non-illuminated or does not contribute to an escalation of shopfront lighting along the street scene. Where illumination is proposed it should be external illumination which is discreet in size and of a minimum level. Internal illumination of shop signage will not be permitted;
- c. are of a traditional fascia or hanging type; and
- d. are of a traditional and appropriate size to the architecture of the host building.

**4.17** Policy HA7 addresses the issues raised when proposals relate to a listed building. All other policies relevant to the development proposed should be considered when schemes are being formulated. The East Herts District Plan can be viewed, in full, on the Council's website: [www.eastherts.gov.uk](http://www.eastherts.gov.uk).

### Neighbourhood Plans

**4.18** In addition, where a Neighbourhood Plan is in formulation or has been finalised and agreed ('made') it may also have policies which relate to town centre and retail locations. These policies should also be taken into account.

### Pre-application contact

**4.19** The Council is able to offer the provision of advice and informal consideration of schemes being devised, before a formal application is submitted. This process will assist in ensuring that the correct permissions/consent are applied for and that all the issues have been taken into account at an early stage. The Council does have to charge for this service and its current charges, and how to request pre-application advice, are set out on the website; [www.eastherts.gov.uk](http://www.eastherts.gov.uk).

### Building Regulations

**4.20** Approval under the Building Regulations is required where a new shopfront is proposed, or where works involve a material change to the existing, structural alterations or changes to the means of escape. In East Herts,

## 4 . Legislation and Policy



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the Council's Building Control service is provided through Hertfordshire Building Control (HBC), who can be contacted at; [building.control@hertfordshirebc.co.uk](mailto:building.control@hertfordshirebc.co.uk)



### 5 What to take into Account

**5.1** Most of the best new shopfronts are professionally designed by architects. It is important, though, that you choose an architect who has experience both of working on shopfronts and, where applicable, a knowledge of the requirements of working in a conservation area and on historic buildings. Before considering a full replacement, the existing shopfront should be evaluated to see which (if any) elements make a positive contribution to character and therefore merit retention. The following list of questions are often a good starting point when considering alterations to an existing shopfront and the premises.

#### **Existing Shopfront:**

- What is the character of the existing shopfront?
- What are the strongest features of the existing shopfront?
- Is the current shopfront listed or in a Conservation Area?
- Can the existing shopfront be repaired?
- Do the elements of the architectural surround, ie pilasters, corbels, cornice, frieze, stallriser, survive?
- What is the proposed use of the shop, and is the shopfront appropriate?

#### **The rest of the Building:**

- What are the qualities and proportions of the rest of the building?
- Is there a particular architectural style?
- What materials are used?
- How well does the existing shopfront fit with the rest of the building?

#### **Street scene and local context:**

- What is the rhythm of the street elevation in which the shopfront will be located?
- Is there a consistent pattern to the shopfronts of adjoining buildings?
- What are the materials and colours used in the local buildings?
- How would a new shopfront fit in positively with the street scene?

#### **Local Planning Authority:**

- What are the specific East Herts District Plan policies?
- Have you checked the guidance set out in this SPD?
- Are there any restrictions such as Areas of Special Advert Controls?

**5.2** Once the existing shopfront has been appraised, it is important to assess the design approach to be taken. In all cases, where a traditional or historic shopfront exists, the council will encourage its retention. Many traditional shopfronts only need repair or re- establishment of the traditional architectural frame of the shopfront to give many future years of use.

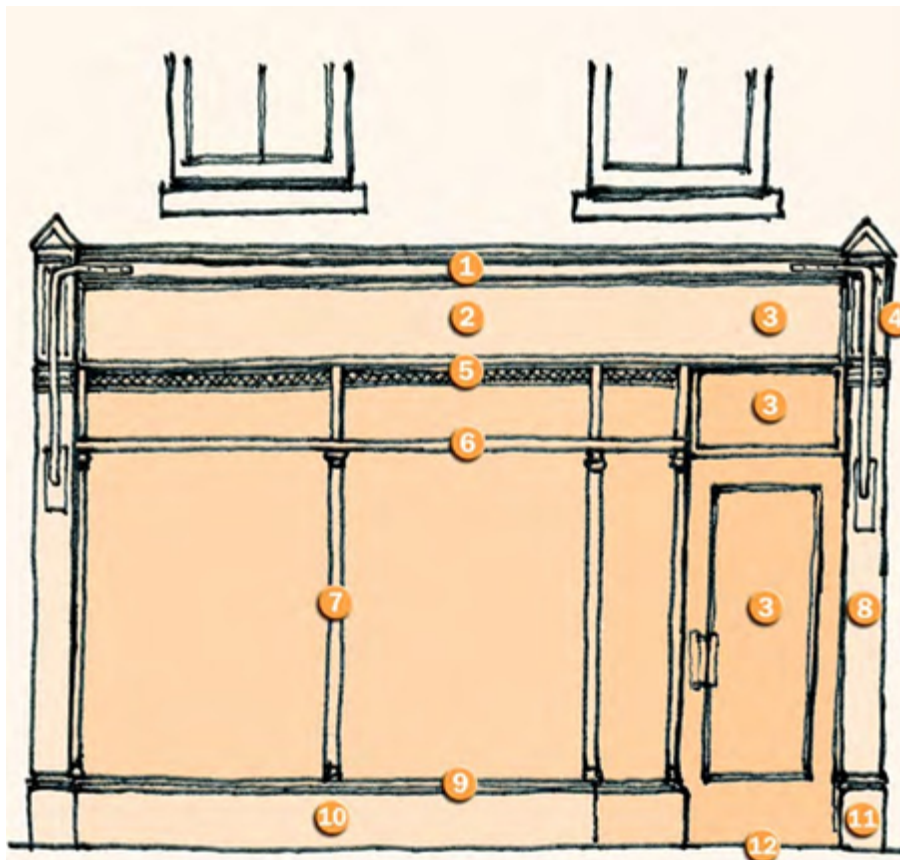
## 5 . What to take into Account



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### Traditional Design

**5.3** A traditionally designed shopfront often has the entrance door set back from the pavement. It will normally consist of pilasters, with architectural details such as capital and plinth, a corbel or console bracket, and an entablature with cornice and frieze or fascia, which generally has a hand painted sign. The shop window will typically include two vertical mullions and a transom rail at door head level with clerestory or transom lights above. It will mostly be made of timber and sit within the traditional architectural framework around the opening. In some cases, a side door is included to serve the separate living accommodation to the upper floors.



1. Blind Box
2. Fascia
3. Location for property number
4. Corbel/console
5. Ventilator/grill
6. Transom
7. Mullion
8. Pilaster
9. Cill
10. Stallriser
11. Plinth/base
12. Threshold

Figure 20 – Basic elements of a 'traditional' shopfront.

## 5 . What to take into Account



- 5.4** Even where the original shopfront has been removed, much of the architectural framework often survives, sometimes covered up by modern fascia boards and signs. Therefore reinstatement would be encouraged. Another option is to propose carefully proportioned, well-resolved high quality modern designs in appropriate locations and where the existing building can accommodate the extent of change.

### Modern Design

- 5.5** Modern designs may be a product of their time, responding to trading patterns with larger display windows, the growth of chain stores and multi-nationals, and the amalgamation of single shop units into larger stores. The response is often to extend the fascia across all units in an attempt to create unity but more so to accommodate corporate signage that often dominates a building and creates an unacceptable horizontal emphasis.
- 5.6** Plastic signage, particular internally illuminated box framed fascias in overly bright, garish colours and large lettering, has the sole aim of attracting attention. This may be what the retailer had in mind but it is often unsuccessful in its impact on the building itself and jars with its neighbours. Where more than one negative frontage sits alongside another, the cumulative impact is particularly harmful to the streetscene and quality of the shopping environment.
- 5.7** Not all modern design is negative as it can adopt traditional principles to meet trading and retailer needs whilst being sympathetic to the character of the host building. This is particularly important with regard to subdivisions, bay widths, architectural features, colour schemes and the context of the building in question. Some companies are more successful than others at adapting their corporate identities.



## 5 . What to take into Account



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Figure 21 – The identity of a chain store respecting the style of the curved shop with its fascia supported on barley twist columns with plinth and ornate capital.



Figure 22 – this retailer now has a unique presence in Bishop's Stortford with a subtle fascia.

## 5 . What to take into Account



Figure 23 - The specific character of each building is reflected in the design of shopfronts in the top image, but ignored when the ground floors are amalgamated into one large unit.

## 6 . Shopfront Design Advice



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### 6 Shopfront Design Advice

**6.1** The overall design of a shopfront encompasses a number of elements, any one of which, if inappropriately executed, can have a detrimental effect on not only the individual shop itself, but also the immediate locality. Therefore, proposals for either alterations to existing shopfronts or new shopfronts need to take account of a number of factors to ensure the end result relates sympathetically to the rest of the elevation including upper floors. Any details or features of interest should be incorporated into the design.

**6.2** Generally In their design, replacement shopfronts should:

- Reflect the architectural style of the individual building(s) with which they are associated, particularly insofar as their overall scale and glazing proportions are concerned. Where a shop occupies more than one building it is important that the individuality of each is clearly retained.
- Be generally well-proportioned and detailed, respecting existing decorative features and limiting signage to clearly defined elements.
- Utilise colour schemes sympathetic to the surrounding area in general and neighbouring buildings in particular.
- Employ traditional signwriting or utilise applied individual metal/timber lettering rather than vinyl, perspex or other non-traditional forms.
- Make use of discreet lighting and security measures in keeping with the building and its surroundings.
- Facilitate easy access through the use of appropriately detailed entrances – recessed where appropriate to overcome level changes – and door furniture.

#### Fascias and fascia signs

**6.3** Most shopfronts have a fascia and this is perhaps the most dominant feature. They play a dual role in both communicating the name, trade and number of the shop and forming an important design element in the ‘framework’ of the shopfront. As a general rule, Georgian and early Victorian designs employed upright fascias, with plain or decorative ends on top of any pilasters. In later periods the fascias were more often placed between console brackets (or other forms of termination) and canted forward. Fascias should be appropriate in terms of size and form to the architectural period and style of the building.

**6.4** Traditional fascias tend to be:

- Relatively narrow (around 18 inches/0.5 metres high).

## 6 . Shopfront Design Advice



- Proportional to the design of the shopfront and the building as a whole.
- Kept well below the cill level of the first floor windows whilst not extending down disproportionately far over the shop front proper.

**Figure 24 - Various sign and fascia issues**



a) Hand-painted lettering to the original fascia. The font may be a little large in part.



b) The sign has been located within the fascia area, contained by the corbel. It would have been more successful if painted onto the wooden fascia boards with the main name reduced in size.



c) Although easy to read, the lettering is too large and thus crowds the applied fascia board. A hand-painted fascia would have been more successful.



d) A plastic fascia board that is overly bright with large lettering and external lights that overpowers this building.



e) An inappropriately positioned plastic board placed above the ground floor with large lettering. An uncomfortable relationship.

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- 6.5** All too often, excessively deep fascias – often boxing over earlier forms – have been introduced to reflect the fashion current at the time. Where such fascias are out of place, their presence should not influence the design of any replacement. Instead, this should be based on the original form where physical or photographic evidence is available.
- 6.6** A desire to insert a suspended ceiling should not be used as justification for increasing the fascia's depth as there are other, less visually intrusive solutions which could be adopted to conceal such a false ceiling.
- 6.7** Traditionally, fascias have a moulded cornice running above them to help throw rainwater clear of the shopfront and thereby prevent rot. Such cornices normally have an appropriately detailed lead weathering to protect them and were often used to conceal roller-blind boxes.
- 6.8** A general set of principles should be applied:
- The fascias and signage should be in harmony with the other elements of the building.
  - The depth of a fascia should not exceed one quarter of the height from the pavement level to its underside.
  - The fascia should not extend below the head of the pilaster nor above the perceived floor level below the first floor windows or its cills.
  - Where corbels exist above the pilasters, these contained the fascia and determined its height and extent and should be respected.
  - Where corbels have been lost, they should be reinstated to create that frame and space.
  - Existing windows and architectural details such as string courses, friezes, cornices and pilasters should not be obscured, altered or defaced by fascias or projecting signs or advertisements.
  - Acrylic, plastic or other shiny materials applied to fascias should be avoided.
  - On 19th Century buildings painted timber fascias are more appropriate with either painted lettering or individually mounted letters of another material.
  - Box Fascias, usually of plastic and/or metal, often project out of the existing fascia panel, and are too large and bulky and unsympathetic to the style of most buildings, and should be avoided.
  - Individually illuminated letters are preferred to box signs and in some cases may not need Advertisement Consent.



- Highly reflective materials should be avoided.
- Good contrast and simple lettering will make signage more legible. Standard shopfront designs used by national retail chains may not be suitable

### Pilasters and Corbels/Consoles

**6.9** Pilasters are half columns that act as supports for the corbels/console and provide a clear division between each shop. Corbels are effectively the brackets or 'end stops' to a fascia and together with the supporting pilaster, complete the frame to the shopfront. Corbels are normally decorative rather than functional features and are derived from classical architectural orders but can vary significantly in size and detail from the classical and neo-classical to art deco designs of the 1920's and 30's. Pilasters also vary in detail from plain to moulded or fluted.

**6.10** Pilasters and corbels make a significant visual contribution to individual shopfronts and, where they are used as a common element in a row of shops, can help to provide a unifying theme particularly evident in set-piece buildings purposely designed for retail use.



Figure 25 - Examples of corbels of the influenced by the classical period.

**6.11** Any such original features that survive should be retained. Where new shopfronts in the 'traditional' style are being proposed, care should be taken to ensure the quality and proportions of the detailing of the individual elements is appropriate so as to avoid the visual blight arising from either 'pastiche' or 'standardisation'.

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### Canopies and blinds

- 6.12** Roller blind boxes were often incorporated into shop fascias. These were primarily intended to shade the shop-window displays from the sun and are not, therefore, commonly found on north-facing shopfronts. However, they also provide some protection to the shoppers and shop window against rain and sun and can be a lively addition to the streetscene, provided that they are designed as an integral part of the shopfront and are confined to it.
- 6.13** Where such blind boxes may have fallen out of use, resulting in the removal of the external ironmongery necessary for their function, the boxes themselves (often still containing the blinds) may survive in situ and, where this is the case, they should be refurbished and their mechanisms restored to full functionality where/if feasible.
- 6.14** Where canopies or blinds are being proposed as part of a shopfront design, they should normally be of the traditional, retractable type. Care should be taken to ensure that their size, shape and position are compatible with the character of the building. Architectural details should not be obscured when blinds are installed. The colour and materials should be in keeping with the materials of the shopfront and building.
- 6.15** Planning permission is normally required for all blinds, unless they are replacing existing blinds on a like-for-like basis. Blinds that carry symbols or lettering may be considered to be advertisements and may require advertisement consent. Listed building consent is required where blinds are to be installed on a listed building.
- 6.16** The Council will generally not permit blinds above first floor cill level. However, on existing buildings which are designed to accommodate blinds on upper levels, renewal will be acceptable if the blinds are concealed behind a traditional valance and do not carry advertisements. Folding or pseudo (fixed) 'Dutch' blinds are alien introductions to the traditional streetscene, perhaps owing more to sponsored advertising than any practical need. As such, the use of these latter types will be discouraged.



Figure 26 (left) - Section through a traditional fascia with integral roller blind (blue) and roller security shutters (purple).  
Figure 27 (right) - Dutch v simple roller blinds.

### Stallrisers and thresholds

- 6.17 The stallriser traditionally forms the lower horizontal and solid element of the 'frame' which encloses the display space and provides some protection against accidental knocks. Historically, the height of the stallriser was often dependant on the goods which were being sold, with those which would benefit from being viewed from above resulting in a low stallriser.
- 6.18 Higher stallrisers may have served to support projecting display shelves or tables, often associated with vertically-opening windows, of the type used historically by greengrocers, butchers and fishmongers, for example, in their shop designs.
- 6.19 Traditionally, stallrisers were constructed of render or wooden panelling on a rendered or stone / brick plinth. Early stallrisers were plain but in later centuries timber stallrisers included raised and fielded panels with mouldings. The modern reproduction versions are often inferior, utilising flat, un-profiled panels or applied mouldings which lack longevity.
- 6.20 Some stallrisers including decorative tiling relating to the type of business and in some instances incorporate terracotta panels, mouldings and lettering. Some pubs and butchers have glazed decorative tiles whereas some banks employed marble stallrisers Modern alternative have included laminates, mosaics and reflective tiles which are not considered to be suitable materials and should be avoided.



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Figure 28 - A well-balanced frontage with stallriser of an appropriate height.



Figure 29 - Tiles with moulding and terracotta to the stallriser.



Figure 30 - Glazed blue tiles appropriate to this stallriser.

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- 6.21** Historically where larger panes were used the building had a shallow stallriser or plinth, for example, the former Green Dragon Hotel dating from 1903 with its low blue green moulded plinth and dado and plate glass windows. Today the former hotel has been converted into retail and commercial units. Some modern shopfronts or commercial buildings can accommodate this minimalist approach but not all. Council policy requires that in certain locations, stallrisers should be incorporated into new frontages. Whatever their use it is possible for modern designs to incorporate these traditional features. In general stallrisers should not exceed the base of the pilasters of approximately 450mm in height. However, there may be cases where the stallriser could be higher, so seek advice first.

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Figure 31 - The former Green Dragon Hotel design with full plate glass windows.



Figure 32 - Two examples where full glazing works.

- 6.22** Thresholds marked the point of entry and, as such were frequently used to display the shop name. This often took the form of mosaic-work which might survive a number of changes in ownership and, where found, should be retained.



Figure 33 - A selection of the few tiled thresholds.

### Mullions, transoms and glazing bars

- 6.23 Mullions and transoms served as the main vertical and horizontal elements subdividing larger openings, in a pattern which reflects the proportions of the shop and the rest of the building. Transoms often enabled openable windows to be introduced for ventilation or the incorporation of ventilation grills.
- 6.24 Shopfronts from the late-18th to early-19th centuries often had full moulded or barley twist mullions into which the glass was set. The moulding was provided to the interior as well as the exterior creating visual richness.
- 6.25 Glazing bars of an increasingly slender, refined character were introduced as a means of holding small glazed panes in place within a larger frame, providing a particularly 'traditional' character. Though large sheets of plate glass have been used in shopfronts since the mid Victorian period, smaller divisions of glazing have remained in use for most traditional shop designs.
- 6.26 A transom should divide the window at the same level as the line between the door and door light. Mullions should line up above and below the transom and may reflect vertical alignment of windows in the upper floors or the bays of the building.
- 6.27 Unless a large expanse of glass is a principal feature of the design, then this practice of incorporating transoms and mullions should be followed. Therefore, where there is evidence of such features having previously existed in a shopfront it may be appropriate to consider reinstating them,

Page 212 not only for aesthetic reasons but also for practical ones. There is

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considerable potential for saving on glass replacement costs as, where casual vandalism or accident is concerned, it is unlikely that more than one pane would be damaged.



Figure 34 - An interesting Edwardian decorative glazing bar and a moulded mullion from the late-19th century.

### Doors and door furniture

- 6.28** The choice of door handles, letter boxes and other associated items of furniture is of importance as careless selection may be visually inappropriate and/or impracticable, particularly for the elderly or disabled. Again, these elements should reflect the overall character of the shopfront whilst remaining both robust and functional.



Figure 35 - Original Doors.

### Shop signage

- 6.29** Signage on fascias is best limited to details of the shop name and street address. Too much information creates clutter and visual confusion. Ideally, traditional signwriting or applied individual metal/timber letters should be used with painted timber as a base. The use of 'standard' vinyl, Perspex or similar materials is not considered to be appropriate, particularly in conservation areas and when applied to listed buildings.
- 6.30** Size of lettering should be determined by the need to be reasonably legible to shoppers, but not be too large to swamp the fascia or the shopfront. Generally individual letters and symbols should be no greater than 1/2 to 1/3 of the height of the fascia. Each shop must have its street number clearly displayed on the shopfront. Numbers can be positioned on the fascia, on glazing above doors or on the door.

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Figure 36- Appropriately scaled lettering to height of fascia.



Figure 37 – Example of a fascia with a too much lettering and an inappropriate Dutch blind.

- 6.31** Historically, other areas used for the display of more temporary advertising materials included the reveals of recessed doorways, where chalkboards might be put up or the sloping edges to the window display platforms above the stallrisers. As previously noted, stallrisers and adjacent paving surfaces might incorporate decorative tiling or mosaic work relating to the shop name and/or business.
- 6.32** The practice of displaying brush advertising material in the form of window stickers or banners draped across fascias or on elevations above ground floor level is inappropriate and can effectively compromise the character of the street, creating cluttered appearance and detracting from the appearance of the building/s.



- 6.33** Such inappropriate advertisement and signage prevents people from seeing into shops and has a detrimental visual impact on the character of an area. By contrast, attractive window displays have a positive effect on the perceived quality of the shopping area that will attract the interest of visitors and residents alike.



Figure 38 – Excessive signage significant in number and scale.

- 6.34** It must be remembered that a shopfront provides the framework for displaying goods. The method of display is crucial, not only in attracting the customer, but also making for a lively street. Shop windows should not be obscured by a proliferation of stickers and decals. A few carefully chosen and well-arranged items will be more eye catching than a display window crammed with goods.

### Corporate Styles

- 6.35** Company logos, signs and standard shopfront designs may not be suitable for either individual buildings or in Conservation Areas. The overall appearance of the building and the area is more important than promoting a 'corporate house style' for different branches of the same company. Care should be taken to adapt the design and incorporate the company logo in the overall design. Multiple stores need to co-operate in modifying their standard 'corporate' lettering, especially in conservation areas and on listed buildings.

### Signage on Glazing

- 6.36** Large areas of glazing can be a useful location for shop signs, which can be painted or etched onto the internal surface of the windows. This may be particularly suited to frontages that have an architectural form that do not lend themselves to the attachment of large external signs or fascias. However excessive signage can make windows look cluttered, especially when combined with additional advertisements and posters. Large vinyl



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stickers, often with exploded photos of products and used by convenience stores, are particularly harmful to the building and the character and appearance of the area and must be avoided.

- 6.37** Large areas of uninterrupted glazing should be easily identified to prevent people from walking into them accidentally. This should be with permanent marking 1.5m above street level. Clearly visible handles or push plates on fully glazed doors may also help to prevent accidents. Young children and people with a visual impairment may not detect the edge of a fully glazed door, and these should have a clearly visible frame or edge.

### Projecting or Hanging Signs

- 6.38** A well designed hanging sign suspended from traditional brackets can enhance the appearance of a shopfront and add vitality to a traditional shopping street. Sign-written hanging signboards of a modest size are an established feature of traditional streets and should be retained. Where the original brackets still exist, their reuse will be encouraged. Where new brackets are required, they would need to be detailed to fit in with the overall style of the building and their location should be carefully selected so as to minimise any potential for detrimental impact on the building itself or its neighbours. Any board should be painted timber and sign written. Bespoke hanging signs such as those used by chemists, barbers or ironmongers will be supported where of an appropriate design, appearance, material, and finish.
- 6.39** If original brackets are not present, a projecting sign may be accommodated centrally on a pilaster, at fascia level, at a minimum height of at 2.4m clearance from the pavement and 1m minimum in width from the outer side of the kerb line. The signs should be simple and limited to the relevant information relating to the shop and the services provided. No more than one sign will be considered acceptable per retailer or business and with deemed consent, should not exceed 0.75m<sup>2</sup>. Where exceeded, or a sign of any size is illuminated, advertisement consent may be required and Listed Building Consent will be required where attached to a listed building.
- 6.40** In conservation areas or on listed buildings, internally illuminated projecting box signs are considered unacceptable. Where illumination is required and justified, the most appropriate form for hanging signs is 'picture-lighting'. Other forms of external lighting will be considered on their merits.



Figure 39 - Positive examples of hanging signs using traditional brackets, or the original in respect of Pizza Express.

### Illumination (general)

- 6.41 Neon signage, illuminated letters and internally illuminated box signs and fascias are generally considered inappropriate, particularly for historic streets. Such signs tend to be too obtrusive and are usually constructed from unsympathetic materials.
- 6.42 Signs illuminated externally by means of trough lights or carefully positioned spotlights are potentially more acceptable but such illumination should only be considered for premises which are normally open after daylight hours, such as dispensing chemists, public houses, restaurants and other places of public entertainment.
- 6.43 The use of external floodlighting or downlighters is rarely necessary or appropriate as they add light pollution. In this context, it should be borne in mind that additional illumination should not be necessary where the level of street-lighting is adequate.

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Figure 40 – Unnecessarily extensive lighting.

### Upper floors

- 6.44** All advertising above ground floor level should relate solely to the use on that floor, rather than the commercial use below. For businesses operating from upper floors, painted lettering on window panes is preferred. Black or gold lettering is the traditional solution for this purpose. Etching can also be employed. Additional signs fixed to the outside of the building should be avoided, although “low key” signs e.g. brass plaques, may be appropriately sited next to entrances to the upper floors.

### Security Shutters and Grilles

- 6.45** Many retail frontages in the UK have been blighted by long stretches of solid aluminium shutters. At night these shut off light from within the shops creating an intimidating atmosphere. They prevent observation of break-ins and attract graffiti. There are some examples of shutters in the main shopping areas but not to the extent that they have created the negativity experienced elsewhere. There is evidence of runners of hooks for external mesh steel grilles on a number of shops. Some premises have internal expanding grilles which do not appear unattractive. Should proposals be presented for shutters account should be given to the following guidance and advice.



Figure 41 (left) - An imaginative use of external shutters. Figure 42 (right) - Poor Visibility through this inappropriate shutter

### 6.46

External shutters often retract into external boxes below the fascia and vertical runners attached to the pilasters. These both harm the appearance of a shopping streetscape. However, there are alternatives that avoid these problems:

- Security Glass is an ideal solution with no detrimental effect on the appearance of the shop. Modern toughened and laminated glass can give very high levels of security and there is a wide range of products available from standard 7mm laminated glass to bulletproof glass.
- Internal Grilles: Internal shutters require no external additions to the shopfront, and when they are the open link grille type, allow a clear view into the shop and give an open appearance from the street.
- Removable External Shutters: External shutters can be acceptable if they are appropriate to the shop and designed to suit its character. Traditional timber shutters that can be removed completely are fitted over each window; steel framed meshes with heavy gauge wire across fit over a larger area of glazing.
- External Roller Shutters: In exceptional circumstances external roller shutters can be used but they should be chosen carefully and fitted sensitively, so that:
  - They are of the open grille type allowing clear vision through.

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- The housing is contained within the design of the shopfront, preferably behind the fascia.
- The runners should be built into the frame of the shop.
- Solid External Shutters are only acceptable on traditional open shopfronts with no glazed window display, such as some fishmongers or butchers.

### Alarm boxes and security cameras

**6.47** Burglar, fire alarm boxes and security cameras should be discretely sited and painted so as not to detract from the visual and architectural character of the building, whilst ensuring adequate visibility for deterrent purposes. Any necessary wiring should be routed in such a manner so as to be as unobtrusive as possible. These considerations are particularly important where listed buildings and conservation areas are concerned.

### A-boards and Banners

**6.48** 'A'-boards are often displayed to attract custom to nearby premises. The unauthorised positioning of such signs on highway land is considered hazardous to highway users, particularly the visually impaired and introduces visual clutter into the streetscene and may result in action being taken to secure their removal.



Figure 43 - Examples of A-Board clutter.

**6.49** The Highway Authority normally does not allow signs to be displayed on land in its control and has the power to remove them. Advertisement Consent is required for such signs on private land.



### Modern Shopfront

- 6.50** In certain circumstances, it might be appropriate to design a modern shopfront either within the traditional surround or within a carefully articulated new shop frame that reinterprets the proportions and forms of the adjacent shopfronts in a contemporary manner. The design of modern replacements should be of a high standard in order to bring diversity and vitality to the street. At the same time, proposals should always take account of adjacent shopfronts where these are of traditional design and should relate in terms of fascia lines, stallriser heights, bay widths and materials.
- 6.51** Shopfronts combining two shop units often disrupt the strong vertical emphasis, relate poorly to the buildings and introduce a visually unacceptable horizontal emphasis. It may be necessary therefore to retain or introduce an intervening pilaster and to break the fascia so that it looks like two separate shop units. Corner shopfronts have an important visual and practical role to play in shopping areas. Special care will be required for shops of 'double' aspect and window displays.

### Construction material and finish of shop frames

- 6.52** Materials should be selected to harmonise with the character of the building concerned. As a general principle, the type and number of materials used should be kept to a minimum, should be durable and easy to maintain. Shiny, reflective materials or lurid colouring should be avoided.
- 6.53** Traditional materials such as painted timber, glass, steel, render, stone, glazed tiles are still the most commonly used materials for good shopfronts and will appear in most better- quality designs. In well-established shopping areas with historic interest, painted timber, combined with other traditional materials are the most appropriate usually matching the features of the upper floors. Traditional shopfronts should not normally have a natural or varnished timber finish and exposed tropical hardwoods are especially unsuitable.
- 6.54** Modern framing materials such as extruded aluminium and UPVC, which are smooth, flat in texture and plain in section, are unlikely to be considered acceptable on historic buildings and certainly not in an attempt to mimic a traditional design. There are some steel-framed shopfronts in the District and these can result in elegant simple modern designs which should be retained. Powder-coated cast aluminium, stainless steel and frameless glazing can all suit contemporary design.
- 6.55** Shop fronts which comprise a series of folding doors, usually proposed for café and restaurant uses and which enable the entire frontage to be open in fine weather, can be problematical in historic buildings. When fully open they result in a ground floor void lacking any solid base to the building, whilst when closed the proportions of the folding doors can result in too much

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vertical sub-division particularly if the frames are heavy. This approach is generally discouraged in historic buildings and within conservation areas, except in some cases, where the property is set back from the pavement with a reasonable private forecourt. However, alternatives could be considered such folding windows or horizontally sliding windows which sit upon a solid stallriser. This can achieve the same effect in fine weather whilst retaining a solid visual base to the shop front at all times.

### Colour and finishes

**6.56** The key to a successful colour scheme is to avoid colours with a high intensity which would make them overtly dominant in the street scene. Traditional joinery colours are dark blue, dark green, burgundy, brown, black, pale grey, creams and broken white. Using a consistent colour is preferable for all joinery. This approach will often still be the most appropriate one. However there are some exceptions, such as Lussmanns, a Grade II\* listed building in Hertford which dates from the Georgian period. It was remodelled in the 19th and 20th centuries with the ground floor housing a unique Egyptian revival style shopfront and a unique use of colours. It should be remembered that this is a one-off and does not justify some of the solid colours or colour schemes that are now evident elsewhere.

**6.57** The choice of appropriate colour will depend upon the character of the particular building, street or area. Additionally, the council may seek to limit colour schemes where the shopfront is an original example, in a conservation area or forming part of a listed building.



Figure 44 - One-off special buildings like Lussmanns may be able to accommodate a stylized appearance and unusual colours. It does not apply to all.

**6.58** Colour can be used to emphasise important elements of the design, to reinforce certain aspects and to pick up details, such as mouldings and lettering. Pilasters and corbel brackets should be a consistent colour. Where shared by adjoining shops they should not be painted half one shopfront



colour and half the adjoining colour. Traditionally rendered stallrisers and pilasters were painted in a contrasting colour to the joinery in smooth masonry paint. Original facing brick, steel and bronze or hardwood frames should not be painted and textured coatings should never be used. Joinery is normally best painted in a gloss or semi-gloss finish; a stained finish is almost always inappropriate in historic areas. The character or appearance of historic areas can be harmed by the use of strong and vivid colours. Restraint is required, preferably through the choice of traditional paints, colours and finishes.

- 6.59** It is helpful to emphasise the location of shop entrances for people with a visual impairment. This can be done through use of colour and textural contrast, on the vertical plane between entrance and the rest of the shop front and underfoot, by emphasising the change from pavement to shop floor.

### Empty Shops

- 6.60** It is recognised that there will be occasions when properties are vacant with shopfronts possibly needing to be boarded up for security reasons. It is important that this is only done as a temporary measure whilst steps are taken to bring the shop back into use. The boarding up of premises has a significant impact on a building's appearance and on the surrounding area.



## 7 . Access Provisions



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### 7 Access Provisions

- 7.1** Wherever it is practicable, the design of a new shopfront, or proposals to remodel existing premises should provide access to everyone regardless of age or disability. Thus the principles of inclusivity should be employed whereby the whole scheme is designed to be accessible without the need for separate entrances or facilities which can only be accessed by request. A number of existing shops and premises in the shopping areas have 'at grade' level or gently sloping entrances. Due to the medieval pattern and street systems, some benefit from a double aspect or a shopfront to another street which can be utilised to provide suitable access.
- 7.2** Obviously, this requirement has great implications for the design and layout of sites and buildings, both externally and internally. Most buildings will have to comply with the Building Regulations and access requirements. Designs should be undertaken with this in mind.
- 7.3** It should be remembered that those with special requirements related to access are not limited to wheelchair users, but includes people with impaired vision, hearing or mobility. In addition to the possible regular users of the development, occasional visitors will also need to be considered.
- 7.4** It is recognised that in certain instances the character of listed buildings or other existing structures will mean that compromises may have to be made regarding the overall aim of inclusivity.



Figure 45 – An historic shopfront that could not accommodate access for the less able without significant harm.



- 7.5** Alterations or new frontage should ensure access for all through the main entrance by creating a clearly defined, well-lit, unobstructed and level approach. Where this is not possible, a secondary accessible entrance should be considered. Only in exceptional circumstances should disabled people be obliged to ring a bell or wait to be escorted onto the premises.



Figure 46 - A historic entrance with original handrails assisting entry (left). An additional step to ease entry (right), however a uniform surface treatment would have been more appropriate.

- 7.6** The following points should also be borne in mind:

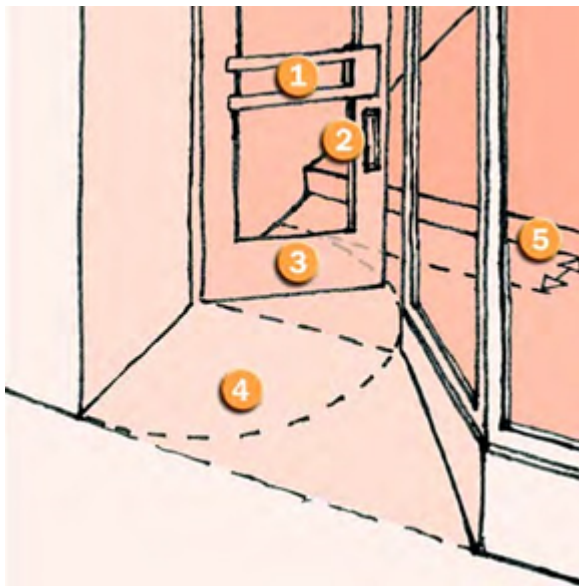
- The entrance to the shop should be level with the pavement. If this is not possible, a non-slip ramp (maximum gradient 1:12) should be provided, to allow access for people with limited mobility, including elderly people and shoppers with pushchairs.
- Doors should have a clear opening width of 900mm, with a clear 300mm space adjacent to the opening side of the door. Where there are double doors, there should be a clear opening width of 800mm through at least one of the leaves. Where building constraints make these recommended widths impossible, the minimum clear opening width should be 750mm.
- Where space is limited automatic doors are helpful, and there are a variety to suit most situations. Traditional shops may choose power-assisted doors, or automatic doors operated via a push plate. If manual, doors should be light, well hung, and self-closing forces kept to the minimum necessary. Revolving doors are not recommended.

## 7 . Access Provisions



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- Where there are unavoidable steps, these should be easy going, have a handrail on both sides and should be easy to see by including contrasting step nosings.
- On many traditional shopfronts the entrance is recessed. These recesses add variety to the shopping street. However, if open at night, they should be adequately lit for safety reasons.



1. Handle of appropriate height & design
2. Letterbox at convenient height
3. Kicking plate
4. Door hung to swing without obstructing pavement
5. Any necessary internal step 400mm beyond door swing

Figure 47 - Recessed entrances can accommodate appropriate access for the less able making the shopping experience 'user friendly' but care is required with detailing.



Figure 48 - Both the ramp and shopfront make for an unacceptable impact on the building and streetscene

1. Showcase
2. Landings (min900m<sup>2</sup>)
3. Ramp (1 in 20)
4. Safety Glass

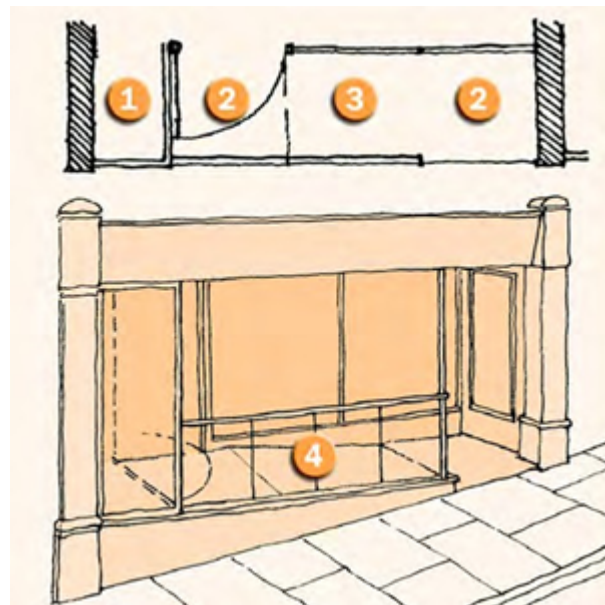


Figure 49 - Highways rarely permit level changes on pavements within their control. Where practical and achievable, this approach may offer an alternative and less intrusive approach.

## 8 . Summary



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### 8 Summary

- 8.1** The history of retailing and the availability of building materials and their associated construction methods are largely responsible for the appearance of our shopping centres and high streets today.
- 8.2** Alterations to existing commercial premises need to be carried out in a manner which is sympathetic to the original design and scale of the building and its setting. Demands from corporate businesses and the need for a higher retail profile has done much to destroy harmonious streetscapes. Modern materials and advertising methods have been used in ways which are out of context with the character of areas.
- 8.3** An understanding and appreciation of the development of the shopfront is useful when making changes and it is particularly important to conserve historic features and detailing in conservation areas and areas where the historical character is an important aspect of local distinctiveness.
- 8.4** It is not always easy to control the precise appearance of shopfronts and signage, especially when recent changes have been introduced which are not sympathetic to the existing fabric and design. Care is needed in the detailing of the fascia, canopies and blinds, pilasters and consoles, stallrisers, mullions, transoms and glazing bars, door furniture, shop signage, upper floors, illumination, security and alarm boxes.

# **Retail Frontages, Design & Signage Supplementary Planning Document**

## **Strategic Environmental Assessment Screening Statement**

### **1. The Purpose of this Statement**

- 1.1 This screening statement has been prepared to determine whether the proposed Retail Frontages, Design & Signage Supplementary Planning Document (SPD) should be subject to a Strategic Environmental Assessment (SEA) in accordance with the European Union Directive 2001/42/EC (SEA Directive) and the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations).
- 1.2 The purpose of the Retail Frontages, Design & Signage SPD is to aid the effective implementation of the Design and Heritage policies in the East Herts District Plan, adopted October 2018 (Chapters 17 and 21 respectively) relating to the design of shopfronts and advertisements, particularly within Conservation Areas and on Listed Buildings:
- Policy DES5 – Crime and Security
  - Policy DES6 – Advertisements and Signs
  - Policy HA5 – Shopfronts in Conservation Areas
  - Policy HA6 – Advertisements in Conservation Areas
  - Policy HA7 – Listed Buildings
- 1.3 The SPD will be a material consideration in the determination of planning applications and will inform Development Management decisions. The SPD will provide practical advice to all parties seeking to comply with the District Plan policies and will therefore be of particular use to developers, architects and agents, retailers and independent traders looking to bring forward development.

### **2. Strategic Environmental Assessment – Regulatory Requirements**

- 2.1 The basis for Strategic Environmental Assessment legislation is European Directive 2001/42/EC. This was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations). Detailed guidance of these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM, 2005) and Paragraph 11-008 of the Planning Practice Guidance (PPG), which states that "supplementary planning documents do not require sustainability appraisal but may in exceptional

circumstances require a strategic environmental assessment if they are likely to have significant environmental effects that have not already been assessed during the preparation of the local plan.

- 2.2 Under the requirements of the European Union Directive 2001/42/EC and Environmental Assessment of Plans and Programmes Regulations (2004), certain types of plans that set the framework for the consent of future development projects, must be subject to an environmental assessment.
- 2.3 The objective of Strategic Environmental Assessment is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development.
- 2.4 The 2001 Directive has been updated a number of times, with the most recent Directive issued in April 2014. While Article numbers cited in the 2005 guidance have been updated/removed, the principle of determining whether a Plan or Programme will have likely significant effects on the environment remain the same. Therefore, this screening statement uses the only Government guidance available.

