



PLANNING AND DEVELOPMENT COMMITTEE

Date: Thursday, 24 May 2018
Time: 6.30pm
Location: Council Chamber
Contact: Lisa Jerome on 01438 242203

Members:
Councillors: To be appointed at Annual Council

AGENDA

PART 1

1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

2. MINUTES - 4 APRIL 2018

To approve as a correct record the Minutes of the previous meeting held on 4 April 2018.

Page Nos. 5 - 10

3. 18/00107/FP - 5 DITCHMORE LANE, STEVENAGE

To consider the demolition of existing rear extension and erection of a two storey rear extension to facilitate creation of 4no. one bed flats.

Page Nos. 11 - 22

4. 18/00191/FP - 14 LESLIE CLOSE, STEVENAGE

To consider the replacement of the front porch.

Page Nos. 23 - 28

5. 18/00184/FP - 455 BROADWATER CRESCENT, STEVENAGE

To consider the change of use of public amenity land to private residential land.

Page Nos. 29 – 34

6. UPDATE ON THE LOCAL PLAN AND FUTURE PLANNING POLICY WORK

To receive a presentation updating Members on the Local Plan process and to make Members aware of some key Planning Policy projects.

Page Nos.

7. REVISED STATEMENT OF COMMUNITY INVOLVEMENT (SCI)

To allow Members the opportunity to provide initial comments on the draft document and to provide details of timescales for this work.

Page Nos. 35 - 58

8. INFORMATION REPORT - DELEGATED DECISIONS

To note a report on decisions taken by the Assistant Director Planning and Regulatory in accordance with his delegated authority.

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9. INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS

To note a report on decisions taken by the Assistant Director Planning and Regulatory in accordance with his delegated authority.

Page Nos. 87 - 94

10. URGENT PART I BUSINESS

To consider any Part I Business accepted by the Chair as urgent.

Page Nos.

11. EXCLUSION OF THE PRESS AND PUBLIC

To consider the following motions that:

1. Under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as described in paragraphs 1-7 of Part 1 of Schedule 12A of the Act as amended by Local Government (Access to information) (Variation) Order 2006.
2. That Members consider the reasons for the following reports (if any) being in Part II and determine whether or not maintaining the exemption from disclosure of the information contained therein outweighs the public interest in disclosure.

12. URGENT PART II BUSINESS

To consider any Part II Business accepted by the Chair as urgent.

Page Nos.

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STEVENAGE BOROUGH COUNCIL
PLANNING AND DEVELOPMENT COMMITTEE
MINUTES

Date: Wednesday, 4 April 2018

Time: 6.30 pm

Place: Council Chamber - Council Chamber

Present: Councillors: D Cullen (Chair), M Downing (Vice-Chair), L Chester, J Fraser, M Gardner, L Harrington, G Lawrence, M McKay and M Notley

Start / End Time: Start Time: 6.30pm
End Time: 7.25pm

1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were submitted on behalf of Councillors R Broom, J Lloyd and A McGuinness.

There were no declarations of interest.

2. MINUTES - 6 FEBRUARY 2018

It was **RESOLVED** that the Minutes of the meeting of the Planning & Development Committee held on 6 February 2018, are approved as a correct record and signed by the Chair.

3. 263 BROADWATER CRESCENT, STEVENAGE

The Committee considered an application for the change of use from B1 (Business) to D2 (Gymnasium). The application was before the Committee for determination as the landowner was Stevenage Borough Council and objections to the application had been received.

The Principal Planning Officer gave an introduction to the Committee and acknowledged errors in the report. It was noted that "Bedwell Crescent" in Item 3 paragraphs 1.1 and 7.5.5 should read "Broadwater Crescent." Members were informed that the proposal would result in the loss of an employment premises. However, the Principal Planning Officer advised Members that property had been on offer since November 2017 and the proposed gym was the most credible to date. Turning to the impact on the neighbourhood centre, Members were advised by Officers that it would not result in the loss of a retail premises and would be acceptable use within the centre. In addition, the Committee was advised that the applicant was not required to submit a retail impact assessment.

However, to ensure the Council was able to regenerate the centre in the future, Officers advised the Committee that if they were minded to grant the application a temporary permission could be issued. Members were also advised at the meeting that the development would not impact upon the historic character of the conservation or the amenities of nearby residential properties.

The public representations received related to the existing parking problems.

Members also raised concerns about parking arrangements for the proposed development. Officers acknowledged that the nature of the site posed parking challenges but off street parking was an option for visitors to the proposed gym to the front of the neighbourhood centre.

It was **RESOLVED** that Planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
'1A (Existing Floor Plan); 1A (Proposed Floor Plan); Site Location Plan'.
2. The use hereby permitted shall be discontinued and the building restored to its former condition on or before 31st May 2020 in accordance with a scheme of work submitted to and approved in writing by the local planning authority. The restoration scheme shall be implemented in accordance with the approved details.
3. The premises shall be used for a gymnasium and for no other purpose (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
4. The use hereby permitted shall only take place between the hours of 10.00 to 20.30 on Mondays to Fridays and between the hours of 09.00 to 14.00 on Saturdays and no activities shall take place on Sundays and Bank Holidays.

4. 13 BEDWELL CRESCENT, STEVENAGE

The Committee considered an application for the change of use of public amenity land to private residential land. The application was before the Committee for consideration as the land in question is in the ownership of Stevenage Borough Council and an objection has been received in respect of the proposal.

The Principal Planning Officer gave an introduction to the Committee. Members were informed that the proposed change of use of the land and the construction of a hardstanding was not considered to be detrimental to the form and function of the

structural open space, the character and appearance of the area, nor highway safety.

It was **RESOLVED** that Planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be carried out in general accordance with the following approved plans: Site location plan.
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. The proposed hardstanding shall be made of a porous material, or provision shall be made to direct surface water run-off water from the hardstanding to a permeable or porous area or surface within the curtilage of the dwellinghouse.
4. Notwithstanding the provisions of Class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting this Order) no erection of or alteration to a gate, fence, wall or other means of enclosure shall be carried out on the land the subject of this application and to the frontage of the dwellinghouse unless permission is granted on an application made to the Local Planning Authority.

5. 2 RUSSELL CLOSE, STEVENAGE

The Committee considered an application for the change of use of public highway land to private residential land. The application was before the Committee for consideration as the land in question is in the ownership of Stevenage Borough Council and an objection has been received against the proposal.

The Principal Planning Officer gave an introduction to the Committee. It was advised that the proposed change of use of the land and the construction of a hardstanding was not considered to be detrimental to the form and function of the structural open space or the character and visual amenity of the area.

It was **RESOLVED** that Planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be carried out in general accordance with the following approved plans: Site location plan.
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

3. The proposed hardstanding shall be made of a porous material, or provision shall be made to direct surface water run-off water from the hardstanding to a permeable or porous area or surface within the curtilage of the dwellinghouse.
4. Notwithstanding the provisions of Class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting this Order) no erection of or alteration to a gate, fence, wall or other means of enclosure shall be carried out on the land the subject of this application and to the frontage of the dwellinghouse unless permission is granted on an application made to the Local Planning Authority.
5. The area of land shown red on the approved site location plan shall be retained and maintained as grass in perpetuity.

6. THE FORMER DUPONT SITE, WEDGWOOD WAY, STEVENAGE

The Committee considered an application for a Variation of clause 3.1.3.3 (affordable housing), clause 3.1.4.1 (affordable housing), clause 12.5 (obligation exclusion), clause 5.4 of schedules 2 and 4 and clause 8 of schedule 4 (mortgagee exclusion) of the original s106 agreement dated 11 August 2016.

The Principal Planning Officer gave an introduction to the Committee. Members sought clarification regarding the proposed changes. It was advised that the Council had now engaged external solicitors to draft planning agreements. Members were informed that all of the proposed changes to the S106 agreement were either minor in nature designed to correct original drafting errors or are changes required by the Metropolitan Housing Association to satisfy their lenders and relate to the hypothetical position should the owner of the site go into administration. The proposed changes were not considered to weaken the Council's position in any way.

It was **RESOLVED** that the variation of clause 3.1.3.3 (affordable housing), clause 3.1.4.1 (affordable housing), clause 12.5 (obligation exclusion), clause 5.4 of schedules 2 and 4 and clause 8 of schedule 4 (mortgagee exclusion) of the original s106 agreement dated 11 August 2016 be agreed and that authority be delegated to the Assistant Director of Planning and Regulation in conjunction with an appointed Solicitor on behalf of the Council to agree the precise wording of the variations to the original S106 agreement.

7. INFORMATION REPORT - DELEGATED DECISIONS

It was **RESOLVED** that the report is noted.

8. INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS

It was **RESOLVED** that the report is noted.

9. URGENT PART I BUSINESS

None.

10. EXCLUSION OF THE PRESS AND PUBLIC

Not required.

11. URGENT PART II BUSINESS

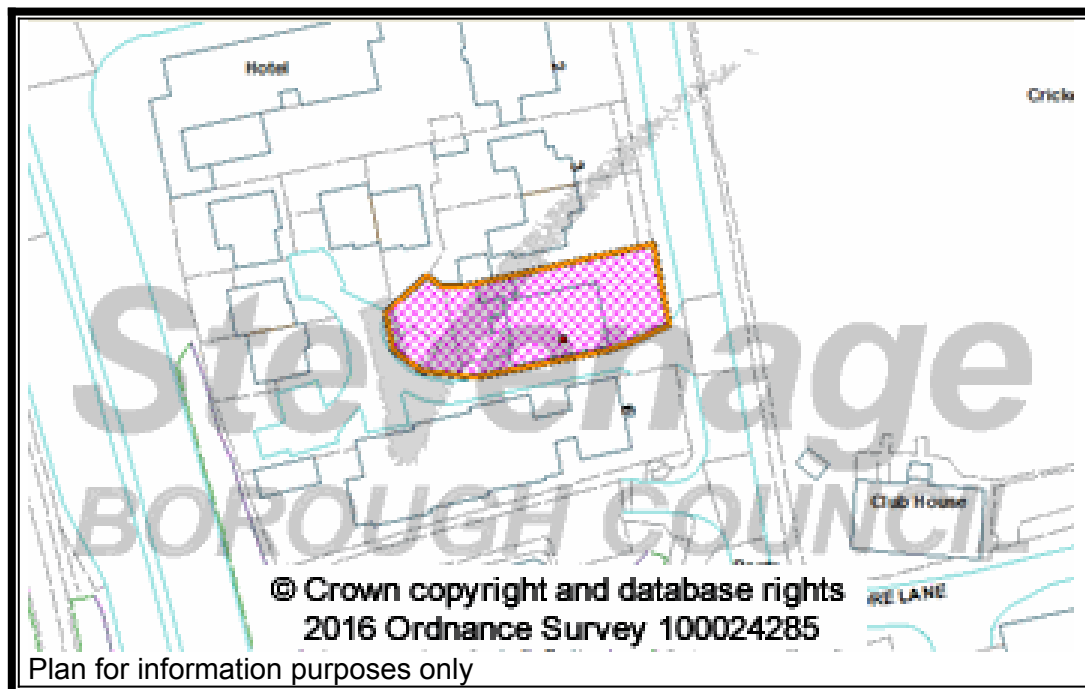
None.

CHAIR

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Meeting:	Planning and Development Committee	Agenda Item:
Date:	24 May 2018	
Author:	Dave Rusling	01438 242270
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	Dave Rusling	01438 242270

Application No:	18/00107/FP
Location:	5 Ditchmore Lane, Stevenage
Proposal:	Demolition of existing rear extension and erection of a two storey rear extension to facilitate creation of 4no. one bed flats
Drawing Nos.:	17047su1 01A, 02, 03, 17047wd2.01B, 02B, 03C, 05
Applicant:	Stevenage Borough Council
Date Valid:	1 March 2018
Recommendation:	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site comprises No.5 Ditchmore Lane, which is an attractive unlisted, but nevertheless historic, building located within the southern end of the Old Town Conservation Area. This property is constructed of red brickwork under a slate roof and is currently vacant, having previously been occupied by Stevenage Haven. To the north, the site is adjoined by Nos. 3 and 4 which are a pair of semi-detached properties constructed of red facing brickwork

under a brown plain tiled roof. Although currently vacant, these properties were previously used as a residential property (No.3) and as a community mental health premises operated by Hertfordshire NHS foundation trust (No.4). These properties have planning permission to be converted into flats. Number 6 is the Stevenage Haven, which comprises a detached historic building at the front and a three storey flat roof modern extension to the rear which provides accommodation for the homeless. Finally, to the rear of the application site are 5 bungalows which are accessed via an access from Ditchmore Lane between Nos 5 and 6. This is now known as Fairlight Close and provides a landscaped area and parking facilities for these properties and The Haven.

- 1.2 Opposite the property, located on the western side of Ditchmore Lane is Stevenage Cricket Club, whilst to the south of the site is the four-storey office block (Saffron Ground).

2. RELEVANT PLANNING HISTORY

- 2.1 Permission granted under ref 2/0107/98 in May 1998 for change of use of 4 Ditchmore Lane from hostel for the homeless to community resource centre for mental wellbeing.
- 2.2 Permission granted under ref 02/00094/FP in July 2002 for change of use of No.5 Ditchmore Lane from dwelling house to night shelter for the homeless and ground floor rear extension.
- 2.3 Permission granted under ref 04/00472/FP in November 2004 for retention of a rear conservatory at 5 Ditchmore Lane.
- 2.4 Permission granted under ref 2/0334/91 in February 1992 at 6 Ditchmore Lane for two storey rear extension and ground floor rear extension for residential and veterinary surgery use and car parking spaces.
- 2.5 Permission granted under ref 07/00138/FP in June 2008 at 6 Ditchmore Lane for change of use and sub-division of existing veterinary surgery into 2no two bed flats and erection of three storey building to accommodate 4no one bed and 5no two bed flats, with associated car parking and refuse storage. This permission was never implemented and has now lapsed.
- 2.6 Planning permission granted under ref 12/00577/FPM in August 2013 for refurbishment of Nos. 3, 4 and 5 to provide 2no. five bed dwellings and 1no. one bed flat; erection of 4no. two bed and 1no. three bed bungalows; extension to No. 6 to provide homeless hostel for The Haven; change of use of No. 4 from office to residential; associated access, car parking and landscaping.
- 2.7 Conservation Area Consent granted under ref 12/00608/CA in August 2015 for demolition of existing outbuildings and extensions to the rear of 4, 5 and 6 Ditchmore Lane 15.08.2013
- 2.8 Permission granted under ref 13/00417/COND in November 2013 for discharge of conditions 4 (landscaping); 8 (Tree Protection) and 18 (noise protection) attached to planning permission 12/00577/FPM.
- 2.9 Permission granted under ref 13/00431/COND in November 2013 for discharge of Condition 14 (Wheel Washing) attached to planning permission reference number 12/00577/FPM.
- 2.10 Conservation Area Consent granted under ref 13/00444/CA in November 2013 for demolition of existing boundary wall and replacement with new brick and timber boundary enclosure.
- 2.11 Planning permission granted under ref 13/00445/FP in December 2013 for replacement of existing boundary wall with new brick and timber boundary enclosure.

- 2.12 Permission granted under ref 13/00554/COND in March 2015 for discharge of Conditions 16 (Travel Plan) and 22 (External Lighting) attached to planning permission reference number 12/00577/FPM.
- 2.13 Consent granted under ref 13/00570/NMA in March 2013 for non-material amendment to planning permission reference number 12/00577/FPM to alter the position of the vehicular access and amendments to specified trees.
- 2.14 Consent granted under ref 14/00575/NMA in November 2014 for non-material amendment to previously approved planning permission reference number 12/00577/FPM to amend bin store roof construction.
- 2.15 Consent granted under ref 15/00003/NMA in February 2015 for non-material amendment to previously approved planning permission reference number 12/00577/FPM to amend proposed road surface from block paving to tarmac.
- 2.16 Permission granted under ref 13/00391/COND in November 2013 for discharge of condition 5 (bat survey) and partial discharge of condition 3 (archaeological investigation) attached to planning permission 12/00608/CA.
- 2.17 Permission granted under ref 13/00392/COND in November 2013 for discharge of conditions 3 (materials); 10 (means of enclosure); 21 (bat survey report) and partial discharge of condition 9 (archaeological investigation) attached to planning permission 12/00577/FPM.
- 2.18 Consent granted under ref 13/00400/NMA in October 2013 for non-material amendment to previously approved planning permission reference number 12/00577/FPM for amended parking bays to No.5, vehicular access bellmouth northern kerbline repositioned, and brick wall to rear of Nos. 3 & 4 amended to close boarded fence.
- 2.19 Permission granted under ref 15/00080/FP in April 2015 for demolition of existing rear extensions, single garage and outbuilding; erection of two storey and single storey rear extensions and conversion of existing properties into 3no. one bed and 3no. two bed flats
- 2.20 Consent granted under ref 16/00230/NMA June 2016 in for Non-material amendment to previously approved planning permission 12/00577/FPM to amend landscaping proposals to create 2no. new parking spaces; widening of driveways; amendments to approved fenestrations and materials; and amendments to wall finishes.

