

Meeting: Planning and Development Committee **Agenda Item: 5**

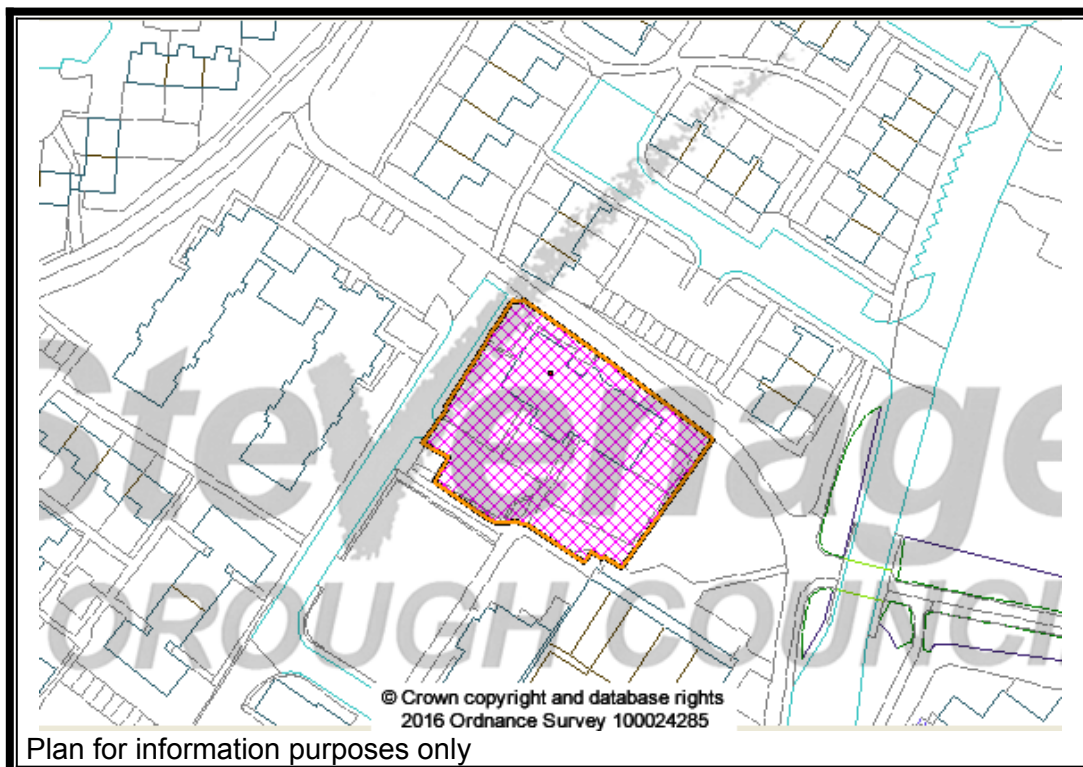
Date: 5 September 2017

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Application No:	17/00532/FP
Location:	Symonds Green Community Centre, Filey Close, Stevenage
Proposal:	Extension of 2.4m high green metal fence and retention of a 1.2m wide footpath.
Drawing Nos.:	061-C-001, 061-C-003-29, 061-C-003-30
Applicant:	Mr Andrew Sowden
Date Valid:	26 May 2017
Recommendation:	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.0 The application site comprises the Symonds Green Community Centre and the Church of Christ the King located in Filey Close, opposite the neighbourhood centre. To the eastern side of the community centre is an enclosed area which is used as a playground for the playgroup which

operates from the centre. In front of the Church is a small public car park. The nearest residential property, 234 Scarborough Avenue, lies approximately 10m metres to the north east of the site.

2. RELEVANT PLANNING HISTORY

- 2.1. Outline permission refused under ref 2/0087/69 in July 1969 for residential development.
- 2.2. Planning permission granted under ref 2/0230/70 in July 1970 for residential development.
- 2.3. Planning permission granted under ref 2/0051/80 in May 1980 for community and ecumenical centre.
- 2.4. Planning permission granted under ref 06/00519/FP in November 2006 for erection of 2.4m high palisade fencing.
- 2.5. Planning permission granted under ref 08/00342/FP in August 2008 for single storey extension to create new youth hall and café and erection of 2m high fencing around new play area.
- 2.6. Planning permission granted under ref 16/00227/FP in May 2016 for single story front extension.