### **3. The Strategic Environmental Appraisal Process**

- 3.1 The first stage of the process is for the Council to determine whether or not the SPD is likely to have significant effects on the environment. This screening process includes assessing the SPD against a set of criteria (as set out in Schedule 1 of the SEA Regulations). The results of this are set out in Appendix 1 of this statement. The aim of this statement is therefore to provide sufficient information to demonstrate whether the SPD is likely to have significant environmental effects.
- 3.2 The Council also has to consult the Environment Agency, Historic England and Natural England on this screening statement. A final determination cannot be made until the three statutory consultation bodies have been consulted.
- 3.3 Where the Council determines that a SEA is not required, Regulation 9(3) of the SEA Regulations states that the Council must prepare a statement setting out the reasons for this determination. This statement is East Herts Council's Draft Regulation 9(3) statement.

### **4. Other Regulatory Considerations**

#### **Sustainability Appraisal**

- 4.1 Whilst there is no statutory requirement to undertake a Sustainability Appraisal (SA) of the Retail Frontages, Design & Signage SPD, the Council has considered whether an SA of this SPD is required. The Council has determined that the SPD is unlikely to have significant environmental, social or economic effects beyond those of the

District Plan policies it supplements. This SPD does not create new policies and only serves to provide useful guidance on how to effectively and consistently implement the policies in the East Herts District Plan, which has been subject to a fully comprehensive SA process, incorporating SEA.

- 4.2 More information on the Sustainability Appraisal of the East Herts District Plan can be viewed on the Council's website: [www.eastherts.gov.uk/districtplan](http://www.eastherts.gov.uk/districtplan).

### **Habitats Regulations Assessment**

- 4.3 In addition to SEA and SA, the Council is required to consider Habitats Regulations Assessment (HRA). HRA is the process used to determine whether a plan or project would have significant adverse effects on the integrity of internationally designated site of nature conservation importance, known as European sites. The need for a HRA is set out within the Conservation of Habitats and Species Regulations 2010, which transposed EC Habitats Directive 92/43/EEC into UK law.
- 4.4 As with the SA, the District Plan was also subject to a comprehensive HRA. The HRA screened out the housing policies at an early stage, concluding that they were unlikely to have a significant effect on the integrity of European Sites. As the purpose of this SPD is to expand upon these policies, the Council has determined that a HRA is not required.
- 4.5 More information on the Habitats Regulations Assessment of the East Herts District Plan can be viewed on the Council's website: [www.eastherts.gov.uk/submission](http://www.eastherts.gov.uk/submission).

## **5. Conclusion**

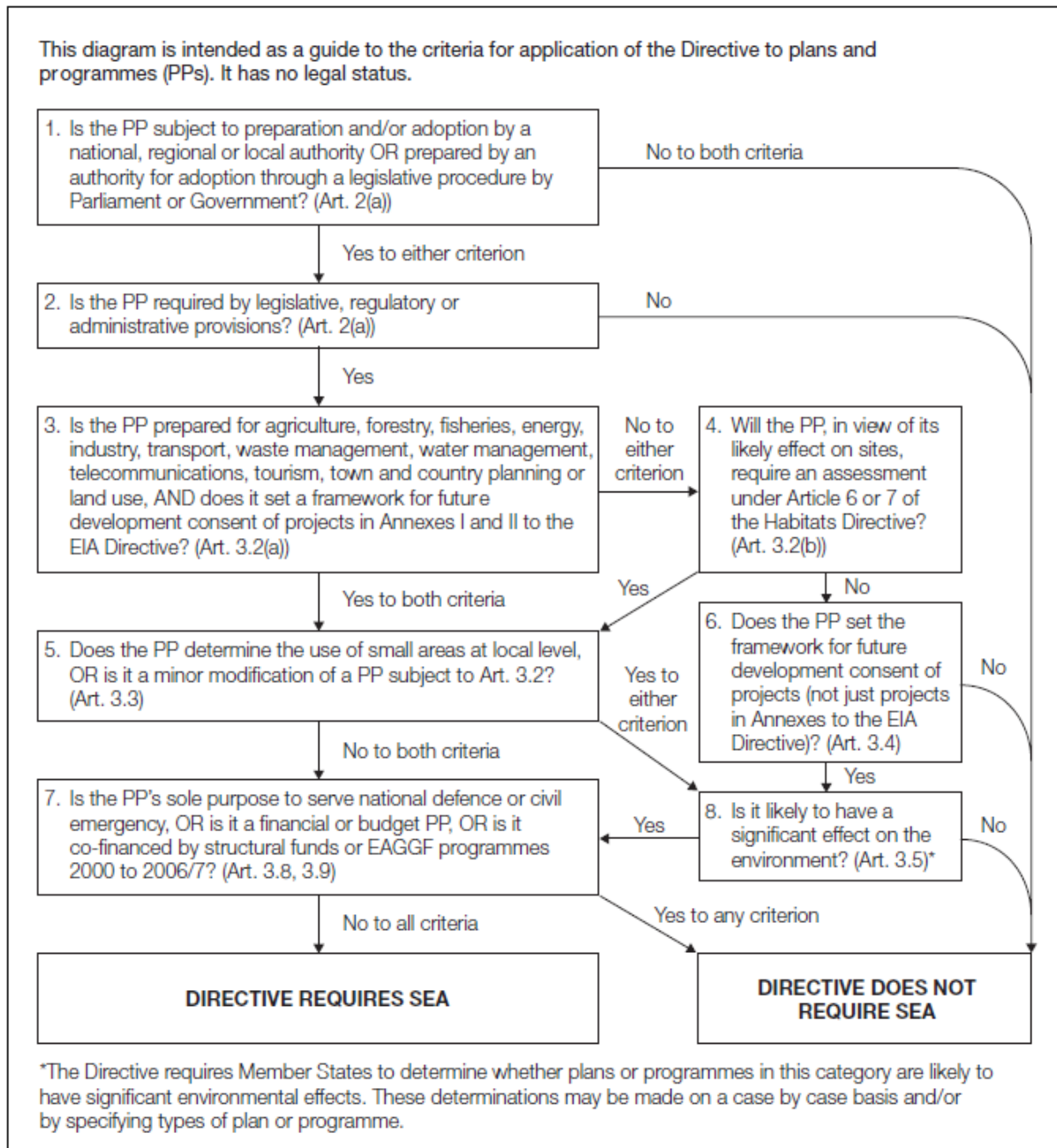
- 5.1 On the basis of the screening process, it is the Council's opinion that the Retail Frontages, Design & Signage SPD does not require a Strategic Environmental Assessment or Sustainability Appraisal. This is because there will be no significant environmental, social or economic effects arising from its implementation, as it seeks only to expand upon and provide guidance for the effective and consistent implementation of District Plan policies.



# Appendix 1

## SEA Screening of the Retail Frontages, Design & Signage SPD:

Figure 1: Application of the SEA Directive to plans and programmes guide



**Table 1: Establishing whether there is a need for SEA**

Stage	Yes/No	Assessment
1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Yes to either criterion:  proceed to question 2	The SPD has been prepared by East Herts Council to provide more detail relating to the policies contained in the East Herts District Plan relating to the design of shop fronts and advertisements, particularly within Conservation Areas and on Listed Buildings.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes:  proceed to question 3	Once the SPD is adopted it will become a material consideration as part of the development plan for East Herts.
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	Yes to both criterion:  proceed to question 5	The SPD is prepared for the purpose of town and country planning. It supplements policies within the East Herts District Plan 2018, by providing guidance relating to design.  AND the SPD sets the framework for development which may require an Environmental Impact Assessment under Schedule II of the EIA Directive such as 'urban development projects'. However, the SPD does not create new policy.
5. Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Yes to first criterion:  proceed to question 8	The SPD supplements the District Plan policies on design relating to shop fronts and advertisements which can be a form of land use.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	No	The SPD focuses on matters of design and is considered to have no significant effect on the environment.  <b>Directive does not require SEA.</b>

**Table 2: Assessment of the SPD against Schedule 1 of the SEA Directive**

SEA Directive Criteria (Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004)	Potential effects of the SPD
1. Characteristic of the SPD having particular regard to:	
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	The SPD provides more detail on the policies and principles established in the East Herts District Plan 2018, which has been subject to comprehensive SA incorporating SEA. The purpose of the SPD is to provide guidance on the effective and consistent implementation of the relevant design and heritage policies.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	The purpose of the SPD is to supplement the District Plan policies and sits below the District Plan in terms of the Development Plan hierarchy. It will influence the preparation of masterplans relating to strategic scale or significant developments and on specific proposals relating to town centres, retail developments, Conservation Areas and Listed Buildings and their action/management plans where relevant.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	The SPD is focussed on matters of design, in particular ensuring such development preserves or enhances the special interest, character and appearance of an area.
(d) environmental problems relevant to the plan or programme; and	There are no environmental problems relevant to the SPD. The SA of the East Herts District Plan identified a number of benefits arising from the relevant District Plan policies which this SPD supplements.
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	The purpose of the SPD is to provide guidance on the effective and consistent implementation of policies relating to the design of shopfronts and advertisements, particularly in Conservation Areas and Listed Buildings. The East Herts District Plan contains other policies relating to these objectives.

2. Characteristics of the effects and area likely to be affected having particular regard to:

<p>(a) the probability, duration, frequency and reversibility of the effects;</p>	<p>The SPD is not expected to give rise to any significant environmental effects. However, retail areas are particularly vulnerable to wider economic changes and can see many changes of use and/or operation resulting in new frontages. However, many such changes are cosmetic and therefore can be reversed. In Conservation Areas and Listed Buildings, changes which affect the structure of buildings are unlikely to be permitted.</p>
<p>(b) the cumulative nature of the effects;</p>	<p>By providing guidance which seeks to ensure the effective and consistent application of policies, over time, the SPD will have a cumulative effect on the attractiveness and local distinctiveness of the District's shopping environments.</p>
<p>(c) the trans-boundary nature of the effects;</p>	<p>The SPD is not expected to give rise to any significant transboundary environmental effects.</p>
<p>(d) the risks to human health or the environment (for example, due to accidents);</p>	<p>There are no anticipated effects of the SPD on human health. Existing legislation covers issues of safety arising from advertisements.</p>
<p>(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)</p>	<p>The effective and consistent implementation of design and heritage policies relating to shopfronts will have positive benefits for all East Herts residents and those who wish to shop in the District's shopping environments.</p>
<p>(f) the value and vulnerability of the area likely to be affected due to—                  (i) special natural characteristics or cultural heritage;                  (ii) exceeded environmental quality standards or limit values; or                  (iii) intensive land-use;</p>	<p>The SPD is not anticipated to adversely affect any special natural characteristic or cultural heritage. The SPD aims to enhance the attractiveness and special qualities of Conservation Areas and Listed Buildings and their cultural heritage. The SPD is not expected to lead to the exceedance of environmental standards or promote intensive land use.</p>
<p>(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>The SPD is expected to have positive effects on the District's shopping areas which contain Conservation Areas and Listed Buildings, which are a recognised national status.</p>

Retail Frontages, Design & Signage  
Supplementary Planning Document  
**Consultation Statement**

## **1. Introduction**

- 1.1 The Town and Country Planning (Local Planning) (England) Regulations 2012 require a local planning authority to consult the public and stakeholders before adopting a Supplementary Planning Document (SPD).
- 1.2 This statement sets out details of the consultation which has informed the preparation of the SPD.
- 1.3 The purpose of the draft Retail Frontages, Design & Signage SPD is to aid the effective implementation of the Design and Heritage policies in the District Plan (Chapters 17 and 21 respectively) relating to the design of shopfronts and advertisements, particularly within Conservation Areas and on Listed Buildings. Once adopted the SPD will be a material consideration in planning decisions.

## **2. Town and Country Planning Regulations**

- 2.1 The SPD is produced in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. The relevant regulations relating to the consultation process are explained below.
  - Regulation 12: Regulation 12(a) requires the Council to produce a consultation statement before adoption of the SPD, this must set out who was consulted, a summary of the issues raised, and how these issues were incorporated in to the SPD.
  - Regulation 12(b) requires the Council to publish the documents for a minimum 4 week consultation, specify the date when responses should be received and identify the address to which responses should be sent.
  - Regulation 35: Regulation 12 states that when seeking representations on an SPD, documents must be available in accordance with Regulation 35. This

requires the Council to make documents available by taking the following steps;

- Make the document available at the principal office and other places within the area that the Council considers appropriate;
- Publish the document on the Council's website.

### **3. Statement of Community Involvement (SCI)**

- 3.1 The Council's current SCI was adopted in 2013 and explains how the council will involve the community in plan-making and in the consideration of planning applications. Since 2013 there have been changes to legislation and the District Plan has been adopted.
- 3.2 Therefore, the Council is updating its SCI. A revised document has recently been subject to public consultation with the aim to adopt it in October. The principles of inclusive and accessible consultation continue but the revised SCI includes more information about neighbourhood planning, the use of social media and the expectation that SPDs can, if relevant, be subject to 4 weeks of consultation, instead of 6 weeks.

### **4. Consultation undertaken**

- 4.1 The SPD was approved for public consultation at Executive on 26<sup>th</sup> February 2019. Formal public consultation was undertaken on the draft SPD for a period of six weeks from 20 June to 1 August 2019.
- 4.2 Consultation was undertaken in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Statement of Community Involvement. Consultees were consulted by email; or post where no email address

was provided. A list of consultees is provided in Appendix A. The SPD consultation was also advertised via the Council's website, social media and newsletter Network.

4.2 The SPD and Strategic Environmental Assessment (SEA) Screening Statement were made available on the Council's website: [www.eastherts.gov.uk/retailfrontagesspd](http://www.eastherts.gov.uk/retailfrontagesspd). This included Information about how to submit representations. Paper copies were available for public inspection during normal office hours at the East Herts Council Offices in Hertford and Bishop's Stortford, town council offices and in libraries across the district.

4.3 Representations could be made via the Council's consultation portal <http://consult.eastherts.gov.uk/portal>; emailed to [planningpolicy@eastherts.gov.uk](mailto:planningpolicy@eastherts.gov.uk) or sent to; Planning Policy, East Herts Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ.

## **5. Issues raised during the consultation**

5.1 During the consultation, 13 representations were received, made by 11 respondents. Of the representations 2 respondents had no comments, 2 were objections, 4 of the representations were supports and 5 were comments.

5.2 The main issues raised include:

- SPD is welcomed to conserve, and where appropriate enhance, conservation areas
- Important to protect appearance of historic towns and listed building
- Some of the existing shopfronts require improvement
- More action needed on removal of A-boards



- Signage and advertising relating to shopping centres should be considered separately.

5.3 A summary of the consultation responses is set out in the schedule below. This table outlines the comments by topic, the Council's response to these issues and any consequential changes to the SPD. If text is to be deleted from the draft SPD it is shown ~~struck through~~. If new text is to be inserted it is shown underlined.

Rep No.	Topic/Section/para. Number	Support or Object	Issue	Officer Response	Proposed modification
<b>General Comments</b>					
4 - G. Gaunt	Purpose of SPD	Object	Object to the decision to produce a Shop Frontage SPD when over 2,000 people have objected to proposals to develop on Green Belt East of Stevenage. Concerned about impacts on congestion and loss of trees along Gresley Way.	Noted  Development on land East of Stevenage is outside the scope of this SPD. However, it is an allocated site (EOS1) in the adopted District Plan (2018), which was robustly assessed and examined by an independent planning Inspector.	No amendment in response to this issue.
14 - G. Gaunt	Purpose of SPD		With regard to signage on listed buildings such as those in Buntingford, it is obvious that these must be in keeping with the age of the building and nor garish or illuminated.	Noted - The SPD provides guidance on how to ensure signage is in keeping with listed buildings in East Herts.	No amendment in response to this issue.
5 - A. Taylor	Purpose of SPD	Support	Agrees with SPD. Important to protect the appearance of historic towns, but ensuring changes are in keeping with surroundings. Hertford is particularly struggling as many of the shopfronts are ugly and out of character. Any shutters should be internal.	Support noted	No amendment in response to this issue.
7 - C. Robinson	Purpose of SPD		Supports the policy approach but must start with the Library	Noted - All future planning applications or listed building	No amendment in response to this

			Service, whose signs are not in keeping with the historic character of Buntingford and Letchworth.	consents for works to or for new shopfronts and advertisement consents for the display of signage in East Herts will need to take into account the guidance in this SPD, once it is adopted.	issue.
8 - Natural England	No comment		Considers that topic of SPD does not appear to relate to interests of Natural England to any significant extent. Outlines the requirement to consult Natural England about whether an SEA of the SPD is required.	Noted  The Council has consulted Natural England specifically on the SEA screening report and Natural England has confirmed it has no comments.	No amendment in response to this issue.
13 - Hertfordshire County Council	No comment		No comments to make on the draft SPD	Noted	No amendment in response to this issue.
9 - Hertford Town Council	Purpose of SPD and additional guidance	Support	Very supportive and hopes it will help retain unique historic nature of Hertford. Note that some modern signage in Hertford Town centre lacks proportionality, hopes that this document will strengthen what's placed on windows of retail frontages and that Hertford Town Council promote their good quality retail frontages better. Would like to see District Council produce information guides promoting good practice	Support noted.  The Council already has a heritage guidance note relating to shopfronts to provide information and advice.  This SPD provides further good practice. Once adopted it will be a material consideration in the consideration of planning applications and listed building consent.	No amendment in response to this issue.

			guides for retail frontages as they have done in the past for other issues (e.g. thatching).		
10 - Historic England	Purpose of SPD and additional guidance	Support	<p>Welcome production of SPD and the Council’s emphasis on the conservation and enhancement, where appropriate, of the District’s retail frontages in conservation areas. Do not have capacity to make detailed comments but make the following general comments:</p> <ul style="list-style-type: none"> <li>- Would welcome reference to Historic England’s Advice Note 2: Making Changes to Heritage Assets, the info will underpin and reinforce your SPD guidance.</li> <li>- Welcome Council’s commitment to enforcement and refer the Council to Historic England’s ‘Stopping the Rot’ advice note for further information.</li> <li>- A bibliography could be included in the historical background section, which could signpost further information for those interested, e.g. Kathryn</li> </ul>	<p>Support noted.</p> <p>Recognise that the Historic England documents provide useful background information and reference to Advice Note 2 would be useful in the SPD.</p> <p>Note the reference to the enforcement Advice Note. Whilst acknowledging the book referenced may provide useful background guidance, it is not government guidance or industry good practice so it is not necessary to include reference in the SPD.</p> <p>Acknowledge that the NPPF was updated in February 2019 and the text should refer to the most recent version.</p>	<p>Insert additional text at the end of paragraph 4.6, as follows:</p> <p><u>Historic England's Advice Note 2: Making Changes to Heritage Assets (2015) provides further guidance regarding changes to frontages in conservation areas, or to listed buildings:</u></p> <p><u><a href="https://historicengland.org.uk/images-books/publications/making-changes-heritage-assets-advice-note-2/">https://historicengland.org.uk/images-books/publications/making-changes-heritage-assets-advice-note-2/</a></u></p> <p>Amend reference to the NPPF as follows:</p> <p>National Planning Policy Framework (20189)</p>

			<p>Morrison's 'English Shops and Shopping: an architectural history'.</p> <ul style="list-style-type: none"> <li>- Note that the SPD refers to NPPF 2018, and highlight it was more recently updated in March 2019.</li> </ul>		
<b>5. What to take into account</b>					
11 - Legal & General Investment Management	Modern Design (5.5-5.7)		<p>Consider that the draft SPD should recognise the important role of shopping centres within East Herts. Should acknowledge the opportunity for shopping centres to accommodate signage and advertising that may not be suitable on other retail frontages within the district's town centres.</p> <p>As such, signage and advertising that relates to shopping centres within the district's town centres should be considered on its own separate merits and this should be acknowledged within the SPD.</p> <p>There is significant</p>	<p>The SPD is not against contemporary design and paragraph 5.7 notes that not all modern design is negative. Therefore proposals for modern signage will be considered within that context.</p> <p>Shopping centres located in the conservation areas should not be treated any differently to other retail frontages.</p>	No amendment in response to this issue.

			opportunity to deliver more modern forms of advertising within the district's town centres, provided that they are sympathetic to the scale and character of the building they relate to and areas within which they are located. For example, at Jackson Square in Bishop's Stortford		
<b>6. Shopfront Design Advice</b>					
3 - Buntingford Town Council	Fascias and fascia signs (figure 24)	Support	Figure 24 (a) has no text attached to it	Noted	Insert the following caption under the photo in Figure 24:  <u>Hand-painted lettering to the original fascia. The font may be a little large in part.</u>
12 - Legal & General Investment Management	Illumination (6.41-6.43)		Illumination- Acknowledge that advertisement with illumination is generally considered inappropriate, particularly on historic streets. However, consider that as Shopping Centres form a key part of the retail offer in the heart of the town centre, a bespoke approach to advertising at their entrances is required.  Particularly where shopping	As stated, the SPD is not against contemporary design and notes that not all modern design is negative. Therefore proposals for modern signage will be considered within that context.  As with all retail frontages, signage and advertising in porticos will be assessed in terms of their impact on the character of conservation area. The SPD makes it clear that	No amendment in response to this issue.

			centres within the district (including Jackson Square) have porticos at their entrances and often do not face directly onto the street scene, there is an opportunity to accommodate carefully positioned signage and advertising that should be considered separately to general shopping frontages.	retail frontages should be considered on its specific location in terms of the building, street or wider areas. Specific guidance for shopping areas is unnecessary.	
2 - C. Jones	A-boards and Banners (6.48)		Fully accepts content of this SPD; however it is of limited use if the Highway authority does not take action against A-Boards cluttering the street or against vehicles using restricted streets. East Herts should also correct past mistakes of unacceptable shop fronts that it has approved.	Noted  Does not apply to retrospective decisions. Moving forward this SPD will provide greater clarity to enforce against inappropriate changes to shopfronts.  Paragraph 6.48 of the SPD refers to A-boards and the role of the highway authority in the removal of these. Any further detail about this or about parking is beyond the scope of this document.	No amendment in response to this issue.
1- R. Haswell	A-boards and Banners (6.48)	Object	Would like the removal of all 'A Signs' from Bishops Stortford because they are dangerous and cause a hazard.	The purpose of this SPD it to provide guidance on the retail frontages of buildings, not the street scene.  The use of A-boards is	No amendment in response to this issue.

				<p>controlled by Hertfordshire County Council (HCC) as Highways Authority, not East Herts Council. They are permitted as long as specific guidelines relating to size and location are followed. Misuse can be reported to HCC, who can remove if necessary.</p> <p>Paragraph 6.48 of the SPD refers to A-boards and the role of the highway authority in the removal of these. Any further detail is beyond the scope of this document.</p>	
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## **APPENDIX A: CONSULTEES**

The following organisations were directly notified of the draft Retail Frontages: Design and Signage SPD in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). It should be noted that individuals on the planning policy consultation database were also consulted, but are not listed.

### **Specific Consultation Bodies and/or Duty to Cooperate Bodies**

- Affinity Water
- Anglian Water
- The Civil Aviation Authority
- Communication Operators
- EDF Energy Networks
- Environment Agency
- Essex County Council
- Great Anglia
- Hertfordshire Constabulary
- Hertfordshire County Council
- Highways England
- Hertfordshire Local Enterprise Partnership
- Historic England
- Homes and Communities Agency
- Lee Valley Regional Park Authority
- National Grid
- Natural England
- Network Rail
- NHS East and North Hertfordshire CCG
- NHS West Essex
- Neighbouring Authorities: Broxbourne Borough Council, Epping Forest District Council, Harlow District Council, North Hertfordshire District Council, Stevenage Borough Council, Uttlesford District Council
- Police and Crime Commissioner
- Stansted Airport
- Thames Water
- The Coal Authority
- The Princess Alexandra Hospital NHS Trust

- Veolia Water

<b>East Herts Town and Parish Councils</b>	
Bishop's Stortford Town Council	Hertford Heath Parish Council
Buntingford Town Council	Hertingfordbury Parish Council
Hertford Town Council	High Wych Parish Council
Sawbridgeworth Town Council	Hormead Parish Council
Ware Town Council	Hunsdon Parish Council
Albury Parish Council	Little Berkhamsted Parish Council
Anstey Parish Council	Little Hadham Parish Council
Ardeley Parish Council	Little Munden Parish Council
Aspenden Parish Council	Much Hadham Parish Council
Aston Parish Council	Sacombe Parish Meeting
Bayford Parish Council	Standon Parish Council
Bengeo Rural Parish Council	Stanstead Abbots Parish Council
Benington Parish Council	Stanstead St Margarets Parish Council
Bramfield Parish Council	Stapleford Parish Council
Braughing Parish Council	Stocking Pelham Parish Council
Brent Pelham and Meesden Parish Council	Tewin Parish Council
Brickendon Liberty Parish Council	Thorley Parish Council
Buckland and Chipping Parish Council	Thundridge Parish Council
Cottered Parish Council	Walkern Parish Council
Datchworth Parish Council	Wareside Parish Council
Eastwick and Gilston Parish Council	Watton-at-Stone Parish Council
Furneux Pelham Parish Council	Westmill Parish Council
Great Amwell Parish Council	Widford Parish Council
Great Munden Parish Council	Wyddial Parish Meeting
28 Other Parish Councils outside of East Herts	

<b>General Consultation Bodies and Other Organisations</b>	
Aldwyck Housing Group Ltd	Hertfordshire Community Health Services
Bat Conservation Trust	Hertfordshire Gardens Trust
Bellway homes	Hunsdon Eastwick and Gilston Neighbourhood Plan Group
Beds and Herts Local Medical Committee	Hutchinson 3G UK Limited
Bishops Stortford Methodist Church	Ian Baseley Associates
Bishop's Stortford District Footpath Association	Jarvis Homes Ltd
Bishop's Stortford Chamber Of Commerce	Labour Party
Bishop's Stortford Liberal Democrats	Layston Pre-School and Nursery
Bishop's Stortford Mencap	Leach Homes
Bishop's Stortford Town Centre Management Partnership	Leaside Church

British Horse Society	Leaside Under 5's Kindergarten
British Telecommunications plc	Lee Valley Regional Park Authority
British Waterways	Linden Homes
Building Research Establishment	Linden Homes Eastern
Buntingford Chamber of Commerce	McMullen & Sons Ltd
Buntingford Civic Society	Mobile Operators Association
Buntingford Town Partnership	Molewood Residents Association
CABE	National Express East Anglia
Canal & River Trust	National Farmers Union
Carers in Hertfordshire	National Federation of Gypsy Liaison Groups
CBI East of England	Network Homes
CDA for Herts	North East Herts Labour Party
Chaldean Estate	North Hertfordshire Homes
Christ Church C of E (VA) Primary & Nursery School	Openreach Newsites
Church Commissioners	Orange Personal Communications Services
Circle Anglia	Origin Housing Association
Coke Gearing Consulting	PACE
Community Safety & Crime Reduction Department, Herts Constabulary	Paradigm Housing Group
Countryside Management Service	Paradise Wildlife Park
CPRE Hertfordshire	Parsonage Residents Association
Croudace Homes	Parsonage Surgery
Department for Transport Rail Group	Pelham Structures Ltd
Diocese of St Albans	Persimmon Homes
DPDS Consulting Group	Pigeon Investment Management Ltd
East Herts Ramblers	Plainview Planning Ltd
East of England Ambulance Service NHS Trust	Planning Potential
East of England Development Agency	RSPB
East of England Local Government Association	Salvation Army Bishop's Stortford Corps
Essex County Cricket Board	Sanctuary Carr-Gomm
Fairview New Homes	Sanctuary Hereward
Fields In Trust	Savills
First Capital Connect	Shelter
Forebury Estates Ltd	South Anglia Housing Association
Forewind Ltd	Sport England
Framptons	St Joseph's RC Primary School
Freight Transport Association	St Michaels Church
Friends, Families and Travellers and Traveller Law Reform Project	Standon and Puckeridge Surgery
Garden History Society	STANDonA120 campaign
Gascoyne Cecil Estates	Stevenage Liberal Democrats

Gladman Developments	Stewart Ross Associates
Good Architecture/ Transition Hertford	STOP Harlow North
Grange Builders	Strategic Planning Research Unit, DLP Planning Ltd
Granta Housing Society Ltd	Strutt & Parker
Hanover Housing Association	Sustrans
Hastoe Housing Association Ltd (East)	Telefonica O2 UK Ltd
Hatfield Town Council	Tesni Properties Limited
Haymeads Residents' Association	Thakeham Homes
Hazel End Farm	The Bishop's Stortford High School
Hertford Disability Support Group	The Canal and River Trust
Hertford Heath Primary School	The Gallery at Parndon Mill
Hertfordshire Action on Disability	The Georgian Group
Hertfordshire Association of Parish and Town Councils	The Gypsy Council
Hertingfordbury Conservation Society	The Lawn Tennis Association
Herts & Middlesex Badger Group	The Princess Alexandra Hospital NHS Trust
Herts & Middlesex Wildlife Trust	The Theatres Trust
Hertfordshire Building Preservation Trust	The Traveller Law Reform Project
Hertfordshire Chamber of Commerce & Industry	The Ware Society
Hertfordshire Community Health Services	The Woodland Trust
Hertfordshire Gardens Trust	Theatres Trust
Hertfordshire Police Authority	Wallace House Surgery
Herts & North Middlesex Area of the Ramblers	Ware Town Partnership
Herts Sports Partnership	Wareside C of E Primary School
Hightown Praetorian and Churches Housing Association	Watermill Estate Residents' Association
Hill Residential	Wates Developments
Hockerill Residents Association	Wattsdown Development Limited
Home Builders Federation	Welwyn Garden City Society
Home Farm Trust Herts & Essex	Wodson Park Sports Centre
Housing 21	Woodhall Estate
Hertfordshire Building Preservation Trust	
Hertfordshire Chamber of Commerce & Industry	

EAST HERTS COUNCIL

EXECUTIVE: 8 OCTOBER 2019

REPORT BY EXECUTIVE MEMBER FOR PLANNING AND GROWTH

ANSTEY CONSERVATION AREA APPRAISAL AND MANAGEMENT  
PLAN

WARD(S) AFFECTED: BRAUGHING

## **Purpose/Summary of Report**

- To enable Members to consider the Anstey Conservation Area Appraisal and Management Plan following public consultation.

<b>RECOMMENDATIONS FOR EXECUTIVE: To recommend to Council that:</b>	
<b>(A)</b>	<b>the responses to the public consultation be noted and the Officer responses and proposed changes to the Anstey Conservation Area Appraisal and Management Plan be supported;</b>
<b>(B)</b>	<b>the Head of Planning and Building Control, in consultation with the Executive Member for Planning and Growth, be authorised to make any further minor and consequential changes to the document which may be necessary; and</b>
<b>(C)</b>	<b>the Anstey Conservation Area Appraisal and Management Plan be adopted.</b>

### 1.0 Background

- 1.1 East Herts has a rich environmental heritage which currently includes 42 Conservation Areas. The East Herts District Plan refers to the ongoing review of its

Conservation Areas, a requirement which is also set out in national legislation.

- 1.2 The review of the Anstey Conservation Area is one of a series of reviews being undertaken and this is a recently completed one for consideration.
- 1.3 Each document identifies the special character of the respective Conservation Area together with the elements that should be retained or enhanced and those which detract from the identified character. Existing boundaries are reviewed and, where appropriate, practical enhancement proposals are suggested.
- 1.4 Once Members have considered each document and it has been adopted by the Council, it becomes a 'material consideration'<sup>1</sup> in the process of determining planning applications.

## 2.0 Report

### The Anstey Conservation Area Appraisal and Management Plan

- 2.1 The Anstey Conservation Area was designated in 1981. This Appraisal document was completed in 2018 and went through a period of public consultation from 22 October 2018 - 3 December 2018; extended a further week in agreement with the Parish Council (PC) because of an error relating to one of the contact details on the comment form (the PC sent an e-mail to residents advising of this). There was a public meeting held at the Anstey Village Hall on 22 October 2018 at which about 50

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<sup>1</sup> A material consideration is a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision.

persons attended. The PC also held a further meeting with residents although officers were not in attendance.

- 2.2 The Appraisal document was originally scheduled to have been considered by the Executive on 26 February 2019 but it was withdrawn from that meeting because a petition was scheduled for presentation at the following Council meeting on 5 March 2019. This petition was presented by the Chairman of Anstey Parish Council on behalf of Mr Jewitt. He explained that the draft did not reflect the community views on how their village should be conserved and that Anstey Parish Council had drawn up suggestions for a conservation area plan extending to include a number of hamlets in the parish.
- 2.3 This work is now being taken forward following the election in May 2019. The Executive Member for Planning and Growth and the local Member, together with Officers met representatives from the Parish Council on 7 August 2019. This meeting and discussion was useful, giving the Parish Council an opportunity to outline the concerns that were raised in response to the consultation, as well as giving officers an opportunity to outline their response. Additional paragraphs are now proposed in the Appraisal document which underlines the protection afforded by the now adopted District Plan. Furthermore, Officers agreed to consider if improvements could be made to the process following consultation and taking the final documents through Members for consideration.
- 2.4 A summary of the representations received together with officer responses are included at **Essential Reference Paper 'B'**. This document is an important reference paper which may be of particular interest to those who made representations as it identifies the

various issues raised and comments on them.

- 2.5 Over 20 representations have been received, copies of which have been redacted to omit personal details. These are included for information in **Essential Reference Paper 'C'**.
- 2.6 *Conservation area boundaries:* The document considers the conservation area boundaries and proposes a number of alterations. These are set out in Para 5.57 of the Appraisal document and shown on accompanying plans.
- 2.7 Many areas proposed for exclusion are large tracts of open countryside and farmland, the inclusion of which would be contrary to current Historic England advice. The Parish Council generally agrees with the removal of the large tracts of open countryside. Their representation however, which is supported by a number of other individual representations, considers that the Pains (Paynes) End and Silver Street/ Dawes End (various spellings noted) areas should be retained within the conservation area and also suggests that the conservation area should be extended easterly along Mill Lane; extended in a westerly direction to include Bandons and extended along the road to Brent Pelham to include Anstey Bury and Coltsfoot and Puttocks End. These proposals are set out on the Parish Council map appended to **Essential Reference Paper 'B'**. Officers do not consider it appropriate to extend the conservation area in the areas proposed and linked by narrow '*Conservation Margins*' as proposed by the Parish Council. However on reflection Officers consider a case can be made to retain part of Silver Street. Details relating to these matters are set out in **Essential Reference Paper 'B'**.



- 2.8 The Appraisal document identifies the key environmental features and the manner in which they can be controlled. The most relevant ones are: Listed Buildings, Scheduled Ancient Monuments, other non-listed buildings worthy of protection, other distinctive features, wildlife sites, open spaces and trees.
- 2.9 *Listed buildings and structures in their curtilages:* These are protected by legislation and have been identified.
- 2.10 *Scheduled Ancient Monuments:* Anstey Motte and Bailey is the most important and of considerable historic and visual importance.
- 2.11 *Non listed buildings of quality worthy of protection:* A number have been so identified. Some non-listed residential buildings have architectural features of high quality. The future protection of these buildings would be achieved through the introduction of an Article 4 Direction.
- 2.12 *Other distinctive features worthy of protection:* A small number have been identified. These include walls, tombstones and a fine War Memorial.
- 2.13 *Important open land and spaces:* These are the churchyard and small triangular green near the Chapel.
- 2.14 *Wildlife sites:* These are Anstey churchyard and The Hale Meadow.
- 2.15 Trees play a particularly important role in many locations. There are also some important ponds.
- 2.16 *Enhancement proposals to deal with detracting elements:* One such issue so identified has been negotiated

successfully – namely broken fence in centre of village.

- 2.17 A copy of the Anstey Conservation Area Appraisal and Management Plan together with accompanying plans is included at **Essential Reference Paper 'D'**. This is presented as it appeared at the consultation draft stage with any subsequent track changes to text and alterations to accompanying plans that incorporate any necessary changes. Additional paragraphs are now also proposed underlining the protection afforded by the adopted District Plan at paragraphs 5.54, 5.55, 6.3 and 7.13. Another change incorporates the relevant policies of the recently adopted District Plan. Further minor changes will be incorporated reflecting the status of the final document once Members have considered it for adoption.

### 3.0 Implications/Consultations

- 3.1 Information on any corporate issues associated with this report can be found within **Essential Reference Paper 'A'**.

### Essential Reference Papers

ERP 'A'	Corporate Issues and Consultation
ERP 'B'	Summary of representations and Officer comments
ERP 'C'	Copies of submitted representations, redacted to omit personal details
ERP 'D'	Anstey Conservation Area Appraisal and Management Plan and accompanying plans: (Historic Plan; Character Analysis Plan/key; Management Plan/key)

Contact Member: Councillor Jan Goodeve - Executive Member for Planning and Growth  
[jan.goodeve@eastherts.gov.uk](mailto:jan.goodeve@eastherts.gov.uk)

Contact Officer: Sara Saunders – Head of Planning and Building Control  
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## ESSENTIAL REFERENCE PAPER 'A'


### IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives :	<p>Priority 1 – Improve the health and wellbeing of our communities.</p> <p>Priority 2 – Enhance the quality of people's lives.</p>
Consultation:	Undertaken with residents and local stakeholders and summarised in Essential Reference Paper 'B'.
Legal:	Preparation of the Appraisal fulfils statutory requirements.
Financial:	<p>Costs associated with the preparation of the Appraisal are met from within existing staffing and operational budgets.</p> <p>The Appraisal suggests works and actions which could be undertaken to enhance the character and appearance of the conservation area which would generally be the responsibility of individual owners. Other actions such as the introduction of an Article 4 Direction might result in additional cost. Any grant assistance for historic buildings may be sought from existing resources.</p>
Human Resource:	No additional staffing implications.
Risk Management:	No significant risk issues.
Health and Wellbeing – issues and impacts:	The Appraisal seeks to protect and secure the character of the area.
Equality Impact Assessment required:	No. The District Plan itself was subject to an EqIA.

Environmental Sustainability:	One of the key objectives of the District Plan is to deliver sustainable development. The Conservation Area Appraisal safeguards the area's special architectural or historic character.
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## Essential Reference Paper B

Issue	Representations made	Officer comment
<p>General representations by the Parish Council (PC).</p>	<p>The Chairman of the PC reflects sentiments set out in the draft document that the revisions need to be considered in partnership with the Council.</p> <p>Following the public meeting of 22 October 2018 arranged by EHDC, the PC held a further open meeting which resulted in the publication of the PC's views which are widely supported by the written representations made. The PC makes the following general comments.</p> <p>(a) In agreement with removal of the large tracts of agricultural land as generally proposed by the draft plan:</p> <p>(b) However despite (a) above the PC recommend that a <i>'10-15 yard strip either side of the lanes to the hamlets be included, thereby protecting these areas for our future and ensuring an aesthetic .keeping of the village is preserved'</i>. The PC refers</p>	<p>The process of consultation, the several additional visits by the field worker and careful consideration of comments received are testament to this. Recommendations and further consideration must however reflect legislation and national advice.</p> <p>General comment. The key Govt. advice is <i>'when considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.'</i>(Para 186, National Planning Policy Framework 2018, same advice appears in 2019 update).</p> <p>CA designation essentially introduces some additional planning controls relating to extensions and alterations. It also means permission is required to demolish most non listed buildings and a requirement to notify the felling of most trees.</p> <p>Noted: Historic England (HE) current advice as set out in their 2018 Advice Note <i>Conservation Area Appraisal, Designation and Management*</i> is that <i>Conservation area designation is not generally an appropriate means of protecting the wider landscape...</i>*Para 73.(same advice in revised update of 2019)</p> <p><i>'Protecting these areas for our future'</i>. Conservation area designation in itself does not prevent development. Indeed National Planning Policy advises new development in a CA which makes a positive contribution can be appropriately considered.</p> <p>As set out above some limited</p>

<p><u>In more detail:</u></p> <p><u>Proposed eastern extension at Mill Lane to include The Grove and Anstey Grove Barn. Area 1 on attached Appendix Map.</u></p>  <p>Picture 1. The Grove being of later 20th century date is considered to be of insufficient quality for the CA to be extended to include it.</p>	<p>to these as 'Conservation Margins' (CM).</p> <p>(c) The 'Ends' be included in the conservation area and historically referenced. These are identified as <i>Dawes End, Silver Street, strip to Anstey Bury with a circle to protect the houses and the same at Puttocks End. Also Paynes (Pains) End (including the houses) and around Bandons...and continue up to the Hale and to the end of the village.</i></p> <p>The PC considers such inclusion will <i>help to protect and conserve the hamlet nature of this historic village.</i></p> <p>Appendix 1 <u>attached</u> is the map prepared by the PC and shows the above proposals which are now examined in more detail.</p> <p>Include within the CA.</p>	<p>protection for trees (countryside hedgerows are protected by their own legislation) would be provided. However many stretches of these proposed CM's are either open in aspect and/or have few trees.</p> <p>The principal Planning control relating to the location of new development at Anstey is the newly adopted District Plan which essentially restricts development to infill within tightly drawn 'Village Boundaries' located in the main core of the village. The additional areas proposed for inclusion by representations lie in Rural Area Beyond the Green Belt and are subject to District Plan policy GBR2 which is similarly restrictive and recognises such areas as a <i>valued countryside resource.</i></p> <p>In summary it is contended that the protection of the countryside and location of any new development at Anstey will be adequately controlled by an up to date District Plan.</p> <p>The various areas proposed for inclusion are now considered further.</p> <p><u>Proposal to extend Mill Lane.</u></p> <p><u>Recommendation.</u> It is considered this area should not be included in the CA.</p> <p><u>Reason for recommendation.</u> The proposed area includes The Grove (see picture 1) a later 20th century detached property. To the rear there other buildings of limited importance. The area is of insufficient architectural or historic architectural interest.</p>
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Inclusion of narrow strip principally to south side of Mill Lane. Area 1A on attached Appendix Map.