3. THE CURRENT APPLICATION

- 3.1 The current application seeks planning permission for the demolition of an existing part two storey, part single storey extension and conservatory and for the erection of a 2 storey rear extension to facilitate the conversion of the property to 4 one bed flats. The submitted drawings identify the new extension projecting 7.7m to the rear of the existing main elevation of the property, having a width of 4m. It is designed with a pitched roof having an eaves height of 5.7m and a ridge height of 7.2m. The extension would project out 600mm further than the existing rear extension and conservatory to be demolished, which would bring it out in line with an existing two storey extension on the southern part of the rear elevation.
- 3.2 The layout of the units is such that there would be 2 flats at ground floor level and a further 2 flats within the first floor. Access to the dwellings would be taken via the existing front door via a hallway leading to the separate flats. Externally, no changes are proposed to the front elevation with minor changes to the fenestration in the existing side elevations with a new window proposed in the north elevation and 4 new windows in the south elevation of the property. The front garden of the premises is to be retained primarily as a landscaped garden area, affording pedestrian access to the building. An existing vehicular access to the north of

the building will be retained and used to access 2 tandem parking spaces, partly to the side and front of the property. A bin and cycle store is proposed adjacent to these spaces which will be set back within the site. At the rear, it is proposed to provide 2 parking spaces for the new units which would supplement the existing parking to the rear of the property which will be increased from 2 to 3 spaces. It is also proposed to provide a communal garden area for the flats as well as a small private garden area to serve flat 1. There would also be pedestrian access to the rear of the site from both Ditchmore Lane and Fairlight Close.

- 3.3 The application comes before the planning committee for determination as the applicant and land owner is Stevenage Borough Council.

4. PUBLIC REPRESENTATIONS

- 4.1 The proposal has been publicised by way of letters to adjoining premises, press notice and a site notice was displayed to the front of the property. The occupiers of 3 Fairlight Close and 172a High Street have raised objections to the application for the following reasons:-

4.2 3 Fairlight Close

- 4.2.1 Whilst has no objection in principle to the conversion of the properties, has concerns about parking problems in Fairlight Close to the rear of the application site and, in particular, indiscriminate parking blocking the access.

Raises concerns with regard to access for emergency vehicles and ambulances.

Has forwarded a number of photographs and videos identifying parking issues within Fairlight Close which he attributes to the Haven.

Inadequate car parking facilities exist to serve visitors and employees of The Haven.

Concern that the 2 spaces immediately to the rear of No.5 are dangerous.

Concern that the security hoarding erected around the site has affected visibility for users leaving Fairlight Close onto Ditchmore Lane.

4.3 172a High Street

- 4.3.1 The original application indicated that the property was to be utilised as the training/rehabilitation area for the halfway house.

It was stated at the time of the last application that housing need outweighed the harm to the Conservation area and the removal of trees. The last application was, therefore, granted on housing need. Given the number of houses which have recently been built there is no need any more units at this location.

I have not had the opportunity to check the number of police and emergency services visits to this site, but I can assure you that they are numerous. There have been other crimes committed by residents of the Haven. This was never a suitable location for this type of accommodation and increasing the number of residents, whilst removing and reducing the ability to rehabilitate the current residents is not acceptable.

5. CONSULTATIONS

5.1 Hertfordshire County Council - Highways

- 5.1.1 The proposal is for the demolition of existing rear extension and erection of a two storey rear extension to facilitate the creation of 4no. one bed flats. The site has vehicular access off

Fairlight Close which is a private access road which has a junction with Ditchmore Lane, classified as a local access road. There are no highway issues associated with this proposal and, therefore, the Highway Authority does not wish to restrict the grant of planning permission. However, as Parking Authority no doubt you will ensure that the parking provision for the development complies with your parking standards.

5.2 BEAMS (Council's Conservation Advisor)

- 5.2.1 No objection. In principle a two-storey rear extension as proposed is supported, it is not overly prominent and retains the front and side elevations of the original Victorian property relatively unaltered. Unfortunately the extension is set in by only a small amount, a greater amount of set in would be preferred and it would relate better to the host property if it featured a hip end.
- 5.2.2 In terms of materials it is vital the brickwork of the new extension is of good quality and a good match to the existing in size, colour and brick bond. The window design and use of slates for the roof is acceptable. The use of double glazed sashes (to match existing) to the front elevation is welcomed.

5.3 HCC Crime Prevention Design Service

- 5.3.1 Thank you for inviting me to comment on the recent planning application for the above location. I have been dealing with this site since the original application and currently the whole of the new site has been fully accredited to the Police preferred minimum security standard that is Secured by Design. I have been in contact with the agent and fully expect to receive a completed SBD application should permission be granted. Given the current situation and the evolution of the site the Police Crime Prevention Design Service fully support this planning application.

5.4 HCC Senior Historic Environment Advisor

- 5.4.1 The new extension appears to lie mainly above the previous one. Therefore in this instance we consider that the development is unlikely to have a significant impact on heritage assets of archaeological interest, and we have no comment to make upon the proposal.

5.5 Council's Arboriculturist

- 5.5.1 No comment received.

5.6 Environmental Health Section

- 5.6.1 No comment received.

6. RELEVANT PLANNING POLICIES

6.1 Background to the Development Plan

- 6.1.1 In the determination of planning applications development must be in accordance with the statutory development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014);
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007); and
- The Stevenage District Plan Second Review 2004.

The Council has now commenced work on the new Stevenage Borough Local Plan 2011-2031. The draft version of the Plan was published in January 2016 and will be used as a material consideration in the determination of all planning applications registered on or after Wednesday 6 January 2016. The Site Specific Policies DPD, the draft Gunnels Wood Area Action Plan (AAP), the draft Old Town AAP, the Pond Close Development SPG, Stevenage West Masterplanning Principles SPG, the Gunnels Wood Supplementary Planning Document and the Interim Planning Policy Statement for Stevenage are no longer material considerations in the determination of all planning applications registered on or after Wednesday 6 January 2016.

- 6.1.2 Where a Development Plan Document has been submitted for examination but no representations have been made in respect of relevant policies, then considerable weight may be attached to those policies because of the strong possibility that they will be adopted. The converse may apply if there have been representations which oppose the policy. However, much will depend on the nature of those representations and whether there are representations in support of particular policies.
- 6.1.3 In considering the policy implications of any development proposal the Local Planning Authority will assess each case on its individual merits, however where there may be a conflict between policies in the existing Development Plan and policies in any emerging Development Plan Document, the adopted Development Plan policies currently continue to have greater weight.

6.2 Central Government Advice

- 6.2.1 In March 2012 the National Planning Policy Framework (NPPF) was published and in doing so it replaced many documents including all Planning Policy Guidance Notes and Planning Policy Statements. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. Annex 1 of the NPPF provides guidance on how existing local plan policies which have been prepared prior to the publication of the NPPF should be treated. Paragraph 215 of the NPPF applies which states that only due weight should be afforded to the relevant policies in the adopted local plan according to their degree of consistency with it.
- 6.2.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is itself a material consideration. Given that the advice that the weight to be given to relevant policies in the local plan will depend on their degree of consistency with the NPPF, it will be necessary in the determination of this application to assess the consistency of the relevant local plan policies with the NPPF. The NPPF applies a presumption in favour of sustainable development.
- 6.2.3 In addition to the NPPF advice in the National Planning Practice Guidance (March 2014) also needs to be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 14 of the National Planning Policy Framework requires the application to be determined in accordance with the presumption in favour of sustainable development unless otherwise specified.

6.3 Adopted Local Plan

TW1 - Sustainable Development;
 TW8 - Environmental Safeguards;
 TW9 - Quality in Design;
 H7 - Assess of Windfall Residential Sites;
 H8 - Density of Residential Development;
 EN13 - Trees in New Developments;
 T15 Car Parking Strategy;
 EN13 Trees in New Developments;

6.4 Stevenage Borough Local Plan 2011-2031 Publication Draft (Emerging Local Plan)

SP1 - Presumption for Sustainable Development;
SP2 - Sustainable Development in Stevenage;
SP7 - High Quality Homes;
SP8 - Good Design;
HO5 - Windfall Sites;
GD1 High Quality Design;
IT5 Parking and Access
NH5 Trees and Woodlands

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document January 2012.
Stevenage Design Guide 2009.
Old Town Conservation Area Management Plan – July 2012.

7 APPRAISAL

- 7.1 The main issues for consideration in the determination of this application are the acceptability of the proposal in land use policy terms; impact upon the character and appearance of area; impact upon the amenities of neighbouring properties; suitability of the residential environment, impact on the highway network and car parking provision.

7.2 Land Use Policy

- 7.2.1 The application site is not allocated for residential development within the District Plan Second Review 1991 – 2011 and is, therefore, regarded as a 'windfall site'. The proposed development must, therefore, be considered having regard to policy H7 relating to windfall residential sites. In accordance with this policy, planning permission will only be granted where the site is on land classified as previously-developed or small underused urban sites; development of the site would not lead to the loss of structural open space features as defined in policy TW2; there is no detrimental effect on the environment and the surrounding or adjoining properties; there is access to local facilities; and they include opportunities to access alternative forms of travel to private motorised transport.
- 7.2.2 Policy H05 of the Draft Local Plan (2016) (windfall sites) generally reflects Policy H7 of the adopted Local Plan. However, this policy does stipulate that proposals should not prejudice the Council's ability to deliver residential development on allocated sites, and, it does not overburden existing infrastructure.
- 7.2.3 For the purpose of clarity, the definition of previously-developed land, as stated within the NPPF, is "that which is or was occupied by a permanent structure including the curtilage of the developed land and any associated fixed surface infrastructure". The definition of previously developed land excludes private residential gardens. By this definition, No.5, which although vacant, was previously last used by the Haven as a homeless shelter, does not fall within the definition of residential. Consequently, it is considered that the proposal comprises the redevelopment of primarily previously developed, brownfield land.
- 7.2.4 Policy TW2 of the District Plan relates to the structural open spaces that exist throughout the town. In this instance, the site is located in a well-established mixed use area and does not impact on any structural open space in the immediate locality. Policy TW3 of the Adopted Plan states that proposals will not be permitted which involve the loss of neighbourhood facilities,

except where it is proven that there is no need for the facility in its existing use or any other social, community, education or leisure use. The proposed development would not result in the loss of any neighbourhood facilities.

- 7.2.5 In accordance with Policies H7 and H05, residential developments of windfall sites must have a good level of access to local facilities. In this instance, the site is within easy walking distance of Stevenage Town Centre being located only 25m from the pedestrian bridge linking Ditchmore Lane with the Tesco Superstore at the northern end of the town centre. Added to this, the site is very close to the Old Town and the facilities contained therein. Access to the site by non-car modes of transport is also an important consideration in respect of windfall residential sites. The application site enjoys very good links to pedestrian and cycle routes and is within a short walking distance of the town's bus and rail stations. In view of the aforementioned, it is considered that the site accords with the advice in the aforementioned policies of the adopted local plan. Furthermore, it fully accords with the advice in the NPPF as it provides a highly sustainable form of development, would bring a vacant property back into use and would provide a mix of housing to cater for different groups in the community.
- 7.2.6 The NPPF states at paragraph 49 that "housing applications should be considered in the context of the presumption in favour of sustainable development" and that "relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites." Taking these issues in turn, as set out above, the site is considered to be in a sustainable location.
- 7.2.7 In relation to the five year supply of deliverable housing, paragraph 47 of the NPPF states that Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. The most up to date housing supply figures indicate that the Council is unable to provide a 5 year supply of deliverable housing. The fact that the Council is unable to meet its requirement to provide a 5 year supply of housing is thus a strong material consideration that significantly weighs in favour of the application.
- 7.2.8 In terms of housing mix, the proposal by predominantly providing smaller one bedroom units in this area would provide an acceptable mix of units.
- 7.2.9 Setting aside the impact upon the character and appearance of the area and the amenities of the adjoining properties, which are considered elsewhere in this report, the application is considered to be broadly in accordance with policy H7 of the adopted local plan and H05 of the emerging local plan.

7.3 Impact upon the Character and Appearance of the Area

- 7.3.1 In terms of the character and appearance of the area, the site lies at the southern end of the Old Town Conservation Area. The Conservation Area Management Plan (CAMP) for this part of the Old Town conservation Area identifies one of the strengths being No's 1 to 6 Ditchmore Lane which are considered as being structures of importance and which have retained a number of their original features. The CAMP also makes reference to the application site and states that development on the site could make more efficient use of these low density plots given their highly sustainable location. However, it also states that the need to retain the original buildings in an appropriate setting should form an essential part of any future scheme.
- 7.3.2 As set out in section 2 above, this site has been developed out in part under the planning permission granted in 2013, with the Haven being relocated to No.6 Ditchmore Lane which has been significantly extended to the rear to provide new accommodation. Similarly, 5 bungalows have been erected to the rear of Nos 2-6, along with a new access road and associated landscaping and car parking. No.5 was originally intended to be retained as part of the Haven, however, the permission to extend and alter this has not been implemented and

the property has remained vacant. Similarly, Nos 3 and 4 although having permission to be converted to flats have yet to be built out.

- 7.3.3 In terms of the current proposals for No.5, this is an attractive, mid-19th century detached villa on the west side of Ditchmore Lane and at the south end of the Stevenage Old Town Conservation Area. It forms a group with the Victorian properties either side. The 2009 Conservation Area Appraisal highlights the building as being of local architectural merit and one which makes a strong positive contribution to the special interest of the Old Town Conservation Area. It is proposed to convert the property into 4 flats which would result in the demolition of an existing part two storey, part single storey rear extension which would be replaced by a two storey extension. No alterations are proposed to the front elevation of the property.
- 7.3.4 The Design Statement submitted with the application describes the new rear extension as only being visible from the rear of the site; however, it is considered that the side elevation of the extension will be partly visible from within the Ditchmore Lane street scene. Notwithstanding this, in principle, a two-storey rear extension as proposed is considered acceptable as it is not overly prominent and retains the front and side elevations of the original Victorian property relatively unaltered. The Council's Conservation advisor has commented that the extension is set in by only a small amount and that a greater amount of set in would be preferred and also recommends that it would relate better to the host property if it featured a hip end.
- 7.3.5 The applicant has been made aware of the above comments, however, considers that to reduce the width of the extension would compromise the internal layout of the flats 1 and 3. With regard to the alteration to the roof, whilst a hip could be introduced they note that the existing two storey rear extension to be retained and the modest extension to be demolished are both designed with a gable roof. In view of this, they feel it would be more appropriate to retain the new extension with a gable roof. Whilst the proposed and existing rear extensions would have different widths, it is considered that the design solution proposed is acceptable and, on balance, would not harm the character or appearance of the Conservation Area. Similarly, as only minor alterations are considered to the fenestration of the building, these are considered acceptable. Subject, to a condition being imposed requiring details of the materials to be used in the extension and conversion to be submitted for approval, the impact upon the character and appearance of the Conservation Area is considered to be acceptable.

7.4 Impact upon the Amenities of Neighbouring Properties

- 7.4.1 In assessing the impact of the proposal upon the amenities of those adjoining properties, those most affected are No.4 Ditchmore Lane to the north, no's 1-5 Fairlight Close to the rear (west) and The Haven building to the south. With regard to No.4, having considered the approved plans relating to the conversion of this property to flats, the buildings have been carefully designed to ensure that there would be no overlooking between habitable rooms in either of the properties. The rear extension to No 5, whilst projecting out further at first floor level than No.4, would have no adverse impact on the side windows serving this adjoining property, which are located toward the east of the building. At ground floor level a wall separates the two properties and it is proposed to increase the height slightly by introducing fencing on top. This would mitigate against any overlooking between the properties. At the rear, the first floor side windows would overlook a bin store and wooded area, with the useable private garden area being screened by the property itself.
- 7.4.2 To the rear of the site are the bungalows within Fairlight Close. The majority of these have their front elevations facing toward the rear of No.5 and are located over 25m away, which would meet with the Council's privacy guidelines between 1 and 2 storey dwellings. At ground floor level it is proposed to enclose the rear garden serving the flats with a 1.8m high close boarded fence, which would maintain a private garden area for the new flats. With regard to The Haven to the south of the application property, whilst there are some windows facing toward this building they would only overlook communal areas and non-habitable rooms, with the main residential rooms being located away from the side of No 5 to the south west.

- 7.4.3 Having regard to the above assessment, it is considered that the proposed development would have an acceptable relationship with the adjoining properties. In terms of the residential environment for the proposed occupiers, all of the flats exceed the floorspace standards set out in the Emerging Local Plan. Furthermore, an appropriate level of amenity space would be provided with flat 1 having its own private garden area.