3. THE CURRENT APPLICATION

- 3.1. The current application seeks planning permission for the extension of the existing 2.4m high green metal fence around the existing external play area located to the east of the existing community centre and the retention of a 1.2m wide footpath to the front and side of the play area. The submitted plans identify the fence being moved out between 1.7m and 2.1m eastwards and the existing 2.4m high fence being relocated. The new 1.2m paved footpath runs from the patio area adjacent to the recently constructed front extension along the eastern side of where the relocated fence is proposed, linking to the cycleway/footpath to the north of the Community Centre.
- 3.2. 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 the posting of a site notice displayed on a nearby lamp post. No response has been received.

5. CONSULTATIONS

5.1 Parks and Amenities Section

- 5.1.1. No objection.

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

TW2 Structural Open Space;
 TW9 – Quality in Design;

NC1 – Large Neighbourhood Centres;
SC2 – Social and Community Facilities;

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

NH6 General Protection for Open Spaces;
SP8 Good Design;
GD1 High Quality Design
HC1 – District, local and neighbourhood centres;

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document January 2012.
Stevenage Design Guide 2009.

7 APPRAISAL

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

7.2 Impact upon the Character and Appearance of the Area

7.2.1 The application site comprises land in the ownership of the Borough Council which forms part of an area of open space as defined by policy TW2 of the 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 area of land in question forms part of an open grassed area which extends to the east of the Community Centre and links into further open grassed area beyond. As indicated above, the proposal seeks to extend out the existing 2.4m high green palisade fencing which currently encloses the outdoor play area at the Community Centre. This would bring it out between 1.7m and 2.1m for the length of the existing fence (approximately 17m). A 1.2m wide paved path has been created which extends beyond the position of the proposed relocated fence and links the newly created patio area to the side of the recently constructed front extension at the Community Centre to the Cycleway/footpath the north. Whilst the new fence would result in the enclosure of part of the open space, given the limited width involved and the fact it would run the length of the existing play area, it is not considered that the loss of this small part of the overall open space would harm the character or appearance of the area. Furthermore, as the land is currently not used for any particular purpose, it is considered that the proposal would not harm the form or function of the open land, nor that it needs to be re-provided.

7.2.4 The proposed fencing would be similar in its finished appearance to that which already exists and would merely be seen as a modest relocation of the existing fencing to the east of the existing play area. In view of this, and as only a limited area of amenity land would be lost, it is not considered that the proposed fencing would not be harmful to the appearance of the area. Similarly, the new 600mm x 600mm concrete paving slabs used to construct the new path are considered to be appropriate and match the newly constructed patio area serving the Community Centre.

7.3 Impact on Amenity

- 7.3.1 The fencing will be constructed on land to the east of the Community Centre and the nearest residential property is 234 Scarborough Avenue which lies approximately 10m metres to the north east of the site. The relocation of the fencing would not bring it significantly closer to this property than is currently the case. Furthermore, this property has a blank flank wall facing toward the application site. In view of this, as there is already an open play area existing, it is not considered that the relocation of the fence and the modest enlargement would worsen the levels of noise currently experienced by the occupants over and above that which currently occurs from the play area. Similarly, it is not considered that the proposal would have any worsening impact of the amenities of the occupiers of the existing residential units within the neighbourhood centre which are over 30m away and face away from the Community Centre.

8 CONCLUSIONS

- 8.1 The proposed relocation of the fence and enlargement of the existing outdoor play area along with the newly created footpath are not considered to harm the form and function of the structural open space or be detrimental to the character and appearance of the area. Furthermore, the works would not harm the amenities of the occupiers of the nearest adjoining residential premises. It is, therefore, 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: 061-C-001, 061-C-003-29, 061-C-003-30.
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. The materials to be used in the construction of the fencing and footpath hereby permitted shall be as specified on the drawings and application details forming part of this application.
REASON:- To ensure the development has an acceptable appearance

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.