Picture 2. CA controls do not prevent new development in open countryside locations like this.

Retain Pains End (Paynes End) within the CA and extend the CA to include Bandons and other properties nearby. Pains End and Bandons area to be linked by CM. Areas 2 and 2 A on attached Appendix Map.



Picture 3. The area is part of open countryside including land on the left of the picture which the PC seeks to reintroduce.



Picture 4. A modern property at Pains End very recently completed of limited architectural and no historical interest.

Include in CA as a 'Conservation Margin'. The PC considers such CM's will protect the countryside beyond.

Retain and extend the CA.

Proposal to extend CA to include a strip south of Mill Lane.

Recommendation. It is considered this area should not be included in the CA.

Reason for recommendation. CA designation would not provide the additional protection sought. As advised above such protection will principally be determined by interpretation of the recently adopted District Plan. The strip is essentially open with no trees of importance (Picture 2) on frontage.

Proposal to retain Pains End and extend CA to Bandons and other properties nearby.

Recommendation. It is considered this area should not be included in the CA.

General description of area. The draft Appraisal omitted Pains End as set out at para. 5.55 (f) in the draft document (now para 5.57(f) ).

Beyond Two Acre Farm the road in open in character and forms part of the open countryside (Picture 3).

There is a small group of properties including three that are modern and of limited architectural or historic merit (Picture 4). Woodside Cottage is listed Grade II and thus protected by its own legislation. There is a Scheduled Monument at Northey Lodge, a site protected by the need to obtain Scheduled Monument Consent. Some mature trees.

The area proposed by the PC for inclusion and linked by an EM (as suggested by the PC) is essentially





Picture 5. The area to Bandons is linked by road appearing as open countryside.



Picture 6. Unlisted property dating from late 19th century whose location appears isolated in the open countryside.



Picture 7. Bandons and any pre 1948 buildings in its curtilage are protected by listed building legislation.



Picture 8. Agricultural land and poor quality modern agricultural barn of no architectural or historic value is clearly part of the open countryside. An application for change of use to residential was refused in 2017.

devoid of vegetation and in the view of the fieldworker forms part of the open countryside (Picture 5).

Property to north of Bandons is not listed and originally was a pair of cottages dating from the late 19th century. Later extension to rear. Appears as isolated dwelling in the open countryside (Picture 6).

Bandons itself is listed grade II and protected by its own legislation (Picture 7). Ancillary buildings pre 1948 are also considered as being listed. There are several groups of trees, some veteran.

Land and agricultural barn to the west of Bandons. This structure is relatively modern, in poor condition with asbestos cladding. It clearly has no architectural or historic interest and, together with adjacent land the PC recommends for inclusion, appears as being within the open countryside (Picture 8).

Reasons for recommendation. The character of Pains End and the proposed extension to include land and buildings around Bandons is a dispersed scatter in the open countryside some distance from edge of the CA and main core of the village (Two Acre Farm to Bandons by road is about 0.75 km). Most buildings have limited merit. Two other buildings and one site are respectively protected by Listed Building and Ancient Monument legislation. One unlisted building and a number of trees would be afforded some protection but this is insufficient reason to include this area in the CA.

Retention of Silver Street area. Area 3 on attached Appendix Map.



Picture 9. Thatched properties at Snow End represent an appropriate boundary to the CA along the road to Brent Pelham.



Picture 10. Some of the less attractive buildings at Essex Cottage Farm, now proposed for exclusion from the CA.



Picture 11. Open area of horse grazing no longer proposed to be within the CA.



Picture 12. Area consisting of woodland in association with nearby listed properties Welspen Thatch and Dove Cottage is, on reflection, considered to be appropriately retained within the CA. Field to left of picture is open countryside beyond the CA.

Retain within the CA.

Proposal to retain Silver Street Area.


Recommendation: It is recommended much of this area continue to be excluded but that Welspen Thatch and adjacent area of woodland and Dove Cottage remain in the CA. See hatched areas on revised plans (Character Analysis Plan and Management Plan).

General description. The draft Appraisal omitted an extensive area which included this location for reasons set out at Para. 5.55 (d) (now 5.57 (d) ) in the draft document. The numbers of historic listed buildings at Snow End are important to the quality of the CA. (Picture 9). Travelling south east along the north side of the road to Brent Pelham beyond the above group of listed buildings, development consists of Essex Cottage Farm buildings (of limited architectural or historic merit, Picture 10), Yew Tree Cottage (Modern), 1/2 Dawes Cottages (thatched but altered, non listed) - various spellings of these properties noted; The Old Bell (listed) and The Mayflower (modern and set back from the road).

On the south side of the road there is an area of open horse grazing (Picture 11) and Bell Cottage (of historic importance) but with attached unsympathetic large extension.

To the west of the horse grazing area there are two modern properties on Silver Street and also two listed buildings, Welspen Thatch and Dove Cottage. There is also an extensive area of woodland with footpath to its immediate west which links into the main CA to the south (Picture 12).

Reason for recommendation. The

<p><u>Further extension proposed by PC in easterly direction extending along road to Brent Pelham as far as Puttocks End. Areas 3A and 3B on attached Appendix Map.</u></p>  <p><u>Picture 13. Anstey Bury one of three separately buildings protected by listed building legislation.</u></p>	<p>Extend the CA.</p>	<p>sporadic development on both sides of the road to Brent Pelham is limited in terms of architectural interest to The Old Bell which is listed and thus protected.</p> <p>However on reflection, it is considered appropriate to retain the small group of listed buildings, Welspen Thatch and Dove Cottage, in combination with the nearby woodland (Picture 12). The latter is a high quality landscape feature contiguous with the main CA and forming a clear boundary with the open countryside to the west . <u>See hatched areas on Revised Plans 2 and 3.</u> (One of the above 2 properties requested to remain in the CA. No reps from the other who will be notified of this recommendation to Members).</p> <p><u>Proposal to extend CA along road to Brent Pelham to Puttocks End.</u></p> <p><u>Recommendation:</u> It is considered this area should not be included.</p> <p><u>General description of area.</u> The road link between the Mayflower and proposed by the PC as a CM (Area 3 - 3A, Appendix 1) is principally hedging to both sides with intermittent trees. Countryside hedgerows are protected by the Hedgerow Regulations.</p> <p>Anstey Bury (Picture 13) and barn at Anstey Bury are individually listed and of early date. Coltsfoot Farm is also listed being of 19th century date. Barns near Coltsfoot Farm have been converted to residential but were not considered as being 'curtilage listed' when determined. Nevertheless these are attractive and of architectural and historic merit (Pictures 14 and 15). Coltsfoot Cottage nearby is partly thatched but much extended. There</p>
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Pictures 14 and 15. Grouping of converted barns to east of Coltsfoot Farm of architectural and historic worth. These have been converted.



Picture 16. Land to south of Anstey Bury barn and west of Coltsfoot Cottage proposed by the PC to be included in an extended CA.



Picture 17. The road link between Anstey Bury and Puttocks End proposed by the PC as a Countryside Margin is partly hedgerow, partly open with intermittent trees.



Picture 18. Pleasant complex of farmhouse and converted agricultural buildings at Puttocks End.

are also some trees of quality. Also ponds.

The grouping as proposed by the PC includes some open land which the fieldworker interprets as being part of the open countryside (Picture 16).

The road link between Anstey Bury and Puttocks End proposed by the PC as a CM (Area 3A - 3B, Appendix 1) is partly hedging and partly open with intermittent trees (Picture 17). Countryside hedgerows are protected by the Hedgerow Regulations.

Puttocks End Farm is a pleasant building of architectural and historic interest with a flint and brick wall to front (Picture 18). Former agricultural barns have been converted. Nearby modern agriculture building/ Nissen Huts. Water feature. Part of larger countryside Area of Archaeological Importance.

Elsewhere at Puttocks End two other buildings one of which is clearly mid to late 20th century (Picture 19).

Reasons for recommendation. Whilst it is accepted there are several buildings of architectural and/or historic value it nevertheless is




Picture 19. Modern property at Puttocks End of limited architectural or historic interest.

considered these areas are essentially two small groups of buildings in the open countryside, some being protected by listed building legislation. The surrounding 'private land' as described by the PC and proposed for inclusion, is generally considered to be more part of the open countryside the inclusion of which within a CA would not be appropriate. The two small groupings are linked by strips of countryside proposed by the PC as countryside Margins (Snow End to Puttocks End is about 1.75km). A combination of the limited impact by CA legislation, general protection already afforded by the DP and distance from the main village has formulated Officer view that this extension would not be appropriate.

**Overall summary.** The main concern of the community is interpreted as providing protection for the hamlets and the strips of countryside that join them with the principal village area. Any fear that these hamlets and the countryside linking them will be engulfed by significant development is most improbable, especially in the current plan period until 2033. Protection is already provided by the policies set out in the District Plan. Additional paragraphs are now proposed underlining the protection afforded by the adopted District Plan.

Within the various areas there are numbers of buildings which are either listed and thus protected or others which are modern and of limited architectural or historic interest. The means proposed to link them to the main village by means of 'Conservation Margins' is tenuous.

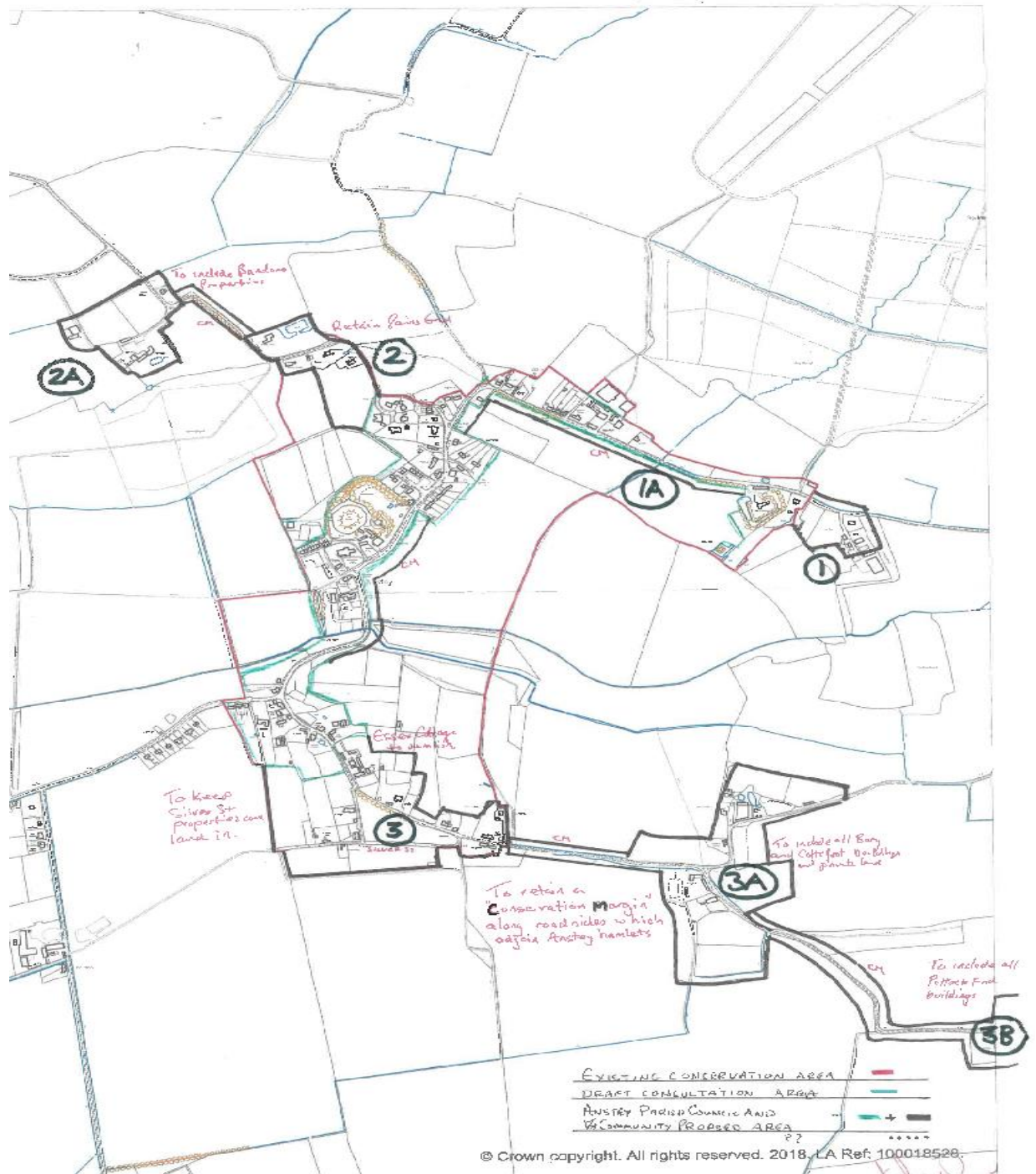
Whilst it is accepted there are a few buildings of quality and some trees that would benefit from protection by

		<p>CA legislation this is outweighed by the alternative considerations as set out above.</p> <p>Exceptionally it is considered a case can be made for retaining the woodland and listed properties of Welspen Thatch and Dove Cottage within the CA.</p>
<p>Representations from the general public supporting the PC position and similar.</p>  <p>Picture 20. Properties at Lincoln Hill are not considered to be of sufficient quality to be included in an extended CA. These illustrated in the picture above have been significantly altered.</p>	<p>General support for the PC position. Of the 20 or so additional representations there is general support of the PC position. Several others essentially object to the removal of the large areas of agricultural land as originally proposed and highlight importance of views across it.</p> <p>Within the above representations some specific points are raised.</p> <p>These include: Anstey is not a linear village.</p> <p>Include Lincoln Hill within the CA.</p> <p>Does removal from the CA make it easier for land to be built on?</p>	<p>See above.</p> <p>It is accepted Para. 6.1 of the draft document advises that 'Anstey is a linear village' which more appropriately describes the format of the CA as presented by the Appraisal. A text amendment has been made. However at Para 3.1 its historical reference to being a string of linked Ends and Greens is noted. There are other similar historical references.</p> <p>The properties at Lincoln Hill date from the mid-20th century. Some have been significantly altered and are not considered to have sufficient qualities to be included in an extended conservation area (Picture 20).</p> <p>See above, controlled principally by District Plan.</p>

	<p>What will the areas removed from the CA be designated as?</p> <p>What protection is there when the current DP expires?</p> <p>Small paddocks and woodland should be retained.</p> <p>The importance of views.</p> <p>Refer matter to Historic England.</p> <p>No valid reason given for proposed changes.</p> <p>Heartened to see section on Light Pollution.</p>	<p>The removed areas are overlapped by the policy relating to Rural Area Beyond the Green Belt as set out in the DP which will continue to apply.</p> <p>A new DP will be prepared.</p> <p>Areas of concern not identified. Some such areas have been retained. One area of woodland previously proposed for exclusion is now retained.</p> <p>It is accepted views across open countryside may be important. Retention of open agricultural land from inappropriate development will be controlled by District Plan policies.</p> <p>Confident HE advice has been properly interpreted.</p> <p>Consider best effort has been given to draft proposals and subsequent questions raised.</p> <p>No reference in Appraisal document. May be a reference to Policy EQ3 of District Plan which was available for examination at the public meeting.</p>
Specific site representation.	One representation (received before the formal consultation period started) concerned comments in the draft Appraisal which related to the untidy nature of the Blind Fiddler PH.	The fieldworker has undertaken further investigation and negotiated with the adjoining owner (a Housing Association). There is a broken dividing fence which is most unattractive. The HA has advised repairs will be undertaken. Subsequently repairs have been carried out. The draft appraisal has been modified to reflect this.
Error.	One representation advised the location of an important wall illustrated in the Appraisal had been incorrectly described.	Noted and amended.

Appendix 1 Map – See next page.

Appendix 1. Map prepared by PC showing their suggested boundary proposals.





## John Bosworth

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**From:**  
**Sent:** 07 December 2018 11:27  
**To:** John Bosworth  
**Subject:** Anstey Conservation Area  
**Attachments:** map cons iii.jpg; Conservation area proposal by anstey village iii.docx

Dear John

### **Conservation area proposal Anstey.**

Following the helpful public meeting held in Anstey Village Hall, and your subsequent meeting with [redacted], I would like to support the proposal [redacted] made to you on behalf of our Parish Council and as described in the attached documents.

I believe this proposal reflects the true areas of our hamlet village that should be within the amended conservation area, and is a realistic, sensible and reasonable description of land to be conserved under the new plan.

I very much hope you agree with this proposal which has the full support of our Parish Council and residents alike.

With kind regards

Anstey Parish Council further to the meeting held with John Bosworth held a further open village meeting to discuss the thoughts and suggestions that villagers had further to the original meeting.

Main points being]

The "Hamlet" nature of the village should be classed as within the conservation area. It was accepted and agreed that the countryside should be removed but a 10-15 yard strip either side of the lanes to the hamlets be included, thereby protected these areas for our future and ensuring an aesthetic keeping of the village is preserved. The attendees collectively agreed.

How far down the roads we classify the hamlets was discussed. We need to agree what should be included.

The conservation areas description from John's report was read out – the criteria are environments worthy of protecting and the spaces between them. Trees and hard surfaces are also included as important features, it was more than just buildings.

The areas were discussed, and a map circulated as to what could be included.

It was noted that historically The Ends were listed.

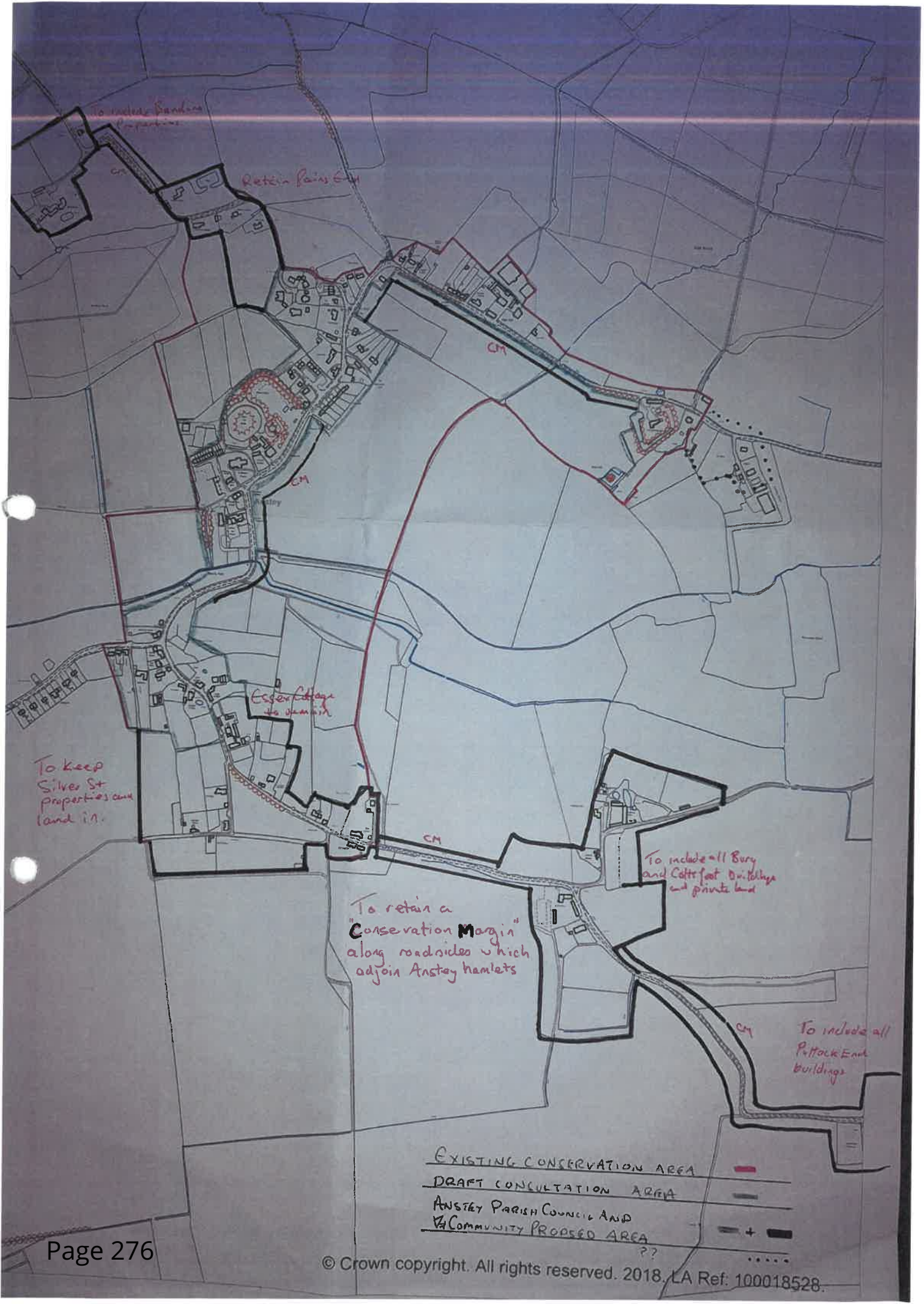
The remit was to remove the swathes of agricultural land as Historic England are looking to remove the agricultural land from conservation areas in the region.

The two strips were suggested to protect the tracts of land between the Hamlets to include Silver Street.

It was suggested to incorporate Dawes End, Silver Street, strip to Anstey Bury with a circle to protect the houses and the same at Puttocks End. Also, Paynes (Pains)End (including the houses) and around Bandons. To the north of Bandons there is one house which is already protected. The Hale is also protected. It was agreed that it should continue up to the Hale and to the end of the Village.

The areas have now been included on a map showing the existing area in red, the draft amendments in green and the area that the village of Anstey's residents have put forward and support in amended green and additional black.

It is therefore accepted by Anstey Parish Council and Anstey residents that the suggested amendment makes sense and is acceptable only along with the addition of the outlying Hamlets as shown on the plan in black, but also with the addition of what is being categorised as a conservation margin (CM on plan) which would be there to protect and conserve the hamlet nature which makes up the majority of the village. We feel that by having this in between the hamlets it in itself will give further emphasis and protection to the essence of the hamlet form and nature of the village. It is also noted that well over 50% of all villagers live outside of what is classified as the centre of the village, with the majority of those in the hamlets.



To include Bury  
and Cottfoot

Retain Pains

Essex Cottage  
to remain

To keep  
Silver St  
properties and  
land in.

To retain a  
"Conservation Margin"  
along roadsides which  
adjoin Anstey hamlets

To include all Bury  
and Cottfoot Dwellings  
and private land

To include all  
Pittcock Lane  
buildings

EXISTING CONSERVATION AREA	—
DRAFT CONSULTATION AREA	- - -
ANSTAY PARISH COUNCIL AND VIA COMMUNITY PROPOSED AREA	— + —
??	.....



To include Bardon Properties

Retain Pains End

Esser Cottage to remain

To keep Silver St properties and land in.

To retain a "Conservation Margin" along roadsides which adjoin Anstey hamlets

To include all Bury and Cottefoot Buildings and private land

To include all Pitcock End buildings

- EXISTING CONSERVATION AREA —
- DRAFT CONSULTATION AREA ---
- ANSTEY PARISH COUNCIL AND COMMUNITY PROPOSED AREA

## John Bosworth

---

**From:**  
**Sent:** 01 December 2018 10:23  
**To:** John Bosworth  
**Subject:** Anstey Conservation Area Proposal

Dear Mr Bosworth,

We attended the Conservation Area meeting in Anstey Village Hall and have now looked at the proposal map for the revised conservation area for the village. We would like to add our names to the list to approve it.

Thanks to you and for your time and effort on the villages behalf.

Kind regards,

## John Bosworth

---

**From:**  
**Sent:** 30 November 2018 14:56  
**To:** John Bosworth  
**Subject:** Anstey Conservation Area  
**Attachments:** map cons iii.jpg

Dear Mr Bosworth

I understand that you have re-visited Anstey with you for doing this.

Chairman of our Parish Council. Thank

I am writing to support the new suggested map of an Anstey Conservation Area (attached) which was drawn up as a result of both further consultation in the Village, and from your visit with the PC Chairman.

I look forward to seeing your revised recommendations, and hope that you will be able to accommodate this extended area definition, which includes more "Ends" in the Village than were in your draft proposal. I believe the attached map more closely captures the particular special character of this area, as I mentioned in my original consultation submission.

Thank you,





## John Bosworth

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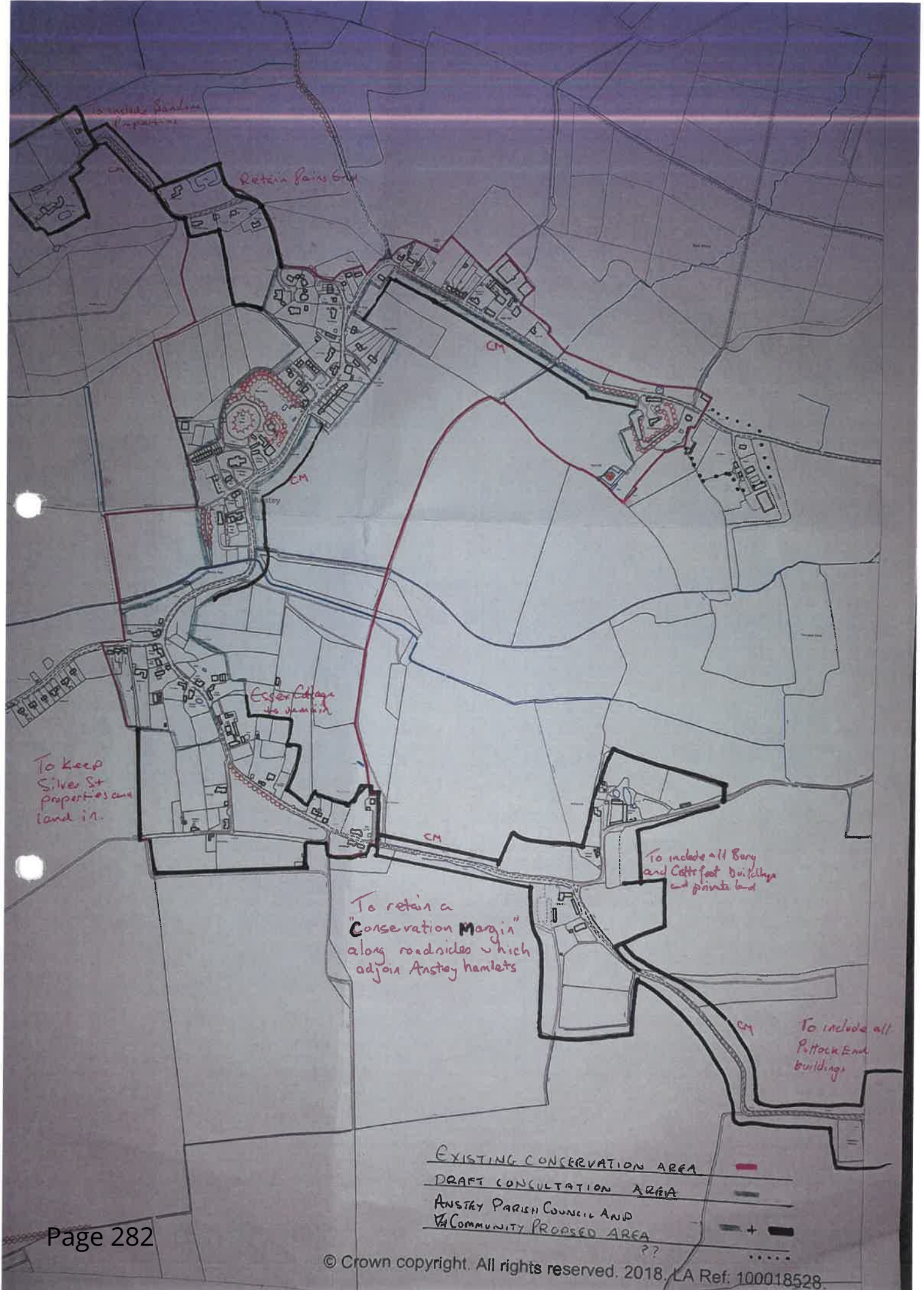
**From:**  
**Sent:** 30 November 2018 09:42  
**To:** John Bosworth  
**Subject:** Anstey Conservation area review

Good morning John,

Many thanks for your time yesterday to discuss Anstey residents and Anstey Parish Councils recommendations for the revised conservation area which you now have a hard copy map of. (Copy attached)

This, I now write as a my personal support for the village document and map. As previously mentioned I feel very strongly that the essence of the makeup of Anstey as a community and historic village that is worthy of conserving is the hamlet nature and the geographical spread of these ancient hamlets and the proposal that these hamlets are protected, to this end we believe that not only are the outlying hamlets are encircled by the conservation area but the "conservation margins" are also protected as without these areas of land in between the hamlets they would cease to be hamlets.

I do hope that the sentiment in the revised conservation area plan, that the new area will be produced "in partnership" with the parish council and community is an accurate representation and the views and representations of the community are acted upon.



To include Bardon Properties

Retain Pains Gw

CM

Esser Cottage to remain

To keep Silver St properties and land in.

CM

To include all Bury and Cottfoot Dwellings and private land

To retain a "Conservation Margin" along roadsides which adjoin Anstey hamlets

CM

To include all Pottock End buildings

- EXISTING CONSERVATION AREA ———
- DRAFT CONSULTATION AREA ———
- ANSTAY PARISH COUNCIL AND COMMUNITY PROPOSED AREA ——— + ———
- ??
- .....

## John Bosworth

---

**From:**  
**Sent:** 28 November 2018 13:39  
**To:** John Bosworth  
**Subject:** Anstey Conservation Area consultation

Dear Mr Bosworth

Thank you for visiting Anstey to talk through your draft Conservation Area appraisal.

I would like to support the majority sentiment expressed in the meeting (and first described by [redacted]) in terms of Anstey having a more "radiating spoke" shape and character, rather than linear. There are lots of "Ends" which contribute to and create the unique and particular character of the village area.

I would encourage the Council to consider extending the Conservation Area along these spokes - to include Silver Street, Daws End, Anstey Bury, Coltsfoot, and Puttocks End, for instance, as well as to Bandons.

I believe that the Parish Council will be sending a map showing these areas more clearly, and support this action, having been able to contribute to the discussion in open forum at a recent follow-up meeting convened by the Parish Council.

Thank you

## John Bosworth

---

**From:** [redacted]  
**Sent:** 02 December 2018 21:10  
**To:** John Bosworth  
**Subject:** Anstey Conservation area

Dear Sir

Could I please add my support to maintaining the existing conservation area , within the parish of Anstey . I reside at

Regards

## John Bosworth

---

**From:**  
**Sent:** 11 October 2018 14:02  
**To:** John Bosworth  
**Subject:** Anstey

Good afternoon John

I'm sending you this email, as I'm unable to get your response via telephone call.

I would like you to amend your appraisal draft to actually state the correct information and also the information which runs alongside it.

My wife has contacted the council numerous times regarding the fence as this does NOT belong to us, in fact it belongs to so please correct this. Regarding the side of our property that is cellar is and where I store my logs this is a

I would like this all amended as I feel you've victimised myself

There are plenty other properties in the village which you could comment on

I look forward to receiving your reply along with an apology

Kind regards

Facilities Services  
01 NOV 2018  
Field to:

Plan

Anstey Conservation Area - 2 NOV 2018

Development Control

## Draft Conservation Area Appraisal and Management Plan Comment Form

Your comments are sought on the Draft Anstey Conservation Area Appraisal and Management Plan. These should be made in writing and either sent or emailed to the address below by Monday 3 December 2018. Alternatively you can leave this form tonight. Any comments submitted will be publically available but will exclude personal details. To comply with data protection legislation the Local Planning Authority will delete all personally identifiable information we gather as part of this consultation process within six months of the adoption of the appraisal. If you wish to discuss the document further please contact the Conservation Team on the number below.

<b>Name :</b>	
<b>Address:</b>	
<b>Telephone No:</b>	
<b>Email:</b>	
<b>Comments:</b> <ul style="list-style-type: none"><li>• Silver Street is a very old (the oldest) thoroughfare in the village &amp; should be in the conservation area.</li><li>• The wall illustrated on P27 is in fact Snow End House not Clare Cottage.</li><li>• The various 'ends' Puttodes, Edington, Anstey Bury should be considered for inclusion in the conservation area.</li></ul>	
<b>Our Contact Details:</b> <b>Website:</b> <a href="http://www.eastherts.gov.uk">www.eastherts.gov.uk</a> <b>Email:</b> <a href="mailto:John.Bosworth@eastherts.gov.uk">John.Bosworth@eastherts.gov.uk</a> <b>Phone:</b> 01279 655 261 and ask for the Conservation Officer	East Herts District Council Wallfields, Pegs Lane Hertford, SG13 8EQ

## John Bosworth

---

**From:**  
**Sent:** 29 November 2018 20:06  
**To:** John Bosworth

Dear John

Please see below for my support for the joint village proposals about the conservation area.

Many thanks for your hard work.

Further to the meeting held with John Bosworth the Parish Council held a further open village meeting. The main points agreed follow:

The "Hamlet" nature of the village should be within the conservation area.

It was accepted and agreed that the areas of open countryside should be removed but suggested a 10-15 yard strip either side of the lanes to the hamlets be included, thereby protected these areas for our future and ensuring the aesthetic of the village.

The conservation areas description from John's report was read out – the criteria are environments worthy of protecting and the spaces between them. Trees and hard surfaces are also included as important features. Hence the suggestion of the strips by the roads.

The areas were discussed, and a map circulated as to what could be included.

It was noted that historically The Ends contain many listed buildings.

The conservation remit was to remove the swathes of agricultural land as Historic England are looking to remove the agricultural land from conservation areas in the region.

The two strips were suggested to protect the tracts of land between the Hamlets to include Silver Street- a medieval route through the village.

The meeting felt Dawes End, Silver Street, and a strip to Anstey Bury with a circle to protect the houses and the same at Puttocks End, should be included. Also, Paynes (Pains)End(including the houses) and around Bandons. To the north of Bandons there is one house which is already protected. The Hale is also protected. It was agreed that it should continue up to the Hale and to the end of the Village.

The areas have now been included on a map showing the existing area in red, the draft amendments in green and the area that the village of Anstey's residents have put forward and support in amended green and additional black.

It is therefore accepted by Anstey Parish Council and Anstey residents that the suggested amendment makes sense and is acceptable only along with the addition of the outlying Hamlets as shown on the plan in black, but also with the addition of what is being categorised as a conservation margin (CM on plan) which would be there to protect and conserve the hamlet nature which makes up the majority of the village. We feel that by having this in between the hamlets it in itself will give further emphasis and protection to the essence of the hamlet form and nature of the village. It is also noted that well over 50% of all villagers live outside of what is classified as the centre of the village, with the majority of those in the hamlets.



## John Bosworth

---

**From:**  
**Sent:** 02 November 2018 15:19  
**To:** John Bosworth  
**Subject:** Anstey conservation area proposal

Good afternoon,

With regard to the above and the meeting in the village hall we would agree that large areas of outlying agriculture land be excluded. We feel that the exclusion of smaller areas of paddock or woodland is not agreeable. These are often owned by owners of houses adjoining which are included. In these cases some of the property is in and some out.

Also the exclusion of properties on the edges of the village is not agreeable, for they are all part of the total village community. The village is not just a small main hub but an extended community encompassing 5 or 6 roads in and out, including the properties in the areas of Coltsfoot, Bury farm, Silver street and Rogers walk which is an ancient footway. Also to be included Lincoln Hill, Paynes end and Bandons.

Therefore along with the proposed area we believe the above mentioned should be included.

Also what will the new non-conservation areas be classified as, Rural or green belt?

Regards

## John Bosworth

---

**From:**  
**Sent:** 29 November 2018 19:26  
**To:** John Bosworth  
**Cc:**  
**Subject:** Anstey Conservation Area

Dear Mr Bosworth,

Firstly, may I thank you for the work you and your colleagues have undertaken on our behalf. Having worked for local and central government, I appreciate what a thankless task it is! I would also like to thank you for the efforts and willingness you have personally shown to listen to our views, and to represent them to EHDC. You will forgive our collective cynicism – something you have encountered very much to date I am sure. I think there is not much point in replicating that which has already been well pointed out to you. What I can say is that I undertook some research having only lived here for three years and can confirm:

- The “star” shaped nature of Anstey as a set of hamlets with the castle and then Church is indeed historically accurate
- A study of a map at the turn of the century is instructive in this regard
- The above can be traced back to The Domesday Book

Some interesting issues then arise:

1. If we accept the “star” which is effectively a linked series of hamlets protected by the castle, how do we regard the land between?
2. Each hamlet is surrounded/protected by fields and joined by roads
3. Historic England recognise the particular contribution of views that inform a community
4. Therefore, we might argue that Anstey and the hamlets are a product of the spaces in between.

I would suggest that the above is referred to Historic England for advice. I understand their blanket policy, particularly in the context of protections for agricultural land and the EHDC District Plan – this may not be enough when the District Plan expires.

Yours Sincerely,

## John Bosworth

---

**From:**  
**Sent:** 30 November 2018 11:27  
**To:** John Bosworth  
**Cc:**  
**Subject:** Anstey Conservation Area

Dear Mr Bosworth,

We are writing regarding the consultation on the review of the Anstey Conservation Area.

Unfortunately we were away at the time of the meeting on 22nd October. However we have been briefed on the discussion and have read the 'Draft for Consultation' which you had prepared prior to that meeting.

You will be aware that the discussion raised considerable concern and the Parish Council arranged a special meeting of the Council, held on 19th November, which we attended. Having lived in the village for over 40 years, and (as undersigned) having carried out much research on our village history, (you have contacted her re old photos), it is very apparent that the village has consisted of various hamlets and still does. The character of the village is dependent on these and the parish conservation envelope must recognise and incorporate these. This was recognised at the Special Parish meeting and we fully support the plan which was circulated to attendees and that you have more recently discussed with our parish chairman.

Yours sincerely

## John Bosworth

---

**From:**  
**Sent:** 29 November 2018 20:03  
**To:** John Bosworth  
**Cc:**  
**Subject:** Conservation area proposal by anstey village iii.docx  
**Attachments:** Conservation area proposal by anstey village iii.docx; ATT00001.txt

Dear John,

As a villager , living in I strongly support the attached conservation plan for the village . I do hope you and the council will support these views.

Best regards

Anstey Parish Council further to the meeting held with John Bosworth held a further open village meeting to discuss the thoughts and suggestions that villagers had further to the original meeting.

Main points being]

The "Hamlet" nature of the village should be classed as within the conservation area. It was accepted and agreed that the countryside should be removed but a 10-15 yard strip either side of the lanes to the hamlets be included, thereby protected these areas for our future and ensuring an aesthetic keeping of the village is preserved. The attendees collectively agreed.

How far down the roads we classify the hamlets was discussed. We need to agree what should be included.

The conservation areas description from John's report was read out – the criteria are environments worthy of protecting and the spaces between them. Trees and hard surfaces are also included as important features, it was more than just buildings.

The areas were discussed, and a map circulated as to what could be included.

It was noted that historically The Ends were listed.

The remit was to remove the swathes of agricultural land as Historic England are looking to remove the agricultural land from conservation areas in the region.

The two strips were suggested to protect the tracts of land between the Hamlets to include Silver Street.

It was suggested to incorporate Dawes End, Silver Street, strip to Anstey Bury with a circle to protect the houses and the same at Puttocks End. Also, Paynes (Pains) End (including the houses) and around Bandons. To the north of Bandons there is one house which is already protected. The Hale is also protected. It was agreed that it should continue up to the Hale and to the end of the Village.

The areas have now been included on a map showing the existing area in red, the draft amendments in green and the area that the village of Anstey's residents have put forward and support in amended green and additional black.