7.5 Highway Safety Implications

- 7.5.1 With regard to access and highway safety, the proposal involves no changes to the main access to the site and only a minor change to the previously approved car parking layout at the rear of the site. The access is a private access road which has a junction with Ditchmore Lane which is classified as a local access road. In view of this the Highway Authority is raising no objection in terms of proposed traffic generation created from the new development.

7.6 Car Parking

- 7.6.1 With regard to car parking provision, when the previous scheme to re-develop the whole of 3-6 Ditchmore Lane was granted, parking provision for vehicles was provided within the site. In total 26 spaces were approved, 16 for the residential units and 10 for the Haven. These were considered to be acceptable in this highly sustainable location (zone 1).
- 7.6.2 Subsequent amendments to the parking layout were made, relocating 2 spaces from the front of No.5 to the rear of the building. A further non-material application was approved 2016 which sought to introduce 2 additional spaces to the rear of No.5 and to retain the existing driveway to the front/side of No.5, which allowed for 2 cars to be parked in a tandem arrangement. Consequently, an additional 4 car parking spaces are available within the curtilage of No.5 as well as the 26 permitted under the approved scheme.
- 7.6.3 Based on the Council's adopted car parking standards for 1 bed flats, each unit would require 1 space and, therefore, 4 spaces would be required. However, given the sustainable location, location (zone 1) the requirement can be reduced to between 25% and 50% below the minimum. Consequently, between 1 and 2 spaces would be required. In view of this, the provision of 4 spaces, albeit 2 in a tandem formation would meet the Council's car parking requirements.
- 7.6.4 Notwithstanding the aforementioned, the comments of the objector in Fairlight Close and the photographic evidence provided does indicate that there are parking problems within Fairlight Close which appear to attributable to employees and visitors to the Haven. Whilst this development would meet the Council's adopted standards and is acceptable, it is clear that there is a parking management issue related to the Haven. In view of this, the Council as landowner is looking into the problem with a view to ensuring that the parking problems are addressed and that indiscriminate parking does not occur which may hinder access to the properties at the rear, particularly if access for emergency vehicles/ambulances is required. Additionally, as part of this application it is proposed to extend the existing 2 parking bays to the rear of the property to create a third bay for use by the Haven.
- 7.6.5 In terms of cycling provision a cycle store for 4 cycles is provided within the site which also meets with the Council's adopted standards. Similarly, bin storage facilities are provided within the application site to serve the flats.
- 7.6.6 Taking into account the above assessment, the application would accord with the Council's adopted parking standards and notwithstanding this, additional parking to serve the Haven would be provided. Additionally, the Council is looking to improve the management of parking at the site

7.7 Other matters

- 7.7.1 With regard to the comments of the objector regarding housing supply, as set out in the report, whilst there may have been new housing provided since The Haven was redeveloped, the Council is still unable to meet its 5 year housing supply and, therefore, there is still a requirement for new housing in the Borough. With regard to the comments in respect of crime, it can be seen at paragraph 5.3 of this report that the Police Crime Prevention team are raising no objection to the application. Finally, issues relating to archaeology and ecology were dealt with when the Haven was redeveloped.

8 CONCLUSIONS

- 8.1 The proposed residential redevelopment of the site complies with the National Planning Policy Framework and current Development Plan policies. It is considered that the proposal would have an acceptable impact on the character and appearance of the area and the Old Town Conservation Area within which the site lies. It would not harm the amenity of neighbouring land users. Additionally, the proposed scheme would not adversely affect the operation or safety of the local highway network and would provide a sufficient level of car parking. Accordingly, it is recommended that planning permission be granted.

9 RECOMMENDATIONS

- 9.1 Planning permission be GRANTED subject to the following conditions:-

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 17047su1 01A, 02, 03, 17047wd2.01B, 02B, 03C, 05
REASON:- For the avoidance of doubt and in the interest of proper planning.
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
3. No development shall take place until a schedule and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details
REASON:- To ensure the development has an acceptable appearance and to safeguard the appearance of the Old Town Conservation Area.
4. Prior to the first occupation of the dwellings hereby permitted the parking spaces and turning facilities identified on drawing 17047wd2.01B shall be constructed, hardsurfaced and made ready for use to serve the occupants of those properties unless otherwise agreed in writing by the Local Planning Authority. The spaces shall be permanently retained in that form thereafter.
REASON:- To ensure that adequate parking facilities are available within the site and that there is no detriment to the safety of adjoining highways
5. No construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0900 and 1330 on Saturdays.
REASON:- To safeguard the amenities of the occupiers of neighbouring properties.
6. Notwithstanding the details shown in this application, the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved boundary treatments shall be completed before the use hereby permitted is commenced or before the buildings are occupied and thereafter permanently retained.

REASON:- To ensure a satisfactory standard of development in the interests of amenity.

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

REASON:-In the interests of highway safety, amenity and free and safe flow of traffic in accordance with the advice contained in the National Planning policy Framework.

8. The cycle parking facilities identified on drawing 17047wd2.01B shall be provided prior to the first occupation of the dwellings hereby permitted and shall be permanently retained at the site.

REASON:- To promote the use of sustainable transport modes and reduce reliance on the private car in accordance with Government advice contained in the National Planning Policy Framework.

9. The first floor window proposed in the north elevation of flat 4 serving the kitchen/dining area (nearest to the lounge) shall be fitted with obscure glazing and shall be fixed so as to be incapable of being opened below a height of 1.7 metres above finished floor level and shall be retained in that form thereafter.

REASON:- To safeguard the privacy of the occupiers of flat 3.

Pro-active Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

10 BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage District Plan Second Review 1991-2011.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012. Stevenage Design Guide 2009.
4. Stevenage Borough Local Plan 2011-2031 Publication Draft.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework March 2012 and Planning Practice Guidance March 2014.

Meeting: Planning and Development Committee **Agenda Item:**

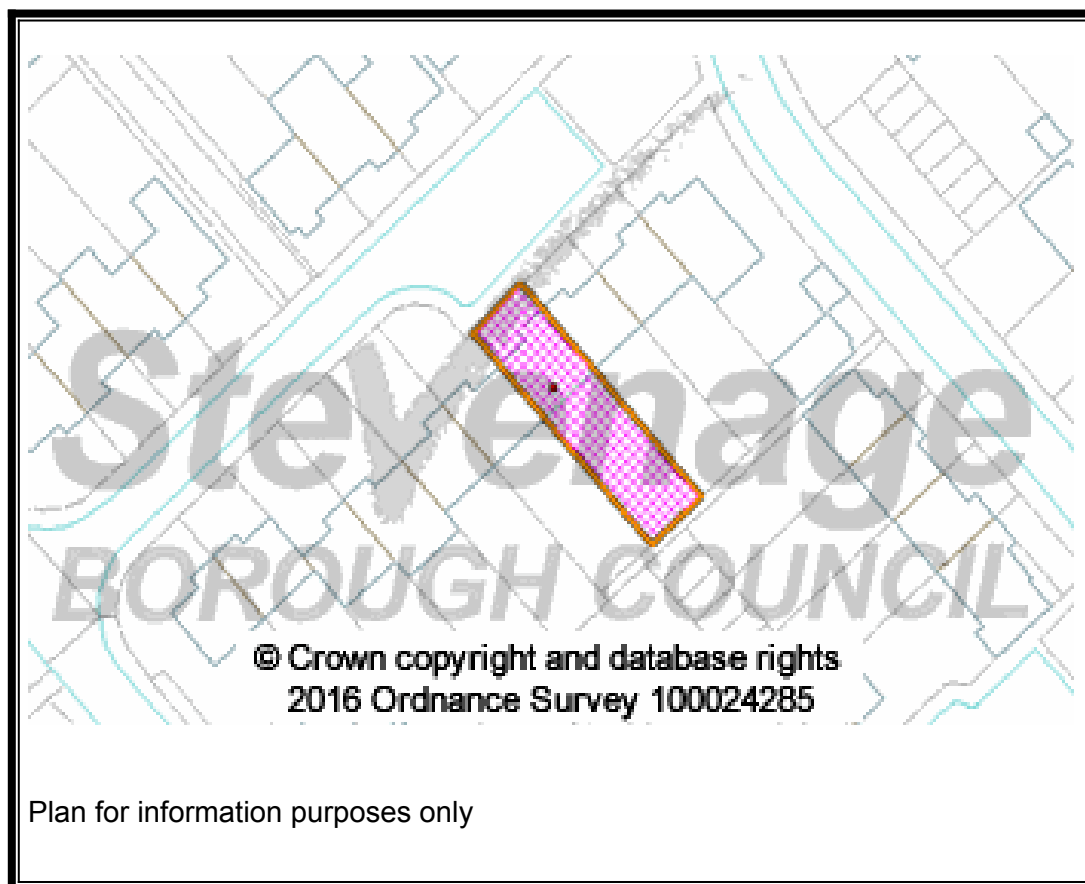
Date: 24 May 2018

Author: Rebecca Elliott 01438 242836

Lead Officer: Zayd Al-Jawad 01438 242257

Contact Officer: Rebecca Elliott 01438 242836

Application No:	18/00191/FPH
Location:	14 Leslie Close, Stevenage
Proposal:	Erection of single storey front extension.
Drawing Nos.:	542H-C-013-100 Site Location Plan, 542H-C-013-102 Proposed Plans and Elevations, 542H-C-013-101 Existing Plans and Elevations.
Applicant:	Housing and Investment Architects, Stevenage Borough Council
Date Valid:	10 April 2018
Recommendation:	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 14 Leslie Close is a mid-terrace dwelling located on the south eastern side of Leslie Close, a small cul-de-sac off Gonville Crescent. The area is residential and characterised by terraced properties. The property has a modest hard surfaced frontage, and is open to the front, and bounded by a footpath and facing onto a parking layby. The front elevation has an existing flat roof porch canopy over the front entrance.

2. RELEVANT PLANNING HISTORY

- 2.1 No relevant history for the site.

3. THE CURRENT APPLICATION

- 3.1 The current application seeks planning permission for the erection of a single storey front extension to provide an enclosed porch and hallway which would be wheelchair compliant. The extension would be sited across the existing front entrance, replacing the existing canopy, up to the existing porch canopy at No.16 and the north eastern boundary of the site. The design incorporates a mono pitch roof and a single entrance door with slim side panel of glazing and a single opening serving an external store. The extension would have a width of approximately 4m, a maximum height of approximately 3.5m and a depth of approximately 1.5m. The materials to be used would match the existing property.
- 3.2 The application comes before Committee for consideration as Stevenage Borough Council are the applicant.

4. PUBLIC REPRESENTATIONS

- 4.1 The application has been publicised by way of letters to immediately adjoining premises and a site notice posted on a lamp post to the north west of the site on the opposite side of the road. One letter of objection has been received from No.12 Leslie Close with concerns over the ability of the current tenant at No.14 to use the proposed porch as a smoking area, and the existing anti-social behaviour of the tenant and visitors to the property, including poor upkeep or refuse in the frontage of the property, and thus not abiding by their tenancy agreement.

5. CONSULTATIONS

- 5.1 None required

6. RELEVANT PLANNING POLICIES

6.1 Background to the Development Plan

- 6.1.1 In the determination of planning applications development must be in accordance with the statutory development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:
- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014);
 - Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007); and
 - The Stevenage District Plan Second Review 2004.

The Council has now commenced work on the new Stevenage Borough Local Plan 2011-2031. The draft version of the Plan was published in January 2016 and will be used as a material consideration in the determination of all planning applications registered on or after Wednesday 6 January 2016. The Site Specific Policies DPD, the draft Gunnels Wood Area Action Plan (AAP), the draft Old Town AAP, the Pond Close Development SPG, Stevenage West Masterplanning Principles SPG, the Gunnels Wood Supplementary Planning Document and the Interim Planning Policy Statement for Stevenage are no longer material considerations in the determination of all planning applications registered on or after Wednesday 6 January 2016.

6.1.2 Where a Development Plan Document has been submitted for examination but no representations have been made in respect of relevant policies, then considerable weight may be attached to those policies because of the strong possibility that they will be adopted. The converse may apply if there have been representations which oppose the policy. However, much will depend on the nature of those representations and whether there are representations in support of particular policies.

6.1.3 In considering the policy implications of any development proposal the Local Planning Authority will assess each case on its individual merits, however where there may be a conflict between policies in the existing Development Plan and policies in any emerging Development Plan Document, the adopted Development Plan policies currently continue to have greater weight.

6.2 Central Government Advice

6.2.1 In March 2012 the National Planning Policy Framework (NPPF) was published and in doing so it replaced many documents including all Planning Policy Guidance Notes and Planning Policy Statements. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. Annex 1 of the NPPF provides guidance on how existing local plan policies which have been prepared prior to the publication of the NPPF should be treated. Paragraph 215 of the NPPF applies which states that only due weight should be afforded to the relevant policies in the adopted local plan according to their degree of consistency with it.

6.2.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is itself a material consideration. Given that the advice that the weight to be given to relevant policies in the local plan will depend on their degree of consistency with the NPPF, it will be necessary in the determination of this application to assess the consistency of the relevant local plan policies with the NPPF. The NPPF applies a presumption in favour of sustainable development.

6.2.3 In addition to the NPPF, advice in the National Planning Practice Guidance (March 2014) also needs to be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 14 of the National Planning Policy Framework requires the application to be determined in accordance with the presumption in favour of sustainable development unless otherwise specified.

6.3 Adopted District Plan

TW2 Sustainable Development
TW8 Environmental Safeguards
TW9 Quality of Design

6.4 Emerging Local Plan

- SP1 Presumption in Favour of Sustainable Development
- SP8 Good Design
- GD1 High Quality Design

7 APPRAISAL

- 7.1 The main issues for consideration in the determination of this application are the impact of the development on the character and appearance of the area and upon neighbour amenity.

7.2 Impact upon the Character and Appearance of the Area

- 7.2.1 The proposed front extension is of a size and design proportionate to the size of the parent property and in-keeping with the simple architectural style of the row of terraces and wider area. The use of matching materials and mono pitched roof design will help the extension blend in with its surrounding built form, giving an appropriate design solution.
- 7.2.2 At approximately 1.5m in depth, the proposed extension is larger than the existing porch and neighbouring porch. However, the proposed depth of projection accords with the Council's Design Guide, retaining an acceptable level of front garden space and proximity from the highway edge. Several properties in the area have enclosed the original open porches and added a pitched roof, maintaining the existing size or enlarging the porch. The proposal is, therefore, considered not to harm the character and appearance of the street scene.

7.3 Impact on Neighbour Amenity

- 7.3.1 By virtue of the siting of the proposal to the north eastern side of the front elevation, adjacent to the existing porch and front entrance at No.16, the proposed extension would not cause a loss of light or privacy and thus would not adversely impact this neighbour.
- 7.3.2 To the south west, the neighbouring property No.12 is separated from the proposed extension by the lounge window at No.14. Due to the handed layout of the neighbouring property, its own lounge window is closest to the boundary with the application site. Subsequently, the proposal passes the required BRE 45 degree tests for light to the lounge window at No.12, and at 1.5m in projection is an acceptable depth, such that it would not cause an overbearing impact or cause undue loss of outlook from this habitable window.
- 7.3.3 The objector has raised concerns over the behaviour of the tenant not abiding by their tenancy agreement and the likelihood of the proposed porch to be used as a smoking area by the tenant and their visitors. These concerns are not material planning considerations and have been passed on to the relevant departments.

8 CONCLUSIONS

- 8.1 The proposed single storey front extension is considered to accord with the Council's Design Guide and Policies in terms of design, visual amenity and neighbour amenity. The application is, therefore, recommended for approval.

9 RECOMMENDATION

- 9.1 Planning permission be GRANTED subject to the following conditions:-

1. The development hereby permitted shall be carried out in general accordance with the following approved plans: 542H-C-013-100 Site Location Plan, 542H-C-013-102 Proposed Plans and Elevations, 542H-C-013-101 Existing Plans and Elevations.

REASON: - For the avoidance of doubt and in the interests of proper planning.

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. The materials to be used in the construction of the external surfaces of the single storey front extension hereby permitted shall match the materials used in the construction of the original dwelling to the satisfaction of the Local Planning Authority.

REASON: - To ensure the development has an acceptable appearance.

Pro-active Statement

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

10 BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage District Plan Second Review 1991-2011.
3. Emerging Stevenage Local Plan 2011-2031.
4. Central Government advice contained in the National Planning Policy Framework March 2012 and the National Planning Policy Guidance 2014.
5. Letters received containing representations referred to in this report.

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Meeting: Planning and Development Committee **Agenda Item:**

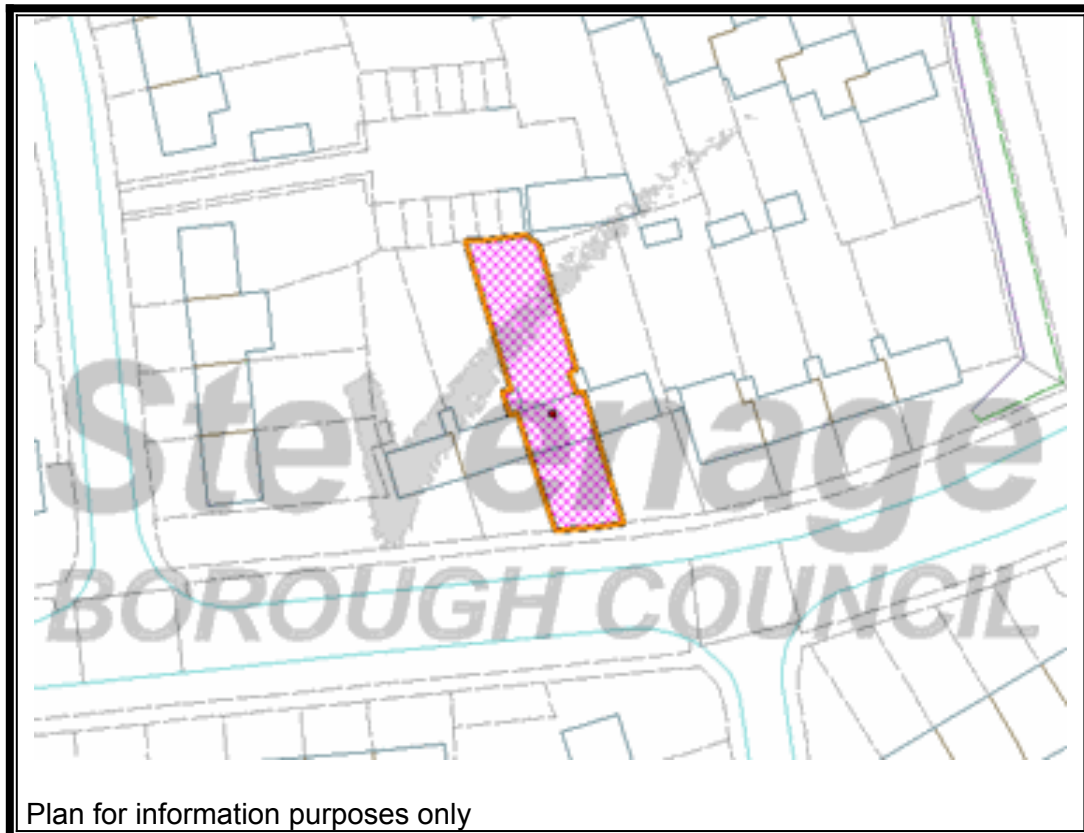
Date: 24 May 2018

Author: Rebecca Elliott 01438 242836

Lead Officer: Zayd Al-Jawad 01438 242257

Contact Officer: Rebecca Elliott 01438 242836

Application No:	18/00184/FP
Location:	455 Broadwater Crescent, Stevenage
Proposal:	Change of use of public amenity land to private residential land.
Drawing Nos.:	Site location plan.
Applicant:	Mrs Debra Hennessy
Date Valid:	5 April 2018
Recommendation:	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 455 Broadwater Crescent is a mid-terrace dwelling, located on the northern side of Broadwater Crescent, to the eastern end of the road where it meets Broadhall Way. The property forms part of a linear display of terraced properties which include minor set-backs between buildings. To the north, the rear boundary of the property backs on to a garage compound. The property frontage within the ownership of the dwelling is very small with the predominant area of grassed land to the front of the property being Council owned amenity land.

2. RELEVANT PLANNING HISTORY

- 2.1 None relevant.

3. THE CURRENT APPLICATION

- 3.1 The current application seeks planning permission for the change of use of an area of amenity land to residential curtilage and the construction of a hardstanding for the parking of two vehicles. The parcel of land seeking the change of use is sited immediately to the front of No.455 Broadwater Crescent and appears as the front garden of the property. The land would measure approximately 7.5m in width and between 7.5m and 9m in depth. The area is not to be enclosed. The property is currently served by an existing dropped kerb, which is to be retained and unaltered.
- 3.2 The application comes before Committee for consideration as the land in question is in the ownership of Stevenage Borough Council and an objection has been received in respect of the proposal.

4. PUBLIC REPRESENTATIONS

- 4.1 The proposal has been publicised by way of letters to immediately adjoining premises and a site notice posted on a lamp post to the south and opposite side of the road. One letter of objection has been received from 457 Broadwater Crescent. The objection raised relates to the refusal of a similar proposal at No.457 for a widened driveway, because it would mean driving over the footpath. There is no record of a planning application for this property. The objector has suggested that because No.457 was not allowed to drive over the footpath to gain access to the additional driveway then No.455 should not be allowed to do the same. Furthermore, the objector suggests that the applicant can only achieve access by removing an existing tree, and questions whether the applicant can apply for permission because they are employed at the Council.

5. CONSULTATIONS

- 5.1 The applicant has gone through the Land Sales process with the Council's Estates department and the Council are agreeable to sell the land subject to the granting of planning permission.

6. RELEVANT PLANNING POLICIES

- 6.1 **Background to the Development Plan**

6.1.1 In the determination of planning applications development must be in accordance with the statutory development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014);
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007); and
- The Stevenage District Plan Second Review 2004.

The Council has now commenced work on the new Stevenage Borough Local Plan 2011-2031. The draft version of the Plan was published in January 2016 and will be used as a material consideration in the determination of all planning applications registered on or after Wednesday 6 January 2016. The Site Specific Policies DPD, the draft Gunns Wood Area Action Plan (AAP), the draft Old Town AAP, the Pond Close Development SPG, Stevenage West Masterplanning Principles SPG, the Gunns Wood Supplementary Planning Document and the Interim Planning Policy Statement for Stevenage are no longer material considerations in the determination of all planning applications registered on or after Wednesday 6 January 2016.

6.1.2 Where a Development Plan Document has been submitted for examination but no representations have been made in respect of relevant policies, then considerable weight may be attached to those policies because of the strong possibility that they will be adopted. The converse may apply if there have been representations which oppose the policy. However, much will depend on the nature of those representations and whether there are representations in support of particular policies.

6.1.3 In considering the policy implications of any development proposal the Local Planning Authority will assess each case on its individual merits, however where there may be a conflict between policies in the existing Development Plan and policies in any emerging Development Plan Document, the adopted Development Plan policies currently continue to have greater weight.

6.2 Central Government Advice

6.2.1 In March 2012 the National Planning Policy Framework (NPPF) was published and in doing so it replaced many documents including all Planning Policy Guidance Notes and Planning Policy Statements. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. Annex 1 of the NPPF provides guidance on how existing local plan policies which have been prepared prior to the publication of the NPPF should be treated. Paragraph 215 of the NPPF applies which states that only due weight should be afforded to the relevant policies in the adopted local plan according to their degree of consistency with it.

6.2.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is itself a material consideration. Given that the advice that the weight to be given to relevant policies in the local plan will depend on their degree of consistency with the NPPF, it will be necessary in the determination of this application to assess the consistency of the relevant local plan policies with the NPPF. The NPPF applies a presumption in favour of sustainable development.

6.2.3 In addition to the NPPF, advice in the National Planning Practice Guidance (March 2014) also needs to be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 14 of the National Planning Policy Framework requires the application to be determined in accordance with the presumption in favour of sustainable development unless otherwise specified.

6.3 Adopted District Plan

TW2 Structural Open Space
TW8 Environmental Safeguards
TW9 Quality of Design

6.4 Emerging Local Plan

GD1 High Quality Design
NH6 General Protection of Open Space

7 APPRAISAL

7.1 The main issue for consideration in the determination of this application is the impact of the loss of the amenity land on the character and appearance of the area.

7.2 Loss of Amenity Land and Impact upon the Character and Appearance of the Area

7.2.1 The land the subject of the change of use is currently in the ownership of the Borough Council and constitutes a small informal piece of open space as defined by policy TW2 of the Adopted Local Plan. Policy TW2 states that development proposals which have an unacceptable adverse impact on structural open spaces of the town will not be permitted. The criteria used in assessing the impact that a development proposal may have are a) the size, form, function and character of the structural open space affected by the development proposal; and b) the impact of the development proposal on the structural open space.

7.2.2 Furthermore, the new emerging Local Plan Policy NH6 for general protection of open space states that the loss of unallocated open space should have regard to the quality and accessibility of the open space, whether the open space is serving its function and purpose, and whether alternate space(s) would remain available for community use.

7.2.3 The application site forms an area of grassed amenity space to the front of 455 Broadwater Crescent measuring approximately 62 square metres. The layout of the road is such that the amenity space appears as the front garden of the property as no definition is shown between residential curtilage and Council owned frontage. The open space would not therefore be considered accessible for use by the public. The change of use from amenity land to residential curtilage would not alter the character and appearance of the area, or harm the form and function of the town's structural open space. The proposed use is, therefore, considered acceptable.

7.2.4 The proposed hardstanding is to be located perpendicular to the front of the property, towards the eastern side of the piece of land and resultant front garden. The hardstanding would measure 5m in width to allow two cars to park side by side and would stretch the full length of the land in question. An area of land on the western side of the space would remain as open grass. There are other examples of hardstandings to the frontages of neighbouring properties along Broadwater Crescent. Furthermore, the property currently has a double track of concrete slabs for the parking of vehicles in this area. The partial loss of the existing lawn to the front of No.455 is not considered therefore to detrimentally impact the visual amenity of the area.

7.2.5 The objector has suggested that the applicant would need to remove a tree to the front of the property to allow for three vehicles to park side by side. The hardstanding is only to be 5m in width which would allow for two vehicles to park side by side. Consequently, there is no need to remove the tree to the front of the property as the existing arrangement is acceptable.

8 CONCLUSIONS

- 8.1 The proposed change of use of the land and the construction of a hardstanding is not considered to be detrimental to the form and function of the structural open space, or the character and appearance of the area. It is, therefore, recommended that planning permission be granted.

9 RECOMMENDATION

- 9.1 Planning permission be GRANTED subject to the following conditions:-

1. The development hereby permitted shall be carried out in general accordance with the following approved plans: Site location plan.

REASON: - For the avoidance of doubt and in the interests of proper planning.

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. The proposed hardstanding shall be made of a porous material, or provision shall be made to direct surface water run-off from the hardstanding to a permeable or porous area or surface within the curtilage of the dwellinghouse.

REASON: - In the interest of visual amenity and to ensure the development is sustainable and accords with the aspirations of Class F, Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015.

Pro-active Statement

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

10 BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage District Plan Second Review 1991-2011.
3. Emerging Stevenage Local Plan 2011-2031.
4. Central Government advice contained in the National Planning Policy Framework March 2012 and the National Planning Policy Guidance 2014.
5. Letters received containing representations referred to in this report.
6. Responses to consultations with statutory undertakers and other interested parties referred to in this report.

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21

1 Introduction

What is the Statement of Community Involvement?

1 The Planning and Compulsory Purchase Act 2004 requires all local authorities to produce a Statement of Community Involvement, which sets out their vision and strategy for effective community participation.

2 This Statement of Community Involvement (SCI) sets out how Stevenage Borough Council will involve the community and other stakeholders in the preparation, alteration and review of local planning policy and decisions on planning applications.

3 The council's last SCI was adopted in 2012. This provides an update to that document. Regularly reviewing the SCI allows for its effectiveness to be monitored and for amendments to be made to incorporate any policy changes, and to increase levels of public involvement, where possible.

4 Whilst some requirements for consultation and engagement are set out in national legislation, the Council is committed to going beyond these statutory requirements and aims to get as many people involved in the plan preparation process as possible. The SCI aims to frontload this process by ensuring that the community is involved at an early stage. This document sets out:

- Why consultation is important
- What will be consulted on
- Who will be consulted
- When consultation and engagement will take place
- How your views will be considered

The SCI should help to ensure that all consultation activities are carefully planned to enable a useful and effective outcome, which can be fed directly into the planning process, offer everybody the opportunity to get involved, and ensure that resources are used efficiently. It also allows for monitoring to take place on the effectiveness of consultation activities and for new ideas and approaches to be added, where required.

Why should we get involved in planning?

5 Planning helps to shape the places people live, work and relax, by guiding development to appropriate locations, protecting important assets, ensuring development is of a high quality and ensuring that adequate infrastructure is available to meet its needs. Planning affects everyone in some way, so it is important that communities understand the process fully and are given the opportunity to get involved.

6 A key objective of the town and country planning system, particularly the Localism Act 2011, is to strengthen community and stakeholder involvement in the planning and development process. By involving the whole community, a locally-based strategy can be developed that seeks to meet the aspirations and expectations of the widest possible range of residents, employees, communities and organisations.

7 Getting involved in the planning system at an early stage is essential to shaping the decisions which are made. There are three basic aspects of town planning that you can be involved in, which are discussed in greater detail throughout this document:

- **Planning applications** (Development Management) - most types of development require a planning application to be submitted and approved. Anyone can view and make comments on a planning application.
- **Plan preparation** (local planning documents) - this includes the Local Plan and Supplementary Planning Documents (SPDs), such as the Design Guide and Parking Standards SPD, as well as the Community Infrastructure Levy (CIL). Decisions on planning applications are made in line with local planning documents, so getting involved in the production of these is essential.
- **Neighbourhood planning** - this is a way for local communities to take the lead on preparing planning policies for their areas. Once produced, a neighbourhood plan would sit alongside the Local Plan and would also need to be considered when assessing planning applications.

The corporate policy context

8 As a Co-operative Council, Stevenage Borough Council is committed to ensuring local people are at the heart of the decisions we make as an authority. This means avoiding top-down approaches and enabling and encouraging local people to get involved and have their say through proactive and innovative consultation methods and close working relationships.

9 The Council is currently reviewing its corporate strategies relating to consultation and engagement. However, the key objectives are clear:

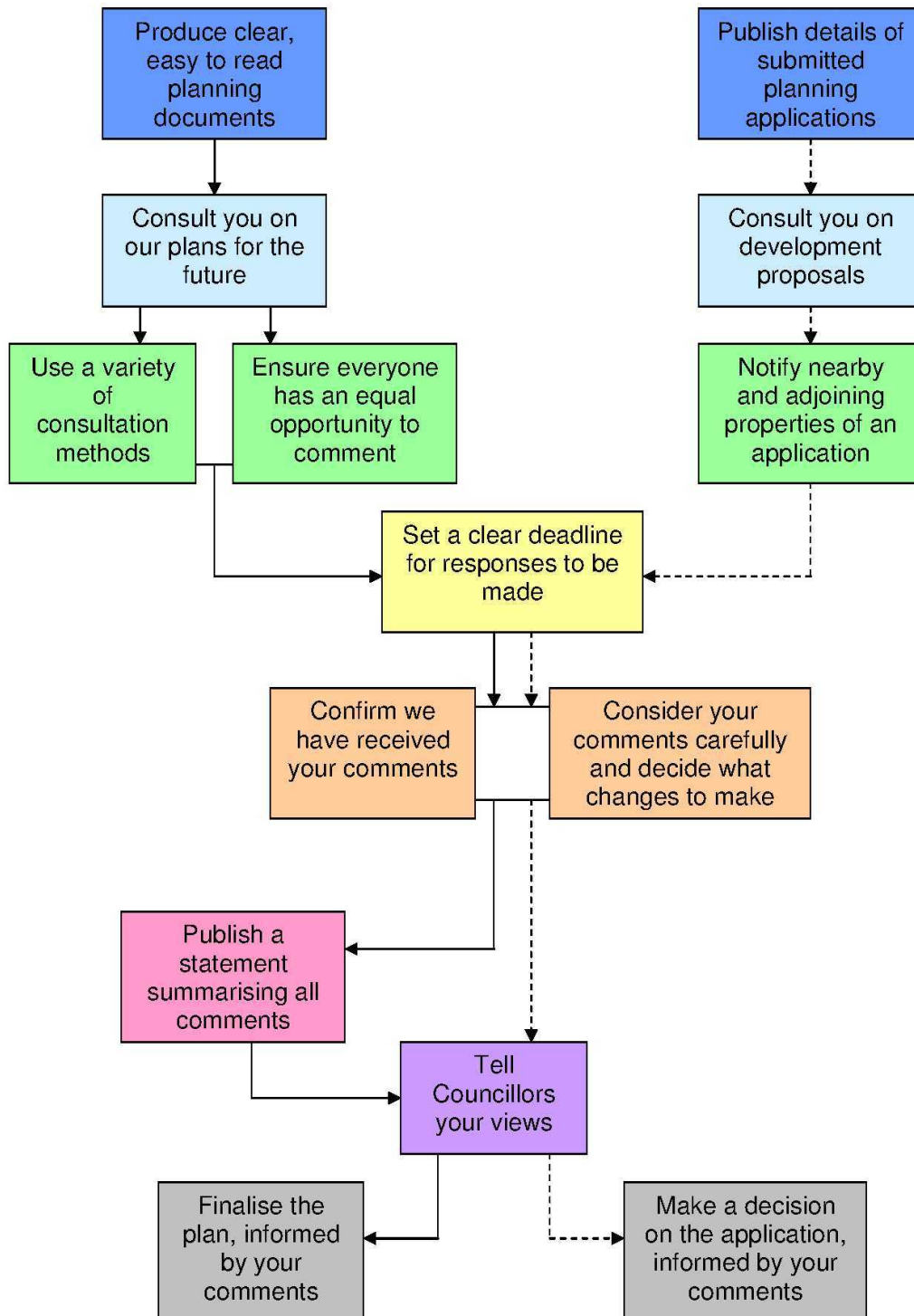
- Ensure a proactive approach to consultation and engagement
- Take advantage of new technologies and ideas to improve consultation effectiveness and to broaden the opportunities for people to get involved
- Ensure all members of the community have the opportunity to get involved, fulfilling our duties under the Equality Act 2010
- Ensure appropriate consultation timescales are used
- Provide feedback about how we have used the comments made and any next steps
- Ensure greater co-ordination between council services.