It is therefore accepted by Anstey Parish Council and Anstey residents that the suggested amendment makes sense and is acceptable only along with the addition of the outlying Hamlets as shown on the plan in black, but also with the addition of what is being categorised as a conservation margin (CM on plan) which would be there to protect and conserve the hamlet nature which makes up the majority of the village. We feel that by having this in between the hamlets it in itself will give further emphasis and protection to the essence of the hamlet form and nature of the village. It is also noted that well over 50% of all villagers live outside of what is classified as the centre of the village, with the majority of those in the hamlets.

## John Bosworth

---

**From:**  
**Sent:** 03 December 2018 09:53  
**To:** John Bosworth  
**Cc:**  
**Subject:** Anstey Conservation Area

We confirm that we support the new revised Anstey Conservation Area proposals as circulated to us by following your meeting with him on 29th November 2018.

Regards,

## John Bosworth

---

**From:**  
**Sent:** 03 December 2018 16:14  
**To:** John Bosworth  
**Subject:** Anstey conservation area appraisal

Dear John,

I attended the meeting you chaired in Anstey village hall regarding the above and have studied the associated appraisal documents.

I have been an Anstey resident for 35 years along with many others of similar duration in the village. It is the character of Anstey being a series of small hamlets scattered around the Norman church (formally a castle) joined by rural landscape that encourages people to stay forever once they have settled here. The fact that houses rarely come up for sale in Anstey is testament to this.

The rural landscape adjoining the existing and proposed conservation area is an inherent part in making the conservation area so attractive from all around. Many houses in the conservation area benefit from views to other parts of the extended village. From my own house I'm able to view three of the 'ends' that contribute to Anstey as a whole. These views are both ways and contribute to the overall feel of the rural conservation area and local landscape.

My concern is that if rural land adjoining the existing conservation area is removed as shown under the current proposal any change in future use of that land would detract from the conservation area as we know it at present and in the future. A couple of photos are attached to show parts of the Anstey conservation area and the existing adjoining land currently included within.

Kind regards,

PTO  
photos over.





## Anstey Conservation Area

### Draft Conservation Area Appraisal and Management Plan Comment Form

Your comments are sought on the Draft Anstey Conservation Area Appraisal and Management Plan. These should be made in writing and either sent or emailed to the address below by Monday 3 December 2018. Alternatively you can leave this form tonight. Any comments submitted will be publically available but will exclude personal details. To comply with data protection legislation the Local Planning Authority will delete all personally identifiable information we gather as part of this consultation process within six months of the adoption of the appraisal. If you wish to discuss the document further please contact the Conservation Team on the number below.

<b>Name :</b>	
<b>Address:</b>	
<b>Telephone No:</b>	
<b>Email:</b>	
<b>Comments:</b>  we support the recent changes made in meeting between John Bosworth and the Parish council.*  * Conversation 14/01 with John Bosworth confirms this representative supports the PC view. 19/01	
<b>Our Contact Details:</b> <b>Website:</b> <a href="http://www.eastherts.gov.uk">www.eastherts.gov.uk</a> <b>Email:</b> <a href="mailto:John.Bosworth@eastherts.gov.uk">John.Bosworth@eastherts.gov.uk</a> <b>Phone:</b> 01279 655 261 and ask for the Conservation Officer	East Herts District Council Wallfields, Pegs Lane Hertford, SG13 8EQ



18. 11. 18

Dear Sir / Madam,

As a villager who came to the Conservation Meeting 22/10/18 I feel no clear, definite reason was given for changing the Conservation Area.

My questions are

- 1) What is the land no longer in the Conservation Area re-designated as?
- 2) Will this make it easier to gain permission to build on?

I have also marked on your map (P.T.O.) one of the best views of our village from the footpath.  
In my opinion these fields need to continue in the Conservation Area.

Yours faithfully

**ANSTEY CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN.**

**Draft for Consultation 2018**

**PLAN 1 - Historic Plan (1874-1894) with existing Conservation Area boundary approximately plotted. © Crown copyright and database right 2018. Ordnance Survey 100018528**

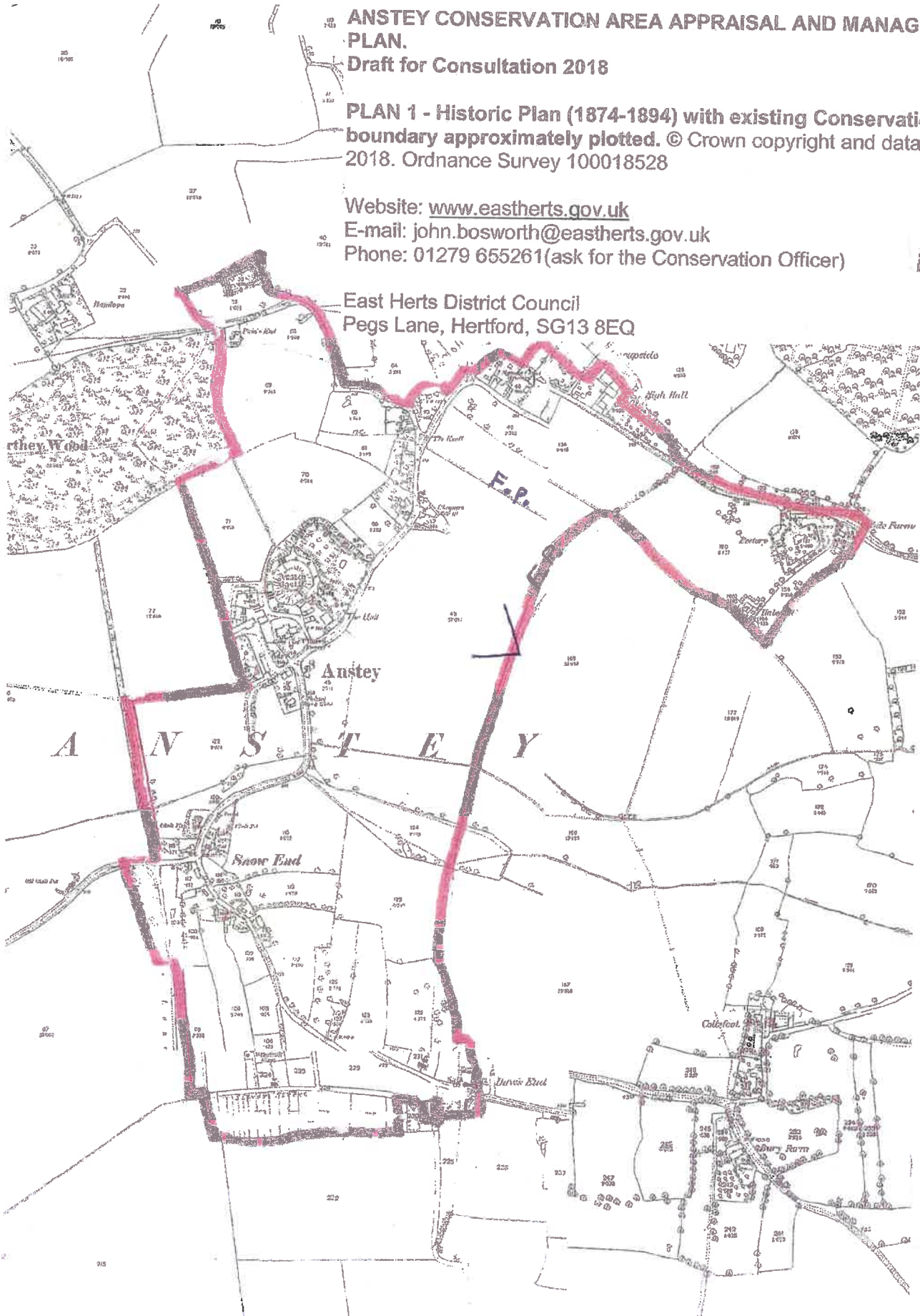
Website: [www.eastherts.gov.uk](http://www.eastherts.gov.uk)

E-mail: [john.bosworth@eastherts.gov.uk](mailto:john.bosworth@eastherts.gov.uk)

Phone: 01279 655261(ask for the Conservation Officer)



East Herts District Council  
Pegs Lane, Hertford, SG13 8EQ



## John Bosworth

---

**From:**  
**Sent:** 30 November 2018 13:18  
**To:** John Bosworth  
**Subject:** Anstey Conservation Area.

Dear Mr Bosworth

I fully support the proposals put forward by Anstey Parish Council, My wife and I feel fully part of Anstey Village as was so well put at the meeting 22<sup>nd</sup> October that Anstey is not a linear Village and we did not and do not feel we are beyond the obvious physical edge of the village at Two Acre Farm but part of a group of Hamlets that form part of the village as a whole our selves living at Pains End, and the countryside as put forward by these proposals save the village including the hamlets to keep the look and feel of the village that we are part of.

Regards

Sent from [Mail](#) for Windows 10

## John Bosworth

---

**From:**  
**Sent:** 01 December 2018 04:14  
**To:** John Bosworth  
**Subject:** Anstey - conservation area

Dear Mr. Bosworth, I hereby support what our parish council and residents of Anstey at a village meeting on Monday before last agreed regarding the conservation areas of Anstey.

Sent from my Samsung Galaxy smartphone.

## Anstey Parish Council

Mr J Bosworth  
East Herts Council  
Wallfields  
Pegs Lane  
Hertford SG13 8EQ

1<sup>st</sup> December 2018

Dear John

### **Anstey Conservation Area Appraisal**

We thank you for presenting the details of the Conservation Area Appraisal at our Public Meeting held on 22<sup>nd</sup> October and for attending a discussion meeting with our Chairman on 28<sup>th</sup> November 2018.

We would like the following points to be considered when determining the Conservation Area Appraisal. We include a map to show the areas that we feel should be incorporated into the Area (hard copy passed to you on 28<sup>th</sup> November).

We agree with your recommendation to remove the swathes of agricultural land that Historic England recommend but feel that the "Hamlet" nature of the village should be classed within the conservation area. It was accepted and agreed that the countryside should be removed but a 10-15 yard strip either side of the lanes to the hamlets be included, thereby protected these areas for our future and ensuring an aesthetic keeping of the village is preserved. These two strips will protect the tracts of land between the Hamlets and should include Silver Street.

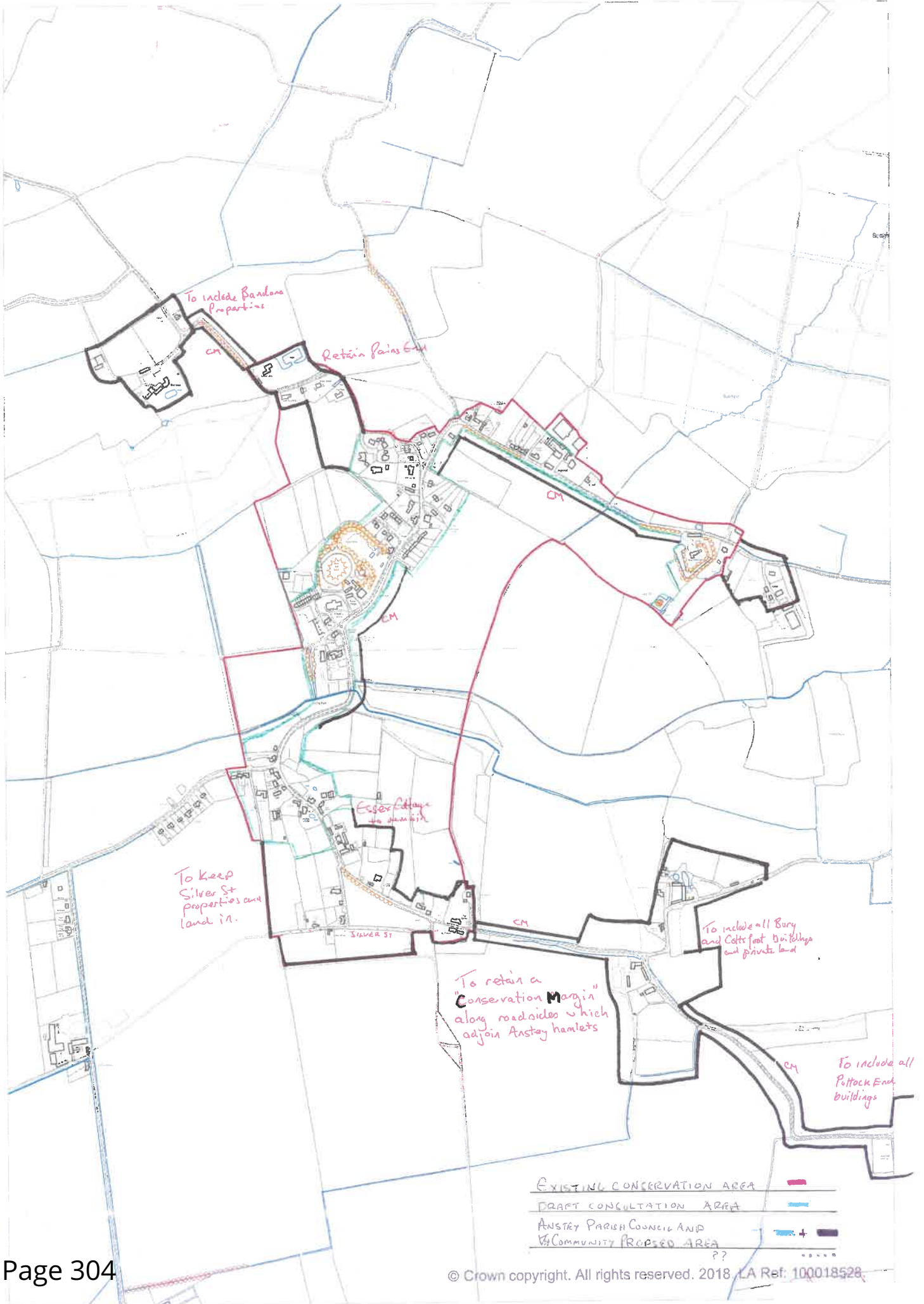
That 'The Ends' be included in the Conservation Area, particularly as reference is made to these historically. To incorporate Dawes End, Silver Street, strip to Anstey Bury with a circle to protect the houses and the same at Puttocks End. Also, Paynes (Pains)End (including the houses) and around Bandon. To the north of Bandon there is one house which is already protected, together with The Hale. It was agreed that it should continue up to the Hale and to the end of the Village.

We feel that by including these areas, it will help to protect and conserve the hamlet nature which makes up the majority of the village. We feel that by having the strip in between the hamlets it in itself will help to give further emphasis and protection to the essence of the hamlet form and nature of this historic village. It is also noted that well over 50% of all villagers live outside of what is classified as the centre of the village, with the majority of those residing in the hamlets.

We trust that the above points will be taken into account when determining the appraisal and that the new areas highlighted on the map will be accepted and included in a revised conservation area plan in partnership with the Parish Council and its residents.

Yours sincerely

*Parish Clerk*



To include Bandon Properties

Retain Pains End

Essex Cottage

To keep Silver St properties and land in.

To retain a "Conservation Margin" along roadsides which adjoin Anstey hamlets

To include all Bury and Cottefoot Buildings and private land

To include all Pittock End buildings

- EXISTING CONSERVATION AREA
- DRAFT CONSULTATION AREA
- ANSTAY PARISH COUNCIL AND BY COMMUNITY PROPOSED AREA
- ??



*an open  
note of PC meeting*  
*note of an open village  
meeting following  
ETHC  
meeting*

Anstey Parish Council further to the meeting held with John Bosworth held a further open village meeting to discuss the thoughts and suggestions that villagers had further to the original meeting.

Main points being]

The "Hamlet" nature of the village should be classed as within the conservation area. It was accepted and agreed that the countryside should be removed but a 10-15 yard strip either side of the lanes to the hamlets be included, thereby protected these areas for our future and ensuring an aesthetic keeping of the village is preserved. The attendees collectively agreed.

How far down the roads we classify the hamlets was discussed. We need to agree what should be included.

The conservation areas description from John's report was read out – the criteria are environments worthy of protecting and the spaces between them. Trees and hard surfaces are also included as important features, it was more than just buildings.

The areas were discussed, and a map circulated as to what could be included.

It was noted that historically The Ends were listed.

The remit was to remove the swathes of agricultural land as Historic England are looking to remove the agricultural land from conservation areas in the region.

The two strips were suggested to protect the tracts of land between the Hamlets to include Silver Street.

It was suggested to incorporate Dawes End, Silver Street, strip to Anstey Bury with a circle to protect the houses and the same at Puttocks End. Also, Paynes (Pains)End (including the houses) and around Bandons. To the north of Bandons there is one house which is already protected. The Hale is also protected. It was agreed that it should continue up to the Hale and to the end of the Village.

The areas have now been included on a map showing the existing area in red, the draft amendments in green and the area that the village of Anstey's residents have put forward and support in amended green and additional black.

It is therefore accepted by Anstey Parish Council and Anstey residents that the suggested amendment makes sense and is acceptable only along with the addition of the outlying Hamlets as shown on the plan in black, but also with the addition of what is being categorised as a conservation margin (CM on plan) which would be there to protect and conserve the hamlet nature which makes up the majority of the village. We feel that by having this in between the hamlets it in itself will give further emphasis and protection to the essence of the hamlet form and nature of the village. It is also noted that well over 50% of all villagers live outside of what is classified as the centre of the village, with the majority of those in the hamlets.



To Keep Silver St Properties and Land in

Essex Cottage to remain

To retain a "Conservation Margin" along roadsides which adjoin Anstey hamlets

To include all Bury and Cottrill Buildings and private land

To include all Pittock End buildings

- EXISTING CONSERVATION AREA ———
- DRAFT CONSULTATION AREA ———
- ANSTAY PARISH COUNCIL AND COMMUNITY PROPOSED AREA — + —

John, further to our meeting on 29th Nov please find attached explanation and plan of Anstey villages proposed conservation area.

Anstey Parish Council further to the meeting held with John Bosworth held a further open village meeting to discuss the thoughts and suggestions that villagers had further to the original meeting.

Main points being]

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## John Bosworth

---

**From:**  
**Sent:** 29 November 2018 20:03  
**To:** John Bosworth  
**Subject:** Anstey Conservation Area

Dear John,

We would like to give our full support for the preferred change to the Anstey Conservation Area put forward by the Anstey Parish Council in conjunction with its residents , to include Ends and Hamlets which make up our village.

Kind regards

## John Bosworth

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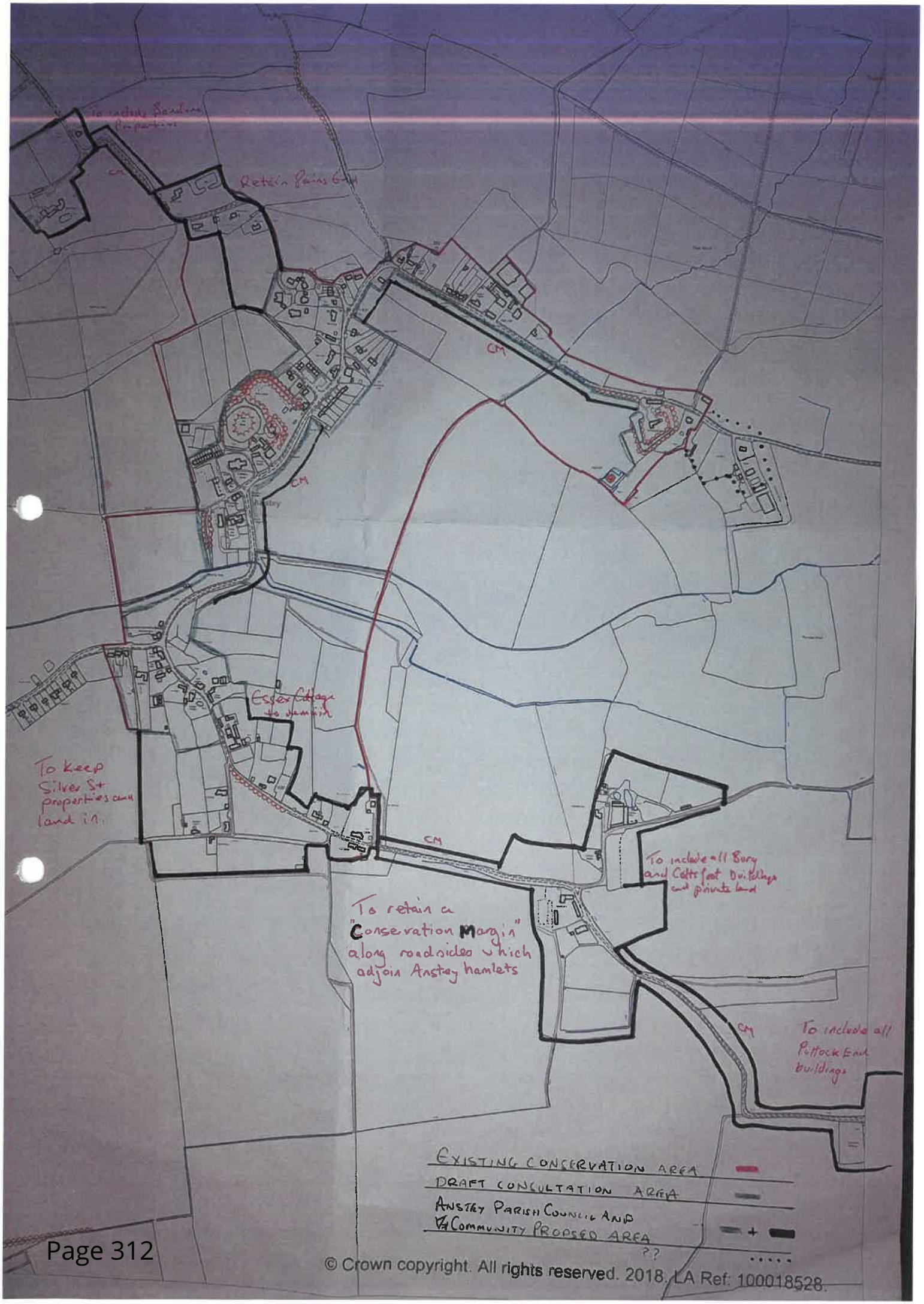
**From:**  
**Sent:** 01 December 2018 18:49  
**To:** John Bosworth  
**Subject:** Feedback to the Anstey Conservation Area  
**Attachments:** map cons iii.jpg

Dear John

Thank you for coming to Anstey Village Hall in November to present your proposals to amend the conservation area around the village. I found the meeting very interesting and informative.

Having considered your original proposal alongside the attached alternative proposal, I would like to add our wholehearted support to the attached version, as we feel it better reflects the character of the village. It takes into account that a large number of historical buildings and features, including listed buildings, lie outside the centre of the village.

Thanks



To include Sandown Properties

Retain Pains Gully

To keep Silver St properties and land in.

Essex Cottage to remain

To retain a "Conservation Margin" along roadsides which adjoin Anstey hamlets

To include all Bury and Cotts foot buildings and private land

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- EXISTING CONSERVATION AREA ———
- DRAFT CONSULTATION AREA ———
- ANSTAY PARISH COUNCIL AND COMMUNITY PROPOSED AREA — + —



## John Bosworth

---

**From:**  
**Sent:** 30 November 2018 11:14  
**To:** John Bosworth  
**Subject:** RE: Anstey Conservation Area

John

Anstey Parish Council has made a more detailed proposal for our Conservation Area in the spirit of the general comments which I forwarded to you earlier this month (below).

Just to register my support for their proposal...

Kind regards

**From:**  
**Sent:** 01 November 2018 18:36  
**To:** 'John.Bosworth@eastherts.gov.uk'  
**Subject:** Anstey Conservation Area

John

Many thanks for attending our village hall recently to explain the rationale behind the proposed changes to Anstey's Conservation Area. An informative, well attended and lively meeting.

Please find below my comments on the Draft Appraisal, echoing the points I raised on the evening. I believe the first to be fundamental and, as you will recall, led to a consensus at the meeting.

I have copied my comments to our Parish Council.

Kind Regards

---

1.

Due to their situation on historic highways neighbouring villages such as Hare Street and Barkway are truly linear in form. Anstey is most definitely not a linear village. By describing it as such the Draft Appraisal fails to capture the essence of Anstey. This failure seems to have strongly influenced the proposed revision of the Conservation Area by casting out genuine parts of the village as 'open countryside'.

The character of Anstey is more akin to that of a hilltop settlement. Six roads radiate from the village centre and a high proportion of the village population live in the dwellings along them, in areas which include Bandons, Paynes End, Daws End, Coltsfoot, Silver Street, Cheapside, etc. When approaching these areas from the village centre one has little impression of having 'left the village' for they are an integral part.

The desire to exclude uninhabited farmland from the Conservation Area is understood. A suitable amendment to the Appraisal would therefore be the extension of the Conservation Area along the star shaped pattern of roads

thereby embracing the whole community. Examination of the newly included properties will reveal much of the village's richest and most historic architecture.

2.

I was heartened to see the section on Light Pollution in the Draft Appraisal. One of the main features which distinguish a rural area from an urban one is the absence of street lighting. Anstey is fortunate in having no street lights. I hope that the planning authorities will continue to rule against any plans to introduce street lighting or aggressive security lights, thereby preserving the rural character of the village.

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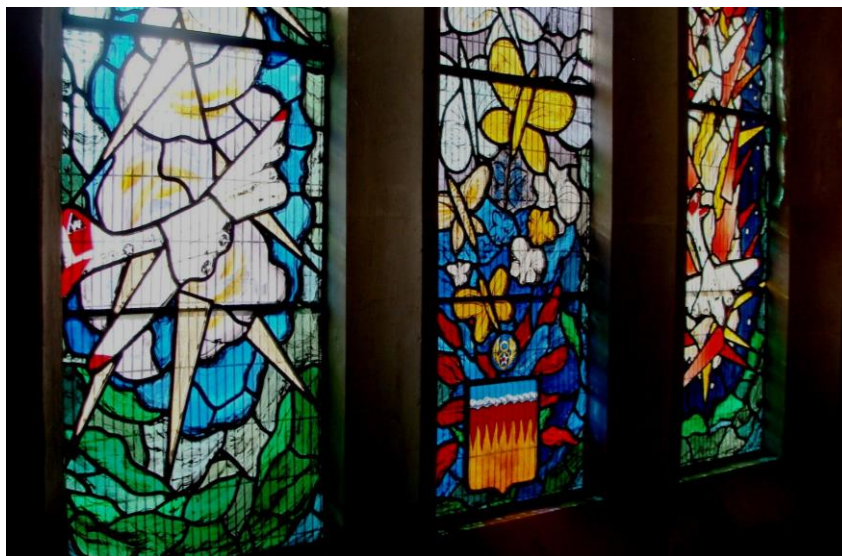
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# ANSTEY CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

DRAFT FOR CONSULTATION 2018

Consultation period 22 October - 3 December 2018 (extended by a week).



Top: heavy wooden arched knee brace construction detail of Lych-gate to church probably dating from the 15th century, perhaps earlier; below part of 20th century stained glass in church. The latter commemorates the 292 USAAF airmen who were killed in action flying B17 Flying Fortresses in WW11 from nearby Nuthamstead air base. Ten airmen were lost in one take off incident when a fully laden plane crashed near the church. The names of all those who died are etched in the wings of the butterflies.

East Herts District Council, Pegs Lane, Hertford, SG13 8EQ

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4. Environmental Designations and criteria used to identify other important environmental features.	4.1- 4.13	<del>910-13-</del> <u>12</u>
5. Character Analysis.	5.1- 5.6 <u>02</u>	<del>12-3513-</del> <u>36</u>
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7. Management Proposals.	7.1-7.1 <u>58</u>	<del>35-3837-</del> <u>40</u>
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Plan 1 - Existing conservation area on historic map (1874-1894).

Plan 2 – Character Analysis Plan/key.

Plan 3 – Management Plan/key.

# ANSTEY CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

## DRAFT FOR CONSULTATION

2018

This document has been produced by officers of East Hertfordshire District Council to assess the current condition of the Anstey conservation area, to identify where improvements can be made and to advise of any boundary changes that are appropriate. The document is in draft form and will be subject to public consultation and agreement by District Council Members.

The content of Appraisals written from 2016 which include this paragraph may differ from predecessor documents. Selected revisions have been incorporated to reflect content and policies set out in the District Plan which was adopted on 23 October 2018, changes to legislation, nomenclature, consolidation, and other improvements resulting from experience gained to date. This process is ongoing.

~~The content of Appraisals written from 2016 which include this paragraph may differ from predecessor documents. Selected revisions have been incorporated to reflect changes to legislation, the emerging District Plan, nomenclature, consolidation, other improvements resulting from experience gained to date. This process is ongoing.~~

The document will be subject to public consultation a process that will be advertised separately. Any comments received (omitting personal details) will be available for public inspection. To comply with data protection legislation the local planning authority will destroy such personal details provided within six months of adoption of the appraisal.

It has not been possible to access some areas and rear boundaries. In such cases interpretation of information provided has been taken from satellite information. This also applies to the diagrammatic plotting of a number of trees and hedgerows.

### 1. INTRODUCTION.

1.1. The historic environment cannot be replaced and is a resource that is both fragile and finite. Particularly in an age when society and its needs change with rapidity, the various historic and architectural elements of conservation areas can be perceived to interact in a

complex manner and create a 'unique sense of place' that is appreciated by those lucky enough to reside in such special places and the many interested persons who appreciate and visit them.

1.2. East Hertfordshire District has a particularly rich and vibrant built heritage, **currently** featuring 42 Conservation Areas and approximately 4,000 fine listed buildings displaying a variety of styles representative of the best of architectural and historic designs from many centuries. Generally and very importantly the clear distinction between built form and open countryside has been maintained.

1.3. The District is situated in an economically buoyant region where an attractive environment, employment opportunities and excellent transport links, road rail and air, make it a popular destination to live and work. In addition to London a short commuting distance away, the District is influenced by other factors beyond its administrative area, such as Stansted Airport and the towns of Harlow, Stevenage, Royston and Cambridge. With such dynamics it is inevitable that the historic environment will be subject to pressures which emphasize the need to protect it.

**1.4. The previous Local Plan adopted in April 2007, recognised these facts and committed the Council to review its conservation areas and their boundaries, a process which is now nearing completion. The replacement District Plan which was adopted on 23 October 2018 contains the current policies affecting conservation areas.**

**~~1.4. The East Hertfordshire Local Plan Second Review, adopted in April 2007, recognises these facts and commits the Council to review its conservation areas and their boundaries. The production of this document is part of this process.~~**

1.5. Conservation areas are environments which are considered worthy of protection as a result of a combination of factors such as the quality of design and setting of the buildings or their historic significance. In addition to the individual qualities of the buildings themselves, there are other factors such as the relationships of the buildings with each other, the quality of the spaces between them and the vistas and views that unite or disrupt them. The relationship with adjoining areas and landscape, the quality of trees, boundary treatments, advertisements, road signage, street furniture and hard surfaces, are also important features which can add to or detract from the conservation area.

1.6. This Appraisal recognises the importance of these factors and will consider them carefully. Once approved this document will be regarded as a 'material consideration' when determining planning applications.

Where appropriate the documents put forward simple practical management proposals to improve the character of the conservation area and which are capable of being implemented as and when resources permit.

1.7. The recommendations concerning non-listed buildings and structures are normally formed by the field workers observations made from the public realm and seldom involve internal inspection or discussions with owners. Thus such recommendations contained in this Appraisal might be subject to reconsideration through the planning application process, where that is necessary, and which would involve the submission of additional information. Similar considerations apply to estimating dates of buildings and also to their legal status in relation to householder permitted development rights (i.e. either being considered as single dwellings or alternatively as flats). Similarly with respect to assessing whether a building is curtilage listed.

1.8. This Conservation Appraisal will:

- Identify the special character of the conservation area.
- Identify elements that should be retained or enhanced;
- Identify detracting elements;
- Review the existing boundaries;
- Put forward practical enhancement proposals;

1.9. The document will be prepared in partnership with the Parish Council and the local community through the consultation process.

1.10. Acknowledgement and thanks are recorded to Hertfordshire County Council who's Natural Historic and Built Environment Team has been particularly helpful.

1.11. This document is written in three parts: Part A - Legal and Policy Framework; Part B - Appraisal; Part C - Management Proposals.

## **PART A - LEGAL AND POLICY FRAMEWORK**

### **2. LEGAL AND POLICY FRAMEWORK.**

2.1. The legal background for designating a conservation area is set out in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This states that the Council shall from time to time designate conservation areas, which are defined as being '*areas of special*



*architectural or historic interest, the character or appearance of which it is desirable to conserve or enhance*'. **The same section of the Act also requires that Councils undertake periodic reviews.**

**2.2. Section 71 of the Act requires Councils to 'formulate and publish proposals for the preservation and enhancement' of conservation areas and hold a public meeting to consider them.**

**2.3. Within conservation areas there are additional planning controls and if these are to be supported it is important that the designated areas accord with the statutory definition and are not devalued by including land or buildings that lack special interest.**

**2.4. Planning permission is required for the demolition of a building in a conservation area but is subject to certain exceptions<sup>\*</sup>. For example, it does not apply to Listed Buildings which are protected by their own legislation but is relevant to other non listed buildings in the conservation area above a threshold size set out in legislation<sup>\*\*</sup>. Looking for and assessing such buildings is therefore a priority of this Appraisal.**

<sup>\*</sup>One exception in this rural community relates to buildings used for agriculture erected since 1914.

<sup>\*\*</sup> The demolition of a building not exceeding 50 cubic metres is not development and can be demolished without planning permission. Demolition of other buildings below 115 cubic metres are regarded as 'Permitted Development' granted by the General Permitted Development Order, subject to conditions that may require the Council's 'prior approval' regarding methods of proposed demolition and restoration.

**2.5. Certain ecclesiastical buildings (which are for the time being used for ecclesiastical purposes) are not subject to local authority administration provided an equivalent approved system of control is operated by the church authority. This is known as the 'ecclesiastical exemption'. Importantly in such circumstances, church authorities still need to obtain any other necessary planning permissions under the Town and Country Planning Act 1990.**

**2.6. The Town and Country Planning (General Permitted Development) (England), Order 2015 (further amended) defines the range of minor developments for which planning permission is not required and this range is more restricted in conservation areas. For example, the Order currently requires that the addition of dormer windows to roof slopes, various types of cladding, satellite dishes fronting a highway and a reduced size of extensions, all require planning permission in a conservation area.**

2.7. However, even within conservation areas there are other minor developments associated with many non-listed buildings that do not require planning permission. So as to provide further protection the law allows Councils to introduce additional controls if appropriate. Examples of such controls can commonly include some developments fronting a highway or open space, such as an external porch or the demolition of some gates, fences or walls or their alteration. The removal of existing important architectural features that are important to the character or appearance of a conservation area such as chimneys, traditional detailing or materials, distinctive porches, windows and doors or walls or railings can be subject to a more detailed assessment and if appropriate made subject to protection by a legal process known as an 'Article 4 Direction' which withdraws 'Permitted Development Rights'. The use of such Directions needs to be made in justified circumstances where a clear assessment of each conservation area has been made. In conducting this Appraisal, consideration will be given as to whether or not such additional controls are appropriate. The Council has introduced a similar Article 4 Direction elsewhere in the District and agreed the general principle of introducing further Directions in other conservation areas.

2.8. Works to Trees. Another additional planning control relates to trees located within conservation areas. Setting aside various exceptions principally relating to size, any proposal to fell or carry out works to trees has to be 'notified' to the Council. The Council may then decide whether to make the tree/s subject to a Tree Preservation Order. This Appraisal diagrammatically identifies only the most significant trees or groups of trees that make an important contribution to the character of the conservation area, particularly when viewed from the public realm. Other trees not specifically identified may still be suitable for statutory protection. There are several Tree Preservation Orders within the conservation area.

2.9. Some hedges may be protected by the Hedgerow Regulations 1997. This legislation is extremely complicated and only applies in certain situations that are determined by the location and extent of the hedge, its age and or its historical importance, the wildlife it supports and its number of woody species. The Regulations do not apply to domestic garden hedges.

2.10. National Planning Policy Framework 2018 (updated 2019). The principle emphasis of the framework is to promote sustainable development which has three main objectives which are Economic, Social and Environmental. Achieving good design is a key aspect of

sustainable development and new development should make a positive contribution to local character and distinctiveness.

2.11. Of particular relevance to this document, the National Planning Policy Framework advises as follows:

Plans should set out a positive strategy for the conservation and enjoyment of the historic environment.

- **Conservation Areas.** Such areas must justify such a status virtue of being of special architectural or historic interest and that the concept of conservation is not devalued through the designation of areas that lack special interest.
- **Heritage assets.** Heritage assets range from sites and buildings of local historic value to those of the highest significance. They are an irreplaceable resource and should be conserved in a manner appropriate to their significance to be enjoyed by present and future generations.
- **Considerable weight should be given to conserving such heritage assets and the more important they are the greater the weight.** For example the effect of an application affecting a non-designated heritage asset should be taken into account and a balanced judgment reached. Substantial harm to or loss of a grade II Listed Building or Registered Park or Garden should be exceptional whilst similarly, substantial harm to heritage assets of higher status, e.g. those listed grade I or II\* should be wholly exceptional.
- **Local Planning Authorities should look for opportunities for new development within Conservation Areas to enhance or better reveal their significance and proposals that preserve such elements should be treated favourably.**
- **The use of Article 4 Directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the well being of the area.**
- **Green Spaces.** Such areas of particular importance can properly be identified for special protection as Local Green Spaces in selected situations.

2.12. East Hertfordshire's environmental initiatives and Plan Policies. East Hertfordshire is committed to protecting conservation areas and implementing policies which preserve and enhance them; to support their preservation through the publication of design and technical advice and to be pro-active by offering grants and administering an Historic Buildings Grant Service. With regard to the latter grants are awarded on a first come first served basis in relation to works which result in the maintenance of listed buildings and other unlisted buildings of architectural or historic interest. The maximum grant will not normally exceed £2,000.

2.13. In respect of the above the Council has produced a number of leaflets and guidance notes that are available on line and on request. These guidance notes on the preservation and repair of historic materials and buildings' provide useful information relevant to the preservation and enhancement of conservation areas. They will be updated as resources permit.

2.14. The Council also has a 'Heritage at Risk Register', originally produced in 2006, and further updated. This document is available on the Council's website. There are no such properties identified in Anstey.

2.15. The previous Local Plan adopted in April 2007, recognised these facts and committed the Council to review its conservation areas and their boundaries, a process which is now nearing completion. The replacement District Plan which was adopted on 23 October 2018 contains the current policies affecting conservation areas.

~~2.15. The East Herts Local Plan was adopted by the Council in 2007. The 'saved' policies set out in the plan remain in force and are relevant in relation to conservation area and historic building considerations. The Local Plan and its policies can be viewed on the Council's website or a copy can be obtained from the Council (contact details are set out in section 7).~~

~~2.16. In accordance with the requirements of the Planning and Compulsory Purchase Act 2004, the Council has is in the process of preparing a new planning policy document which willhas replaced the 2007 Local Plan. This will be known as the East Herts District Plan (DP), which was adopted on 23 October 2018. Once adopted the DP will contain the relevant Council planning policies. As currently drafted this emerging District Plan and advises that development in conservation areas should, inter alia, have regard to conform with the content of these Appraisals.~~

2.17. Anstey Conservation Area was designated in 1981.

## PART B - APPRAISAL

### 3. ORIGINS AND HISTORICAL DEVELOPMENT

3.1. There are about 30 records within the existing conservation area held by the County Historic Environment Records. Many of these relate to Listed Buildings, some descriptions being included later in this

document. Some other interesting entries relate to Anstey Castle traditionally attributed to Eustace, Count of Bologne and later believed to be demolished by Nicolas Anstey in 1218. The village is likened to a string of linked Ends and Greens.

**3.2. Several moated sites are identified, possibly of medieval origin. Another particularly interesting inclusion is that of a smock mill\* which was demolished in 1921. It was built circa 1860 and demolished in 1921 following being struck by lightning in 1919. The description advises a mill stood on or near this site (Silver Street, Snow End) from the 13th century.**

\*A smock mill is a type of windmill that consists of a sloping tower often with six or eight sides and topped with a rotating cap to bring the sails into the wind.