10 These objectives not only apply to local residents, but also to local businesses, retailers, organisations, and to those people who work or choose to spend time in the Borough. It is important that we reach out to all members of the community in order to achieve the true community-led approach we are seeking.

11 This SCI seeks to ensure these objectives are embedded within the planning process and that consultation is undertaken effectively throughout the process. We will work with other departments to ensure that a consistent approach is taken to consultation. Where, appropriate, we may also link our public consultation with events and activities organised by other council departments and vice versa.

2 Summary of consultation activities

We promise that we will...



3 Plan Preparation

12 Local Planning Authorities are required to produce local development documents, which set out the spatial strategy for the Borough and provide the basis on which planning applications are determined. There are two types of local development documents:

- **Development Plan Documents (DPDs) - The Local Plan.** This sets out policies to control land use, including the allocation of sites for particular types of development. It covers the whole of the Borough.
- **Supplementary Planning Documents (SPDs)** - these provide further details on policies within the Development Plan Documents (the Local Plan).

13 The Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the legal requirements for consultation and engagement during the preparation of local development documents. The Localism Act 2011 sets out an additional requirement for local authorities and other prescribed bodies to actively engage on cross-boundary/strategic matters, known as the Duty to Co-operate.

14 The following chapters explain these requirements in more detail, but also set out additional consultation we will aim to undertake in order to ensure more meaningful engagement is achieved. The Duty to Co-operate should be ongoing through all stages of the plan-making process, as such it is not referenced specifically in the text below.

The Local Plan - key stages of preparation

Stage	Details
1. Evidence gathering/scoping	<p>Evidence will be gathered/produced to identify the key issues the plan needs to deal with. An up-to-date and comprehensive evidence base is required to justify policies within the plan.</p> <p>Early consultation may be undertaken to ensure the correct issues have been identified. This is not a statutory requirement.</p>
2. Public participation - preparation stage (Regulation 18)	<p>The draft plan will be prepared using the evidence gathered at Stage 1 and the results of any initial consultation undertaken. It will set out the main issues to be covered within the plan and the options for meeting the needs and requirements of the Borough. An accompanying Sustainability Appraisal (SA), which assesses the plan's social, economic and environmental impacts, will also be consulted upon. The initial draft of the Local Plan will be published for formal, statutory consultation (see para xx below).</p>
3. Consideration of responses	<p>Comments received in response to the consultation will be considered by the Council. Once processed, all comments will be made publicly available.</p> <p>The Local Plan will be revised, where necessary, to take into account comments received and any objections raised at this stage, to create a final draft of the plan for further consultation.</p>

Stage	Details
4. Public participation - publication stage (Regulation 19)	Formal, statutory consultation (see para xx below) on the final draft of the Local Plan and its accompanying Sustainability Appraisal (SA).
5. Submission to Secretary of State (Regulation 22)	The Local Plan is formally submitted to the Secretary of State, along with the responses made at Stage 4 (above). It is accompanied by other 'submission documents' including the Sustainability Appraisal, Policies Map, and a statement summarising all consultation undertaken when producing the plan.
6. Examination of the plan by Independent Planning Inspector (Regulation 24)	<p>Following submission, an independent inspector is appointed by the Planning Inspectorate, who will be responsible for assessing the submitted plan and determining whether it is acceptable (or 'sound'). The Inspector will consider the consultation responses received. Generally this stage will involve a Public Examination, where people who have made comments on the plan previously are invited to discuss their concerns around the table, in front of the Inspector, or to submit further statements. The Planning Inspector is in charge of these sessions and will determine what is discussed. These sessions are public, so anyone can come and observe.</p> <p>The Planning Inspector is likely to recommend a number of changes to the plan (known as Main Modifications), to make the plan sound.</p>
7. Consultation on Main Modifications	Consultation is required on any Main Modifications recommended. The scope of this consultation will need to be agreed by the Inspector, but will include the minimum statutory requirements in para xx below.
8. Adoption	The Inspector will consider any responses made to the consultation and then issue a report to the Council containing his/her recommendations relating to the plan. The Council will then decide whether to adopt the plan, with those recommendations, or not.

Supplementary Planning Documents (SPDs) - key stages of preparation

Stage	Details
1. Evidence gathering/scoping	<p>Evidence will be gathered/produced to identify the key issues the SPD needs to deal with.</p> <p>Early consultation may be undertaken to ensure the correct issues have been identified. This is not a statutory requirement.</p>
2. Public participation (Regulation 12)	The draft SPD will be prepared using the evidence gathered at Stage 1 and the results of any initial consultation undertaken. This will be published for formal, statutory consultation (see para xx below). Sustainability Appraisal (SA) is not required for SPDs.
3. Consideration of responses	<p>Comments received in response to the consultation will be considered by the Council. Once processed, all comments will be made publicly available.</p> <p>The SPD will be revised, where necessary, to take into account comments received.</p>

Stage	Details
4. Adoption (Regulation 14)	Adoption of the SPD by the Borough Council

Community Infrastructure Levy

15 The Community Infrastructure Levy (CIL) is a planning charge introduced by the Planning Act 2008, as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area. It allows local authorities to raise funds from developers undertaking new building projects. The money can be used to fund a wide range of infrastructure that is needed as a result of development taking place.

16 Key stages in the preparation of CIL:

Stage	Details
1. Evidence gathering/scoping	Evidence will be gathered/produced.
2. Public participation - Preliminary Draft Charging Schedule (Regulation 15)	The Preliminary Draft Charging Schedule will be prepared using the evidence gathered at Stage 1. This will be published for formal, statutory consultation (see para xx below).
3. Consideration of responses	Comments received in response to the consultation will be considered by the Council. Once processed, all comments will be made publicly available.
4. Public participation - Draft Charging Schedule (Regulation 17)	The Draft Charging Schedule will be finalised, taking into account the comments received. This will be published for formal, statutory consultation (see para xx below).
5. Submission to independent examiner (Regulation 19)	The Charging Schedule is submitted to an independent examiner, along with the consultation responses received at Stage 4 and other statutory submission documents.
6. Examination (Regulation 21)	Following submission, an independent examiner is appointed to assess the Charging Schedule and determine whether it is acceptable. The Inspector will consider the consultation responses received. Generally this stage will involve hearing sessions. Anyone who has responded to the consultation at Stage 4 has a right to be heard by the examiner. If the Council makes changes to the Charging Schedule following Stage 4, other people can also request to be heard. The examiner is in charge of these sessions and will determine what is discussed. These sessions are public, so anyone can come and observe.
7. Adoption (Regulation 25)	The examiner will issue a report to the Council setting out his/her recommendations. The Council will then decide whether to adopt the Charging Schedule.

Statutory consultation requirements

17 For local development documents, the following statutory consultation requirements must be met;

Local Plan	SPDs and CIL
Minimum of 6 weeks	Minimum of 4 weeks
Make consultation documents available on our website, in libraries and in the council offices	Make consultation documents available on our website, in libraries and in the council offices
Send notifications to consultation bodies and those on our consultation database	Send notifications to consultation bodies and those on our consultation database

18 We will seek to ensure a wide range of responses are achieved by going above and beyond the minimum requirements and using a variety of consultation methods at all stages of the process. These methods are discussed in more detail in [chapter xx](#) of this statement.

Who we will consult

19 National planning legislation requires local authorities to meet a minimum level of community involvement and specify a number of organisations which must be consulted if the Council considers that they will be affected, known as statutory consultees and general consultation bodies.

20 In addition to meeting its statutory obligations, the Council is committed to ensuring that local groups, organisations and individuals are provided with the best possible opportunity to become involved in the preparation of local development documents. The consultation methods section on [pxxx](#) sets out the ways in which we seek to do this.

21 We also currently have a database of around [xxx](#) consultees, who have either commented upon, or expressed an interest in being involved with the production of our local development documents. If you are interested in getting involved in planning policy consultations in the future, please register to be added to our database via the following link: [xxxxxx](#) or contact us directly on 01438 242865.

Consultation methods

22 Using a variety of different consultation methods and techniques can help to ensure our consultations are understood and are easy to get involved in for as many people as possible, from an early stage. With technologies improving and changing the way many people communicate, we seek to ensure our methods are up-to-date and make use of all of the opportunities available to us, whilst still ensuring our consultations are available to those who are not familiar with new technologies.

23 We will take a flexible approach to consultation, depending on the consultation activity being undertaken. We may choose to use some, or all, of the methods below, as well as looking for alternatives, where they might be appropriate:

Council website

- Publicise consultation details
- Dedicated consultation page
- Easy access to consultation documents as well as supporting information/evidence
- Online responses enabled/encouraged
- Publicise offline consultation events

Consultation database

- Send emails/letters and reminders to people who have registered interest in hearing about planning policy consultations and statutory consultees
- Contact details provided to offer a direct link to the Planning Policy Team

Social media

- Publicise consultation and any planned events
- Send regular reminders and updates
- Limitation - cannot be used to gather formal consultation responses

Inspection points

- Hard copies of consultation documents available to view at the Council offices and local libraries

Local Media

- Statutory notices placed in the local newspaper
- Non-statutory advertisements can reach a range of readers
- Limitations – feedback suggests many people do not see these adverts, costs may outweigh the benefits

Focus groups/workshops

- Particularly beneficial at the early stage in determining broader issues and options
- Area based groups useful for gaining local knowledge/views
- Limitation – cannot guarantee enough people will get involved to justify the cost/resources required

Drop-in sessions

- Publicise a range of time/days when officers are specifically available to answer questions, provide further information etc.
- Can be beneficial for people who prefer face-face discussion
- Limitation – successful in the past, but will never be a time/day that suits everyone. Need to make clear officers are available at other times as well.
- Can encourage written responses/hand out response forms

One-to-one meetings

- Held with groups, organisations and individuals, as appropriate
- Opportunity for face-face discussions, particularly for detailed/specific issues
- Can encourage written responses/hand out response forms

Leaflets

- Leaflets, flyers and brochures can provide effective summaries to advertise the consultation effectively
- Can be made available in public locations or distributed across the Borough, or to key areas
- Limitation – needs to be clear it is a signpost only to further information and is not the consultation document itself

Presentations

- Can target particular groups/organisations
- Particularly useful for engaging 'hard to reach' groups – presentation can be tailored appropriately. Successful in the past in engaging youth council and older persons forum
- Can encourage written responses/hand out response forms

Equalities and Diversity

24 The Equality Act (2010) defines nine 'protected characteristics': age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. We will aim to ensure that these characteristics do not affect people's ability to respond to our consultations and to have their voice heard.

25 The Council recognises that some groups are harder to engage with than others. In more specific terms, these hard-to-reach groups include: people whose first language is not English, people with disabilities, children and young people, older people, ethnic minorities, asylum seekers, gypsies and travellers, religious groups, the homeless, substance abusers and people who have experienced domestic violence (this list is not intended to be exhaustive). Such groups may not be engaged by, or may be unable or generally unwilling to engage in, traditional consultation methods.

26 We will take into account the barriers faced by these groups and try to overcome these by using alternative methods of consultation, or by asking the affected groups/individuals how they would like to be involved.

27 We will use the expertise and networks of communication already established throughout different areas of the Council to engage such groups. Where appropriate, the Planning Policy team will hold meetings and host presentations with such groups at a mutually convenient time and venue.

How we will use the comments we receive

28 Planning legislation requires formal responses to any planning consultations to be made in writing. All of the comments that you send us will be public documents and your name and address will be visible. We cannot accept confidential or anonymous comments.

29 All written comments received in response to consultation activities will be acknowledged in writing. At the end of each consultation period officers will consider all of the representations received and make changes to the plan if appropriate. We will not accept any comments that are offensive, obscene, racist or illegal.

30 We will notify anyone who responds to the consultation of the next stage in the process.

31 A Statement of Consultation will be produced which contains an overview of the consultation activities undertaken, a summary of the responses received and how we have taken these into account when producing the final version of the document. A copy of the statement will be placed on the Council's website and will be made available to view at our Daneshill House offices. The responses will also be reported to the Council's Executive, along with recommendations for future action.

4 Neighbourhood Planning

32 Neighbourhood planning gives communities the power to shape the development and growth of their local area. It provides the opportunity for local people/businesses to choose where they want new homes, jobs and facilities to be located, what development should look like and what infrastructure is required, and grant planning permission for the new buildings they want to see go ahead.

33 A neighbourhood plan must be in general conformity with the strategic policies of the Council's development plan. Once approved, the neighbourhood plan will have the same legal status as the Council's own plan. Policies and guidance set out in a neighbourhood plan will be used by local authorities when considering planning applications within that area.

34 There are specific processes that need to be followed, as briefly set out below. Please do not let the process put you off, if you need help understanding anything, we can offer support and guidance. There are lots of other sources of advice and support too. Further information can be found in our online guide to neighbourhood planning: <http://www.stevenage.gov.uk/content/15953/26379/43320/Planning-in-your-Neighbourhood-Dec12.pdf>.

Stage	Details
1. Creation of Neighbourhood Forum (Regulation 8)	A group or organisation must apply to the local planning authority to be designated as a neighbourhood forum (a forum application). This group must include a minimum of 21 individuals who live or work in the area, or are elected members. They must submit this to the Council for approval.
2. Public participation (Regulation 9)	The Council are required to publicise the application and carry out public consultation for a minimum of 6 weeks. The Council will publish the outcome of the application on its website and notify relevant stakeholders.
3. Pre-submission consultation (Regulation 14)	A draft neighbourhood plan is prepared by the neighbourhood forum group. The group must carry out public consultation on the draft plan for a minimum of 6 weeks. A copy of the draft plan must also be sent to the Council.
4. Submission to Council (Regulation 15)	The forum takes into account the consultation responses received before preparing a final version of the plan, along with a consultation statement setting out how the responses have been dealt with. This is then submitted to the Council.
5. Publication consultation (Regulation 16)	The Council must carry out public consultation for a minimum of 6 weeks.
6. Submission to examiner (Regulation 17)	The Council appoints an independent examiner to examine the plan. The plan is submitted to the examiner for consideration, along with the responses of the consultation (at Stage 5).
7. Independent examination (Regulation 18)	<p>The examination is likely to be carried out through written representations, but a hearing sessions(s) can be held if required. A written report will be issued by the examiner. The report will conclude that either the draft neighbourhood plan should proceed to a referendum (with or without modifications) or that the draft neighbourhood plan should be refused. The Council will publicise the report.</p> <p>The Council must also be satisfied that the plan meets the legal requirements.</p>

Stage	Details
8. Referendum	A referendum is then held, in the same way in which a local election would be. The Council is required to publicise the referendum.
9. Adoption	If a majority vote is gained for the plan (over 50% of those voting), the Council will adopt the plan.

35 If you are interested in being involved in preparing a neighbourhood plan, we would suggest talking to your local Ward Councillor in the first instance.

5 Planning Applications

36 Planning applications for development can shape the character of the borough and the areas where people live, work and spend their leisure time. In 2017/18, the Council determined over 600 planning applications ranging from household extensions , listed building applications, to major new housing estates and business premises.

37 Opportunities exist for informing and consulting the community on development proposals and planning applications at both application stage and after a decision has been made.

Application stage

38 Once an application has been lodged with the council, it will be registered and included on the weekly application register. The register, and all active planning applications, are available to view on the Council's website. Copies of applications can also be viewed at the Council's offices.

39 The council is required to consult with the community on all planning applications under the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015, as follows:

- Nearby and adjoining property owners and tenants affected by a development proposal will be notified of an application by letter from the council and/or a notice will be posted on, or close to, the development site. These communications will contain details of the planning application proposal and information on where plans (and any supporting information) can be viewed. They will also explain how to make comments about the application.
- For larger development proposals and some statutory applications, such as listed buildings, a Public Notice will be placed in the local newspaper.
- For certain types of planning applications, the council is also required to consult specific organisations and groups. A list of the statutory consultees, and details of the regulation requirements, is set out in Appendix B.
- Occasionally, for larger proposals, the Council may decide to issue a press release to communicate proposals more widely. The need for this will be determined on a case-by-case basis.

40 Applicant's are also encouraged to engage in their own pre-application consultations with neighbours and/or the wider community prior to submitting a planning application. Further information on how to go about such community consultations can be sought from the Council's Development Management team.

41 From time to time, planning applications are revised after they have been submitted. Often this is in response to concerns raised by council staff or matters raised in objections. In these cases, where considered necessary, the council will re-consult those people originally notified of the application in order for them to be given an opportunity to comment on the amended design.

42 For major, significant and controversial applications, decisions on applications are made by Councillors via the Planning and Development Committee. The council's Development Management officers will prepare a report for the Committee that outlines the proposal and issues raised during the consultation period, and provides recommendations as to whether approval should be given.

43 Decisions on most minor and householder applications are made by the Assistant Director: Planning and Regulation, under powers delegated by the Planning and Development Committee. However, any Member of the council may request, under a call-in procedure, that a particular application is decided by the Planning and Development Committee, if they consider there to be exceptional circumstances surrounding it. Councillors have 28 days from the date of receipt of an application to request that it be considered by the Planning and Development Committee. The Councillor is required to justify why this is necessary.

44 The Secretary of State also has the power to call-in planning applications. If this happens, the council will provide copies of all correspondence to the Secretary of State. Objectors will be notified of the call-in and given the chance to comment directly to the Secretary of State.

How we will use the comments we receive

45 All written comments received by the council will be acknowledged in writing. At the end of the consultation period all responses will be considered. Officers will not respond directly to any questions raised in representations unless expressly necessary.

46 Where appropriate, the comments will either be reflected in changes being made to the proposal and/or adding conditions to address particular issues if permission is granted, or they may result in refusal of the application. As there are generally competing views and interests on development proposals, it is the council's role to make an informed decision on what outcome will be in the best interest of the community, having regard to the local planning policies for the area and the amenity impacts of the proposal.

47 Once a decision has been made on an application, the council will send a letter to all statutory consultees and those people who made representations informing them of the decision. Decisions also appear on the weekly decision register. If an application is to be determined at Planning and Development Committee, anyone who made comments on the proposal will be notified with details of the meeting. A copy of the Officer's report can be made available on request.

48 Any person who lodged an objection to a planning application may apply to speak against the proposal at the Committee meeting. If, however, more than one objector wishes to speak, then a representative should be nominated to express the combined views of all objectors. If any objector elects to speak to the Committee then a similar right will be granted to the applicant or his/her agent. You may address the Committee for a maximum of 3 minutes. An applicant may only speak to the Committee meeting where an objector is also speaking.

Post-application stage

49 Where an applicant is unhappy with the council's decision, they have the right to appeal. Applicants must lodge an appeal with the Planning Inspectorate who will determine its validity before initiating proceedings and setting a start date. Where an appeal is accepted, the council

will notify all relevant statutory consultees and those who submitted comments of the appeal and how to make representation (where applicable), and again, once the Inspectorate has made a decision. Further information on appeal procedures can be viewed at www.gov.uk/appeal-planning-inspectorate.

Planning Aid

50 Planning Aid England (PAE) provides planning advice and support to help individuals and communities engage with the planning system and get involved in planning their local area. PAE is built on the principle that that everyone should have access to the planning system, regardless of their ability to pay. The services are delivered by a range of volunteer members of the Royal Town Planning Institute (RTPI). PAE is separate from both central and local government and provides completely independent and impartial planning advice. The following website provides further information about the services and support offered: <http://www.rtpi.org.uk/planning-aid/>

51 Planning Aid England can be contacted on:

- Email – advice@planningaid.rtpi.org.uk
- Telephone – 020 7929 8338
- Address - Planning Aid England, RTPI, 41 Botolph Lane, London EC3R 8DL

Complaints procedure

Customer Complaints

52 If you are not happy with the service you have received, you should contact the Planning Policy team in the first instance. However, if you are dissatisfied with the response, you can make a formal complaint through the Council's Complaint Procedure. There are 3 stages to the procedure, your complaint will first be dealt with by the Service Manager, if you are not satisfied with the response, the Assistant Director and then an independent Assistant Director will look at the case if you are still dissatisfied.

If you have been through all of the stages of the complaints procedure and you are still dissatisfied you can appeal to the Local Government Ombudsman (LGO). The LGO investigates complaints of injustice arising from misadministration by Local Government and certain other bodies. The Ombudsmen can investigate complaints about how the council has done something. But they cannot question what a council has done simply because someone does not agree with it. You can complete an online complaint form via the LGO website: <https://www.lgo.org.uk/make-a-complaint/how-to-complain> or contact the LGO on 0300 061 0614.

53 For further information, please visit the Local Government Ombudsman's website at www.lgo.org.uk.

Appendix A: Stakeholders to be involved in the development of local planning policy

Please note that these lists refer to successor bodies where re-organisation occurs.

Statutory Consultees

The specific consultation bodies which the Regulations⁽¹⁾ require the Council to consult are:

- Community and Parish Councils (Including Aston Parish Meeting, Datchworth Parish Council, Graveley Parish Council, Great Ashby Community Council, Knebworth Parish Council, Langley Parish Council, St Ippolyts Parish Council, Walkern Parish Council, Weston Parish Council and Wymondley Parish Council)
- East Hertfordshire District Council
- Hertfordshire Constabulary
- Hertfordshire County Council
- Marine Management Organisation*
- Natural England
- East and North Herts NHS Trust
- North Hertfordshire District Council
- Relevant communications companies
- Relevant electricity and gas companies
- Relevant sewerage and water undertakers
- The Coal Authority*
- The Environment Agency
- The Highways Agency
- The Historic Buildings and Monuments Commission for England (English Heritage)
- The Homes and Communities Agency
- The Secretary of State for Transport

*Unlikely to be relevant for Stevenage Borough Council.

General Consultation Bodies

The Regulations also require the Council to consult general consultation bodies, where appropriate. For Stevenage, these include:

- Community/resident groups
- Developers, house builders, the development industry and their agents
- Local business groups (including local business forums)
- Local community action groups
- Local community transport groups
- Local disability groups
- Local education trusts and associations

1 The Town and Country Planning (Local Planning) (England) Regulations 2012

- Local environmental groups (e.g. Hertfordshire Biological Record Centre, Hertfordshire and Middlesex Wildlife Trust)
- Local health associations
- Local housing groups and associations
- Local history and conservation groups (e.g. Friends of Forster Country)
- Local leisure and sport groups
- Local racial, ethnic or national groups
- Local registered social landlords
- Local religious groups
- Local resident associations
- Local retail associations
- Neighbourhood Watch groups
- Older persons groups
- Voluntary organisations
- Youth groups, schools and colleges

Appendix B: Stakeholders to be involved in Development Management

The regulations⁽²⁾ require the Council to consult specific consultation bodies when considering some planning applications.

The statutory consultees for Development Management include:

- Highways England
- Historic England
- Lead Local Flood Authority
- Local highway authorities
- Local planning authorities
- Natural England
- Parish councils
- Rail network operators
- Regional development agencies
- The British Waterways Board
- The Coal Authority
- The English Sports Council
- The Environment Agency
- The Health and Safety Executive
- The Historic Buildings and Monuments Commission for England
- The National Park authority
- The Secretary of State for the Environment, Food and Rural Affairs
- The Secretary of State for Transport
- The Theatres Trust

2 The Town and Country Planning (Development Management Procedure) (England) Order 2015

However, the statutory consultees which need to be consulted vary depending on the type of application submitted, and the specific site circumstances. Therefore, the detailed table within Schedule 4 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 should be referred to for more detailed information.



Meeting: Planning and Development
Committee

Agenda Item:

Date: Thursday 24 May 2018

IMPORTANT INFORMATION - DELEGATED DECISIONS

Author – Linda Sparrow 01438 242838

Lead Officer – Zayd Al-Jawad 01438 242257

Contact Officer – Dave Rusling 01438 242270

The Head of Planning and Engineering has issued decisions in respect of the following applications in accordance with his delegated authority:-

1. Application No : 17/00485/FP
 Date Received : 13.07.17
 Location : The Paddock Todds Green Stevenage SG1 2JE
 Proposal : Change of use from agricultural land to sui generis to provide a dog exercise park.
 Date of Decision : 03.05.18
 Decision : **Planning Permission is GRANTED**

2. Application No : 17/00696/FP
 Date Received : 05.10.17
 Location : 22 Greydells Road Stevenage Herts SG1 3NJ
 Proposal : Single-storey side and rear extension and loft conversion with 4 no. roof lights on the front roof slope and 2 no. roof lights on the rear roof slope to facilitate creation of 3no. one bed maisonettes.
 Date of Decision : 04.04.18
 Decision : **Planning Permission is GRANTED**

3. Application No : 17/00697/FPH
Date Received : 05.10.17
Location : 22 Greydells Road Stevenage Herts SG1 3NJ
Proposal : Part single-storey, part two-storey side extension and a single storey rear extension and loft conversion comprising of 2 no. roof lights.
Date of Decision : 04.04.18
Decision : **Planning Permission is GRANTED**
4. Application No : 17/00759/FPH
Date Received : 31.10.17
Location : 26 Wildwood Lane Stevenage Herts SG1 1TA
Proposal : Retrospective permission for single storey side and rear extension.
Date of Decision : 10.04.18
Decision : **Planning Permission is GRANTED**
5. Application No : 17/00821/COND
Date Received : 20.11.17
Location : Land To West Of Gresley Way And To The South Of Ferrier Road Stevenage Herts
Proposal : Discharge of Condition 13 (Drainage) attached to planning permission reference number 17/00389/FPM
Date of Decision : 05.04.18
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
6. Application No : 17/00846/FP
Date Received : 30.11.17
Location : 12 Park Place Town Centre Stevenage Herts
Proposal : Replacement of one ground floor retail unit, refurbishment of retail frontages and erection of 9no. residential dwellings.
Date of Decision : 09.05.18
Decision : **Planning Permission is GRANTED**

7. Application No : 17/00868/COND
Date Received : 11.12.17
Location : 37 High Street Stevenage Herts SG1 3AR
Proposal : Discharge of Conditions 3 (sound attenuation); 4 (windows & doors); and 6 (external materials) attached to planning permission reference number 17/00548/LB
Date of Decision : 24.04.18
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
8. Application No : 17/00869/COND
Date Received : 11.12.17
Location : 37 High Street Stevenage Herts SG1 3AR
Proposal : Discharge of Condition 4 (sound attenuation) attached to planning permission 16/00611/FP
Date of Decision : 24.04.18
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
9. Application No : 17/00890/FP
Date Received : 27.12.17
Location : Caxton Point Caxton Way Stevenage Herts
Proposal : New curtain wall glazing to the front elevation of existing office building
Date of Decision : 20.03.18
Decision : **Planning Permission is GRANTED**
10. Application No : 18/00017/FP
Date Received : 10.01.18
Location : 3 Longfields Stevenage Herts SG2 8QD
Proposal : Erection of single storey rear extension (retrospective) to facilitate the conversion of existing three bedroom dwelling into 2no one bedroom flats
Date of Decision : 29.03.18
Decision : **Planning Permission is GRANTED**

11. Application No : 18/00020/FP
Date Received : 11.01.18
Location : 7 - 9 The Hyde Stevenage Herts SG2 9SD
Proposal : Change of use from A1 to A3 and A4
Date of Decision : 05.04.18
Decision : **Planning Permission is GRANTED**
12. Application No : 18/00028/CLPD
Date Received : 16.01.18
Location : 2 Manchester Close Stevenage Herts SG1 4TQ
Proposal : Single storey rear extension following demolition of existing conservatory
Date of Decision : 23.03.18
Decision : **Certificate of Lawfulness is REFUSED**
- For the following reason(s);
1. The submitted plans identify the single storey rear extension encroaching on land outside of the application site. As such, the works do not constitute development wholly within the curtilage of the dwellinghouse as set out in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015. The proposed works, therefore, require planning permission.
 2. The proposed single-storey extension would extend beyond a wall forming a side extension to the dwellinghouse and therefore not an original wall. The proposed development, therefore, would fail to accord with Schedule 2, Part 1, Class A (f) (i) of the Town and Country Planning (General Permitted Development) (England) Order 2015.
 3. The proposed single-storey extension would extend beyond a wall forming a side extension to the original dwellinghouse and would have a width greater than half the width of the original dwellinghouse. Therefore, the proposed development would fail to accord with Schedule 2, Part 1, Class A (j) (iii) of the Town and Country Planning (General Permitted Development) (England) Order 2015.

13. Application No : 18/00033/COND
Date Received : 17.01.18
Location : 2A Rowland Road Stevenage Herts SG1 1TE
Proposal : Discharge of conditions 3 (materials) and 4 (boundary treatments) attached to planning permission reference number 17/00036/FP
Date of Decision : 23.03.18
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
14. Application No : 18/00038/FPH
Date Received : 18.01.18
Location : 44 Haycroft Road Stevenage Herts SG1 3JJ
Proposal : Part two storey, part single storey rear extension
Date of Decision : 16.04.18
Decision : **Planning Permission is GRANTED**
15. Application No : 18/00039/COND
Date Received : 18.01.18
Location : Land To Rear Of 1 Aspen Close Stevenage Herts
Proposal : Discharge of conditions 4 (landscaping) and 10 (boundary treatments) attached to planning permission reference number 17/00117/FP
Date of Decision : 23.03.18
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
16. Application No : 18/00043/FPH
Date Received : 23.01.18
Location : 68 Ashdown Road Stevenage Herts SG2 8TX
Proposal : Single storey front extension
Date of Decision : 25.04.18
Decision : **Planning Permission is GRANTED**

17. Application No : 18/00048/FP
Date Received : 24.01.18
Location : 29A Town Square Town Centre Stevenage Herts
Proposal : Retrospective installation of 4no external refrigeration and air conditioning units.
Date of Decision : 10.04.18
Decision : **Planning Permission is GRANTED**
18. Application No : 18/00049/FPH
Date Received : 24.01.18
Location : 39 Whitney Drive Stevenage Herts SG1 4BQ
Proposal : Retention of existing fence in rear garden
Date of Decision : 21.03.18
Decision : **Planning Permission is GRANTED**
19. Application No : 18/00060/FP
Date Received : 26.01.18
Location : Land To Rear Of 1 Aspen Close Stevenage Herts SG2 8SJ
Proposal : Variation of condition 12 (hours of construction) attached to planning permission to allow construction to be carried out on Saturday and Sundays
Date of Decision : 25.04.18
Decision : **Planning Permission is REFUSED**
- For the following reason(s);
1. The relaxation of the condition in the manner proposed would still leave the neighbours vulnerable to possible noise disturbance during construction even if mechanical machinery were not to be used. The proposal, if permitted, would therefore be likely to result in noisy activities which would harm the residential amenities of the occupiers of adjoining properties contrary to policy EN27 of the Stevenage District Plan Second Review 1991-2011 (adopted 2004), Policy FP7 of the Stevenage Borough Local Plan 2011 - 2031 publication draft 2016, and the advice within the National Planning Policy Framework (2012) and Planning Practice Guidance (2014).

20. Application No : 18/00053/FPH
Date Received : 29.01.18
Location : 9 The Muntings Stevenage Herts SG2 9DW
Proposal : Two storey side and single storey front extension
Date of Decision : 26.03.18
Decision : **Planning Permission is GRANTED**
21. Application No : 18/00054/FPH
Date Received : 29.01.18
Location : 87 Wansbeck Close Stevenage Herts
Proposal : Two storey side extension
Date of Decision : 26.03.18
Decision : **Planning Permission is GRANTED**
22. Application No : 18/00055/FPH
Date Received : 30.01.18
Location : 27 Kilner Close Stevenage Herts SG1 5AZ
Proposal : Single storey rear extension
Date of Decision : 26.03.18
Decision : **Planning Permission is GRANTED**
23. Application No : 18/00064/FPH
Date Received : 31.01.18
Location : 88 Burydale Stevenage Herts SG2 8AX
Proposal : Single storey rear extension
Date of Decision : 05.04.18
Decision : **Planning Permission is GRANTED**

24. Application No : 18/00059/FP
Date Received : 30.01.18
Location : Land Adjacent To 15 Buckthorn Avenue Stevenage Herts SG1 1TT
Proposal : Demolition of existing garages and erection of 2no one bedroom flats
Date of Decision : 27.03.18
Decision : **Planning Permission is REFUSED**

For the following reason(s);

1. The proposed development, by reason of its siting, height, width and proximity to the side boundary of the neighbouring property No 17, would erode the gap between the properties which acts as a transition between existing semi-detached properties and terrace dwellings. The proposal would, therefore, have a detrimental impact on the character and visual amenities of the area contrary to policies H7, TW8 and TW9 of the Stevenage District Plan Second Review 1991 - 2011, Policies H05, SP8 and GD1 of the Stevenage Borough Local Plan 2011 - 2031 publication draft 2016, the Council's Design Guide SPD (2009), National Planning Policy Framework (2012) and the National Planning Practice Guidance (2014).
2. The proposal, if permitted, would result in inadequate parking facilities within the site to serve the new and existing properties which would be likely to lead to the parking of vehicles on the adjacent highway, to the detriment of highway safety and neighbour amenity, contrary to policies T15 of Stevenage District Plan Second Review 1991 - 2011, Policy IT5 of the Stevenage Borough Local Plan 2011 - 2031 publication draft 2016, the Council's Car Parking Standards SPD (2012), the National Planning Policy Framework (2012) and Planning Practice Guidance (2014).
3. The applicant has not demonstrated that the access serving this site is adequate by reason of alignment to serve the proposed development with safety and convenience, thereby causing interference to the safe use of highway users. This would lead to vehicles leaving the site coming into conflict with all users of Buckthorn Avenue. Thereby causing interference to the safe and free flow of all traffic on the adjacent local access road. The development, if permitted, would be prejudicial to general provisions of highway safety and convenience and contrary to policy T6 of the Stevenage District Plan Second Review 1991 - 2011, the National Planning Policy Framework and the advice contained within Roads in Hertfordshire A Guide for New Development or Manual for Streets.
4. The proposed one bedroom flats would be below the nationally described space standards set out in Appendix C of the Stevenage Borough Local Plan 2011-2031 Publication Draft January 2016 and would thus be contrary to emerging policy GD1 of the Stevenage Borough Local Plan 2011-2031 which requires proposals to at least meet the nationally described space standards. This would lead to unsatisfactory living conditions for future occupiers of the proposed residential accommodation.