**3.3. Prehistoric. Unknown to the fieldworker.**

**3.4. Roman settlement. Possible as early 20th century excavation reported fragments of Roman sherds although others consider these were more likely to have been medieval Herts Grey Ware.**

**3.5. The Domesday Book was a census commissioned by William I in 1086. In relation to Anstey it advises *The Count (Eustace Count of Bologne?) himself holds Anstey. It is assessed at 5 hides. There is land for 120 ploughs. In demesne 5 Hides...There 8 villans with a priest and 6 bordars have 5 ploughs...There are 5 cottars and 6 slaves, meadow for half a plough, pasture for the livestock woodland for 50 pigs. In all it is and was worth £14.***

*Also in Anstey Payne holds half a hide of Hardwin. There is land for 1 1/2 ploughs...with 4 bordars and 4 cottars and 1 slave. Meadow for 1/2 a plough, pasture for the liveslock, woodland for 12 pigs. This land is worth 20s, when received 10s. [Source: Domesday Book a complete translation, Alecto Historical Editions Penguin Books 2002.](#)*

**3.6. Interpretation: A 'Hide' was a standard unit of land measurement interpreted to be about 120 acres. A 'villan' was a peasant legally tied to land he worked on and of higher economic status than a 'bordar '. A cottar is a tenant occupying a cottage in return for services. 'Demesne' essentially means land belonging to the lord of the manor.**

**3.7. Anglo Saxon. Unknown to fieldworker.**

**3.8. Medieval settlement. An abbreviated description from the County Historic Environment Records for Anstey describes the village as being a collection of medieval hamlets guarded by a Norman castle with a small settlement developing around the motte and bailey where the castle church and later manor house form a group. The church dates**

from the 12th century and there are several buildings dating from the later Medieval period, the 15th century. There have been Medieval pottery finds.

**3.9. The 19th century.** A picture of the settlement as it can be recognised in part today is set out in Kelly's Directory of 1874 which refers as follows: *Anstey is a village and parish 4½ miles north east from Buntingford Station...The church is cruciform...The church was restored in 1871...and has been furnished with a new pulpit and other greatly improved fittings. Here is a National School for Boys and Girls; average attendance 50. The Primitive Methodists have a small chapel here. A castle formerly stood here, the mound and moat of which may still be seen. The soil is mixed, chiefly heavy; subsoil clay and chalk, with small quantities of gravel. The crops are principally on the four course shift... the population in 1871 was 412.*

**3.10. Commercial activities,** in addition to the unsurprisingly predominance of farmers listed in Kelly's at this time, **there were as follows**the following: shopkeeper, beer retailers (2), miller and shopkeeper, butcher, blacksmith and beer retailer, draper and general dealer, Chequers PH.

**3.11. Mapping from 1874 -1894** (which appears disjointed - see Plan 1) identifies the location of some of the activities listed above. It shows the string of settlements very sparsely developed with a Rectory and moats at Hale Hill; a Primitive Methodist chapel, now demolished, at Cheapside (interpreted as being on the north side of the road); the castle mound; The Hall; a school for Boys and Girls; several chalk pits at Snow End; a corn windmill north of Silver Street and what may be allotments to the south of Silver Street. Little change seems to have occurred until the mid 20th century with the building of Moatside and Bury Field and later the Two Acre Farm housing area which appears to have replaced a large piggery complex.

**3.12. The publication, Place Names of Hertfordshire, Cambridge University Press 1970** advises several names, a selection of which is included thus: Anestige, Anestei 1086, Ansti 1271, Anstey ad Castrum 1642-1660. Name possibly derives from Anstig - a narrow path, possibly the steep ascent to site of Anstey castle.



Picture 1. War Memorial 1921, presumed as being the dedication and unveiling ceremony.  
Reproduced courtesy of Ann McNeill.

3.13. Plan 1 shows the existing Conservation Area plotted on historic map (appears disjointed) dating from 1874-1894.

#### 4. ENVIRONMENTAL DESIGNATIONS AND CRITERIA USED TO IDENTIFY OTHER IMPORTANT ENVIRONMENTAL FEATURES

4.1. Scheduled Ancient Monuments. A National designation. There are three **such monuments** in the **existing** conservation area (two in revised conservation area).

4.2. Areas of Archaeological Significance. Designated locally by EHDC on advice from HCC. ~~The areas identified by this Appraisal are areas as shown on the Council's most up to date mapping, and may sometimes differ from that shown on the adopted Plan.~~ The identification and refinement of such areas is an ongoing process.

4.3. Listed buildings. A National designation. Individually listed buildings have been identified, plotted and a selection is briefly described, such abbreviated descriptions being based on the national list, occasionally with additional comments *in italics* by the fieldworker. Full descriptions can be obtained on line at Historic England's website [List.HistoricEngland.org.uk](http://List.HistoricEngland.org.uk) Listed buildings are protected from unauthorised demolition, alteration or extension. Structures, including railings and walls, within the curtilage of listed buildings, if they are pre-1948, are subject to the same controls as listed buildings.

4.4. The issue of deciding whether or not a building is 'curtilage listed' can sometimes be problematic and there is no exact legal definition of a building's curtilage. The main tests relate to the physical layout of the land surrounding the main building/s at the date of listing, the physical layout and functional relationship of structures to each other; ownership, past and present and use or function, past and present. Structures need to be ancillary or subordinate to the main Listed

Building and form part of the land and not be historically independent. Protection is granted to such objects or structures within the curtilage of a Listed Building if they were built prior to July 1, 1948. In determining the extent of a Listed Building and its curtilage, a key assessment will be to examine the situation at the time of listing.

**4.5. Non listed buildings of quality and worthy of protection. Several other non-listed buildings and structures that make an important architectural or historic contribution to the conservation area are identified by this Appraisal. The basic questions asked in assessing such buildings/structures are:**

- (a) Is the non listed building/structure of sufficient architectural or historic interest whose general external form and appearance remains largely unaltered?
- (b) Does the building contain a sufficient level of external original features and materials?
- (c) Has the building retained its original scale without large inappropriate modern extensions that destroy the visual appearance particularly in respect of the front elevation?
- (d) Is the building visually important in the street scene?
- (e) Determining which properties to include or which to exclude is occasionally a matter of difficult judgement.

**4.6. Important trees and hedgerows are identified by this Appraisal. Their positions are shown very diagrammatically indeed and access to some rear areas has not been obtained. In such cases the information provided has been based on interpretation of satellite information. The basic criteria for identifying important trees and hedgerows are:-**

- (a) They are in good condition.
- (b) They are visible at least in part from public view points.
- (c) They make a significant contribution to the street scene or other publicly accessible areas.

**4.7. Open spaces or gaps of quality that contribute to the visual importance of the conservation area where development would be inappropriate are identified by this Appraisal. The basic question asked in identifying such areas is does the open space or gap form an important landscape feature contributing to the general spatial quality and visual importance of the conservation area? Private open spaces**



forming an important setting for an historic asset and unkempt spaces that have the potential to be enhanced are candidates for selection subject to complying with the principle question.

4.8. Other distinctive features that make an important visual or historic contribution are identified by this Appraisal. In relation to walls and railings those at and above prescribed heights in a conservation area 1m abutting a highway (including a public footpath or bridleway, waterway or open space) or 2m elsewhere, are protected and require permission for their demolition.

—4.9. Reference has previously been made to the potential of introducing Article 4 Directions in justified circumstances. The Appraisals undertaken to date have identified elsewhere in the District that many historic architectural features of quality remain unaltered on some non listed buildings but, on the other hand, the exercise of Permitted Development Rights has eroded other parts of some conservation areas. ~~Should Members decide to proceed with such an initiative, s~~Such important historic detailing including features as identified below could justifiably be retained and inappropriate alterations to them controlled. ~~(Update: Members have tested the impact of introduced~~ an Article 4 Direction ~~in 2016~~ elsewhere in the District and ~~may introduce others as resources permit).~~ agreed the general principle of introducing further Directions in other conservation areas.

- Chimneys, in good condition, contemporary with the age of the property, prominent in the street scene and generally complete with chimney pots.
- Selected windows, on front or side elevations, fronting and visible from the street/s, generally contemporary with the age of the property or of a sympathetic historic design and where the majority of windows of respective elevations retain their original characteristics and have not been replaced by disruptive modern glazing units.
- Other features might include good quality architectural materials and detailing constructed of wood, metal or other materials.
- Walls or railings which make a positive architectural or historic contribution to the visual appearance of the conservation area.
- It may also be appropriate to introduce Article 4 Directions to retain quality buildings below the prescribed Permitted Development threshold.

4.10. Features that are out of character with the conservation area and detract or are in poor repair are identified.

4.11. Important views are identified.

4.12. Conservation area boundaries. In suggesting any revisions to the conservation area boundaries, principal consideration is given as to whether or not the land or buildings in question form part of an area of special architectural or historic interest whose character or appearance should be conserved. The conservation area can include open land that has historical associations with the built form. This may particularly be the case if such open land is environmentally important and visually forms part of the conservation area's setting and is distinct from open farmland. Current advice from Historic England advises against the inclusion of agricultural land forming part of the wider landscape.

~~In respect of the latter the document published by Historic England (Conservation Area Designation, Appraisal and Management – 2016) advises that Conservation area designation is not generally an appropriate means of protecting the wider landscape....~~

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4.13. Local Wildlife sites. Those shown are identified on the **emerging** District Plan. ~~(which may differ from those on the Adopted Plan due to updates)~~. There are two within/partly within the Anstey conservation area.

## CHARACTER ANALYSIS

5.1. General Landscape setting. The Council's Landscape Character Assessment produced in 2007 (which is Supplementary Planning Guidance) identifies the distinct landscapes of the District in terms of their wider settings. The conservation area is located within Area 148 Anstey and Pelhams Plateau. The landscape is described as being *ancient... with frequent settlements containing a high proportion of vernacular properties.*

5.2. General overview. Positive attributes. Anstey is remote and rural and consists of several groupings of historic buildings strung out along a long narrow winding road. There are two principal concentrations of historic buildings: firstly in the centre of Anstey around and to the north of Anstey Hall and a grouping at Snow End. Many of the listed buildings have thatched roofs. There are three Scheduled Ancient Monuments (two in revised area), the most important and prominent of which is to the north of Anstey Hall. Several other non listed important buildings

worthy of retention have been identified as have large numbers of trees and hedgerows.

5.3. Negative attributes. There are groupings of later residential developments with very limited historical or architectural interest. The fence adjacent to the site of the Blind Fiddler PH in the centre of the village ~~could be improved.~~ needs repairing. Discussions with the owner have been positive and repairs have now been implemented.

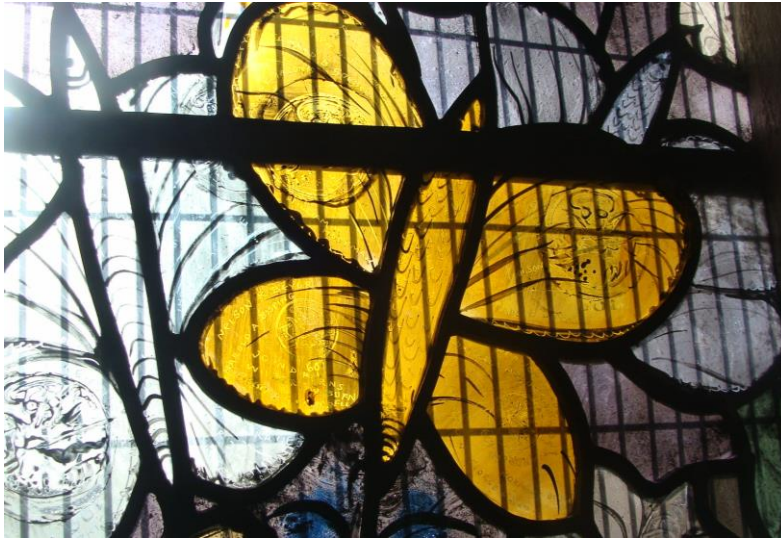
5.4. Very large areas of open countryside are proposed to be excluded from the conservation area as their inclusions are contrary to Historic England advice (see previous reference).

5.5. Individually Listed Buildings. There are 27 listed buildings/groups within the existing conservation area (24 in the revised area). Of the former total, 37% date from the 17th century, 22% from the 16th century and 15% from the 15th and 18th centuries each. The 12th (church), 19th (well head and shelter) and 20th (telephone kiosk) centuries are also represented.

5.6. The above buildings are grade II except the church which is Grade I.

5.7. Individually Listed Buildings. A selection of Listed Buildings with abbreviated descriptions based on the National list is provided below. Any comments by the fieldworker are in *italics*.

5.8. Church of St George - Grade I. Late 12th century central tower chancel and transepts rebuilt in late 13th century, 14th century nave and aisles, late 15th century south porch. Roofs lowered in 1831. Carefully restored 1871-2 by William Butterfield (1814-1900). Repairs by Sir Arthur Blomfield 1907. Flint rubble with stone dressings. Metal roofs of low pitch behind parapets. A fine cruciform church with chancel, 4-bays clerestoreyed nave, north and south aisles, transepts, south porch and central tower with battlements and spike. Unusual semi-circular lower stages to 13th century diagonal buttresses. Central tower of 3 stages with embattled parapet and Herts spike. Transept largely occupied by organ but also large iron bound medieval chest. *Unusual 20th century stained glass windows commemorating nearly 300 young Americans who were killed whilst serving in the 398th Bomb Group of the USAAF. Their names appear in the wings of butterflies etched on the stained glass.*



Picture 2. Detail of 20th century stained glass in church commemorating the presence of the United States Air Force at nearby Nuthampstead WWII airbase. Look closely and you can see some of the names of those who were tragically killed in action.



Picture 3. Church of St George which dates from the 12th century.

**5.9. Lych-gate Grade II. Lych-gate incorporating a lockup. 15th century or earlier, lockup enclosed in flint and brick walls in 1831. Timber frame on red brick sill walls uncoursed flint with grey brick quoins to lockup, and hipped old red tile roof with gablets. A small, single-storey rectangular structure... the square lockup occupies the east 2/5ths. 3 heavy chamfered square posts in line on the central long axis support the rest of the structure. Arched knee-braces in the head of the central opening. In use as the parish cage up to the early 20th century.**



Picture 4. Lych-gate and lockup, the latter being in use until the early 20th century.

**5.10. Anstey Hall - Grade II. Manor House. Mid 17th century south range, earlier north range, early 19th century east garden front. Timber frame plastered, plastered red brick early 19th century casing to south front, and steep hipped tiled roofs. A large square 2-storeys house. On the site of the capital messuage (*house and outbuildings*) which replaced the castle as the Caput (*head*) of the Manor.**

**5.11. Wellhead and Shelter - Grade II. Well head and shelter. Early 19th century. Cast iron wellhead, timber shelter and octagonal pointed slate roof with finial. A large openwork cast iron wellhead on an island at crossroads with an octagonal shelter on oak posts thickened by spurs at the base. Large flywheel on south side with mounting for handle on one of its four serpentine spokes. Trestle of 3 stages constructed of 2 parallel castings spaced apart. Small gear on spindle from flywheel drives large gear mounted on top spindle with a flanged winding wheel at its centre. A picturesque village feature of special social and technological interest. *Some may consider the presence of local information notices on hoarding within the structure detracts.***



Pictures 5-6. As the listed building says this is *A picturesque village feature of special social and technological interest*. However there is an opportunity to consider inexpensive improvements that would much improve the quality of this most unusual feature. In the authors opinion the notice board hoarding detracts.

**5.12. Barn at Anstey House - Grade II.** Late 16th century west part, late 17th century east part. Timber frame on red brick sill, white weatherboarded on south, rear (north) side roughcast on road side. Steep, hipped thatch roof. A long barn with low side-walls and tall roof. 18th century leaded casement windows to convert it to a coachman's house. *Original thatched roof no longer exists - replaced.*



Picture 7. Barn at Anstey House. A prominent historic feature in the street scene.

5.13. Chappells Cottage, Cheapside - Grade II. Later 17th century, north bay later. Timber frame on red brick plinth, white weatherboarded with a steep thatched roof. 2 eyebrow dormers on east with cast iron casements, **and** plank door under gabled tiled hood. Interior has axial beams and wide fireplace.



Picture 8. Chappells Cottage, Thatched roofs are an important feature in Anstey.

5.14. Telephone kiosk, 30 m. north-east of Wellhead and Shelter - Grade II. Type K6. Designed by Sir Giles Gilbert Scott. Made by Lion Foundry Co Ltd. Cast iron. Square kiosk with domed roof. Unperforated Elizabeth II crowns to top panels and margin glazing to windows and doors. *Appears to be in working order but in need of a good 'clean- up.'*





Picture 9. 20th century listed telephone kiosk. Would benefit by undertaking minor repairs and cleansing and if necessary repainting.

**5.15. Well Cottage - Grade II. 17th century, matching north part 1865. Timber frame, white weatherboarded with steep thatched roof. A 1½ storeys, 3 cells, end chimneys plan house facing east. 3 dormer windows of 2-light casements cut into thatch at eaves. Lean-to weatherboarded and thatched porch central to older south part.**



Picture 10. Well Cottage one of a number of important thatched properties in the local street scene.

**5.16. Hillside - Grade II. 16th century heightened to 2 storeys after fire in mid 20th century. Timber frame roughcast with red tile hung 1st floor and red pantiled roof. A long, originally single-storey house now of 3 unequal bays, facing south possibly representing a hall. Large external east gable chimney with former wide fireplace now enclosed in later single-storey east extension. An important late medieval building associated with the church.**

**5.17. Essex Cottage - Snow End - Grade II. 16th century or earlier. Hall floored and chimney inserted in 17th century. Restored in 20th century. Timber frame roughcast with steep half-hipped thatch roof.**

Interior has evidence of former open hall, with slots for braces in bay posts in south bay flanking inglenook.



Picture 11. Snow End and Essex Cottage in foreground, part of a group of important listed properties principally dating from the 16th century.

5.18. Clare Cottage - Snow End, Grade II. Late 17/early 18th century. Timber frame on stuccoed sill, roughcast front with corner battens and dark weatherboard west gable. Steep old red tile roof with bellcast eaves.

5.19. Scheduled Ancient Monuments. There are three such monuments in the existing conservation area (two in conservation area as amended). General: Motte and bailey castles are medieval fortifications introduced into Britain by the Normans. They comprised a large conical mound of earth or rubble, the motte, surmounted by a palisade and a stone or timber tower. In a majority of examples an embanked enclosure containing additional buildings, the bailey, adjoined the motte. Motte castles and motte-and-bailey castles acted as garrison forts during offensive military operations, as strongholds, and, in many cases, as aristocratic residences and as centres of local or royal administration. Built in towns, villages and open countryside, motte and bailey castles generally occupied strategic positions dominating their immediate locality and, as a result, are the most visually impressive monuments of the early post-Conquest period surviving in the modern landscape. Over 600 motte castles or motte-and-bailey castles are recorded nationally. Although many were occupied for only a short period of time, motte castles continued to be built and occupied from the 11th to the 13th centuries, after which they were superseded by other types of castle.

5.20. Anstey motte and bailey castle to north of Anstey Hall. The monument includes a motte and bailey castle situated at the south end of a broad spur, adjacent to the Norman church of St George's. It survives as a large flat-topped motte. Surrounding the motte is a water filled ditch with a causeway to the south-east. To the north and east of the motte is the L-shaped bailey which is still surrounded on its north-western and north-eastern sides by a dry ditch. Within the projected

area of the bailey, just east of the motte, is a square-shaped landscaped mound surrounded by a dry ditch. Its position and shape are incongruous with the bailey and it is considered to be a later ornamental addition. In 1902 excavations carried out by R. T. Andrews on the eastern edge of the motte summit revealed a trapezoidal foundation of flint dug circa 46 cm deep into the boulder clay. Fragments of tile and 13th century pottery were also found. The castle is attributed to Eustace, Count of Cologne, who held the manor at Domesday. In 1218 Nicholas de Anstey was ordered to reduce his castle which was in the king's hands in 1225.



Picture 12. Part of the Anstey Motte and Bailey site, an important Scheduled Ancient Monument attributed to Eustace Count of Cologne.

5.21. Moated mound near Hale Farm (south of Anstey House). No information immediately available from Historic England as record has been generated from an "old county number" scheduling record. County records describe it as *a mound within a small rectangular water-filled feature, possibly medieval but also possibly a prospect mound in a post medieval formal garden. It is close to another moated site within Anstey House perhaps dating from the 17th or 18th century.*

5.22. For information there is a third scheduled site at Pain's End (now beyond the conservation area) which is believed to be the remains of a homestead moat possibly of medieval date. No trace of a structure.

5.23. Areas of Archaeological Significance. ~~Much of the conservation area is so designated.~~ Much of the built up part of the conservation area is so designated although the large eastern section of open countryside (now excluded from the conservation area) is not.

**5.24. Important buildings within the curtilages of Listed Building.** The issue of deciding whether or not a building is 'curtilage listed' can sometimes be problematic and there is no exact legal definition of a building's curtilage.

**5.25. Group of 4 buildings to the north of Anstey Hall. Presumed former agricultural barns, now residential and garaging. Various of flint render and timber boarding; tiled and slate roofs.**

**5.26. Other non listed buildings that make an important architectural or historic contribution.** This Appraisal identifies other buildings of high quality that are not listed but that should be retained. These generally date from the late 19th/ early 20th century and are an important element in the high environmental quality of the conservation area and make a positive contribution to its built form and historical evolution. Any Important architectural features they possess and worthy of retention are identified.

**5.27. High Hall, Mill Lane. Of mid/late 19th century date. Brick construction with hipped slate roof; 2 No. chimney stacks. 3 range vertical sliding sash windows to first floor. Central decorative portico (not examined or dated) and entrance door with flight of steps. An Article 4 Direction to provide protection for selected features may be appropriate subject to further consideration and notification.**



Picture 13. High Hall a prominent 19th century building of good proportions worthy of retention.

**5.28. Barn at High Hall Farm. Of 19th century date. Weatherboarded farm building on brick and flint base with slate roof adjacent to the public road and prominent in the street scene. An Article 4 Direction to provide protection for selected features may be appropriate subject to further consideration and notification.**



Picture 14. Prominent barn in the local street scene - High Hall Farm worthy of retention.

**5.29. Agricultural barn at High Hall Farm. Probably of mid/late 19th century date. Principally weatherboarded with slate roof. Largely unaltered with large central entrance to front elevation. An Article 4 Direction to provide protection for selected features may be appropriate subject to further consideration and notification.**



Picture 15. 19th century agricultural barn of historic and architectural interest associated with High Hall Farm probably from mid/late 19th century.

**5.30. The Hale, Mill Lane. At furthest eastern extremity of the conservation area and to the east of Anstey House. Probably of mid 19th century date. Of brick construction with three range vertical sliding sash windows to first floor. Slate roof with 2 No. chimneys. Later central canopy detail. An Article 4 Direction to provide protection for selected features may be appropriate subject to further consideration and notification.**



Picture 16. The Hale - makes a worthwhile architectural and historic contribution to the conservation area in this location.

**5.31. The Union Chapel. Dating from the early 20th century. Of brick construction with slate roof and decorative ridge tiles. Central entrance door to front and three range window to side. This building seems to have replaced an earlier original Primitive Methodist chapel to the north, now demolished. Commemorative stone reads *This stone was laid to the glory of God by J. C. Wilkerson Esq. October 27 1902*. This building and window openings with central entrance and brick hood moulding and label stops is/are most worthy of retention.**



Picture 17. The Union Chapel, of early 20th century date apparently replaced a Primitive Methodist Chapel at Cheapside to the north.

**5.32. Nos.1-6 Castle Cottages. Of block construction painted/rendered. All with original roof chimney and date plaque (1920) detailing. Mostly with original entrance canopies to side. Two have later extensions but executed in a sympathetic manner. Despite late window detailing, and on balance, these early 20th century properties have sufficient architectural and historic value to be protected and retained. An Article 4 Direction to provide protection for selected features may be appropriate subject to further consideration and notification.**



Picture 18. Nos. 1-6 Castle Cottages. Dating from 1920 these properties on balance are considered to be of sufficient quality to be protected and retained.

**5.33. School building in part. Parts of the old school remain and are visible from the main road. The brick and flint front elevation and bell tower are pleasing features and worthy of retention. However various extensions and additions elsewhere on the site are visually less satisfactory.**



Picture 19. Historic elements of original 19th century school building which make an historic and architectural contribution to the street scene.

**5.34. Church Gate Cottage and Anstey Hall Cottage, St Georges End. A large two storey rendered building probably of 19th century date with tiled roof and chimneys with pots. Inappropriate but subservient extension to Church Gate Cottage. On balance the whole is worthy of retention. An Article 4 Direction to provide protection for selected features may be appropriate subject to further consideration and notification.**



Picture 20. Church Gate Cottage and Anstey Hall Cottage, St Georges End.

**5.35. Elm Cottage.** From preliminary consideration (albeit no detailed site inspection or discussion with owners, see reference at para. 1.7) and historic map inspection, the southern element of Elm Cottage is interpreted as being late 19th century of brick construction with hipped roof and centrally located chimney. The northern extension, although quite prominent is well designed and in keeping with the original in terms of design and materials. Therefore the building as a whole makes an important architectural and historical contribution and on balance the whole is considered worthy of retention. An Article 4 Direction to provide protection for selected features may be appropriate subject to further consideration and notification.



Picture 21. Elm Cottage A sensitive design and use of materials of new extension is successful and in keeping with the original.

**5.36. Other distinctive features that make an important architectural or historic contribution.** Walls and railings so identified are protected to varying degrees virtue of exceeding specified height relevant to the



conservation area legislation or by being within the curtilage of a Listed Building unless otherwise noted.

5.37. Flint wall at High Hall Farm. Prominent feature in the farm complex. Of flint construction capped with typical 19th century rounded brick detailing. Not adjacent to the highway and less than 2m in height and thus unprotected by conservation area legislation. An Article 4 Direction to provide protection for selected features may be appropriate subject to further consideration and notification.



Picture 22. Good quality 19th century wall at High Hall Farm worthy of retention and protection.

5.38. Wall to frontage of ~~Clare Cottage~~ Snow End House. Approx. 1m in height of brick and flint construction with rounded brick capping detailing.



Picture 23. Wall of brick and flint construction to front of ~~Clare Cottage~~ Snow End House.

5.39. War Memorial. Advised designed and built by G. Maile and Son London and dedicated in 1921 (see Picture 1). Celtic Cross with sword commemorating the local war dead of the Great War 1914-1919.



Picture 24. Fine stone War Memorial believed dedicated in 1921, see also Picture 1.

**5.40. Eastern boundary of church presumed brick/flint wall. Partly repaired but partly heavily covered in ivy. Condition of wall beneath ivy unknown. Suggest careful removal of ivy and if necessary initiate repairs.**



Picture 25. The condition of the eastern boundary of the church boundary wall? is unknown. Suggest explore further and consider implementing any necessary repairs.

**5.41. Boundary wall to Anstey Hall. Wall of high quality of flint construction with rounded brick capping. Height varies.**



Picture 26. High quality boundary wall to Anstey Hall - a prominent and visually important feature in the street scene.

**5.42. Tombstones in churchyard- see below.**

**5.43. Important Open Spaces. The spaces identified below are most important and should be preserved.**

**5.44. Churchyard. Provides an open area accessible to the public with trees and well stocked with gravestones of historical interest, some chest tombs and several unusual wooden ones. Modern headstones are sensitively designed and in keeping. Spring flower covering enhances the general scene.**





Pictures 27 -28. A verdant churchyard enhanced by spring flowers contains a wide range of interesting tombstones, many dating from the 19th century.

5.45. Small green near Union Chapel. Small triangular Green with maturing trees that forms a small but visually important space in the street scene.

5.46. Wildlife sites. There are two such Local Wildlife sites within or partly within the conservation area.

5.47. Anstey Churchyard (ref. 16/030) simply described as being building and environs important for Protected Species.

5.48. The Hale Meadow (ref. 16/005). This lies partly within and partly beyond the conservation area to the south and east of Anstey House. It is described as old unimproved neutral grassland supporting a good range of typical Boulder Clay species. Also uncommon flora beside lower pond. Important habitat for insects and birds. Ponds etc add habitat diversity.

5.49. Particularly important trees and hedgerows. Those trees and hedgerows that are most important are shown very diagrammatically on the accompanying plans. The detail of some has been taken from satellite information (where it is often difficult to differentiate between trees and hedgerows).

5.50. Water features. The moated water features at Anstey Hall and Anstey House within the revised conservation area are important both from a visual and historical perspective.

5.51. Important views. A selection as shown on accompanying plans.

5.52. Elements out of character with the conservation area. The **site** ~~offence adjacent to~~ The **Blue** Fiddler PH is in the centre of the village ~~and a visual focal point. The site is untidy in some respects and~~ would benefit from ~~modest improvements including repair and~~ replacement. Discussions have now taken place with the owner who has promised positive action. of part broken fence. This has now been implemented.



~~Pictures 29-30. The Blue Fiddler PH – broken boundary fence and open storage area detract.~~



Picture 29. Broken boundary fence between No. 1 Buryfield and adjacent PH detracts. The owner has promised a positive outcome which has now been implemented.

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5.53. Throughout the conservation area there are utility poles with overhead services which detract to varying degrees. The ones considered to be most prominent are diagrammatically plotted. One near

the PH is particularly prominent and others opposite Anstey Hall detract from the historic central core. In the first instance it is suggested the appropriate utility company be approached with a view to seeking their long term co-operation in reducing the visual impact of some of those considered most intrusive.

5.54. The open countryside, sporadic development and hamlets beyond the conservation area boundary. During the consultation process concern was raised relating to ensuring proper protection of the countryside and the hamlets beyond the conservation area. Historic England advises that conservation area designation is *not generally an appropriate means of protecting the wider landscape*. It should be noted however that these areas form part of the 'Rural Area Beyond the Green Belt' and are subject to, and thus protected by, District Plan Policy GBR2. The Rural Area Beyond the Green Belt is a considerable and significant countryside resource, which Policy GBR2 seeks to maintain.

5.55. This appraisal therefore recognises the importance of maintaining the general openness of this wider landscape and protecting its hamlets from inappropriate development and as such these areas will be protected by Policy GBR2 as a valued countryside resource.

5.546. Opportunities to secure improvements. Consider if improvements could be made to the listed well head at cross roads in centre of village by removing or reducing impact of local information hoarding and notices. Consider minor repairs cleansing and general refurbishment of listed telephone kiosk. Explore condition of eastern wall to churchyard covered in ivy and initiate any necessary repair works. ~~Discuss potential of securing improvements at the Blue Fiddler PH. Promised improvements to fence adjacent PH in centre of village have been carried out.~~ The PC may wish to approach the relevant utility company to discuss the potential of securing selected improvements.

5.557. Suggested boundary changes. The detail of some of the boundary changes have been taken from satellite information by necessity due to limited public accessibility. It is proposed to amend the conservation area boundary as follows:

(a) Extend the conservation area so as to include the entirety of the small triangular green to the north of the Chapel.

(b) Exclude two large modern agricultural barns at High Hall Farm of no architectural or historic interest.



Picture 340. Modern agricultural barns to north of High Hall Farm to be removed from the conservation area because they are of no historic or architectural value.

(c) Exclude two narrow linear areas of open countryside to north of Mill Lane and north of Anstey House. These pockets form part of the wider landscape and farmland.



Picture 321. One of two linear strips of agricultural land with undefined northern boundaries clearly forms part of the wider agricultural landscape and as such their exclusion is consistent with Historic England advice.

(d) Exclude a very large area principally of open countryside and agricultural land to the south of Mill Lane and east of Castle Cottages and extending further south to include land beyond Silver Street at Dawe's End. This very extensive area also includes a scatter of properties and smaller scale paddocks. Overall it forms part of the wider landscape, the inclusion of which is not consistent with National advice and local practice. Within this area are a number of properties mainly modern but also ~~three- a~~ listed buildings (LB) protected by ~~their~~'s own legislation. These properties include: a collection of farm buildings to south of Essex Cottage; Yew Tree Cottage, Nos. 1-2 Dawe's End Cottages; The Old Bell (LB); The Mayflower; Bell Cottage; Goldings; building south of Goldings on north west corner of Silver Street; ~~Dove Cottage (LB); Welspen Thatch (LB).~~ On reflection and following

consultation the listed properties of Dove Cottage and Welspen Thatch together with the woodland adjacent to and to the north west of Welspen Thatch are proposed to remain within the conservation area.



Picture 332-343. Extensive tract of open countryside/ farmland between Mill Lane and Castle Cottages extending south to land beyond Silver Street now excluded from the conservation area being contrary to National advice and local practice.

(e) Exclude field to west of Village Hall. This farmland is open and forms part of the wider agricultural landscape. Its exclusion is clearly in accord with Historic England advice.



Picture 354. The field beyond the trees on the approach to the Village Hall clearly forms part of the open countryside.



(f) Exclude large area of open agricultural/grazing land and modern agricultural barn north of St Georges End and west of Two Acre Farm stretching north to include Northey Lodge. Within this area there is a loose scatter of several residential properties at Pain's End. The latter are mainly modern and include Northey Lodge, Woodside Cottage, Brokers Retreat and property under construction on site of High Tree. Woodside Cottage is listed and there is a moated site at Northey Lodge; both protected by their own legislation. This area is interpreted as being part of the open countryside and beyond the obvious physical edge of the village at Two Acre Farm.



Pictures 365-376. Agricultural barn and area of open countryside north of St Georges End. Current national advice and local practice generally advise against the inclusion of such areas within a conservation area.

5.568. General explanation of boundary amendments and retention of selected areas within the conservation area.

5.579. The retention of Anstey Hall area 'out on a limb' at the far eastern extremity within the conservation area and linked to the main body is considered appropriate because of its historical, architectural, visual and archaeological importance. There is one non listed building of note worthy of the protection afforded by conservation area status.

5.5860. The retention of Bury Field and Moatside. The former consists of three pairs of semi detached houses with their steeply pitched roofs linked with single storey garages date from the mid 20th century. Whilst not of sufficient quality to be described as making *an important architectural or historic contribution* they are not unpleasing. Moatside, nearby and on the west side of the road has less architectural and/or

historical value. However the two sites together with their environmentally attractive frontage trees are centrally located and perform a function in joining together two parts of the conservation area. Without their retention two separate conservation areas would be created and this would not be sensible. Therefore for these reasons the areas remain within the conservation area.

**5.5961.** Retention of Two Acre Farm site. Whist of limited historic and architectural quality traditional design features common of their time have been achieved. On balance the site has remained within the conservation area.

**5.602.** With respect to areas of areas removed from the conservation area these include tracts of farmland and other land which has been interpreted as forming part of the wider landscape. The inclusion of such areas is contrary to local practice and national advice from Historic England (Conservation Area Appraisal Designation, ~~Appraisal~~; and Management Advice Note 1 - 20168, paragraph 4273). Same reference in HE document update of 2019).

## 6. OVERALL SUMMARY.

**6.1.** Anstey's conservation area as proposed -is-a-linear village stretches along the main road from Mill Lane to Snow End. withThere are a number of high quality listed buildings, one particularly important Scheduled Aancient Monument which -illustrates its rich historical heritage. The latter spans the 900 years or so from the Norman Conquest right through to the present day where modern stained glass in the church commemorates USAAF servicemen who died in the Second World War, stationed nearby. There are a number of non listed buildings worthy of the additional protection afforded by conservation area status.

**6.2.** Some buildings from the mid 20th century detract to a modest degree but these are limited. Implementing current advice it is no longer considered appropriate to include large areas of open countryside which have now been removed. Subject to the latter boundary modifications it is considered that the Anstey Conservation area is worthy of its designation.

**6.3.** The retention of the open countryside, sporadic development and hamlets beyond the proposed conservation area boundary is considered important and will be protected by District Plan Policy GBR2 as a valued countryside resource.

## PART C - MANAGEMENT PROPOSALS.

### 7. MANAGEMENT PROPOSALS.

7.1. *Revised Conservation Area Boundary.* The revised boundary is shown on accompanying Management Plan to which the reader is referred and includes the following amendment/s.

(a) Extend to include the entirety of the small triangular green to the north of the Chapel.

(b) Exclude two large modern agricultural barns at High Hall Farm.

(c) Exclude two narrow linear areas of open countryside to north of Mill Lane and north of Anstey House.

(d) Exclude a very large area principally of open countryside and agricultural land to the south of Mill Lane and east of Castle Cottages and extending further south to include land beyond Silver Street at Daw<sup>les</sup> End. Properties within this area include: a collection of farm buildings to south of Essex Cottage; Yew Tree Cottage, Nos. 1-2 Daw<sup>les</sup> End Cottages; The Old Bell; The Mayflower; Bell Cottage; Goldings; building south of Goldings on north west corner of Silver Street ~~;~~ ~~Dove Cottage;~~ ~~Welspen Thatch.~~

(e) Exclude field to west of Village Hall.

(f) Exclude large area of open agricultural/grazing land and modern agricultural barn north of St Georges End and west of Two Acre Farm stretching north to include Northey Lodge. Within this area there is a loose scatter of several residential properties and include Northey Lodge, Woodside Cottage, Brokers Retreat and property under construction on site of High Tree.

7.2. *General Planning Control and Good Practice within the Conservation Area.* All ~~'saved'~~ ~~p~~Planning policies are contained in the East Herts ~~Local~~District Plan ~~Second Review~~ adopted in ~~April 2007~~October 2018. It is ~~currently~~ against this document and the National Planning Policy Framework (NPPF) that the District Council will process applications. The NPPF is supplemented by Planning Practice Guidance. One such guidance note of particular relevance is 'Conserving and Enhancing the Historic Environment'. ~~When the 2007 Local Plan is replaced by the District Plan the latter's policies will then be relevant. District Plan policies HA1, HA4, HA5 and HA6 are particularly relevant.~~

7.3. Applicants considering submitting any application should carefully consider the relevant **District Plan** policies and if necessary contact Officers to seek pre-application advice.

Telephone 01279 655261 (For development proposals ask for Development Management. For general conservation advice ask for a Conservation Officer).

E-mail: [planning@eastherts.gov.uk](mailto:planning@eastherts.gov.uk) Website: [www.eastherts.gov.uk](http://www.eastherts.gov.uk)

Or write to Development Management, East Herts. District Council, Wallfields, Pegs Lane, Hertford SG13 8EQ

7.4. Applicants may also wish to refer to one of the several Guidance Notes previously referred to which will be updated as resources permit.

7.5. *Planning Control - Potential need to undertake an Archaeological Evaluation.* Within the Scheduled Ancient Monuments and Areas of Archaeological Significance (~~as shown on either the adopted Local Plan or emerging District Plan~~), the contents of **District Plan** policies **BH1, BH2 and BH3 are HA1 and HA3** are particularly relevant.

7.6. *Listed Building Control and Good Practice.* Those buildings that are individually listed are identified. Other pre-1948 buildings, structures or walls within the curtilage of a Listed Building are similarly protected in law. **District Plan Policy HA7 particularly applies.**

7.7. Listed Buildings are a significant asset in contributing to the quality of the conservation area. It is essential that their architectural detailing is not eroded nor their other qualities and settings compromised.

7.8. *Planning Control – Other Unlisted Buildings that make an Important Architectural or Historic Contribution.* Within the existing conservation area this Appraisal has identified 8 unlisted buildings/groups of buildings that are considered to have sufficient qualities to be described thus. Any proposal involving the demolition of these buildings is unlikely to be approved. **District Plan Policies HA2 and HA4 II particularly apply.**

7.9. These buildings are High Hall, Mill Lane; 2 No. barns at High Hall Farm; The Hale, Mill Lane; the Union Chapel; Nos. 1-6 Castle Cottages; part of school building; Church Gate Cottage and Anstey Hall Cottage; Elm Cottage.

7.10. There are other distinctive features that are integral to some of the important unlisted buildings identified above that make an important architectural or historic contribution, including selected chimneys,

windows and other architectural detailing where protection could be provided by removing Permitted Development Rights via an Article 4 Direction. The associated legislation is complex, and Should the Council consider such a course of action appropriate there would be a process of notifying the affected owners separately at a later date. This would be associated with further detailed consideration and possible refinement. District Plan Policy HA4 I(f) particularly applies.

**7.11. Planning Control – Other distinctive features that make an Important Architectural or Historic Contribution.** This Appraisal has identified several walls and other features that make a particular contribution to the character of the conservation area. These will be protected from demolition within the parameters of legislation and relevant District Plan policies.

**7.12. Planning Control – Important open land, open spaces and gaps.** This Appraisal has identified the following particularly important open spaces: Churchyard; small green near Union Chapel. These spaces will be protected. District Plan Policy HA4 1(e) particularly applies.

**7.13. Planning control - The open countryside, sporadic development and hamlets beyond the conservation area boundary.** These areas will be protected as a valued countryside resource. District Plan Policy GBR2 particularly applies.

**7.14. Planning Control – Wildlife Sites. This Appraisal has identified two such sites; Anstey Churchyard and The Hale Meadow.** District Plan Policy NE1 particularly applies.

**7.15. Planning Control – Particularly important trees and hedgerows.** Only the most significant trees are shown very diagrammatically. It has not been possible to plot trees on inaccessible land. Subject to certain exceptions all trees in a conservation area are afforded protection and a person wanting to carry out works has to notify the Council. Trees that have not been identified may still be considered suitable for protection by Tree Preservation Orders. Owners are advised to make regular inspections to check the health of trees in the interests of amenity and Health and Safety. District Plan Policy NE3 III particularly applies.

**7.16. Planning Control – Water Features. Moated water features at Anstey Hall (also a Scheduled Ancient Monument) and Anstey House will be protected. District Plan Policy NE3 IV particularly applies.**

**7.17. Planning Control - Important views.** A selection of general views is diagrammatically shown. ~~Policy BH6 is particularly relevant.~~ District Plan Policy HA4 I(e) particularly applies.