25. Application No : 18/00065/FP
Date Received : 31.01.18
Location : 98 Bude Crescent Stevenage Herts SG1 2RB
Proposal : Change of use from public amenity land to private residential land and hardstand.
Date of Decision : 10.04.18
Decision : **Planning Permission is GRANTED**
26. Application No : 18/00066/TPCA
Date Received : 01.02.18
Location : 11 Shephall Green Stevenage Herts SG2 9XR
Proposal : Removal of 1no Acer tree
Date of Decision : 22.03.18
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
27. Application No : 18/00068/LB
Date Received : 01.02.18
Location : Barclay Secondary School Walkern Road Stevenage Herts
Proposal : Variation of condition 1 (approved plans) attached to planning permission 17/00526/LB
Date of Decision : 28.03.18
Decision : **Listed Building Consent is GRANTED**
28. Application No : 18/00069/FP
Date Received : 02.02.18
Location : Roaring Meg Retail Park London Road Stevenage Herts
Proposal : Alterations to car parking for the provision of 57 additional parking spaces.
Date of Decision : 25.04.18
Decision : **Planning Permission is GRANTED**

29. Application No : 18/00070/FPH
Date Received : 05.02.18
Location : 567 Scarborough Avenue Stevenage Herts SG1 2QQ
Proposal : Single storey rear extension
Date of Decision : 27.03.18
Decision : **Planning Permission is GRANTED**
30. Application No : 18/00072/FP
Date Received : 06.02.18
Location : Courtlands Todds Green Stevenage Herts
Proposal : Demolition of existing dwellinghouse and erection of 1 no. four bedroom detached dwellinghouse.
Date of Decision : 11.04.18
Decision : **Planning Permission is GRANTED**
31. Application No : 18/00073/FPH
Date Received : 06.02.18
Location : 18 Taywood Close Stevenage Herts SG2 9QP
Proposal : Two storey side extension and single storey front and rear extensions
Date of Decision : 06.04.18
Decision : **Planning Permission is GRANTED**
32. Application No : 18/00074/CLPD
Date Received : 06.02.18
Location : 15 Headingley Close Stevenage Herts SG1 3RU
Proposal : Certificate of lawfulness for a first floor side dormer
Date of Decision : 12.04.18
Decision : **Certificate of Lawfulness is APPROVED**

33. Application No : 18/00077/FPH
Date Received : 07.02.18
Location : 2 The Muntings Stevenage Herts SG2 9DW
Proposal : Single storey front infill extension
Date of Decision : 23.03.18
Decision : **Planning Permission is GRANTED**
34. Application No : 18/00078/FP
Date Received : 08.02.18
Location : 83 Brook Drive Stevenage Herts SG2 8TP
Proposal : Erection of three bedroom dwelling
Date of Decision : 03.05.18
Decision : **Planning Permission is GRANTED**
35. Application No : 18/00082/FPH
Date Received : 09.02.18
Location : 10 Mandeville Stevenage Herts SG2 8JH
Proposal : Single storey front extension
Date of Decision : 16.04.18
Decision : **Planning Permission is GRANTED**
36. Application No : 18/00084/TPCA
Date Received : 09.02.18
Location : 3 Nursery Cottage Symonds Green Lane Stevenage Herts
Proposal : Reduction by 30% on 1no Conifer (T1)
Date of Decision : 20.03.18
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**

37. Application No : 18/00085/FPH
Date Received : 12.02.18
Location : 70A Basils Road Stevenage Herts SG1 3PU
Proposal : Proposed removal of existing flat roof and construction of new pitched roof
Date of Decision : 06.04.18
Decision : **Planning Permission is GRANTED**
38. Application No : 18/00086/FPH
Date Received : 12.02.18
Location : 44 Brunel Road Stevenage Herts SG2 0AB
Proposal : Single storey front extension and retention of single storey rear extension
Date of Decision : 01.05.18
Decision : **Planning Permission is GRANTED**
39. Application No : 18/00089/FPH
Date Received : 14.02.18
Location : 42 Angotts Mead Stevenage Herts SG1 2NJ
Proposal : Single storey front and rear extension to main dwelling and single storey rear extension to garage to form a one bed annexe
Date of Decision : 11.04.18
Decision : **Planning Permission is GRANTED**
40. Application No : 18/00090/FPH
Date Received : 14.02.18
Location : 26 Cuttys Lane Stevenage Herts SG1 1UN
Proposal : Single storey side and rear extension
Date of Decision : 18.04.18
Decision : **Planning Permission is GRANTED**

41. Application No : 18/00091/FPH
Date Received : 15.02.18
Location : 13 Sweyns Mead Stevenage Herts SG2 0JZ
Proposal : Single storey rear extension
Date of Decision : 10.04.18
Decision : **Planning Permission is GRANTED**
42. Application No : 18/00092/FPH
Date Received : 15.02.18
Location : 228 Mildmay Road Stevenage Herts SG1 5SR
Proposal : Two storey front extension
Date of Decision : 20.03.18
Decision : **Planning Permission is GRANTED**
43. Application No : 18/00093/TPCA
Date Received : 15.02.18
Location : 46 Spring Drive Stevenage Herts SG2 8AZ
Proposal : Cut back to 1no Cherry tree
Date of Decision : 29.03.18
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
44. Application No : 18/00094/FP
Date Received : 16.02.18
Location : The Barn 116 High Street Stevenage Herts
Proposal : Changes to fenestration and doors and the insertion of rooflights.
Date of Decision : 18.04.18
Decision : **Planning Permission is GRANTED**

45. Application No : 18/00095/FPH
Date Received : 19.02.18
Location : 15 Briardale Stevenage Herts SG1 1TP
Proposal : Single storey front extension
Date of Decision : 11.04.18
Decision : **Planning Permission is GRANTED**
46. Application No : 18/00096/FPH
Date Received : 19.02.18
Location : 13 Brunel Road Stevenage Herts SG2 0AB
Proposal : Single storey rear extension
Date of Decision : 08.05.18
Decision : **Planning Permission is GRANTED**
47. Application No : 18/00097/FPH
Date Received : 19.02.18
Location : 19 Eliot Road Stevenage Herts SG2 0LL
Proposal : Single storey front and rear extensions
Date of Decision : 17.04.18
Decision : **Planning Permission is GRANTED**
48. Application No : 18/00101/FPH
Date Received : 20.02.18
Location : 526 Ripon Road Stevenage Herts SG1 4NJ
Proposal : Single storey front extension
Date of Decision : 16.04.18
Decision : **Planning Permission is GRANTED**

49. Application No : 18/00102/AD
Date Received : 20.02.18
Location : Specsavers Opticians 90 Queensway Town Centre Stevenage
Proposal : Installation of 1no. internally illuminated fascia sign; 1no. non-illuminated hanging sign; 1no. internally illuminated projection sign and 3no. non-illuminated window vinyls
Date of Decision : 17.04.18
Decision : **Advertisement Consent is GRANTED**
50. Application No : 18/00103/FPH
Date Received : 21.02.18
Location : 167 Collenswood Road Stevenage Herts SG2 9HD
Proposal : Erection of front porch
Date of Decision : 27.04.18
Decision : **Planning Permission is GRANTED**
51. Application No : 18/00104/FPH
Date Received : 21.02.18
Location : 5 Green Acres Stevenage Herts SG2 8ND
Proposal : Single storey rear extension
Date of Decision : 23.03.18
Decision : **Planning Permission is GRANTED**
52. Application No : 18/00108/FPH
Date Received : 23.02.18
Location : 14 Anderson Road Stevenage Herts SG2 0LW
Proposal : Single storey side and rear extension and raising height of existing garage roof
Date of Decision : 11.04.18
Decision : **Planning Permission is GRANTED**

53. Application No : 18/00109/FPH
Date Received : 26.02.18
Location : 101 Fairview Road Stevenage Herts SG1 2NP
Proposal : Retrospective erection of a single storey side/rear extension.
Date of Decision : 27.03.18
Decision : **Planning Permission is GRANTED**
54. Application No : 18/00113/AD
Date Received : 27.02.18
Location : The Peartree Public House Valley Way Stevenage Herts
Proposal : Installation of 2no. externally illuminated individual lettering fascia signs; 1no. externally illuminated hanging sign; 3no. non-illuminated amenity boards; 2no. non-illuminated information signs on rear elevation; 1no. non-illuminated directional sign; 1no. externally illuminated signwriting image; 1no. non-illuminated set of perspex lettering to front elevation; 3no. new lanterns and 8no. new LED floodlights.
Date of Decision : 06.04.18
Decision : **Advertisement Consent is GRANTED**
55. Application No : 18/00114/FPH
Date Received : 27.02.18
Location : 31 Walkern Road Stevenage Herts SG1 3RA
Proposal : Single storey rear extension
Date of Decision : 02.05.18
Decision : **Planning Permission is GRANTED**
56. Application No : 18/00116/TPTPO
Date Received : 28.02.18
Location : 36 Shephall Green Stevenage Herts SG2 9XS
Proposal : Removal of 1no. Lime (T23) protected by Tree Preservation Order No. 8 and Conservation Area consent for the removal of 1no. Sycamore and crown reduction by 30% of 1no. Ash
Date of Decision : 25.04.18
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**

57. Application No : 18/00121/NMA
Date Received : 28.02.18
Location : 9 Lancaster Close Stevenage Herts SG1 4RX
Proposal : Non material amendment to planning application reference number 17/00620/FPH to change the material used in the single storey rear extension from brick to render.
Date of Decision : 28.03.18
Decision : **Non Material Amendment AGREED**
58. Application No : 18/00119/FP
Date Received : 01.03.18
Location : 42 York Road Stevenage Herts SG1 4HE
Proposal : Installation of French Doors
Date of Decision : 08.05.18
Decision : **Planning Permission is GRANTED**
59. Application No : 18/00118/FPH
Date Received : 02.03.18
Location : 53 Telford Avenue Stevenage Herts SG2 0AE
Proposal : Erection of conservatory
Date of Decision : 27.04.18
Decision : **Planning Permission is GRANTED**
60. Application No : 18/00120/CLPD
Date Received : 02.03.18
Location : 9 Rookwood Drive Stevenage Herts SG2 8PJ
Proposal : Certificate of lawfulness for single storey rear extension
Date of Decision : 10.04.18
Decision : **Certificate of Lawfulness is APPROVED**

61. Application No : 18/00123/NMA
 Date Received : 05.03.18
 Location : Glaxo SmithKline Research And Development Ltd Gunnels Wood Road Stevenage Herts
 Proposal : Non material amendment to planning permission reference number 17/00710/FP to construct a revised access ramp to the portakabin and an increase in height of the portakabin.
 Date of Decision : 28.03.18
 Decision : **Non Material Amendment AGREED**
62. Application No : 18/00124/FP
 Date Received : 06.03.18
 Location : 3 Crompton Road Stevenage Herts SG1 2EE
 Proposal : Demolition of existing office and erection of single storey office building and recladding of existing warehouse
 Date of Decision : 27.04.18
 Decision : **Planning Permission is GRANTED**
63. Application No : 18/00125/CLEU
 Date Received : 07.03.18
 Location : The Wine Society Gunnels Wood Road Stevenage Herts
 Proposal : Certificate of lawfulness for construction of a temporary car park as approved under planning permission 14/00053/FPM
 Date of Decision : 27.03.18
 Decision : **Certificate of Lawfulness is APPROVED**
64. Application No : 18/00200/CC
 Date Received : 08.03.18
 Location : Farnham House Six Hills Way Stevenage Herts
 Proposal : Consultation from Hertfordshire County Council for the installation of 4no. roof flues
 Date of Decision : 21.03.18
 Decision : **This Council Raises NO OBJECTION to the Development Proposed**

65. Application No : 18/00128/CPA
Date Received : 09.03.18
Location : Unit 2 2 Bowman Trading Estate Bessemer Drive Stevenage
Proposal : Prior approval for change of use from offices (Use Class B1) to residential (Use Class C3) comprising 4 units.
Date of Decision : 01.05.18
Decision : **Prior Approval is REQUIRED and REFUSED**
For the following reason:-
1. The future intended occupiers of the development, if prior approval were to be granted for the conversion of the offices (Use Class B1(a)) to residential (Use Class C3), would be impacted from noise which is currently generated by surrounding commercial premises which currently operate on Bessemer Drive. Therefore, this prior approval application would fail to accord with Policy EN27: Noise Pollution of the Stevenage District Plan Second Review 1991-2011 (2004) and Policy FP8 of the Stevenage Borough Local Plan 2011 - 2031 Publication Draft - January 2016 and the Council's Design Guide Supplementary Planning Document (2009). Consequently, Prior Approval is Required from the Local Planning Authority and Refused as it would fail to accord with Schedule 2, Part 3, Class O.2. (1) (d) of the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016.
66. Application No : 18/00130/CLPD
Date Received : 09.03.18
Location : 14 Riccat Lane Stevenage Herts SG1 3XY
Proposal : Certificate of lawfulness for a single storey rear extension
Date of Decision : 10.04.18
Decision : **Certificate of Lawfulness is APPROVED**
67. Application No : 18/00131/FPH
Date Received : 12.03.18
Location : 93 Mildmay Road Stevenage Herts SG1 5RS
Proposal : Part two storey, part single storey side extension
Date of Decision : 11.04.18
Decision : **Planning Permission is GRANTED**

68. Application No : 18/00132/FP
Date Received : 12.03.18
Location : 3 Bedwell Crescent Stevenage Herts SG1 1LT
Proposal : Change of use from public amenity land to private residential land and creation of a hardstand
Date of Decision : 01.05.18
Decision : **Planning Permission is GRANTED**
69. Application No : 18/00134/FP
Date Received : 12.03.18
Location : 76 Telford Avenue Stevenage Herts SG2 0AJ
Proposal : Single storey front extension
Date of Decision : 26.04.18
Decision : **Planning Permission is GRANTED**
70. Application No : 18/00135/FP
Date Received : 12.03.18
Location : 19 Lawrence Avenue Stevenage Herts SG1 3JX
Proposal : Single storey rear extension
Date of Decision : 10.05.18
Decision : **Planning Permission is GRANTED**
71. Application No : 18/00136/TPCA
Date Received : 12.03.18
Location : 8 Orchard Road Stevenage Herts SG1 3HD
Proposal : Removal of dead tree stumps and trees to the rear of property.
Date of Decision : 16.04.18
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**

72. Application No : 18/00139/CLPD
Date Received : 12.03.18
Location : 114 Valley Way Stevenage Herts SG2 9DE
Proposal : Certificate of lawfulness for a single storey rear extension
Date of Decision : 08.05.18
Decision : **Certificate of Lawfulness is APPROVED**
73. Application No : 18/00142/FPH
Date Received : 13.03.18
Location : 51 Haycroft Road Stevenage Herts SG1 3JL
Proposal : Single storey side and rear extension
Date of Decision : 02.05.18
Decision : **Planning Permission is GRANTED**
74. Application No : 18/00143/TPCA
Date Received : 13.03.18
Location : Orchard House Rectory Lane Stevenage Herts
Proposal : Reduction by 6ft to 1no Hazel (T1) and 8ft to Leyland Cypress (G1); removal of 1no Apple (T2) and 1no Horse Chestnut (T3)
Date of Decision : 24.04.18
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
75. Application No : 18/00144/FPH
Date Received : 14.03.18
Location : 77 Chells Way Stevenage Herts SG2 0LE
Proposal : Front porch
Date of Decision : 25.04.18
Decision : **Planning Permission is GRANTED**

76. Application No : 18/00146/FP
Date Received : 14.03.18
Location : Six Hills Court Norton Green Road Stevenage Herts
Proposal : Replacement of existing rear car parking system with a permeable block paving system, associated cycle store and increase in height of existing perimeter fence.
Date of Decision : 08.05.18
Decision : **Planning Permission is GRANTED**
77. Application No : 18/00148/FPH
Date Received : 14.03.18
Location : 13 Leaves Spring Stevenage Herts SG2 9AT
Proposal : Replacement roof to existing conservatory
Date of Decision : 11.04.18
Decision : **Planning Permission is GRANTED**
78. Application No : 18/00150/FPH
Date Received : 14.03.18
Location : 16 Elder Way Stevenage Herts SG1 1SD
Proposal : Single storey rear extension
Date of Decision : 11.04.18
Decision : **Planning Permission is GRANTED**
79. Application No : 18/00152/FP
Date Received : 15.03.18
Location : Multi-storey Car Park St. Georges Way Stevenage Herts
Proposal : Cladding of northern elevation of multi-storey car park
Date of Decision : 02.05.18
Decision : **Planning Permission is GRANTED**

80. Application No : 18/00154/TPCA
Date Received : 19.03.18
Location : Corner House Stanmore Road Stevenage Herts
Proposal : Removal of 1no Sycamore
Date of Decision : 18.04.18
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
81. Application No : 18/00155/CLPD
Date Received : 19.03.18
Location : 52 Rowland Road Stevenage Herts SG1 1TG
Proposal : Certificate of lawfulness for a single storey rear extension
Date of Decision : 10.04.18
Decision : **Certificate of Lawfulness is APPROVED**
82. Application No : 18/00156/NMA
Date Received : 19.03.18
Location : 75 Turpins Rise Stevenage Herts SG2 8QZ
Proposal : Non material amendment to planning permission reference number 16/00748/FP for alterations to proposed openings.
Date of Decision : 06.04.18
Decision : **Non Material Amendment AGREED**
83. Application No : 18/00159/NMA
Date Received : 20.03.18
Location : 7 Broad Oak Way Stevenage Herts SG2 8QL
Proposal : Non material amendment to planning permission reference number 16/00759/FPH to increase the size of approved extension
Date of Decision : 16.04.18
Decision : **Non Material Amendment AGREED**

84. Application No : 18/00158/FP
- Date Received : 20.03.18
- Location : 71 Valley Way Stevenage Herts SG2 9AF
- Proposal : Two storey side extension to create 1no. one bed terraced dwelling.
- Date of Decision : 15.05.18
- Decision : **Planning Permission is REFUSED**
- For the following reason(s);
1. The proposal, by reason of its forward projection, two storey height and proximity to the boundary of the site would appear contrived and erode the space and openness around the building and between the two respective rows of terraced dwellings to the detriment of and harming the character and visual amenity of the area. The development is, therefore, contrary to Policies H7, TW8 and TW9 of the Stevenage Borough District Plan Second Review 1991 - 2011 (adopted 2004), Policies GD1 and HO5 of Stevenage Borough Local Plan 2011 - 2031 publication draft January 2016, the Council's Design Guide SPD (2009), the National Planning Policy Framework (2012) and the Planning Policy Guidance (2014).
85. Application No : 18/00160/FPH
- Date Received : 21.03.18
- Location : 9 Fresson Road Stevenage Herts SG1 3QU
- Proposal : Single storey front extension
- Date of Decision : 10.05.18
- Decision : **Planning Permission is GRANTED**
86. Application No : 18/00162/COND
- Date Received : 23.03.18
- Location : March Hare 10 Burwell Road Stevenage Herts
- Proposal : Discharge of Conditions 3 (materials); 4 (landscaping); 9 (tree protection) and 11 (boundary treatments) attached to planning permission reference number 17/00586/FPM.
- Date of Decision : 27.04.18
- Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

87. Application No : 18/00166/FPH
Date Received : 27.03.18
Location : 63 Sparrow Drive Stevenage Herts SG2 9FB
Proposal : Single storey rear extension
Date of Decision : 08.05.18
Decision : **Planning Permission is GRANTED**
88. Application No : 18/00180/PADEMO
Date Received : 03.04.18
Location : Former Gas Works Site Norton Road Stevenage Herts
Proposal : Prior approval for the demolition of gasholders on site
Date of Decision : 16.04.18
Decision : **Prior Approval is NOT REQUIRED**
89. Application No : 18/00182/CLPD
Date Received : 03.04.18
Location : 36 Weston Road Stevenage Herts SG1 3RW
Proposal : Certificate of lawfulness for loft conversion with rear dormer and 3no velux windows on front elevation and removal of chimney.
Date of Decision : 08.05.18
Decision : **Certificate of Lawfulness is APPROVED**
90. Application No : 18/00196/HPA
Date Received : 10.04.18
Location : 53 Gonville Crescent Stevenage Herts SG2 9LY
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 4m, for which the maximum height will be 2.9m and the height of the eaves will be 2.7m.
Date of Decision : 08.05.18
Decision : **Prior Approval is NOT REQUIRED**

91. Application No : 18/00186/TPCA
Date Received : 03.04.18
Location : 26 Shephall Green Stevenage Herts SG2 9XS
Proposal : Pollarding of 1no Picea Abies
Date of Decision : 15.05.18
Decision : **This Council OBJECTS to the Proposed Works to the tree(s) and has made a TPO**
For the following reason:-
1. The spruce (Picea Abies) tree is considered to be in a healthy condition and contributes positively to the visual amenities of this part of the Shephall Green Conservation Area. Accordingly, the pollarding of the tree would be contrary to guidance set out in the National Planning Practice Guidance and national guidance set out in Tree Preservation Orders: A Guide to the Law and Good Practice (2000).
92. Application No : 18/00201/TPCA
Date Received : 11.04.18
Location : 3 Newlyn Close Stevenage Herts SG1 2JD
Proposal : Removal of conifer trees
Date of Decision : 11.05.18
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
93. Application No : 18/00240/NMA
Date Received : 27.04.18
Location : Caswell House Cavendish Road Stevenage Herts
Proposal : Non Material Amendment for 17/00343/FP to Condition 1 and Condition 3
Date of Decision : 09.05.18
Decision : **Non Material Amendment AGREED**

BACKGROUND PAPERS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage District Plan Second Review 1991-2011.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012 and the Stevenage Design Guide adopted October 2009.
4. Stevenage Borough Local Plan 2011-2031 Publication Draft.
5. Responses to consultations with statutory undertakers and other interested parties.
6. Central Government advice contained in the National Planning Policy Framework March 2012 and National Planning Policy Guidance March 2014.
7. Letters received containing representations.

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Meeting: Planning and Development
Committee

Agenda Item:

Date: Thursday 24 May 2018

INFORMATION REPORT - APPEALS / CALLED IN APPLICATIONS

Author – Dave Rusling 01438 2742270

Lead Officer – Zayd Al-Jawad 01438 242257

Contact Officer – Dave Rusling 01438 242270

1. APPEALS RECEIVED

- 1.1. 17/00566/FP. 377 Jessop Road, appeal against refusal of planning permission for change of use from amenity land to private residential land and erection of two storey side extension and a single storey rear extension to facilitate the conversion of existing dwelling into 2no one bedroom dwellings.

2. DECISIONS AWAITED

- 2.1. None.

3. CALLED IN APPLICATIONS

- 3.1.

4. DECISIONS RECEIVED

- 4.1. 17/00604/FP. Unit 4 Caxton Point, Bessemer Drive, appeals against refusal of planning permission for the change of use of the ground floor of the premises from B1 (Offices) to Sui Generis (Canine Day Creche)

4.1.1 Issues

The determining issues relate to the effects of the proposal on (i) the availability of future employment space and (ii) the safety and operation of the adjoining highway.

4.1.2 Conclusions

(i) **the availability of future employment space**

The proposal relates to the use of part of the ground floor and service yard of the business unit as a canine day crèche. This would provide a facility where pet dogs can be cared for during the day whilst the owners are at work or have other commitments. There would be areas with equipment to allow dogs to interact with one another and play together.

The site is within the Gunnels Wood employment area where policy E4 of the Stevenage District Plan (SDP) encourages light industrial, general industrial and storage facilities. The proposed use would fall outside of any of the B class uses and where other employment uses are to be assessed on their merits. The Inspector considered the intention of the policy was to promote employment land and resist the loss of land and premises for business purposes.

The business was an employment generating use but the Inspector concluded that the business would be likely to employ four of five staff based on the operation of similar businesses elsewhere. Given the premises had been vacant; the proposal would provide moderate employment. SDP policy E4 does allow for some uses which support the operation of the employment area and the Inspector concluded that there would be moderate benefits with the proposal providing a facility for workers in the employment area.

The Inspector concluded that the proposal would result in the loss of B class accommodation of which there is a shortfall to meeting future need. Whilst the business may generate a small amount of employment in vacant premises these benefits would not outweigh the loss of B class floorspace. The Inspector gave significant weight to the Emerging Local Plan (ELP) the aims of which were similar to the SDP. However, the Inspector did not consider the benefits of the use of the vacant premises and the services provided for employees in the area to outweigh the harm caused through the loss business accommodation required through the ELP plan period.

(ii) the safety and operation of the adjoining highway.

With regard to highway safety the Inspector noted that the existing forecourt area was almost fully occupied on the day of his visit. The service yard of the premises would be used as a playground area for the crèche. Five additional parking spaces are proposed to the front of the service yard. The perimeter fence would be set back to accommodate the car parking and provide additional drop off and pick up parking. However, 2 of these bays would be unusable due to adjoining side parking bays.

A storage or office use could occupy these premises without the need for planning permission. However, these would likely operate with the service yard providing space to make deliveries to or collections from the side entrance allowing vehicles to manoeuvre and exit safely. The major part of the service yard would be lost as a consequence of this change of use. The inspector accepted that any future crèche would grow organically in response to demand and could be successful. He also accepted that the highway network would accommodate the level of vehicular movements likely to be generated and, although the appeal premises has limited car parking provision, that there are alternative places in the vicinity for employees to use.

However, the Inspector accepted that there would be a need to provide dropping off and customer parking where essential to the operation of a development. The nature of this proposal is that customers would generally be private car users for whom there would not be the conveniently usable drop off and collection space provided on-site. This would likely lead to customers being unable to readily find a free on-site space, parking their vehicles temporarily on the adjacent highway.

He concluded that in this location close to the junction of Caxton Way and Bessemer Drive, the on-road customer parking likely to be caused by this proposal would be contrary to the safe use of the highway.

4.1.3 Decision

The appeal is dismissed (appeal decision attached).

5. BACKGROUND PAPERS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage District Plan Second Review 1991-2011.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012 and the Stevenage Design Guide adopted October 2009.
4. Stevenage Borough Local Plan 2011-2031 Publication Draft.
5. Central Government advice contained in the National Planning Policy Framework March 2012 and National Planning Policy Guidance March 2014.

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Appeal Decision

Site visit made on 27 March 2018

by Jonathan Price BA(Hons) DMS DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 April 2018

Appeal Ref: APP/K1935/W/17/3188121

Unit A Caxton Point, Caxton Way, Stevenage, Hertfordshire SG1 2XS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Candace Rose (Canine Creche Group) against the decision of Stevenage Borough Council.
 - The application Ref 17/00604/FP, dated 25 August 2017, was refused by notice dated 20 October 2017.
 - The development proposed is change of use under Sui Generis to a Canine Day Creche facility. No extension to perimeter or outside walls.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposal on (i) the availability of future employment space in this area and (ii) the safety and operation of the adjacent highway.

Reasons

Availability of future employment space

3. The proposal relates to the use of part of the ground floor and service yard of a large three-storey business unit as a canine day crèche. The operation would provide a facility whereby pet dogs can be cared for during the day when their owners are at work or have other commitments. Facilities would include areas with equipment to allow the dogs to interact and play together, rather than each being compounded during the stay.
4. The premises occupy a site within the Gunnels Wood employment area as designated by Policy E2 of the current Stevenage District Plan¹ (SDP) and Policy EC2 of the emerging Local Plan² (ELP). The employment area is located on the western side of the town and alongside the A1 trunk road. The area has clearly been developed as a business park, with associated estate roads and infrastructure, and currently contains various employment buildings.
5. Within designated employment areas SDP Policy E4 encourages light industrial, general industrial and storage and distribution uses (classes B1, B2 and B8 respectively as defined in the Use Classes Order 1987). The proposed canine

¹ Stevenage District Plan Second Review 1991-2011

² Stevenage Borough Local Plan 2011-2031 Publication draft January 2016.

crèche would be *sui generis* and fall outside any of the B class uses encouraged by Policy E4 and where other employment generating proposals are to be assessed on their merits. I consider the intention of this policy is to promote employment and economic activity and resist the loss of land and premises provided for business purposes.

6. The evidence base to the ELP shows a requirement in the Borough for 30 hectares of employment land in the period of 2011 – 2031 over which there is a shortfall in provision. This lends weight to the intention of SDP Policy E4 to secure appropriate uses in existing employment areas by encouraging B1, B2 and B8 uses.
7. This proposal would be an employment generating use. The organisation's main centre at Martlesham employs 28 people. However, new operations at Needham and Bury St Edmunds employ four and five staff respectively. From this evidence it is reasonable to conclude this crèche would provide a similar number of jobs as these other new centres. Given that the unit is presently vacant, and has proved difficult to let, this proposal would provide moderate benefits in employment terms.
8. Paragraph 4.6.8 of the supporting text to SDP Policy E4 states that uses which support the operation of an employment area by providing facilities for companies and their employees may be acceptable. This gives the examples of day nurseries, social clubs, fitness clubs, cafes, local shops and hotels which may be acceptable if a local need can be demonstrated. Although a need for a dog crèche has not been demonstrated here, those provided elsewhere in employment areas appear to be viable and have met a demand. There would be moderate benefits in this proposal providing a facility for workers in this employment area.
9. The appellant has advised that the canine crèche would not be noisy as the dogs cared for tend not to bark. This provides some flexibility for where such an activity might be based. The proposal would result in the loss of B class accommodation for which there is a shortfall to meeting future need. The canine crèche would generate a small amount of employment in vacant premises and a service to local employees. However, I do not consider these benefits would outweigh the harm resulting in the loss of B-class floorspace for which there is an identified future need. I consequently find conflict with the aims of SDP Policy E4.
10. The ELP has reached an advanced stage, having been found sound on Examination. However, the outcome of the Secretary of State's holding direction is pending and so it cannot be given the full weight of an adopted development plan. Nevertheless, the aims of ELP Policy EC4 are comparable to those of SDP Policy E4 and so can be afforded significant weight.
11. The proposal would provide an economic use for vacant floorspace, provide some employment opportunities and offer services available to employees in this area. However, I do not consider this proposal would generate the level of employment that would outweigh the harm caused through the loss of business accommodation required through the plan period. Consequently, this proposal would prejudice the provision of an appropriate number and range of jobs across the employment area as a whole in conflict with the aims of ELP Policy EC4.

Safety and operation of the adjacent highway

12. The existing forecourt parking area was almost fully occupied on the day of my visit. The service yard associated with these premises would be mainly used as a playground area for the pets at the crèche. Five additional spaces are proposed at the front of the service yard with the proposed perimeter fence set back to accommodate them. This would provide additional drop off and collection parking for the proposal. However, at least two of these spaces would not be useable due to the position of the adjacent side parking bays.
13. A storage or office use could occupy these premises without the need for planning permission. However, these would likely operate with the service yard providing space to make deliveries to or collections from the side entrance allowing vehicles to manoeuvre and exit safely. The major part of the service yard would be lost as a consequence of this change of use.
14. This proposal requires planning permission and therefore it is necessary to assess whether adequate space would be provided for staff parking and for customer drop-offs and collections. Although any future crèche would grow organically in response to demand, it is necessary to assume a successful business model would be achieved. I accept that the highway network would accommodate the level of vehicular movements likely to be generated and, although the appeal premises has limited car parking provision, that there are alternative places in the vicinity for employees to use.
15. Although SDP Policy T15 seeks to avoid the over-provision of car parking to discourage unnecessary private vehicle movements it accepts a need to provide dropping off and customer parking where essential to the operation of a development. The nature of this proposal is that crèche customers would generally be private car users for whom there would not be the conveniently usable drop off and collection space provided on-site. This would likely lead to future customers, unable to readily find a free on-site space, parking their vehicles temporarily on the adjacent highway. In a location close to the junction of Caxton Way and Bessemer Drive the on-road customer parking likely to be caused by this proposal would be contrary to the safe use of the highway.

Conclusion

16. The proposal would provide an economic use for vacant floorspace, employment opportunities and a service to employees in this area. However, these benefits would be outweighed by the harm caused by the loss of office/storage and distribution floorspace, for which there is a planned future need, and by the adverse effects on highway safety. Therefore, having taken into consideration all other matters raised, I conclude that the appeal should be dismissed.

Jonathan Price

INSPECTOR

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