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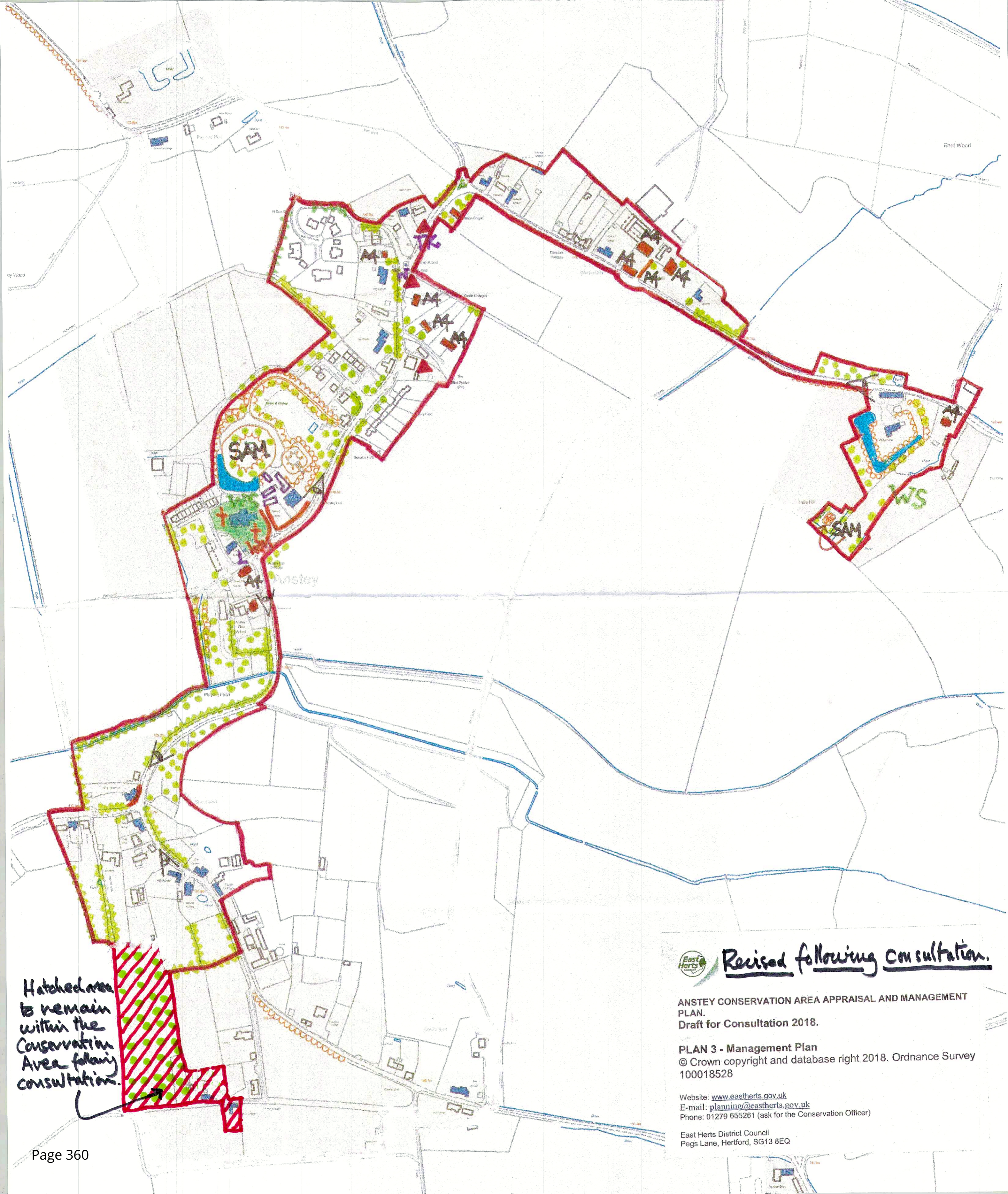
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**7.158. Enhancement Proposals.** The Appraisal has identified several elements that detract which are summarised in the Table below together with a proposed course of action; other actions are also identified. Within the staff and financial resources available, Council Officers will be pro-active and provide assistance. It must be recognized that such improvements will generally be achieved only by the owner's co-operation.

Detracting element.	Location.	Proposed Action.
<del>Open storage area and broken</del> boundary fence.	<del>Adjacent to The Blue</del> Fiddler PH.	Contact owner to consider if improvements can be secured <del>to this sensitive central site.</del> <u>Owner contacted. Repair of fence now executed.</u>
Selected Utility poles and overhead services.	Various.	PC may wish to discuss potential of improvements at selected locations with utility company.
Consider the potential of improving the appearance of Well head gear and small green at crossroads in centre of village by removing or reducing impact of local information hoarding and notices.		
Consider minor repairs cleansing and general refurbishment of listed telephone kiosk.		
Explore condition of eastern wall to churchyard and initiate any necessary repairs.		





Hatched area to remain within the Conservation Area following consultation.



Revised following consultation.

ANSTEY CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN.  
Draft for Consultation 2018.

PLAN 3 - Management Plan  
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Website: [www.eastherts.gov.uk](http://www.eastherts.gov.uk)  
E-mail: [planning@eastherts.gov.uk](mailto:planning@eastherts.gov.uk)  
Phone: 01279 655261 (ask for the Conservation Officer)

East Herts District Council  
Pegs Lane, Hertford, SG13 8EQ



# MANAGEMENT PLAN KEY

District Plan Policies and Government planning policies set out in the 'National Planning Policy Framework' (NPPF) apply as appropriate.

REVISED CONSERVATION AREA BOUNDARY: District Plan Policies HA1, HA4, HA5, HA6 particularly apply.

SCHEDULED ANCIENT MONUMENTS AND AREAS OF ARCHAEOLOGICAL SIGNIFICANCE: District Plan Policies HA1, HA3 particularly apply.

INDIVIDUALLY LISTED BUILDINGS/STRUCTURES: District Plan Policy HA7 particularly applies.

OTHER INDIVIDUALLY LISTED FEATURES: District Plan Policy HA7 particularly applies.

Wellhead and Shelter

Lychgate

Telephone Kiosk

IMPORTANT BUILDINGS IN THE CURTILAGES OF LISTED BUILDINGS: District Plan Policy HA7 particularly applies.

UNLISTED BUILDINGS TO BE PROTECTED FROM DEMOLITION: District Plan Policies HA2 and HA4 II particularly apply.

OTHER DISTINCTIVE FEATURES TO BE PROTECTED FROM DEMOLITION WITHIN PARAMETERS OF EXISTING LEGISLATION: (includes features within the curtilage of Listed Buildings and walls/railings above the specified heights)

Walls

Tombstones

War Memorial

SELECTED FEATURES ON UNLISTED BUILDINGS WHERE ADDITIONAL CONTROLS ARE PROPOSED SUBJECT TO FURTHER CONSIDERATION AND NOTIFICATION (by Article 4 Direction): District Plan Policy HA4 I(f) particularly applies.

IMPORTANT OPEN SPACES TO BE PROTECTED: District Plan Policy HA4 I(e) particularly applies.

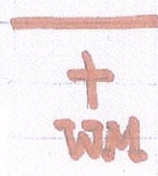
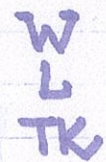
WILDLIFE SITES TO BE PROTECTED: District Plan Policy NE1 particularly applies.

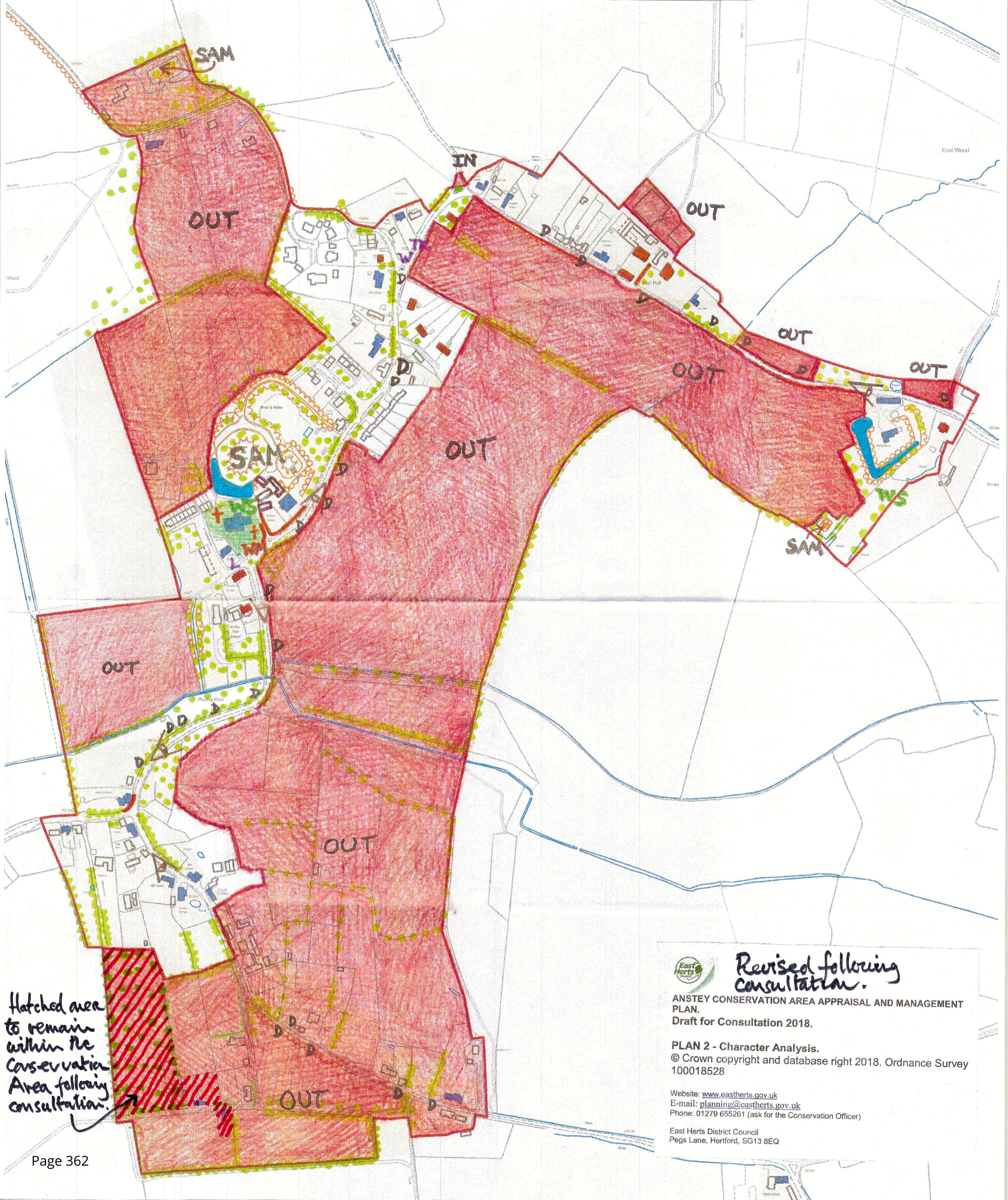
GENERAL LOCATION OF IMPORTANT TREES/HEDGEROWS TO BE PROTECTED WITHIN PARAMETERS OF LEGISLATION: District Plan Policy NE3 III particularly applies.

IMPORTANT WATER FEATURES TO BE PROTECTED: District Plan Policy Policy NE3 IV Particularly applies.

SELECTED IMPORTANT VIEWS TO BE PROTECTED: District Plan Policy HA4 I(e) particularly applies.

PROPOSED ENHANCEMENTS





Hatched area to remain within the Conservation Area following consultation.



*Revised following consultation.*

ANSTEY CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN.  
Draft for Consultation 2018.

PLAN 2 - Character Analysis.  
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Website: [www.eastherts.gov.uk](http://www.eastherts.gov.uk)  
E-mail: [planning@eastherts.gov.uk](mailto:planning@eastherts.gov.uk)  
Phone: 01279 655261 (ask for the Conservation Officer)

East Herts District Council  
Pegs Lane, Hertford, SG13 8EQ

# CHARACTER ANALYSIS KEY

EXISTING CONSERVATION AREA BOUNDARY



PROPOSED EXTENSION TO THE CONSERVATION AREA



PROPOSED REDUCTIONS OF THE CONSERVATION AREA



SCHEDULED ANCIENT MONUMENTS



AREAS OF ARCHAEOLOGICAL SIGNIFICANCE



INDIVIDUALLY LISTED BUILDINGS/STRUCTURES



Wellhead and Shelter

W

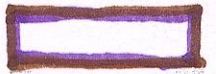
Lychgate

L

Telephone kiosk

TK

IMPORTANT BUILDINGS IN THE CURTILAGES OF LISTED BUILDINGS



UNLISTED BUILDINGS THAT MAKE AN IMPORTANT ARCHITECTURAL OR HISTORIC CONTRIBUTION



OTHER DISTINCTIVE FEATURES THAT MAKE AN IMPORTANT ARCHITECTURAL OR HISTORIC CONTRIBUTION

Walls



Tombstones

+

War Memorial

WM

IMPORTANT OPEN SPACES



WILDLIFE SITES

WS

GENERAL LOCATION OF IMPORTANT TREES/HEDGEROWS  
IMPORTANT WATER FEATURES



WATER FEATURES



IMPORTANT VIEWS



ELEMENTS OUT OF CHARACTER WITH THE  
CONSERVATION AREA

# Agenda Item 10

EAST HERTS COUNCIL

EXECUTIVE – 8 OCTOBER 2019

REPORT BY: BY THE EXECUTIVE MEMBER FOR WELLBEING AND THE  
DEPUTY LEADER & EXECUTIVE MEMBER FOR FINANCIAL  
SUSTAINABILITY

REPORT TITLE: CONTRACT PROCEDURE RULES: EXEMPTION REPORT

WARD(S) AFFECTED: BISHOP'S STORTFORD MEADS/ ALL

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## **Purpose/Summary of Report**

- To advise Executive of a contract procedure exemption

<b><u>RECOMMENDATIONS FOR EXECUTIVE: That:</u></b>	
<b>(A)</b>	<b>The contract procedure exemption be noted</b>

### 1.0 Background

1.1 This report is to advise the Executive of an exemption to the formal tender procedure normally required for contracts with a value of between £50,000 and the EU threshold.

1.2 It relates to the engagement of RPS Consulting Services Ltd to provide specialist services to manage and to assess the impact of an archaeological dig on the proposed site of the new Grange Paddocks Leisure Centre.

1.3 The matter is being reported to the Executive in accordance with para 4.4 of Part 4H of the Councils Constitution: Contract Procedure Rules. The exemption has been approved by the Head of Legal and Democratic Services, in consultation with the Head of Strategic Finance and Property, as required by para 4.4. However, in addition, the regulations require that the matter is reported to the next Executive to support the action taken.

## 2.0 Report

2.1 Grange Paddocks Leisure Centre (GPLC) is a key council project in which Council has approved significant capital funding for the delivery of a new leisure centre, located to the south of the existing centre, to support the delivery of the council's corporate priority of improving the health and wellbeing of its communities.

2.2 As part of the planning application considerations and in order to allow development to take place, a number of surveys have to be undertaken. An archaeology survey was one of the surveys required. A desktop archaeology study was instructed in February 2019.

2.3 The desktop study generated a recommendation that archaeological trenching take place, at pre-application stage, based on the Roman history of the site. Three trenches were excavated on the proposed footprint of the leisure centre, to ascertain the potential archaeological features identified through the surveying and Ariel photographs. This was carried out on in May 2019 over three days.

2.4 Following an evaluation of the trenching results, a full footprint excavation of the new leisure centre site is now required, prior to the commencement of development. The GPLC programme did not envisage that a full excavation of the proposed footprint would be required as part of this project.

- 2.5 Procurement of specialist services to deliver the archaeological dig of the site could have been undertaken through the Pre-construction Service Agreement (PCSA) that the council have in place with the constructor; Wilmott Dixon. However, under Wilmott Dixon's corporate policy they have to provide site supervision for any works undertaken on site, even though for this project they are not necessarily required. This would incur an additional cost of approximately £25k which does not represent good value.
- 2.6 Due to the above, the council wishes to procure the specialist services for the archaeological dig. The work is estimated to take 6-8 weeks, with RPS having capacity to start in the middle of September. The duration of the work could extend beyond 8 weeks, depending on the findings. On the basis of this time period, the dig must commence as soon as possible in order to allow it to be discharged as a planning condition and not delay the planned start on site date in early 2020.
- 2.7 It is due to this requirement to carry out the archaeological dig prior to commencement of the development, that this exemption request is being made. This is in accordance with para 4.6 (g) unforeseen works or circumstances where delay will adversely impact on service delivery for the council or access to external funds. If the work is not completed to the timescales above, this will have an impact on the programme and therefore have an impact on the expected revenue being generated from the leisure operator contract.
- 2.8 Due diligence has been done in obtaining quotations, and five quotations in total were obtained. The procurement officer has stated: 'although at this value the Contract Procedure rules expect an open tender process, the fact that 5 quotes have been obtained gives comfort that value for money has been obtained.' This offers reassurance that value for money has been achieved.
- 2.9 Costs are expected to be £82,417. As a result, the £50,000

threshold in total will be breached.

### 3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

#### Background Papers

None

Contact Member: Cllr Eric Buckmaster – Executive Member for Wellbeing  
[eric.buckmaster@eastherts.gov.uk](mailto:eric.buckmaster@eastherts.gov.uk)  
Cllr Geoffrey Williamson – Executive Member for Financial Sustainability  
[geoffrey.williamson@eastherts.gov.uk](mailto:geoffrey.williamson@eastherts.gov.uk)

Contact Officer: Isabel Brittain– Head of Strategic Finance and Property  
Contact Tel No: 01992 531  
[isabel.brittain@eastherts.gov.uk](mailto:isabel.brittain@eastherts.gov.uk)

Report Author: Emily Coulter - Junior Project Manager  
[emily.coulter@eastherts.gov.uk](mailto:emily.coulter@eastherts.gov.uk)

## ESSENTIAL REFERENCE PAPER 'A'

### IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i>	Priority 1 – Improve the health and wellbeing of our communities
Consultation:	<i>N/A</i>
Legal:	<i>Contract waiver approved by Head of Legal</i>
Financial:	<i>Contract waiver approved by Head of Finance. Contract waiver prevents programme delay, which in turn prevents an impact on the MTFP from the operator contract.</i>  <i>No additional capital required, as included as part of the Grange Paddocks Leisure Centre capital budget.</i>
Human Resource:	<i>N/A</i>
Risk Management:	<i>Appropriate risk management and health and safety measures will be in place for the project.</i> <i>Risk of not undertaking excavation is programme delay.</i>
Health and wellbeing – issues and impacts:	<i>The excavation of the footprint allows for development of the new leisure centre to commence.</i>
Equality, diversity and human rights considerations, and whether Equality Impact Assessment required:	<i>N/A</i>



Environmental Sustainability	N/A
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# Agenda Item 11

EAST HERTS COUNCIL

EXECUTIVE 8 October 2019

COUNCIL 23 October 2019

REPORT BY EXECUTIVE MEMBER FOR FINANCIAL SUSTAINABILITY

COUNCIL TAX SUPPORT SCHEME 2020/21

WARD(S) AFFECTED: ALL

## **Purpose/Summary of Report**

To consider the latest available information around the current local Council Tax Support (CTS) scheme at East Herts and whether any changes to the scheme should be considered for 2020/21.

<b><u>RECOMMENDATIONS FOR EXECUTIVE</u></b>	
<b>(A)</b>	To recommend to Council that there be no changes to the scheme design for East Herts local Council Tax Support scheme for 2020/21.

## **1. BACKGROUND**

1.1 The Government made provision within the Local Government Finance Bill to replace the former national Council Tax Benefit (CTB) scheme from 1st April 2013 with localised schemes for Council Tax Reduction Schemes (CTS) devised by individual local authorities (LAs). The schemes are valid for one year and must be approved by Council before 11<sup>th</sup> March immediately preceding the financial year in which it is to take effect.

- 1.2 If the Council were to choose to consider any material revisions to the scheme, this would be the subject of public consultation, which would need to be considered by both those entitled to receive support as well as the general Tax payers of East Herts.
- 1.3 Since the introduction of CTS in April 2013 various changes have been considered but the scheme has remained the same.
- 1.4 In April 2018 Overview and Scrutiny committee received a presentation on a potential new scheme for 2019/20 based on income bands. The aim was to find a scheme which would simplify the criteria for customers as well as mitigating the impact of changes in circumstances on workload and council tax collection, resulting from universal credit reassessments.
- 1.5 Members were advised that substantial modelling would need to be carried out to avoid any unintended consequences, as well as enabling full consultation with tax payers and major preceptors. Unfortunately the software modelling tool proved to be insufficiently sophisticated to enable the modelling to be progressed with sufficient confidence in the results.
- 1.6 Late in 2018/19 a further enhanced modelling tool was provided by the software supplier, and testing carried out on the data provided, however this did not produce the desired outcomes.
- 1.7 The Performance Audit and Governance Oversight committee received a report and presentation on 31 July 2019 and agreed that no further options for change need be considered for the scheme for 2020/21.

- 1.8 Consultation on the proposed scheme for 2020/21 has therefore taken place with major preceptors. They were asked to respond with any comments before the 5 September 2019, and none have been received.
- 1.9 This report therefore details the current position on Council Tax, and seeks support to continue the current scheme for 2020/21.

## **2. REPORT**

### **2.1. The origins of Council Tax Support (CTS)**

- 2.1.1. Before April 2013, the service administered Council Tax Benefit on behalf of the Government. This national scheme was specified in legislation and LA's were reimbursed by the Department of Work and Pensions (DWP) through a subsidy claim submitted annually and subject to audit.
- 2.1.2. The level of subsidy reimbursement varied dependent on whether benefit had been awarded, backdated or overpaid, but the point to note is that entitlement and subsidy were based on assessing entitlement on 100% of an individual's council tax liability, net of discounts (similar to a single person discount).
- 2.1.3. The scheme was means tested and whilst the scheme differentiated between different client groups (providing extra support for disabled groups for example) there was little differential between Elderly and Working Age clients.
- 2.1.4. Clients fell into one of two groups, "passport" and "standard claims." A passport claim was one in which the DWP had already carried out a means test and then notified us that the

customers income was at or below the minimum income level for their household composition. They would be automatically entitled to 100% of their Council Tax to be paid by Council Tax Benefit. A deduction would however be made from this entitlement where there were non dependants living in the home.

2.1.5. The second group were called 'standard claims'. These customers had their means testing done by the council and awarded Council Tax benefit in accordance with the national scheme criteria. These customers had income above the minimum requirements and would be required to pay something towards their council tax liability. A deduction would also be made from this entitlement where there were non dependants living in the home.

2.1.6 In very simple terms entitlement was determined by comparing eligible incomes against relevant applicable amounts. When income equalled or fell below applicable amounts, the maximum entitlement was achieved. If income exceeded applicable amounts, entitlement was reduced by 20% of the excess. The applicable amounts were determined by the DWP in respect of Housing Benefit claims.

2.1.7 In more complex terms, every income and capital source had to be assessed in accordance with its type, and then determined if it was included in the assessment. Child benefit, maintenance paid to a child, PiP and DLA, war pensions etc were fully disregarded, whilst earned income was calculated after tax & NI, and 50% of pension contributions, averaged over the relevant period. Payments to certain child care providers were disregarded, whilst capital (excluding the property occupied) included savings, shares etc and if the total exceeded £16k, the customer was excluded from entitlement.

2.1.8 In very general terms the full expenditure on the scheme was reimbursed by the DWP.

## 2.2. **The impact of changes from 1<sup>st</sup> April 2013**

2.2.1. The national scheme for Council Tax Benefit ceased, and Councils had to devise their own Council Tax Reduction Schemes for working age claimants. The Government continues to specify the scheme for those of state pension age through prescribed regulations.

2.2.2. Instead of the scheme being funded through a subsidy claim based on actual expenditure, the Government moved the funding into the Revenue Support Grant (RSG) settlement, fixing it at only 90% of the subsidy paid in a previous year. RSG was the amount of grant that Government gave to Councils to support their wider service delivery, and made up one part of the income of the Council in addition to Council Tax receipts, fees and charges and an element of Business rate collection. However the move away from RSG makes this funding element less obvious.

2.2.3. Each Council had to consider how to fund 100% of the cost of the Elderly 'national' scheme and provide a Working age scheme, whilst receiving 10% less funding.

2.2.4. Pensioner claimants are protected from changes through the provision of a statutory scheme.

2.2.5. Schemes must support work incentives.

2.2.6. The DCLG Policy Statement of Intent did not give a recommended approach to be taken, but indicated the scheme should not contain features which create disincentives to find employment. The current East Herts scheme complies with this statement.

- 2.2.7. Local authorities must ensure that appropriate consideration has been given to support for other vulnerable groups, including those which may require protection under other statutory provisions including the Child Poverty Act 2010, the Disabled Persons Act 1986 and the Equality Act 2010, amongst others.
- 2.2.8. The DCLG issued Policy Statements that addressed a range of issues including the following:
- Vulnerable People and Key Local Authority Duties;
  - Taking work incentives into account;
  - Information Sharing and Powers to Tackle Fraud.
- 2.2.9. The Local Government Finance Bill stated that a Billing Authority must have regard to any guidance issued by the Secretary of State. Our current scheme has sought to address these requirements.

### **Council Tax Reduction Scheme (CTS)**

- 2.2.10. The Council initially devised a scheme which replicated the previous national scheme but limited the Council Tax liability that was used to assess entitlement to 90% for working age customers. The Government offered a one off transitional grant to Councils who would restrict the reduction to 91.5%, and accordingly the Council amended the proposal and took the one off transitional grant. The Council has maintained this position for the first 7 years of the scheme.

- 2.2.11. The cost of the scheme is reflected in the tax base, in the same way as other discounts which reduce the collectable debit.
- 2.2.12. The Government require that major preceptors (County and Police) are consulted each year, and if there is any change to the scheme a full consultation open to all tax payers in the district is required. There is no specific timescale prescribed but the period must allow for meaningful consultation.
- 2.2.13. Currently (2019/20) 76.15% of the tax base income is precepted by Herts County and Council and 10.53% by the Police, and accordingly they have a vested interest in the value of the CTS scheme as it directly impacts on their ability to raise funds. The lower the cost of the scheme, the higher the tax base on which they can precept.
- 2.2.14. Before the introduction of CTS there had been a number of years of constant case load increases, the caseload has since stabilised and reduced, alongside a growing taxbase due to new developments in the area. The impact on the cost of the scheme is demonstrated below.

<b>Year</b>	<b>Cost of the CTS scheme</b>	
<b>2013/14</b>	£ 6,448,794	Actual
<b>2014/15</b>	£ 6,066,188	Actual
<b>2015/16</b>	£ 5,734,780	Actual
<b>2016/17</b>	£ 5,670,937	Actual
<b>2017/18</b>	£ 5,813,163 *	Actual
<b>2018/19</b>	£ 6,066,356 **	Actual

\* The Band D value of the 2017/18 taxbase increased by 4.39% on 2016/17,

\*\*The Band D value of the 2018/19 taxbase increased by 5.76% on 2017/18



- 2.2.15. From 14/15 the 90% grant that was included in the RSG was no longer individually identifiable. Therefore calculating the total cost of the scheme i.e. the cost of the CTS scheme versus the CTS grant given by Government is now impossible.
- 2.2.16. What is certain however is that the level of spend on CTS has continued to reduce in real terms, mitigating in part the impact of overall reductions in income to the Council.
- 2.2.17. A large proportion of customers affected by the introduction of the CTS scheme had not previously had to pay anything towards their Council Tax bill. If they had been 'passported' under the Council Tax Benefit scheme their liability would have been discharged in full by a credit transfer onto their Council Tax account. Under the new arrangements all working age customers have to pay at least 8.5% towards their bill.
- 2.2.18. It continues to be a challenge to support and educate these customers into a regular payment arrangement. We have;
- Offered flexible repayment options,
  - Given more time to pay,
  - Worked on a project with the Citizens Advice Bureau to support customers with repeated arrears,
  - Promoted other debt and advice agencies.
- 2.2.19 The in-year collection rate for working age claimants who had only the minimum 8.5% liability to pay was 67.49% in 2014/15 and 77.7% for 2018/19
- 2.2.20 The overall in-year collection rate for all working age CTS customers was 77.43% in 2014/15, and 78.61% in 2018/19. In contrast to the all tax payers in-year collection rate, which for 2014/15 was 98.2%, and 98.1% in 2018/19.

2.2.21 Many of these same customers have been affected by other welfare reforms introduced ;

- the spare room subsidy scheme
- the new Benefit CAP,
- Reviews of disability benefits etc.

Many families find that they have increasing debts with their councils and landlords for bills that were previously paid for them.

2.2.22 We make assumptions in respect of the level of non-payment of Council Tax when determining the tax base, alongside assumptions over each of the variable elements of its composition. The in-year collection for all Council Tax payers was 98.1% in 2018/19, but this was dampened by only 78.61% collected from those working age customers in receipt of CTS. Those customers who under the old scheme would have not paid anything towards their council tax (passported customers) paid only 73.7%

2.2.23 The liability not paid in-year becomes arrears on which a bad debt provision has to be established, which is a further cost to the Council. Where the outturn taxbase exceeds the estimated performance it generates a surplus on the collection fund, and conversely when the taxbase does not achieve its expected performance because of negative variations in the component elements, the collection fund would be in deficit. The Council is required to make precept payments during the year regardless of any in-year variations.

2.2.24 Consideration of any variations to the existing scheme needs to consider;

- Variations in grant funding
- The reducing cost of CTS

- The impact of other welfare benefits reforms on the ability to pay
- The cost of increasing arrears and recovery costs
- The buoyancy of the taxbase generally
- The unknown budget and finance settlements
- The roll out of Universal Credit

2.2.25 Any revision to a scheme must be made by the Council by the 11<sup>th</sup> March, immediately preceding the financial year in which it is to take effect and will require consultation with those affected. Additionally, consideration must be given to providing transitional protection where the support is to be reduced or removed. The financial impact of any decision on Council Tax Support also needs to be included when setting our budget and Council tax levels at the same time.

2.2.26 The CTS scheme for 2019/20 can be summarised as follows:

- That the CTS scheme for all working age claimants will be based on 91.5% of their council tax liability;
- All local discretions currently in place continue e.g. war pension disregards;
- All other aspects of the new Council Tax Support scheme to mirror the previous Council Tax Benefit scheme.

2.2.27 In recognition of the fact that the additional Council Tax liability is more difficult to collect, a collection rate of 98.9% has been assumed.

### **2.3 Options that could be considered in redesigning a scheme**

- 2.3.1 There are a number of options that could be considered when redesigning the scheme, although all revisions would affect working age customers only, given that pensioners have to be fully protected by our scheme.
- 2.3.2 The Government continues to make changes to the Housing Benefit regulations which are not currently mirrored in the CTS regulations. This means the schemes are no longer aligned. The frequency of changes to Housing Benefit and Universal Credit schemes, make it almost impossible to mirror these in the CTS scheme, not least of which because of the difference in timing. The Housing Benefit and Universal Credit schemes are changed when needed during the year, and the CTS scheme can only be revised annually.
- 2.3.3 Consideration was been given previously to align some of the more significant differences between Housing Benefit and Council Tax support but the financial implications across the caseload have been assessed as small, and the changes would have required a full consultation exercise, to achieve only a temporary alignment, and therefore this was rejected.
- 2.3.4 The caseload for CTS indicates that the proportion of working age customers compared to pensioners is changing over time very slightly. It demonstrates a reduction in the proportion of the caseload for Elderly customers and this may be attributed to the rising of the national age threshold for becoming a pensioner. (At 1.4.19, 55% WA :45% Elderly), consequently more customers would be affected by any changes.
- 2.3.5 Last year consideration was given to an income-band scheme which appeared to offer an opportunity to simplify entitlement criteria and the treatment of income and capital.
- 2.3.6 This was driven by the imminent roll out of 'full service' Universal Credit, (impacting in East Herts from October 2018)

so there was a need to look to reduce the impact of monthly changes in universal credit on entitlement to CTS and Council tax collection.

2.3.7 Members were supportive of the approach, however subsequent testing has shown that there are unintended consequences for customers with disability premiums, and to correct for these would make the scheme overly complex and thus not achieve the desired outcomes.

2.3.8 Consideration has previously been given to each of the following changes, but each relies on the basic scheme construction remaining the same.

a) Changing the level of “minimum payment” for all working age customers

- I. The current scheme assumes that all working age customers are asked to pay at least something towards their Council Tax, and as described earlier the minimum payment is 8.5% of liability. The Council could consider making a change to that amount but in doing so, the full impact of that decision needs to be considered.
- II. If the Council chose to increase this minimum payment to say 10%, this does not mean a straight line reduction in the amount that the Council will spend out. For individuals already finding it difficult to pay at the current level, it can be seen that increasing this amount could increase their hardship levels further, especially as these customers are likely to be receiving other benefits, which have been affected by the on-going Welfare reforms.

- III. Given our latest information shows that the collection rate for those working age customers in receipt of CTS is already significantly lower than the overall rate, we would need to consider adding further amounts to our bad debt provision in respect of potential non-collection of our debts. Having done some indicative modelling, we estimate that increasing the minimum payment to 10% could result in a decrease in Council Tax spend of approximately £80k. This would be virtually wiped out by the need to increase bad debt provision.
- IV. Conversely, if we were to consider reducing the minimum amount to be paid we would need to consider where we would find the additional amount that we would need to fund Council Tax Support and the impact upon the totality of the funding for the Council and importantly, other precepting bodies too. These impact on their overall funding levels, and given we represent under 10% of the total cost of the scheme, EHC needs to consider the significant financial impact this could have on others. There would still be costs associated with administering the scheme whatever the level of award, as not everyone gets the full benefit so this would not mitigate the additional cost to the Council. On current estimates, we believe the additional burden could be around £300k.

b) Introducing a band cap (so limiting the amount that we would pay to a value of a lower property band, for example Band D)

In some Local Authorities, they have introduced a band cap where the scheme will only pay up to the equivalent of say a Band D property, even if you are in a higher banded property.

This could disproportionately affect those with a requirement for a larger property as they have children, other dependants due to caring responsibilities or a disability. These groups could already have been hit by other areas of Welfare reform including the Benefit Cap and

the Spare Room subsidy limitation.

c) Introducing a minimum amount that would be paid out

Some Councils have introduced a minimum level at which they will support residents. An example is that you have to be entitled to at least £5 a week to be supported. This means someone who is currently entitled to a lower amount, would not receive it, despite the fact that we have assessed them as currently requiring support. There are no real savings in terms of administrative costs because we would still have to undertake an assessment to find out that we wouldn't award. In addition, the fact that they are currently entitled to support indicates that they are financially vulnerable and the likelihood of being able to collect that additional amount from those residents is low. Therefore the potential reduction in costs overall is minimal and outweighed by an increase in bad debt provision and recovery costs.

d) Changes around discretions for Disability, Children and other Dependants

- I. This would change the nature of the scheme overall. East Herts, when setting its original scheme was clear that all would contribute equally as the core scheme already differentiates preferentially to those with disabilities, children etc.
- II. Any complexity that is added to the way in which we calculate entitlement, will make the administration of the scheme both more complex for our officers to manage both in terms of calculation but more importantly, to explain to our residents.
- III. This would also mean that the general working age population may need to pick up an even greater share of the cost if the scheme is to remain affordable and equitable.

e) Other adjustments

There include; income tapers, non-dependent deductions, income disregards etc. but all carry the same risk to bad debt provisions, potential recovery costs and costs of administration. The more complex the scheme, the more difficult it is to comply with and customers' levels of understanding could be compromised.

## 2.4 **The impact, challenges and opportunities of Universal Credit (UC).**

- 2.4.1 Customers claiming UC who apply for Council Tax Support do not require the Council to carry out means testing on their circumstances (see 2.1.6 above) . They need only provide their UC entitlement letters (details of which can be confirmed through LA's access to the DWP systems). These claims are already means tested and have differential applicable amounts applied by the DWP, and the only income element that is needed for an award of CTS is earnings. Consideration has to be taken of any deductions being made for overpayments or recovery of advances, but these lend themselves to a simplified assessment and processing system, and could be incorporated into a discount scheme.
- 2.4.2 Universal credit full service roll out took effect in this area in October 2018. This means that customers who would previously have applied for Housing Benefit (HB) and CTS are now applying for UC and CTS. The DWP are due to pilot moving existing HB claimants on to UC from July 2019, but are only planning to do this with 10k cases nationally, before seeking government approval for further managed migration.
- 2.4.3 There is therefore no information available currently to determine when this council's existing working age HB caseload will move to UC.
- 2.4.4 There are certain groups of HB claimant that will not, in the foreseeable future migrate to UC, as they are deemed too complex. This means that in addition to the pensioner case load there will be a residual working age caseload to manage.
- 2.4.5 It has therefore been appropriate to consider if the current CTS scheme is fit for purpose now that a growing number of customers will be in receipt of UC.



- 2.5.6 The reduction in new claims for HB might seem to reduce the services workload, however as the current scheme requires the same preparation and processing to award a CTS claim as an HB one, there is no saving. Currently claims or changes in circumstances are prepared and input and both awards (HB & CTS) are processed simultaneously. Claims not requiring an HB assessment simply produce one output (CTS award) rather than two.
- 2.5.7 UC claimants have to apply to the Council for CTS entitlement. There is a common misunderstanding among claimants that it is all covered by their claim for UC. The Council therefore often only gets to engage with these customers when their Council Tax account is in arrears, and additional recovery action has to be taken. Clearly this is an additional administrative burden for the Council, and costly for the customer.
- 2.5.8 Universal Credit is reassessed monthly, and those customers who are working (nationally this is estimated at more than 40%) are likely to experience variations in the UC entitlement each month. This is attributed to salary and wages frequencies affecting the 'monthly' assessments. Each time there is a change in the UC award, their entitlement to CTS has to be reassessed. Every time the CTS is reassessed, it produces a new Council Tax Bill. These constant changes in bills and amounts due are not only confusing to the customer trying to budget, but it also resets any recovery action being taken for non-payment.
- 2.5.9 The service can expect to receive a significant increase in workload from these monthly changes. They are received electronically from the DWP using an existing process called ATLAS.
- 2.5.10 Identifying and acknowledging these challenges from UC requires any potential change to the CTS scheme to consider;

- I. The potential for automation of UC notices on live CTS claims, thus reducing the new increased workflow.

There is currently limited automation for the processing of UC changes. At the moment only cancellations and minor changes of details like contact information are allowed to update automatically. Full analysis of the functionality for updating income changes is programmed for testing in the coming months, so these are currently being manually processed.

However our software supplier advises (March 2019) *“Since we developed the functionality, ...we are aware of various issues related to the data that comes from DWP”*.

- II. Mitigations for changes in UC entitlements to revise council tax liability, and thus avoid resetting recovery action.

This could be achieved if the CTS scheme set bands of entitlement, or fixed periods in which changes in income would not result in a change in entitlement, within the scope of a set range.

These options have the potential to be very expensive.

- III. The costs of changing the scheme.

The software supplier is estimating a cost in the region of £25k for each Council moving towards a banded CTS scheme. Herts County Council has already declined to contribute to any costs associated with changing the scheme, despite being the biggest preceptor for Council Tax.

Any changes to the scheme require full and meaningful consultation with all taxpayers in the district and there are significant costs associated with this level of consultation.

### **2.5.11 What others are doing:**

- Some councils have moved to a banded scheme, but they still require substantial means testing of each claim.
- St Albans are with a different software supplier and are introducing a banded scheme for UC claimants only from April 2019, which will run alongside a scheme similar to our existing scheme for all other claimants. This is an interesting option which rather than dealing in % entitlements, specifies how much the customer will pay towards their Council Tax. This means customers on the same income pay the same towards their council tax, regardless of the size of the property they occupy. This also provides a scheme for customers to transition into when migrated from HB.
- Other councils are considering various options but anecdotally are awaiting more information around migration before changing current schemes.

### **2.5.12 Current position:**

The current CTS scheme works and protects the most vulnerable customers by the use of applicable amounts and income disregards. However the challenges introduced by UC need to be considered. Work has been carried out over a period of time on developing a banded scheme for all working age claimants. This has included modelling of current claimants into a banded scheme, to assess the impact and identify any unintended consequences.

- As it is not currently possible to have a separate scheme for just UC cases, all current working age claimants would have to be included. After testing the data it is clear that the intended simplicity of a banded scheme would be compromised as the need to differentiate between all the many and varied disability premiums and incomes would require too many bands for each category of household, to ensure sufficient protection for these groups.
- In addition there would be all the costs of changing the scheme but no savings in administration, or increased simplicity for the customer.

### **2.5.13 Conclusion**

The number of UC cases is still quite low and accordingly the number of monthly changes, whilst increasing is not yet an issue.

It is proposed that a two stage approach be adopted for the future.

- Firstly, instead of looking to change the current scheme in the short term, that efforts instead be directed at the software supplier to design and introduce reliable and accurate automation of UC change notices.
- Secondly, once actual caseload migration is timetabled, consideration of a banded scheme or a discount scheme is revisited. At this time the majority of cases will convert to UC, and will have the means testing carried out by the DWP, thus offering opportunity for administrative savings.
- This will remove the current challenge around protecting the needs of those with disability incomes as this will be incorporated in the DWP assessment of UC entitlement.

- Members will also be able to review the original principles of the scheme, including that all WA customers pay 8.5% of their liability.
- This approach should ensure that costs associated with the change of schemes will be matched by efficiencies achievable in the administration processes.

2.5.14 The current scheme can be viewed at

<https://www.eastherts.gov.uk/article/34928/Council-Tax-Support>

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## ESSENTIAL REFERENCE PAPER 'A'

### IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i>	Priority 1 - Improve the health and wellbeing of our communities
Consultation:	Consultation not required at this stage
Legal:	None
Financial:	All financial implications are included in the body of the report.
Human Resource:	None
Risk Management:	None
Health and wellbeing - issues and impacts:	None
Equality, diversity and human rights considerations, and whether Equality Impact Assessment required:	None, at this stage
Environmental Sustainability	None

EAST HERTS COUNCIL

EXECUTIVE – 8<sup>th</sup> OCTOBER 2019

REPORT BY PORTFOLIO HOLDER FOR PLANNING AND GROWTH

DISCRETIONARY BUSINESS RATES' GRANT SCHEME

WARD(S) AFFECTED: ALL

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## **Purpose/Summary of Report**

- To update Executive on the discretionary business rates' grant scheme that was introduced in April 2017 and recommend the scheme continues until the full funding is allocated

## **RECOMMENDATION FOR EXECUTIVE TO:**

<b>(A)</b>	<ul style="list-style-type: none"><li>- Approve implementing the discretionary business rates' grant scheme using the same eligibility as criteria as agreed in February 2017 but with following adjustments<ul style="list-style-type: none"><li>○ Rateable value eligibility is between 12,000 – 51,000 to match the national retail rate relief scheme</li><li>○ Up to 50% of one year's business rate liability is available <i>after</i> all other discounts and exemptions are applied</li><li>○ National chains not eligible to apply</li><li>○ Scheme in place until the national retail relief scheme expires (31 March 2021) or the balance of £65,079.07 is allocated (whichever is soonest)</li></ul></li></ul>
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<b>(B)</b>	- That the balance of £65,079.07 comes from the £150,000 allocated from the New Homes Bonus Reserve by Executive in February 2017
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## **1.0 Background:**

1.1 In February 2017 Executive approved setting up a local discretionary business rates' grant scheme. The papers, background and operating procedures can be found here:

<http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CId=119&MId=2880&J=2>

1.2 The scheme was aimed at encouraging new businesses to set up and/ or incentivise existing businesses to expand. This was part of an overall approach to be more pro-active with business support in the district and match schemes offered by other councils to encourage growth.

1.3 The scheme provided up to 50% discount on one year's worth of business rates' liability. To be eligible a business needed a rateable value of between £12,000 - £40,000 and meet one of the following criteria:

- A business not registered in the district is planning to relocate/ open up a new property in the district
- A business is already registered in the district but looking to enlarge premises through an extension or relocation
- A business is already registered in the district but is forced to relocate as the landlord no longer wishes to use the premises for commercial use and has not renewed the lease
- A business is already registered in the district, with one or more properties and plans to open up another



1.4 The scheme was funded from the New Homes Bonus reserve and £150,000 was set aside as part of the Executive decision. Although labelled a grant scheme in practice it was an adjustment to the business rates' bill (ie. Instead of receiving a cash grant the businesses' bill would be reduced by the equivalent amount). This minimized the exposure of the council to losses should the business fold soon after being awarded the grant.

1.5 The process involved a light touch application form on the website. The Business Engagement Manager would then undertake a site visit to go through eligibility criteria and where appropriate make a recommendation on awarding. As part of the Executive decision, delegated authority was provided to the Head of Communications, Strategy and Policy to make a final decision (in consultation with representatives from Business Rates and Strategic Finance and Property).

1.6 The scheme was a 2 year pilot and expired 31 March 2019. An evaluation has since been undertaken and this is attached at **ERB B**. Key conclusions are:

- 18 businesses have benefitted over the 2 years
- A total of £84,920.93 was allocated (meaning a balance of £65,079.07 is left on the original allocation)
- Vast majority of grants were awarded to town centre retail businesses
- Purpose of the scheme largely achieved but it is hard to quantify exactly how much of a direct role the awarding of a grant has made in business decisions to invest in the district

1.7 Since the closure of the scheme the Government has introduced a new retail rate relief scheme which applies a discount of 1/3<sup>rd</sup> after all other discounts and exemptions have been applied. The Government specifies the types of business which qualify and those that are excluded, and fully fund the cost of the relief. The relief is targeted at retail businesses with a rateable value of between £12,000 - £51,000

(with some exemptions – for example betting shops). This is a national scheme, announced by the Chancellor in the 2018 Autumn Statement and will run from 1 April 2019 – 31 March 2021. This has been a welcome intervention for many small businesses in the district. Over £1.2m in retail relief has been granted this year alone.

1.8 However challenges remain with regard to economic growth with businesses (particularly in the retail sector) constantly citing rents and rates as the two biggest issues affecting profitability. The proposal is to bring the scheme back into place to further support new or expanding businesses and align with the national scheme.

1.9 Implementation would be based on the following:

- Original criteria set out in (1.3) to remain in place
- Eligibility in terms of rateable value and exemptions to align with national scheme (so threshold increases from £40,000 to £51,000)
- National chains/ brands to be ineligible
- More targeted marketing of sectors other than retail to take place
- The term 'grant' to be removed so there is no misunderstanding about a cash award being given
- Scheme to be implemented until 31 March 2021 or until the full £150,000 is allocated (whichever is soonest)

Background Papers: ERP B (evaluation of scheme)

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**IMPLICATIONS/CONSULTATIONS**

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i>	Priority 3 – Enable a flourishing local economy
Consultation:	<i>None undertaken but feedback from businesses that have received the grant was sought</i>
Legal:	<i>None</i>
Financial:	<i>Financial implications covered within the report.</i>
Human Resource:	<i>None</i>
Risk Management:	<i>None</i>
Health and wellbeing – issues and impacts:	<i>None</i>
Equality, diversity and human rights considerations, and whether Equality Impact Assessment required:	<i>EIA not required</i>
Environmental Sustainability	<i>None</i>

**East Herts Council Discretionary Business Growth  
Incentive Scheme - Evaluation**

**1. Overview:**

The Discretionary Business Growth Incentive Scheme (DBGIS) was designed to encourage economic growth in East Herts, as part of the Council's Economic Development Vision (2015 – 2019). It began in April 2017, ran until 31 March 2019 and £150,000 was allocated from the New Homes Bonus Reserve to support it. The scheme recognised that East Herts relies on small and micro-sized businesses for its prosperity, and offered up to 50% business rate relief for one year if any of the following criteria were met:

- A business not registered in the district is planning to relocate/ open up a new property in the district
- A business is already registered in the district but looking to enlarge premises through an extension or relocation
- A business is already registered in the district but is forced to relocate as the landlord no longer wishes to use the premises for commercial use and has not renewed the lease
- A business is already registered in the district, with one or more properties and plans to open up another

The expected benefits of the scheme, as agreed by Executive, were:

- To encourage businesses from outside the district to locate in East Herts
- To incentivise small businesses within the district to grow
- To improve the district council offer to businesses and strengthen the relationship with the business community as a whole
- To provide some evidence of what levels of business rate support are needed to encourage growth in the district ahead of 2019/20 when local authorities are able to set their own rates

## 2. Summary:

The following outputs were achieved over the 2 years:

- The scheme received 37 applications from business owners
- 18 businesses were awarded grants (size of which ranged from £1800 – £9500)
- A total of £84,920.93 was awarded across these 18 businesses. This is less than anticipated
- In terms of sectors most of the successful applicants were businesses based in town centres (13 of the 18 can be classed as town centre retailers)
- There was a reasonable split of applications and awards across the district however Bishop's Stortford was the town in which most awards were given (8 out of the 18)

Details on the grants awarded can be found below:

Company	Area	Sector
Mr Barber Shops Ltd (Hertford)	Hertford	Town centre retail
Sovereign Dry Cleaners Ltd	Ware	Town centre retail
Hair By Elements Ltd	Bishop's Stortford	Town centre retail
Eye Mind Heart Ltd	Hertford	Town centre retail
Star Food and Wine	Ware	Town centre retail
Mr Elliott Kienanver	Bishop's Stortford	Town centre retail
Trivirtual	Bishop's Stortford	Town centre entertainment
The Party Box	Bishop's Stortford	Town centre retail
P&B Furniture	Bishop's Stortford	Town centre retail

Bishops Stortford Ltd	Bishop's Stortford	Town centre retail (post office)
Herts Allstars	Hadham	Town centre entertainment
Ware Express Food and Wine Ltd	Ware	Town centre retail
Wolfelec Ltd	Bishop's Stortford	Motor trade distributor
Mr Tanaka	Hertford	Town centre hospitality
Mr Barber Shops Ltd (Stortford)	Bishop's Stortford	Town centre retail
Gadget Inns	Ware	Town centre retail
Hertford Nails	Hertford	Town centre retail
Buntingford Auto Services	Buntingford	Motor trade

### 3. Analysis of benefits

A summary of the benefits identified at the start of the scheme can be found below:

Success criteria	Update
To encourage businesses from outside the district to locate in East Herts	It is hard to evidence that the availability of a grant was a key factor in a business setting up in East Herts (various other factors such as the local market and population, accessibility, availability of space and rents are more likely to be influencing factors). However specific businesses such as Mr Barber and Trivirtual fed back that being able access a grant was crucial in setting up these new businesses. In the case of Mr Barber this enabled opening up of 2 branches instead of just 1 as originally intended.
To incentivise small	As per above it is hard to evidence that this

<p>businesses within the district to grow</p>	<p>directly influenced a decision to expand however the majority of applicants applied under this criteria and Bishop's Stortford Ltd informed us that the grant was a deciding factor in operating a post office service from their business.</p> <p>Given most applications related to expanding premises or moving within the district this is clear evidence there is a preference for local business owners to stay in the area and expand where this is possible (rather than moving to other districts)</p>
<p>To improve the district council offer to businesses and strengthen the relationship with the business community as a whole</p>	<p>Enquiries to the scheme allowed the Business Engagement Manager to develop a better understanding of small businesses operating within the area. It also provided unexpected ancillary benefits. For example upon investing some applications it emerged that company directors were in arrears for other businesses. As a council we were able to consider applications only on the basis that previous accounts were settled.</p>
<p>To provide some evidence of what levels of business rate support are needed to encourage growth in the district ahead of 2019/20 when local authorities are able to set their own rates</p>	<p>This is not applicable as central government plans to localise retention of business rates have been put on hold.</p>

Considering why retail is over represented some of the following reasons may apply:

- Turnover of vacant units in town centres is higher – meaning more opportunity for new or expanding businesses
- Proximity and governance networks of town centre businesses – when one business has received a grant this spreads by word of mouth encouraging others to apply
- Visibility – a number of applicants became aware of the scheme via walk ins (ie. officers walking past a new business and going in and speaking to them)
- It is also possible there wasn't enough direct marketing/ targeting and awareness raising of businesses outside of town centres

We also anticipated the £150,000 to be fully allocated. To have £65,079.07 “left over” was unexpected and in dialogue with some of the applicants the following reasons may apply:

- The thresholds for eligibility (rateable value of between £12,000 - £40,000) naturally excluded some businesses. Some applicants were above the £40,000 value and therefore were not eligible
- The language of “grant” was confusing to some applicants, who did not understand the administration process. Rather than providing an upfront sum (which may have enabled businesses to invest in stock, equipment, a staff member etc), it relied on businesses to take advantage of the fact that they could make reduced business rate payments for a number of months, and to direct these saved funds to a different purpose. This relied on small businesses to undertake a degree of forward planning, and failed to take into account the more ‘day to day’ nature in which many small businesses operate. The Council knows of at least one business owner (e.g. Milady Tea and Coffee Shop, Ware) who made initial enquiries and met with the Business Engagement Manager, who would have been eligible for the grant, but did not proceed with the application.



#### **4. Feedback from the businesses:**

Business owners who benefitted from the grant have been extremely positive about the scheme, and happy to help the Council to publicise it by appearing in the local press and business press:

Karl Foster, owner of Mr Barbers, Bishops Stortford: "We're really pleased to have been given a grant, because, as everyone knows, a new business is a great outlay, so a saving is very helpful at this point.

"We're enjoying being in Bishops Stortford as it's my home town - I was actually born here. It will also be our base for the Head Office. We have two great local barbers working out of the shop, so the grant has helped us improve their start in North Street."

(Council news release, Sept 2017)

Zahid Chaudhry, owner of Sovereign Dry Cleaners, Ware: "The application process for the discount was easy although it took a couple of months to arrange. It's very helpful especially in our first year with all the bills that come in."

(Featured in article in Inspire Magazine January-February 2019, Herts Chamber of Commerce:

[https://issuu.com/benham/docs/inspire\\_30\\_january\\_2019](https://issuu.com/benham/docs/inspire_30_january_2019) )

Martine South, owner of Party Box, Bishops Stortford: "I phoned the council's business manager and he came into the shop to see me. It took a bit of chasing but it was quite straightforward and I really didn't have to do a lot of work to receive a discount."

(Featured in article in Link Magazine Autumn-Winter 2018)

#### **5. Marketing:**

The scheme was marketed through various channels:

- a feature in the Bishop's Stortford Independent in October 2018

- a feature in Inspire magazine in January 2019 (Hertfordshire Chamber of Commerce)
- a feature in the residents' magazine - Link
- regular updates on social media channels (Facebook, Twitter and LinkedIn)
- Hertford Town Council marketed and supported the scheme through their social media channels.

In addition to these marketing methods, the Business Engagement Manager built relations with local commercial property agents to raise small business awareness of the scheme. These relationships, while useful in establishing good networks between the Council and local property agents, did not result in large numbers of applications.

As the scheme progressed, a further marketing method was introduced, using enquiries from small businesses to the Business Rates team as an opportunity to raise awareness. The Business Rates team discussed the grant scheme with potentially eligible businesses and the Business Engagement Manager followed up these leads by calling potential applicants for further discussion. As the scheme progressed this route came to be the main means of referral for new businesses.

## **6. Key conclusions:**

- It is reasonable to say the grant scheme has made an impact to the 18 businesses directly
- The take up was not as high as expected and there is a balance on the overall £150,000 allocated
- Retail sector is over represented in terms of awards so perhaps more targeted marketing of other sectors could be done in future (retail is not the most prevalent sector in the district)
- Grant concept not well understood. A different descriptor could be used in future
- The nature of the grant (as business rate relief) meant that three different departments within the Council needed to be involved in

the application process and grant administration. If the grant were to be provided in future as an upfront sum, the number of departments involved could potentially be reduced, and confusion around the administration of the grant (both internally and for recipients) could be avoided.

- The scheme focussed on small businesses' use of premises. It may be the case that many start-ups or small businesses in the district require a different form of support in order to expand, and may benefit more from a different type of grant, rather than business rate relief
- No one applied under the criteria of being moved on by their landlord. The likely reason is that when this is the case they haven't been able to find suitable premises to then apply for the grant

# Agenda Item 13

EAST HERTS COUNCIL

EXECUTIVE – 8<sup>th</sup> OCTOBER 2019

REPORT BY THE HEAD OF STRATEGIC FINANCE AND PROPERTY AND  
HEAD OF COMMUNICATIONS, STRATEGY & POLICY

QUARTERLY CORPORATE BUDGET MONITOR – QUARTER 1 JUNE 2019

WARD (S) AFFECTED: All

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## **Purpose/Summary of Report:**

- To provide a report on finance and performance monitoring for East Herts Council for 2019/20 as at 30<sup>th</sup> June 2019.
- The net revenue budget for 2019/20 is £10.268m as set out in table 1, this is funded by Council Tax. The forecast expenditure at 30<sup>th</sup> June 2019 predicts a year end underspend of £1k.
- The revised capital budget for 2019/20 is £77.940m, of which £61.258m is to be carried forward to future years.

<b>RECOMMENDATIONS FOR EXECUTIVE: That</b>	
<b>(A)</b>	<b>the projected revenue budget forecast underspend of £1k in 2019/20 be noted (paragraph 2.1)</b>
<b>(B)</b>	<b>the capital budget for 2019/20 is £77.940m, of which £61.258m is to be carried forward to future years be noted (paragraph 6.1)</b>
<b>(C)</b>	<b>the reported performance for the period April 2019 to June 2019 be noted (paragraph 8)</b>

## 1.0 BACKGROUND

- 1.1 This is the finance and performance monitoring report for East Herts Council.
- 1.2 On 19<sup>th</sup> December 2018 Council approved a balanced budget for the 2019/20 financial year. This report sets out the financial position for the year to date and provides forecasts for the outturn position.
- 1.3 The Council's revenue budget is made up of 5 areas; these are shown in table 1 below. The report that follows provides details of the forecast outturn position against these areas.

**Table 1: 2019/20 revenue budget**

	<b>Original Budget 2018/19</b>	<b>Forecast outturn</b>	<b>Variance</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Total Net Cost of Services	14,101	14100	(1)
Corporate Budgets Total	1,769	1,769	-
Net Use of Reserves	(139)	(139)	-
Funding	(5,463)	(5,463)	-
<b>Net Revenue Spend</b>	<b>10,268</b>	<b>10,267</b>	<b>(1)</b>
Funded by Council Tax	(10,268)	(10,268)	-
<b>Underspend</b>	<b>-</b>	<b>(1)</b>	<b>(1)</b>

- 1.4 Council approved the performance measures that would be monitored. This report sets out the year to date performance against those targets.

- 1.5 This report contains the following sections and Essential Reference Papers:

REPORT SECTIONS	
2	Net Cost of Services
3	Corporate budgets
4	Reserves
5	Funding
6	Capital budgets
7	Debtors
8	Performance analysis
9	Risk
10	Implications/consultations

ESSENTIAL REFERENCE PAPERS	
A	Implications/Consultations
B	Capital Monitor
C	Debtors
D	Performance monitoring
E	Comms Report

## 2 NET COST OF SERVICES

- 2.1 The Councils net cost of services budget for 2019/20 is £14.101m. An underspend of £1k is forecast in 2019/20. Table 2 overleaf shows this current forecast outturn position broken down by service area.

**Table 2: Revenue forecast outturn**

		<b>Original Budget 2019/20</b>	<b>Forecast outturn</b>	<b>Variance</b>	<b>Variance</b>
		<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>%</b>
<b>Net Cost of Services</b>	Chief Executive & Directors	380	380	-	-
	Communications, Strategy & Policy	1,001	1,015	14	1.40%
	HR & Organisational Development	513	518	5	0.97%
	Strategic Finance & Property	1,563	1,591	28	1.79%
	Housing & Health	2,408	2,408	-	-
	Democratic and Legal	1,303	1,278	(25)	1.92%
	Planning & Building Control	600	627	27	4.50%
	Operations	3,717	3,693	(24)	0.65%
	Shared Revenues & Benefits Service	1,903	1,877	(26)	1.37%
	Revenues & benefits retained costs	(372)	(372)	-	-
	Housing Benefit Subsidy	(550)	(550)	-	-
	Shared Business & Technology Services	1,635	1,635	-	-
<b>Total Net Cost of Services</b>		<b>14,101</b>	<b>14,100</b>	<b>(1)</b>	<b>0.01%</b>

## 2.2 **Communications, Strategy & Policy**

An overspend of £14k is reported against the Communications, Strategy & Policy service. This is mainly due to upfront costs of setting up the new Launchpad in Ware

## 2.3 **Strategic Finance & Property**

An overspend of £28k is reported against the Strategic Finance & Property service. This is due to an increase in expenditure relating to Charringtons House.

## 2.4 **Democratic and Legal**

An underspend of £25k is reported against the Democratic and Legal services. This is due to salary underspends across legal services and land charges.

## 2.5 **Planning & Building Control**

A forecast overspend of £27k is reported against the Planning and building control service. This is due to an increase in appeals costs.

## 2.6 **Operations**

A forecast underspend of £24k is reported against the Operations service. This is due to efficiencies identified within Car Parking which has led to reduced contractor costs.

## 2.7 **Shared Revenues and Benefits Service**

A forecast underspend of £26k is reported against the Shared Revenues and Benefits service due to efficiencies identified within the service



### 3 CORPORATE BUDGETS

3.1 Corporate budgets are costs and income received by the Council that are not service specific, these include income from the Council's investments, pension deficit contributions and New Homes Bonus grants to Town and Parish Councils.

3.2 Table 3 below shows the forecast outturn position against the corporate budgets.

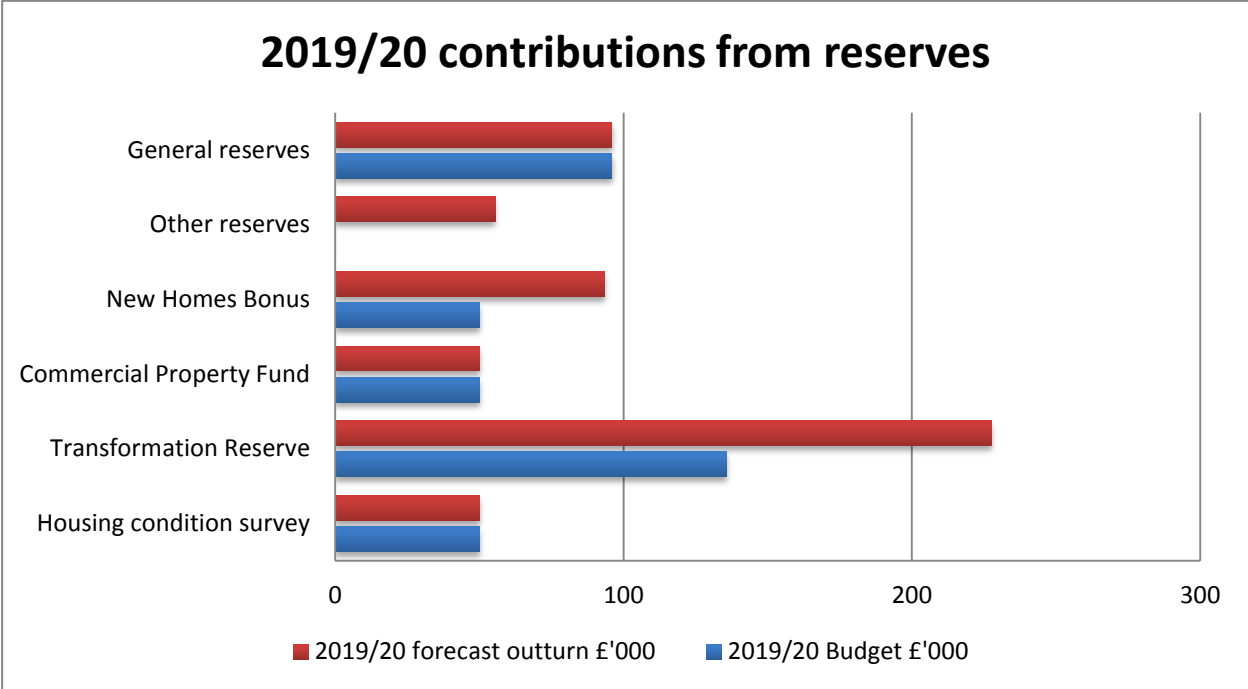
**Table 3: Corporate budgets 2019/20 forecast outturn**

	<b>Original Budget 2019/20</b>	<b>Forecast outturn</b>	<b>Variance</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
NHB Grants to Town & Parish Council	697	697	-
NHB Priority Spend	697	697	-
Interest Payments	669	669	-
Interest & Investment Income	(990)	(990)	-
Pension Fund Deficit contribution	696	696	-
<b>Corporate Budget Total</b>	<b>1,769</b>	<b>1,769</b>	<b>-</b>

4 RESERVES

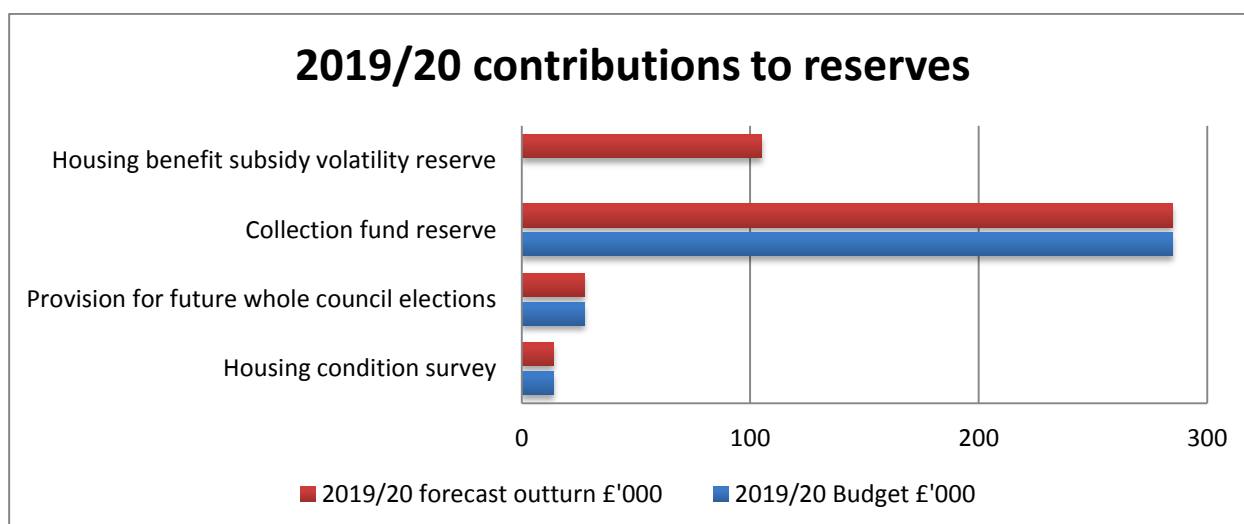
4.1 The Council holds earmarked reserves to fund unpredictable financial pressures and to smooth the effect of known spending over time. Graph 1 and 2 below reflect the forecast outturn position as at 30<sup>th</sup> June 2019.

**Graph 1: 2019/20 forecast contributions from reserves**



4.2 As at 30<sup>th</sup> June 2019 it is forecast that there will be a total contribution from reserves of £572k in 2019/20, which is £191k more than budgeted for. £92k of this is to fund the Gilston Garden project, £43k to fund a post in Housing and Health and £43k to fund a post in Communications, Strategy and Policy. All funding has been approved in line with financial regulations.

## Graph 2: 2019/20 forecast contributions to reserves



4.3 The forecast total contribution to reserves as at 30<sup>th</sup> June 2019 has increased by £105k to £432k. This is due to setting up a reserve to smooth the impact of fluctuations in Housing Benefit Subsidy Claims. This relates to a forecast transfer to the Housing Benefit volatility reserve set up to smooth the impact of fluctuations in Housing Benefit subsidy.

## 5 FUNDING

5.1 These income budgets are general and non-service specific income sources. The table below shows the value and source of these funding streams as at 30<sup>th</sup> June 2019.

**Table 4: 2019/20 funding**

	Original Budget 2019/20	Forecast Funding 2019/20	Variance
Council Tax	(10,268)	(10,268)	-
NDR	(2,675)	(2,675)	-
New Homes Bonus	(2,788)	(2,788)	-
<b>Total Funding</b>	<b>(15,731)</b>	<b>(15,731)</b>	<b>-</b>

## 6 CAPITAL PROGRAMME

- 6.1 The revised capital budget for 2019/20 is £77.940m, of which £61.258m is to be carried forward to future years. This figure includes the adjusted carry forwards from 2018/19 which have increased since the Outturn report. **Essential Reference Paper B** provides a detailed analysis of the projects and their budgets.
- 6.2 The forecast outturn against revised budget is an underspend of £61.258m. This is due to the reprofiling of spend on the major projects, with a majority of the estimated budget and spend now moving to future years. The remaining capital budgets are currently on target.

## 7 DEBTORS

Total outstanding debt as at 30<sup>th</sup> June 2019 is £1.617m, which has increased by £684k from 18/19 outturn position. As at end of July, £260k of the £684k has been paid.

The outstanding debt over 120 days totals £344k. Of this, £88k relates to outstanding invoices raised on behalf of Operations for the Joint Use Pools element. These invoices have been passed onto Legal Services who are in discussions with the debtor to pursue this debt.

- 7.1 **Essential Reference Paper C** analyses the profile of aged debtors.

## 8 PERFORMANCE ANALYSIS

### **Performance against targets**

- 8.1 Please refer to performance indicator summary analysis in **Essential Reference Paper D** for full details. Our latest results

can be found at <https://eastherts.covalentcpm.com/login> . All Members have a shared read only account. Log in details can be found via the members section of the intranet.

## 8.2 Some performance highlights include:

- Fly tips: after missing the 2 day removal target for 4 consecutive quarters performance for the last two quarters (ie. since the start of this calendar year) has improved considerably.
- Staff sickness: after missing targets against a few different measures for a number of quarters staff sickness levels are back within acceptable limits.

## 8.3 Some areas of concern with regard to performance include:

- Missed bins: continue to be off target since the change to a new shared waste contract. Members of the Overview and Scrutiny Committee have requested an update on the shared waste contract at their next meeting.
- Website satisfaction: we continue to miss the target however are hopeful that launching the new council website (early September) will lead to more positive customer feedback. Further details about the customer experience can be found at (8.4)
- Complaints upheld at 1<sup>st</sup> and 2<sup>nd</sup> stage (ie. where the council was at fault). We have missed the targets for both measures this quarter. Waste related (often specifically missed bin collections) constitute a large number of the upheld complaints. In most instances we have given the customer the benefit of the doubt and instructed the contractor to return and pick up bins. The contractor is however in the process of improving evidence for non collection of bins (eg. Photographic evidence of not being left at the boundary or contamination) which should lead to fewer complaints being upheld in future.

## 8.4 The following table gives a flavour of customer feedback over the past quarter:

Channel	Examples of Feedback (verbatim)
<p><b>Face to Face feedback.</b> 326 people rated our face to face service over the quarter, 263 (81%) of whom rated the experience as good. A further 35 (11%) rated is as average and 27 (9%) as poor. Face to face customers were most likely to rate the experience for council tax support and advice, parking, planning (duty desk) and the citizen's advice service.</p>	<ul style="list-style-type: none"> <li>• Citizen's Advice Service: "CHARLOTE FROM CAB IS EXCELLENT"</li> <li>• Council tax advice: "VERY HELPFUL AND POLITE"</li> <li>• Parking: "CHRIS WAS FRIENDLY, EXPLAINED PERMITS AND THE SCHEME VERY WELL"</li> <li>• Planning duty: "EXCELLENT CUSTOMER SERVICE"</li> </ul>
<p><b>Web page: elections</b> Unsurprisingly, given there were 2 elections during this quarter, content related to elections was very popular (25,000 views). We received 46 individual comments over the period. Only 5 were rated as good or average with the remaining 41 rating their experience as poor.</p>	<ul style="list-style-type: none"> <li>• "We live in a hideously criminal autocracy"</li> <li>• "Don't use PDFs! I use a mobile phone and it's not easy to navigate and view."</li> <li>• "Forms impossible to complete without printing, like it's 1991"</li> </ul>
<p><b>Web page: Make, Object, Comment or View a Planning Application or Decision</b> Planning pages always tend to be the most frequently visited pages on our website. Over the quarter there were over 50,000 unique page views however only 11 individuals left feedback (all 11 of whom stated their experience was poor). Although</p>	<ul style="list-style-type: none"> <li>• "Very obscure!"</li> <li>• "It says "telephone using the main switchboard number (asking for the Duty Planning Officer). but doesn't give the telephone number!"</li> <li>• "Having received a letter about a neighbour's planning application I was unable to view the copy, online, using the supplied application reference."</li> </ul>

statistically quite low we have consistent feedback from customers about the difficulty in navigating the planning portal.	
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8.5 In addition to these performance results, **Essential Reference Paper E** shows the latest communications report, highlighting our Media coverage over the past quarter. This indicates we are continuing to grow our digital footprint via the main channels (Twitter, Facebook) and more recently launched accounts in LinkedIn and Instagram.

## 9 RISK

9.1 The content of the Strategic Risk Register is under review and the new content will be presented at a future meeting. The existing register will be completed and closed at the end of quarter two.

## 10 IMPLICATIONS/CONSULTATIONS

Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper A**.

### Contact Member:

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**IMPLICATIONS/CONSULTATIONS**

<p>Contribution to the Council's Corporate Priorities/ Objectives (<i>delete as appropriate</i>):</p>	<p>Priority 1 – Improve the health and wellbeing of our communities</p> <p>Priority 2 – Enhance the quality of people's lives</p> <p>Priority 3 – Enable a flourishing local economy</p>
<p>Consultation:</p>	<p><i>Financial and non-financial discussions have taken place with the Leadership Team and Portfolio Holder for Finance and Support Services.</i></p>
<p>Legal:</p>	<p><i>There are no legal implications.</i></p>
<p>Financial:</p>	<p><i>Financial implications are included in the body of the report.</i></p>
<p>Human Resource:</p>	<p><i>There are no Human Resources implications.</i></p>
<p>Risk Management:</p>	<p><i>By not having effective performance management and reporting the Council is at risk of not being clear whether its priorities and objectives are being met and service delivery issues being resolved efficiently and effectively.</i></p> <p><i>Effective performance management supports transparency and improves local accountability.</i></p>
<p>Health and wellbeing – issues and impacts:</p>	<p><i>There are no Health and Wellbeing issues raised as part of this report.</i></p>
<p>Equality, diversity and human rights considerations, and whether Equality Impact Assessment required:</p>	<p><i>There are no equality, diversity and human rights implications.</i></p>

Environmental Sustainability	<i>There are no environmental sustainability implications raised as part of this report.</i>
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<b>Capital Forecast Outturn Quarter 1 June 2019</b>
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	<b>Revised Budget 2019/20 £'000</b>	<b>Forecast Outturn 2019/20 £'000</b>	<b>Variance 2019/20 £'000</b>
<b>Strategic Finance &amp; Property</b>			
Operational asset investment (Rolling Programme)	165	165	0
Hartham Pool – Filtration System Upgrade	10	10	0
Street Lighting LED Conversion	80	80	0
Charringtons House Investment	67	67	0
Wallfields – Accommodation Update	205	205	0
River & Watercourse Structures	81	81	0
St Andrews Street Car Park, Hertford - Riverbank Retaining Wall	69	69	0
Land Management Asset Register & Associated Works	50	50	0
Hertford Theatre - Replace Auditorium Roof	190	190	0
Financial Sustainability	3,000	3,000	0

	<b>Revised Budget</b>	<b>Forecast Outturn</b>	<b>Variance</b>
	<b>2019/20</b>	<b>2019/20</b>	<b>2019/20</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
<b>Shared Business &amp; Technology Services</b>			
ICT Rolling Programme – Subject to IT Steering Group review	562	562	0
Storage Servers	122	122	0
Microwave Link	32	32	0
Members Laptops	18	18	0
HOS Laptops	20	20	0
HR & Payroll System	7	7	0
Financial Management System	0	0	0
Telephone Enhancements	21	21	0
Mobile Working - Planning & Env Health	4	4	0
Council Chamber Upgrade	12	12	0

	<b>Revised Budget</b>	<b>Forecast Outturn</b>	<b>Variance</b>
	<b>2019/20</b>	<b>2019/20</b>	<b>2019/20</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
<b>Operations</b>			
Grange Paddocks Leisure Centre	11110	2532	8578
Hartham Leisure Centre	4029	1166	2863
Hertford Theatre	5484	734	4750
Hertford & Beyond – Hartham Common Footpath	11	11	0
Bell Street – Public Convenience Facilities	67	0	67
Open Space Improvements - The Wash	50	50	0
Folly View Open Space Improvements, Hertford	15	15	0
Cannons Mill Lane Open Space improvements, Bishops Stortford	30	30	0
Replacement play equipment across the district (Rolling programme)	50	50	0
Play Area and other projects, Hartham Common, Hertford	325	325	0
Castle Park – HLF	619	619	0

	<b>Revised Budget</b>	<b>Forecast Outturn</b>	<b>Variance</b>
	<b>2019/20</b>	<b>2019/20</b>	<b>2019/20</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Phisiobury Park - HLF	105	105	0
Buntingford Depot - Fire Prevention	310	310	0
<b>Housing &amp; Health</b>			
Disabled Facilities Grants - Discretionary	60	60	0
Decent Homes Grants	120	120	0
Hillcrest Hostel – Disabled Access Works	17	17	0
Future Housing Schemes - 6 Water Lane, Hertford	130	130	0
Colebrook Court (Network Housing)	65	65	0
Community Capital Grants	183	183	0
Energy Grants	20	20	0
Wallfields – Solar panels	45	45	0
Castle Weir Micro Hydro Scheme	192	192	0

	<b>Revised Budget</b>	<b>Forecast Outturn</b>	<b>Variance</b>
	<b>2019/20</b>	<b>2019/20</b>	<b>2019/20</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
<b>Planning &amp; Building Control</b>			
Historic Building Grants -	55	55	0
Market Improvement Scheme	42	42	0
Improvements to The Wash, Maidenhead Street & Bull Plain, Hertford	79	79	0
<b>Communications, Strategy &amp; Policy</b>			
Website Build / Upgrade	51	51	0
Old River Lane LEP	17,359	1,359	16,000
Arts Centre	30,000	1,000	29,000
<b>Millstream Property Company</b>			
Capital Loans (5 x properties per annum)	1,491	1,491	0
Capital Loan (6 Water Lane, Hertford)	347	347	0
Capital Loan (new development and retention of 11 residential units)	764	764	0

<b>Current Capital Programme Budget Total</b>	<b>77,940</b>	<b>16,682</b>	<b>61,258</b>
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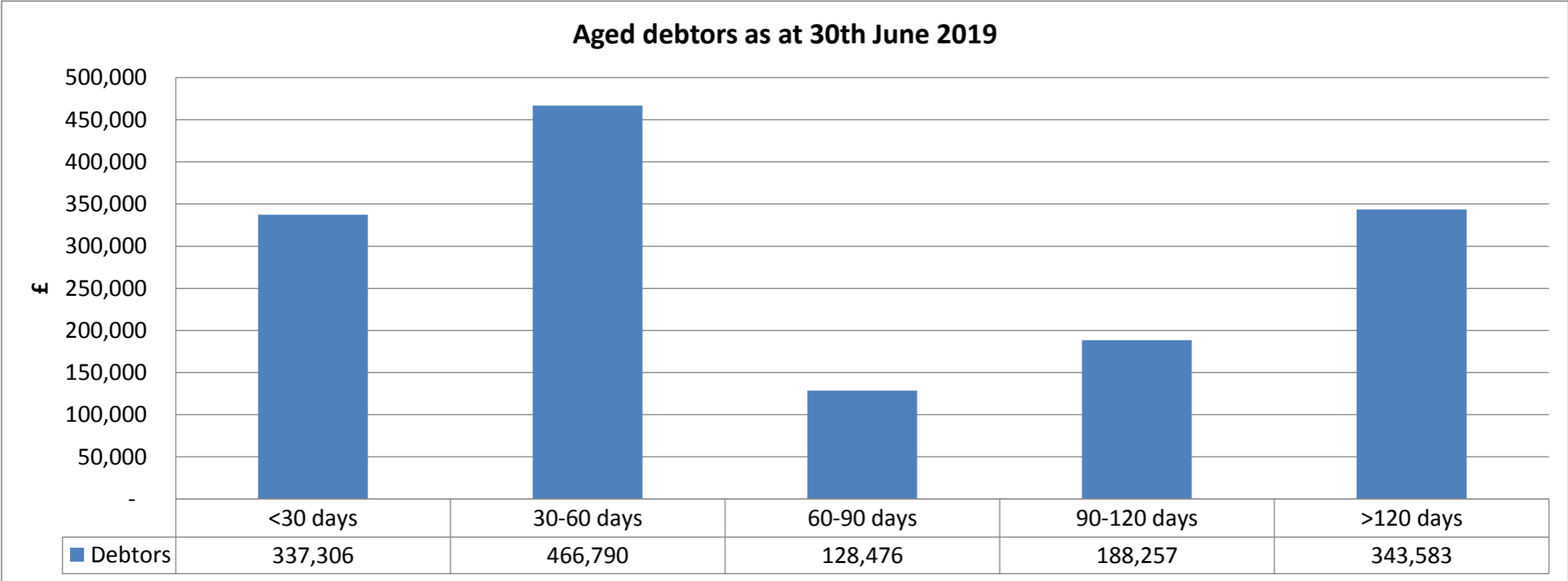
**Forecast Capital Carry Forward****2020/21**

	<b>£'000</b>
Grange Paddocks Leisure Centre	8,578
Hartham Leisure Centre	2,863
Hertford Theatre	4,750
Bell Street – Public Convenience Facilities	67
Old River Lane LEP	16,000
Arts Centre	29,000

<b>Total Forecast Carry Forward to 2020/21</b>	<b>61,258</b>
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The following graph shows the age of the £1.617m of debts outstanding as at 30th June 2019



Essential Reference Paper D - Performance Analysis																																		
PI code and Name	Status	Latest Value	Current Target	Movement since last update	Performance Data Trend Chart	Notes & History Latest Note																												
<b>Priority 1: People</b>																																		
<b>Service: Health &amp; Housing</b>																																		
QC HH 151 Number of homeless households living in temporary accommodation at the end of the quarter.	trend only	30	none set	↑	<p>QC HH 151 Number of homeless households living in temporary accommodation at the end of the quarter.</p> <table border="1"> <caption>QC HH 151 Quarterly Data (Approximate)</caption> <thead> <tr> <th>Quarter</th> <th>Value</th> </tr> </thead> <tbody> <tr><td>Q1 2016/17</td><td>23</td></tr> <tr><td>Q2 2016/17</td><td>21</td></tr> <tr><td>Q3 2016/17</td><td>10</td></tr> <tr><td>Q4 2016/17</td><td>14</td></tr> <tr><td>Q1 2017/18</td><td>18</td></tr> <tr><td>Q2 2017/18</td><td>19</td></tr> <tr><td>Q3 2017/18</td><td>18</td></tr> <tr><td>Q4 2017/18</td><td>23</td></tr> <tr><td>Q1 2018/19</td><td>18</td></tr> <tr><td>Q2 2018/19</td><td>22</td></tr> <tr><td>Q3 2018/19</td><td>21</td></tr> <tr><td>Q4 2018/19</td><td>27</td></tr> <tr><td>Q1 2019/20</td><td>30</td></tr> </tbody> </table>	Quarter	Value	Q1 2016/17	23	Q2 2016/17	21	Q3 2016/17	10	Q4 2016/17	14	Q1 2017/18	18	Q2 2017/18	19	Q3 2017/18	18	Q4 2017/18	23	Q1 2018/19	18	Q2 2018/19	22	Q3 2018/19	21	Q4 2018/19	27	Q1 2019/20	30	At the end of June 2019 the council had 30 households in temporary accommodation . The council's temporary accommodation hostel had all 12 flats occupied. Eight households were in B&B. Six single person households were in temporary supported accommodation for people with mental health conditions and three households were in longer term private leased self contained accommodation.
Quarter	Value																																	
Q1 2016/17	23																																	
Q2 2016/17	21																																	
Q3 2016/17	10																																	
Q4 2016/17	14																																	
Q1 2017/18	18																																	
Q2 2017/18	19																																	
Q3 2017/18	18																																	
Q4 2017/18	23																																	
Q1 2018/19	18																																	
Q2 2018/19	22																																	
Q3 2018/19	21																																	
Q4 2018/19	27																																	
Q1 2019/20	30																																	
QC HH 150 Number of prevented homeless applications	N/A	N/A	N/A	Cumulative Figure	N/A	PI to be deleted and replaced in line with the Homelessness Reduction Act 2017																												
<b>Service: Revs &amp; Bens</b>																																		

Essential Reference Paper D - Performance Analysis

PI code and Name	Status	Latest Value	Current Target	Movement since last update	Performance Data Trend Chart	Notes & History Latest Note
MC RB 181 Time taken to process Housing Benefit new claims and change events.		9.05 days	10 days	↑		Value is 9.05 days which is slightly higher than last month but this value normally increases around this period of the year when there is typically more staff leave
<b>Priority 2: Place</b>						
<b>Service: Health &amp; Housing</b>						
QC HH 149C % of Affordable homes delivered on section 106 developments in Towns against an annual 40% cumulative Planning Policy target	N/A	N/A	N/A	Cumulative Figure	N/A	These will continue to be monitored internally however the housing section who report this have limited control as to the outcome of each development so will be removed from this setting

Essential Reference Paper D - Performance Analysis																										
PI code and Name	Status	Latest Value	Current Target	Movement since last update	Performance Data Trend Chart	Notes & History Latest Note																				
QC HH 149D % of Affordable homes delivered on section 106 developments in Villages	N/A	N/A	N/A	Cumulative Figure	N/A	These will continue to be monitored internally however the housing section who report this have limited control as to the outcome of each development so will be removed from this setting																				
QC HH 155 Number of affordable homes delivered (gross)		54	32	Cumulative Figure	<table border="1"> <caption>QC HH 155 Number of affordable homes delivered (gross)</caption> <thead> <tr> <th>Quarter</th> <th>Actual (Quarters)</th> <th>Target (Quarters)</th> <th>Forecast (Quarters)</th> </tr> </thead> <tbody> <tr> <td>Q1 2019/20</td> <td>15</td> <td>15</td> <td>15</td> </tr> <tr> <td>Q2 2019/20</td> <td>35</td> <td>50</td> <td>35</td> </tr> <tr> <td>Q3 2019/20</td> <td>52</td> <td>70</td> <td>52</td> </tr> <tr> <td>Q4 2019/20</td> <td>17</td> <td>94</td> <td>17</td> </tr> </tbody> </table>	Quarter	Actual (Quarters)	Target (Quarters)	Forecast (Quarters)	Q1 2019/20	15	15	15	Q2 2019/20	35	50	35	Q3 2019/20	52	70	52	Q4 2019/20	17	94	17	A total of 54 new affordable homes (37 affordable rented homes and 17 shared ownership) were completed up to the end of the first quarter 2019/20. The expected delivery for the quarter was 94 but 40 properties on Network's regeneration site in Hertford have been delayed by 6 weeks. Of the total homes delivered 21 were directly developed by Network and the remaining are from Section 106 agreements between the council, developers and housing associations.
Quarter	Actual (Quarters)	Target (Quarters)	Forecast (Quarters)																							
Q1 2019/20	15	15	15																							
Q2 2019/20	35	50	35																							
Q3 2019/20	52	70	52																							
Q4 2019/20	17	94	17																							
<b>Service:</b> Planning & Building Control																										

Essential Reference Paper D - Performance Analysis

PI code and Name	Status	Latest Value	Current Target	Movement since last update	Performance Data Trend Chart	Notes & History Latest Note
MC PB 157A % Processing of planning applications dealt with in timely manner - Major applications (Majors under 13 weeks).		100.00%	60.00%	↑	<p>MC PB 157A % Processing of planning applications dealt with in timely manner - Major applications (Majors under 13 weeks)</p>	3 of 3 applications were dealt with within time frames
MC PB 157B % Processing of planning applications dealt with in timely manner- Minor applications (Others - under 8 weeks).		82.00%	80.00%	↓	<p>MC PB 157B % Processing of planning applications dealt with in timely manner- Minor applications (Others under 8 weeks)</p>	23 of 28 applications were dealt with within time frames

Essential Reference Paper D - Performance Analysis						
PI code and Name	Status	Latest Value	Current Target	Movement since last update	Performance Data Trend Chart	Notes & History Latest Note
MC PB 157C % Processing of planning applications dealt with in timely manner- Other applications (Others - under 8 weeks).		91.00%	90.00%	↓		75 of 82 applications were dealt with within time frames
MC PB 205 % of site visits undertaken in relation to urgent cases within 2 workings days of 'start date'.	N/A	N/A	100%	N/A		There have been 0 cases in the latest period
<b>Service: Operations</b>						
LATEST UPDATE March 2019 - MC OP 191 Residual household waste per household	trend only	435	none set	Cumulative Figure		The most recent data available is 435kg which is 34kg less than at the same time last year.

Essential Reference Paper D - Performance Analysis

PI code and Name	Status	Latest Value	Current Target	Movement since last update	Performance Data Trend Chart	Notes & History Latest Note
LATEST UPDATE March 2019 - MC OP 192 % of household waste sent for reuse, recycling and composting.		50.47%	50%	↑		The most recent data available is 50.47% recycling which is slightly higher than the previous month and is 1.3% higher than at the same point last year. There still some small amount of data that are required for a final figure but this would not move the percentage by any significant amount.
MC OP 2.2 - Waste: missed collections per 100,000 collections of household.		51.27	30	↓		This indicator continues to fall closer to targets set however is currently still above targets set out in the previous contract. The new contractor is monitoring this indicator closely
QC OP 2.4 Fly-tips: Time taken for removal		1.45	2.00 days	↓		This value has now fallen within set targets and has been a steady improvement over the past few quarters

Essential Reference Paper D - Performance Analysis																														
PI code and Name	Status	Latest Value	Current Target	Movement since last update	Performance Data Trend Chart	Notes & History Latest Note																								
<b>Priority 3: Business</b>																														
<b>Service: Health &amp; Housing</b>																														
QC HH 184 % of food premises in the area which are broadly compliant with food hygiene law		97.00%	85.00%	↑	<p>QC HH 184 % of food premises in the area which are broadly compliant with food hygiene law</p> <table border="1"> <caption>QC HH 184 % of food premises in the area which are broadly compliant with food hygiene law</caption> <thead> <tr> <th>Quarter</th> <th>Compliance %</th> </tr> </thead> <tbody> <tr><td>Q1 2019/20</td><td>93.0%</td></tr> <tr><td>Q2 2019/20</td><td>94.0%</td></tr> <tr><td>Q3 2019/20</td><td>94.0%</td></tr> <tr><td>Q4 2019/20</td><td>94.0%</td></tr> <tr><td>Q1 2020/21</td><td>95.0%</td></tr> <tr><td>Q2 2020/21</td><td>95.0%</td></tr> <tr><td>Q3 2020/21</td><td>95.0%</td></tr> <tr><td>Q4 2020/21</td><td>95.0%</td></tr> <tr><td>Q1 2021/22</td><td>96.0%</td></tr> <tr><td>Q2 2021/22</td><td>96.0%</td></tr> <tr><td>Q3 2021/22</td><td>97.0%</td></tr> </tbody> </table>	Quarter	Compliance %	Q1 2019/20	93.0%	Q2 2019/20	94.0%	Q3 2019/20	94.0%	Q4 2019/20	94.0%	Q1 2020/21	95.0%	Q2 2020/21	95.0%	Q3 2020/21	95.0%	Q4 2020/21	95.0%	Q1 2021/22	96.0%	Q2 2021/22	96.0%	Q3 2021/22	97.0%	2019/2020 Qtr 1 - Target exceeded. 97% of registered food businesses in East Herts are broadly compliant with food law; this represents 1025 businesses.
Quarter	Compliance %																													
Q1 2019/20	93.0%																													
Q2 2019/20	94.0%																													
Q3 2019/20	94.0%																													
Q4 2019/20	94.0%																													
Q1 2020/21	95.0%																													
Q2 2020/21	95.0%																													
Q3 2020/21	95.0%																													
Q4 2020/21	95.0%																													
Q1 2021/22	96.0%																													
Q2 2021/22	96.0%																													
Q3 2021/22	97.0%																													
<b>Priority: Supporting All</b>																														
<b>Service: Revs &amp; Bens</b>																														
MC RB 10.2 Council tax collection, % of current year liability collected.		29.80%	30.00%	Cumulative Figure	<p>MC RB 10.2 Council tax collection, % of current year liability collected.</p> <table border="1"> <caption>MC RB 10.2 Council tax collection, % of current year liability collected.</caption> <thead> <tr> <th>Month</th> <th>Collection %</th> </tr> </thead> <tbody> <tr><td>Q1 2019/20</td><td>10.0%</td></tr> <tr><td>Q2 2019/20</td><td>20.0%</td></tr> <tr><td>Q3 2019/20</td><td>30.0%</td></tr> <tr><td>Q4 2019/20</td><td>40.0%</td></tr> <tr><td>Q1 2020/21</td><td>50.0%</td></tr> <tr><td>Q2 2020/21</td><td>60.0%</td></tr> <tr><td>Q3 2020/21</td><td>70.0%</td></tr> <tr><td>Q4 2020/21</td><td>80.0%</td></tr> <tr><td>Q1 2021/22</td><td>90.0%</td></tr> <tr><td>Q2 2021/22</td><td>95.0%</td></tr> <tr><td>Q3 2021/22</td><td>98.0%</td></tr> </tbody> </table>	Month	Collection %	Q1 2019/20	10.0%	Q2 2019/20	20.0%	Q3 2019/20	30.0%	Q4 2019/20	40.0%	Q1 2020/21	50.0%	Q2 2020/21	60.0%	Q3 2020/21	70.0%	Q4 2020/21	80.0%	Q1 2021/22	90.0%	Q2 2021/22	95.0%	Q3 2021/22	98.0%	Figure sits 0.2% below set target, 0.1% lower than June 2018
Month	Collection %																													
Q1 2019/20	10.0%																													
Q2 2019/20	20.0%																													
Q3 2019/20	30.0%																													
Q4 2019/20	40.0%																													
Q1 2020/21	50.0%																													
Q2 2020/21	60.0%																													
Q3 2020/21	70.0%																													
Q4 2020/21	80.0%																													
Q1 2021/22	90.0%																													
Q2 2021/22	95.0%																													
Q3 2021/22	98.0%																													

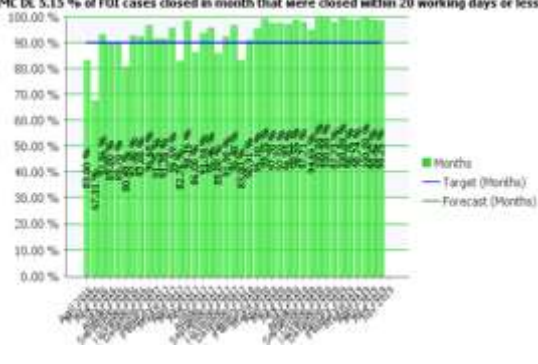
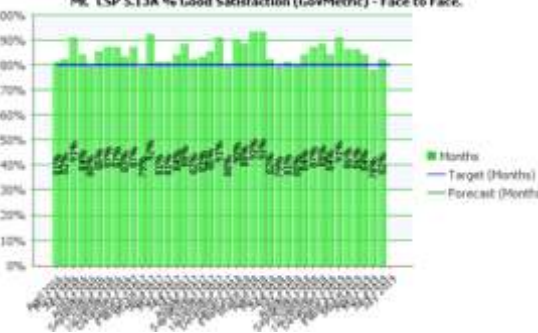


Essential Reference Paper D - Performance Analysis

PI code and Name	Status	Latest Value	Current Target	Movement since last update	Performance Data Trend Chart	Notes & History Latest Note
MC RB 10.4 NNDR (Business rates) collection, % of current year liability collected.		31.80%	30.00%	Cumulative Figure	<p>MC RB 10.4 NNDR (Business rates) collection, % of current year liability collected.</p>	Figures are above set targets and are the same as this time last year
<b>Service: Human Resources</b>						
MC HR 12A Number of short-term sickness absence days per FTE staff in post		0.22 days	0.33 days		<p>MC HR 12A Number of short-term sickness absence days per FTE staff in post</p>	S/T absence for the year so far = 0.90 (end of year target = 4)

Essential Reference Paper D - Performance Analysis						
PI code and Name	Status	Latest Value	Current Target	Movement since last update	Performance Data Trend Chart	Notes & History Latest Note
MC HR 12B Number of long-term sickness absence days per FTE staff in post		0.06 days	0.17 days	↓	<p>MC HR 12B Number of long-term sickness absence days per FTE staff in post</p>	L/T absence for the year so far = 0.60 (end of year target = 2.00)
MC HR 12C Total number of sickness absence days per FTE staff in post			0.54 days	↓	<p>MC HR 12C Total number of sickness absence days per FTE staff in post</p>	Total absence for the year so far = 1.49 (end of year target = 6)
<b>Service:</b> Democratic & Legal Services						

Essential Reference Paper D - Performance Analysis

PI code and Name	Status	Latest Value	Current Target	Movement since last update	Performance Data Trend Chart	Notes & History Latest Note
MC DL 5.15 % of FOI cases closed in month that were closed within 20 working days or less		98.25%	90.00%	↓	<p>MC DL 5.15 % of FOI cases closed in month that were closed within 20 working days or less</p> 	57 of 58 cases were closed within allocated times
<b>Service: Communications, Strategy &amp; Policy</b>						
MC CSP 5.13A % Good Satisfaction (GovMetric) - Face to Face.		82%	80%	↑	<p>MC CSP 5.13A % Good Satisfaction (GovMetric) - Face to Face.</p> 	63 of 77 records were positive this month. A further 8 were average. There were only 6 poor satisfaction scores


Essential Reference Paper D - Performance Analysis						
PI code and Name	Status	Latest Value	Current Target	Movement since last update	Performance Data Trend Chart	Notes & History Latest Note
(E)MC CSP 5.13C % Good Satisfaction (GovMetric) - Website.	Yellow		35%	Up (Green background with blue arrow)		Scores for June were much improved on previous months which had been affected by lots of feedback on our elections pages. Some of that feedback had been down to unfair expectations as to what the Council was able to provide i.e. what particular parties stood for.
QC CSP 5.1 % of complaints resolved in 14 days (10 working days) or less.	Yellow	66.00%	70.00%	Down (Red background with blue arrow)		27 complaints resolved over this period of which 18 were on time and 9 took longer than 10 working days. 7 of the 9 complaints related to waste services
QC CSP 5.2A % of complaints about the Council and its services that are upheld: 1st stage	Red	48.00%	30.00%	Up (Red background with blue arrow)		Of the 27 Stage 1 complaints received over the quarter, 13 were upheld of partially upheld. 9 of those related to waste services

Essential Reference Paper D - Performance Analysis






PI code and Name	Status	Latest Value	Current Target	Movement since last update	Performance Data Trend Chart	Notes & History Latest Note
QC CSP 5.2B % of complaints about the Council and its services that are upheld: 2nd stage - appeal		100.00%	25.00%	↑	<p>QC CSP 5.2B % of complaints about the Council and its services that are upheld: 2nd stage - appeal</p>	4 Stage 2 complaints were received over the quarter. All 4 of these were upheld or partially upheld. 2 related to planning, 1 to waste and 1 was regarding a tree preservation order

Service: Digital East Herts






1a Volume & Proportion of Contacts by Email	trend only	276 (1.34%)	Trend only	↓	<h3 style="text-align: center;">Q4 Contact (CS proxy) Q1 19/20</h3> <p style="text-align: center;"> <span style="color: blue;">■</span> Phone                        <span style="color: red;">■</span> Email                        <span style="color: green;">■</span> F2F                        <span style="color: purple;">■</span> Webform                 </p>
1b Volume & Proportion of Contacts by F2F	trend only	3,991(19.42%)	Trend only	↓	
1c Volume & Proportion of Contacts by Phone	trend only	14,746 (71.77%)	Trend only	↑	

Essential Reference Paper D - Performance Analysis						
PI code and Name	Status	Latest Value	Current Target	Movement since last update	Performance Data Trend Chart	Notes & History Latest Note
1d Volume & Proportion of Contacts by Web Forms	trend only	4,423 (7.5%)	Trend only			There have been a number of subtle changes from when these measures were last reported in Q4. These records are based on contact into customer services as a comparable proxy for customer contact given total contact into the Council can often include internal comms and sales/marketing. The most obvious changes have been the merging of several email addresses into one which forms the progression of the single customer service team. The net results is that there have been less emails because this is now a new email address. Two phone groups have also been merged so as a result, phone calls have increased. Web forms continue to increase and F2F interactions continue to decline

**PI Status**

Performance is 6% or more off target	
Performance is 3% or more off target	
Performance is on target or exceeding target	
No target to set performance against	Trend Only
Latest data unavailable - last data shown	
Indicators to be deleted	

**Movement since last period**

Value is higher than previous period & this is positive movement	
Value is higher than previous period but this is negative movement	
Value is lower than previous period but this is positive movement	
Value is lower than previous period & this is negative movement	
Value is the same as previous period	
N/A -Cumulative so will always be above previous period	n/a

# Quarterly comms reporting



## twitter

April	May	June	
<b>Tweets</b> 94	<b>Tweets</b> 165	<b>Tweets</b> 94	↑ Increase on last qtr +111
<b>Followers</b> 9,483	<b>Followers</b> 9,593	<b>Followers</b> 9,681	↑ Increase on last qtr +294
<b>Impressions</b> 104k	<b>Impressions</b> 177k	<b>Impressions</b> 109k	↑ Increase on last qtr +152.5
<b>366 mentions</b>	<b>559 mentions</b>	<b>480 mentions</b>	↑ Increase on last qtr +607
<b>Customer enquiries</b> N/A	<b>Customer enquiries</b> 37	<b>Customer enquiries</b> 77	— N/A

## facebook

April	May	June	
<b>Posts</b> 57	<b>Posts</b> 41	<b>Posts</b> 56	↑ Increase on last qtr +33
<b>Followers</b> 1,623	<b>Followers</b> 1,660	<b>Followers</b> 1,694	↑ Increase on last qtr +168
<b>Customer enquiries</b> N/A	<b>Customer enquiries</b> 20	<b>Customer enquiries</b> 11	— N/A

## Instagram

April	May	June	
<b>Followers</b> 1,220	<b>Followers</b> 1,225	<b>Followers</b> 1,272	↑ Increase on last qtr +67
<b>9 posts</b>	<b>7 posts</b>	<b>8 posts</b>	↑ Increase on last qtr +6
<b>243</b>	<b>208</b>	<b>192</b>	— N/A

## LinkedIn

April	May	June	
<b>Connections</b> 576	<b>Connections</b> 587	<b>Connections</b> 610	↑ Increase on last qtr +44
<b>132 Clicks</b>	<b>29 Clicks</b>	<b>113 Clicks</b>	↑ Increase on last qtr +94

## Internal Communications

April	May	March	
<b>Intranet page views</b> 15,580	<b>Intranet page views</b> 15,011	<b>Intranet page views</b> 13,926	↓ Decrease on last qtr -5,767
<b>Team Update views</b> 202	<b>Team Update views</b> 594	<b>Team Update views</b> 428	↑ Increase on last qtr +604
<b>Top story</b> 60 seconds with Simon O'Hear (90)   My story by Sam Wood (195)   60 seconds with Alex Cook (142)			↑ Increase on last qtr +211
<b>Staff briefings attendance (June)</b> <span style="font-size: 2em;">180</span>			↓ Decrease on last qtr -35

# Emailmarketing

April	May	June	
<b>Subscribers</b> 1,630	<b>Subscribers</b> 1,629	<b>Subscribers</b> 1,625	↓ Decrease on last qtr -1
<b>Open rate 68.9%</b>	<b>Open rate 54.5%</b>	<b>Open rate 55.5%</b>	↑ Increase on last qtr +1.5%

## Website

April	May	June	
<b>Page views</b> 218,477	<b>Page views</b> 340,965	<b>Page views</b> 178,396	↑ Increase on last qtr +66,932

## Press

### Traditional

April	May	June	
<b>PRESS RELEASES SENT</b> 2	<b>PRESS RELEASES SENT</b> 1	<b>PRESS RELEASES SENT</b> 9	↓ Decrease on last qtr -8
<b>Press articles</b> 26	<b>Press articles</b> 34	<b>Press articles</b> 29	↓ Decrease on last qtr -56
<b>Press score +1</b>	<b>Press score +1</b>	<b>Press score +1</b>	↓ Decrease on last qtr -15

### Digital Media

April	May	June	
<b>online articles</b> 30	<b>online articles</b> 32	<b>online articles</b> 20	↑ Increase on last qtr +10
<b>Press score +8</b>	<b>Press score +3</b>	<b>Press score +16</b>	↑ Increase on last qtr +4

### Total score

<b>Press score +9</b>	<b>Press score +4</b>	<b>Press score +17</b>	↓ Decrease on last qtr -14
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# Agenda Item 14

EAST HERTS COUNCIL

EXECUTIVE – 8 OCTOBER 2019

REPORT BY CHAIRMAN OF THE PERFORMANCE, AUDIT AND GOVERNANCE OVERSIGHT COMMITTEE

PERFORMANCE, AUDIT AND GOVERNANCE OVERSIGHT COMMITTEE - UPDATE

WARD(S) AFFECTED: All

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## **Purpose/Summary of Report**

- This report details the reports considered and comments made by the Committee at its meeting of 24 September 2019.

<b><u>RECOMMENDATION:</u></b>	
<b>(A)</b>	<b>That the Executive note the contents of the report.</b>

### 1.0 Background

1.1 The Performance, Audit and Governance Oversight ('PAGO') Committee (the "Committee") last met on 24 September 2019.

1.2 Items considered by the Committee included:

- **Annual Leisure Contract Performance Report for 2018**

The Committee reviewed the comprehensive report from officers. The Committee welcomed the steps that were being taken by the Council to make its facilities more energy efficient. Officers confirmed that investment would continue to be made, where needed, in the two joint use facilities (Leventhorpe and Fanshawe). It was noted that the attendance targets across the



Council's facilities had been set back in 2009, at the beginning of the current leisure contract. It was agreed that these would be reviewed and updated where required.

- **Standards Sub Committee**

The Committee agreed to the establishment of an assessment Standards Sub Committee comprising three Members to consider matters relating to a Code of Conduct complaint.

- **Section 106 Agreements**

The Committee reviewed an updated report regarding Section 106 Agreements. The amount and quality of the work that had been undertaken in this area was recognised by the Committee. It was agreed that an updated report would be reviewed by the Committee in a year's time. It was further agreed that the Chairman and officers would agree how the Committee would be advised of proposed Section 106 arrangements being put in place for the larger developments that would be coming on stream across the District in the coming years. It was also agreed that engagement (by both Members and officers) with stakeholders across the District was key to ensure that the funds generated were spent/allocated appropriately.

- **Shared Internal Audit and Anti-Fraud Services**

The Committee received reports from both shared services. The Committee noted the limited assurance level given following the audit carried out on the Herts Home Improvement Agency, and in particular the number of high priority recommendations that had been made. While it was noted that this body had been formed relatively recently, it was agreed that the Council's Officer representative on that body would be asked to provide Committee members with some written assurance regarding the matters highlighted.

- **Insurance Contract Options**

The Committee received a report from officers that enabled it to make a recommendation to the Exec that the Council's insurance contracts be extended in the conventional insurance

markets for a further (and final year) from May 2020. It was agreed that the Committee should receive updated report at its March 2020 meeting together with a range of options for 2021.

- **Q1 Corporate Health check Report**

The Committee reviewed the Council's Q1 Corporate Health check report. The small forecast underspend regarding the Council's 2019/20 revenue budget was noted. The capital budget was also considered; it was reported that £61.258m out of the total of £77.940m was to be carried forward to future years.

- The Committee also noted the Council's performance for the period April 2019 to June 2019 as reported.

Background Papers

None

Contact Member/Report author:

Councillor Mark Pope, Chairman, Performance, Audit and Governance Oversight Committee  
[mark.pope@eastherts.gov.uk](mailto:mark.pope@eastherts.gov.uk)

Contact Officer:

Alison Stuart – Head of Legal and Democratic Services, Ext 2170

[alison.stuart@eastherts.gov.uk](mailto:alison.stuart@eastherts.gov.uk)

## EAST HERTS COUNCIL

EXECUTIVE – 8 OCTOBER 2019

### REPORT BY CHAIRMAN OF PARKING TASK AND FINISH GROUP, OVERVIEW AND SCRUTINY COMMITTEE

#### OVERVIEW AND SCRUTINY COMMITTEE – PARKING TASK AND FINISH GROUP - UPDATE

WARD(S) AFFECTED: ALL

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#### **Purpose/Summary of Report**

- To update the Executive on recent work of the Overview and Scrutiny Committee Task and Finish Group on parking.

<b><u>RECOMMENDATION:</u></b>	
<b>(A)</b>	<b>That the Executive note the update of the Overview and Scrutiny Parking Task and Finish Group.</b>

#### 1.0 Background

1.1 So far the Parking Task and Finish Group has met four times and has three further meetings scheduled. So far the Group has –

1.2 Received presentations from: Hertford Town Council, Hertford Town traders, Bishop's Stortford Business Improvement District, Ward members in relation to the current situation in their wards (Ware and Bishop's Stortford).

1.2.1 We subsequently drilled down into the particular challenges facing each area for example in Bishop's Stortford - Commuter, Airport parking, and the impact of new developments in the

Town centre and for Hertford - poor signage to car parks, car park capacities (mix of long and short stay), lack of station parking facilities as well as new developments in the town.

From this we formulated a list of 'quick and easy wins' as part of our interim report to Overview and Scrutiny Committee which will be taken at its January meeting -

- Residents should be encouraged to notify Manchester Airports Group (MAG) of 'airport parking' problems and that the Council should be encouraged to publicise the number and website as widely as possible
- Improve the quality and quantity of directional signage to Hertford town's car parks
- Wallfields staff car park is made available for Hertford businesses to use free of charge on weekends

1.3 In September we conducted a survey monkey online Survey regarding RPZ'S which received over 1000 responses in two weeks, responses were received from residents all across the district. We analysed the findings in the meeting held on Tuesday 24 September 2019, and will be making subsequent recommendations regarding RPZ's across the district.

1.4 In future meetings we will be looking at –

- In October we will be reviewing the current RPZ policy line by line in order to provide detailed recommendations.
- In November we will be receiving presentations from Hertfordshire County Council regarding climate change/sustainability impact of parking policies across the district.

- In November we will also be looking at parking in the villages and how their challenges and requirements differ from the larger towns in the District.

Background Papers

None

Contact Member/Report author:

Councillor Holly Drake

[holly.drake@eastherts.gov.uk](mailto:holly.drake@eastherts.gov.uk)

Contact Officer:

Alison Stuart– Head of Legal and  
Democratic Services, Ext 2170

[alison.stuart@eastherts.gov.uk](mailto:alison.stuart@eastherts.gov.uk)

# Agenda Item 16

EAST HERTS COUNCIL

EXECUTIVE – 8 OCTOBER 2019

REPORT BY THE EXECUTIVE MEMBER FOR WELLBEING AND THE  
DEPUTY LEADER & EXECUTIVE MEMBER FOR FINANCIAL  
SUSTAINABILITY

LEISURE OPERATOR CONTRACT AWARD

WARD(S) AFFECTED: ALL

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## **Purpose/Summary of Report**

- To conclude the re-procurement of the leisure operating contract and agree the award for the operation of Hartham and Grange Paddocks leisure centres and Ward Freman pool & gym, for the period 1 January 2020 to 31 December 2034 (fifteen years), with the ability to extend for a further five years.
- To agree the award for the operation of Leventhorpe Pool & Gym and Fanshawe Pool & Gym for the period 1 January 2020 to 31 December 2024 (five years).

<b><u>RECOMMENDATIONS FOREXECUTIVE : That:</u></b>	
<b>(A)</b>	<b>Executive approve that the leisure operating contract, for the operation of Hartham Leisure Centre, Grange Paddocks Leisure Centre and Ward Freman Pool be awarded to the recommended tenderer as the most economically advantageous bid; for the period 1 January 2020 to 31 December 2034 (with the ability to extend for an additional five years), following a full EU competitive dialogue process in accordance with the Public Contract Regulations 2015 (PCR 2015);</b>
<b>(B)</b>	<b>Executive approve that the operation of Leventhorpe Pool &amp; Gym and Fanshawe Pool &amp; Gym for the period 1 January 2020 to 31 December 2024 is included in the contract;</b>

<b>(C)</b>	<b>Executive approves delegation to the Chief Executive in consultation with the Head of Strategic Finance &amp; Property and Head of Legal and Democratic Services to enter into a contract with the recommended Tenderer and make any minor amendments to clarify, specify and optimise the contract that should be required as part of the competitive dialogue.</b>
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## 1.0 Background

1.1 The current leisure operating contract commenced on the 1 Jan 2009 for ten years, and was extended for an additional year through to 31 December 2019 to enable the re-procurement process to be undertaken.

1.2 Historically this contract has required a management fee to be paid by the council to the operator, however with the capital investments underway to refurbish Hartham leisure centre and replace Grange Paddocks leisure centre, this contract will now deliver a net management fee payment to the council over the course of the contract.

1.3 The re-procurement process commenced in 2016 with work undertaken by the Leisure Task & Finish group, at the request of the former Community Scrutiny Committee, to provide advice to officers on the development of a leisure strategy aimed at determining the future of leisure facility provision and services over the next 10 years.

1.4 In July 2017, Council approved the following recommendations:

RESOLVED – that (A) the views of the Overview and Scrutiny Committee and the recommendations of the Executive, be noted;

(B) investment and development for Grange Paddocks as reflected in paragraph 4.8 of the report submitted, including costs for the submission of outline planning permission, be

approved;

(C) investment and development for Hartham Leisure Centre as reflected in paragraph 4.8 of the report submitted, including costs of the submission of outline planning permission, be approved;

(D) investment and development for Ward Freman as reflected in paragraph 4.8 of the report submitted, be approved;

(E) public consultation and further investigation of the options for Fanshawe Pool and Gym are carried out and a report is presented in October 2017;

(F) public consultation and further investigation of the options for Leventhorpe Pool and Gym are carried out and a report is presented in October 2017;

(G) the Design, Build, Operate and Maintain model for Grange Paddocks Leisure Centre, be approved;

(H) the Design, Build, Operate and Maintain model for Hartham Leisure Centre, be approved;

(I) the leisure operating contract (with minor works included) model in respect of Ward Freman Centre, be approved; and

(J) subject to funding approval, delegated authority to make decisions relating to the leisure development projects is provided to the Executive Member for Health and Wellbeing with the support of a leisure project board. The board will consist of the Executive Members of Health and Wellbeing and Finance and Support Services, the Head of Operations, the Chief Finance Officer, Monitoring Officer and a Director.

1.5 A further set of recommendations were approved by Council in



October 2017:

(A) Agree that the Council will commit to acting as a facilitator to help Chauncy School and Leventhorpe School explore alternative ways to maintain their leisure facilities;

(B) Note that bidders will be invited to submit variant bids for the new leisure contract to include options for the future operation of Fanshawe and Leventhorpe Pools and Gyms should long term Council funding be unviable;

(C) Note that the operational delivery of Fanshawe and Leventhorpe Pools and Gyms is included in the new leisure contract specification for up to 5 years, subject to each School's ability to contribute 40% of all costs; and

(D) Subject to the outcome of (A) and (B), agree that the decisions on capital funding for Leventhorpe and Fanshawe Pools and Gyms is considered post tender evaluation.

- 1.6 In July 2018, Executive approved that the Design, Build, Operate and Maintain (DBOM) model be separated into Design and Build (D&B) projects for Hartham and Grange Paddocks leisure centres and a separate leisure operator procurement process be undertaken in parallel with the D&B schemes, and this report concludes the leisure operator procurement aspect.
- 1.7 The procurement exercise was carried out by the council with specialist consultancy support due to the level of expertise required
- 1.8 The contract was advertised through the Official Journal of the European Union (OJEU) process in accordance with PCR 2015.
- 1.9 Procurement documents were produced and the procurement process commenced on 22 October 2018, concluding with the submission of final tenders on 29 July 2019, followed by a final evaluation and moderation process.

1.10 With regard to the October 2017 recommendations; variant bids were requested as per recommendation (B). The bid for Fanshawe Pool & Gym required a net management fee to be paid to the operator over the 15 year contract term and the evaluation panel therefore discounted this option as unviable.

1.11 A variant bid for Leventhorpe was not received due to the assessment that it could not offer a viable proposition in the longer term.

## 2.0 Report

2.1 The weighting criteria applied to the final evaluation was 50% price and 50% quality.

2.2 The procurement process required the provision of written quality method statements relating to the specific contract requirements, in addition to detailed financial submissions.

## 2.3 *The Final Scores*

2.3.1 The evaluation panel considers that the submission from the recommended tenderer represents a proposal that closely aligns with the council's objectives and requirements and is from a contractor with the appropriate experience, capacity and resources to deliver it.

			<b>Preferred Tenderer</b>	
	<b>Evaluation criteria (1,2 &amp; 3 score 1-10)</b>	<b>% weighting</b>	<b>SCORE</b>	<b>Total Score</b>
1	Payment Management fee – contract total.	25%	N/A	10.0%
2	Viability of business plan	10%	7	7.0%
3	Capital Costs – Ward Freman Pool and Gym and FFE	5%	8	4.0%
4	Other legal and commercial proposals including Profit Sharing Proposals (Score 0-5)	10%	4	8.0%
		<b>50%</b>		<b>29.00%</b>
			<b>Preferred Tenderer</b>	

	<b>Evaluation criteria (all score 0-10)</b>	<b>% weighting</b>	<b>SCORE</b>	<b>Total Score</b>
1	Management during the Construction Approach	5.0%	8	4.0%
2	Meeting Authority's Strategic Outcomes	10.0%	9	9.0%
3	Pricing	5.0%	8	4.0%
4	Facility management	10.0%	8	8.0%
5	Marketing and Communications	5.0%	8	4.0%
6	Staffing and Volunteering	5.0%	8	4.0%
7	Quality Operations including the catering offer	10.0%	8	8.0%
		<b>50.00%</b>		<b>41.0%</b>

(Note – The ‘payment management fee is calculated against the target surplus).

2.3.2 Based on the information provided in this report, it is recommended that Executive approves that the council enters into a contract award to Tenderer A. Details of the contract will be able to be viewed from the contracts register on the East Herts Council website, after contract award.

2.3.3 The procurement timeframe allows for mobilisation of the new contract prior to the contract start date.

#### 2.4 *Headline enhancements*

The new contract will deliver an enhanced service including:

- A net management fee payment to the council over the term of the contract (which will cover the financing costs and provide a surplus to the authority).
- Increased participation growth from 846,200 to 1,222,506 annual visits.
- The inclusion of a circa 27 station gym at Ward Freman, with a target to attract 535 members by the end of contract year 3, supporting an overall increase in participation of 25,041 at the facility. The capital works required to achieve this will be funded from the previously agreed budget of £900k and the works will

be undertaken by the operator (in consultation with the council, the School and HCC).

- Introduce a 'swim only' membership at Hartham and Grange Paddocks to provide a lower cost alternative to the full fitness membership.
- The concessionary pricing to increase from age 60 to 65 for new members, with the age concession band for young adults extending from 16 to 24.

Additional information can be found in **Essential Reference Paper B (which is exempt from publication)**.

### 3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

#### Background Papers

Report no. 100 to Executive, 17 July 2018:

<http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CId=119&MId=3379&Ver=4&J=2>

Report no. 218 to Council, 18 October 2017:

<http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CId=158&MId=2878&Ver=4&J=5>

Report no. 114 to Council, 18 July 2017:

<http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CId=158&MId=2877&Ver=4&J=3>

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**IMPLICATIONS/CONSULTATIONS**

Contribution to the Council's Corporate Priorities/ Objectives	Priority 1 – Improve the health and wellbeing of our communities Priority 2 – Enhance the quality of people's lives Priority 3 – Enable a flourishing local economy
Consultation:	The Leisure Task and Finish Group informed the development of the leisure strategy, and their report was considered by Executive on the 19 July 2016. The design and build projects for the refurbishment of Hartham leisure centre and the replacement of Grange Paddocks leisure centre, together with the re-procurement of the leisure operating contract, are an objective / outcome of the leisure strategy.
Legal:	The proposed contract has been procured in line with the requirements of the Public Contracts Regulations 2015 ("PCR 2015") as a Services contract. This report proposes that the most economically advantageous tender is recommended for acceptance. The procurement process makes an allowance for a standstill period between notification of the recommendation for award of the contract and the finalisation of the contract, in order to comply with PCR 2015.
Financial:	The current leisure operating contract has required a management fee to be paid to the operator. The new contract will result in a net management fee being paid to the council over the contract term which will support the council's financial sustainability.
Human Resource:	There are no immediate HR issues related to this report. TUPE has been covered as part of the procurement.
Risk Management:	The contract delivers a high profile and important service to the community. The operation of swimming pools presents particular health and safety risks which

	are assessed as part of the procurement process to ensure that the recommended tenderer is suitably competent.
Health and wellbeing – issues and impacts:	An effective leisure operating contract contributes directly to the delivery of high quality sports and leisure facilities which provide opportunities for health and wellbeing initiatives and activities.
Equality, diversity and human rights considerations, and whether Equality Impact Assessment required:	EIAs have been undertaken for the designs of the design and build projects at Hartham and Grange Paddocks leisure centres to ensure they are accessible to the community as a continuation of the currently accessible facilities.
Environmental Sustainability	The design of the refurbished Hartham facility and the new Grange Paddocks facility which the operator will be managing, will include a range of environmentally sustainable features.

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