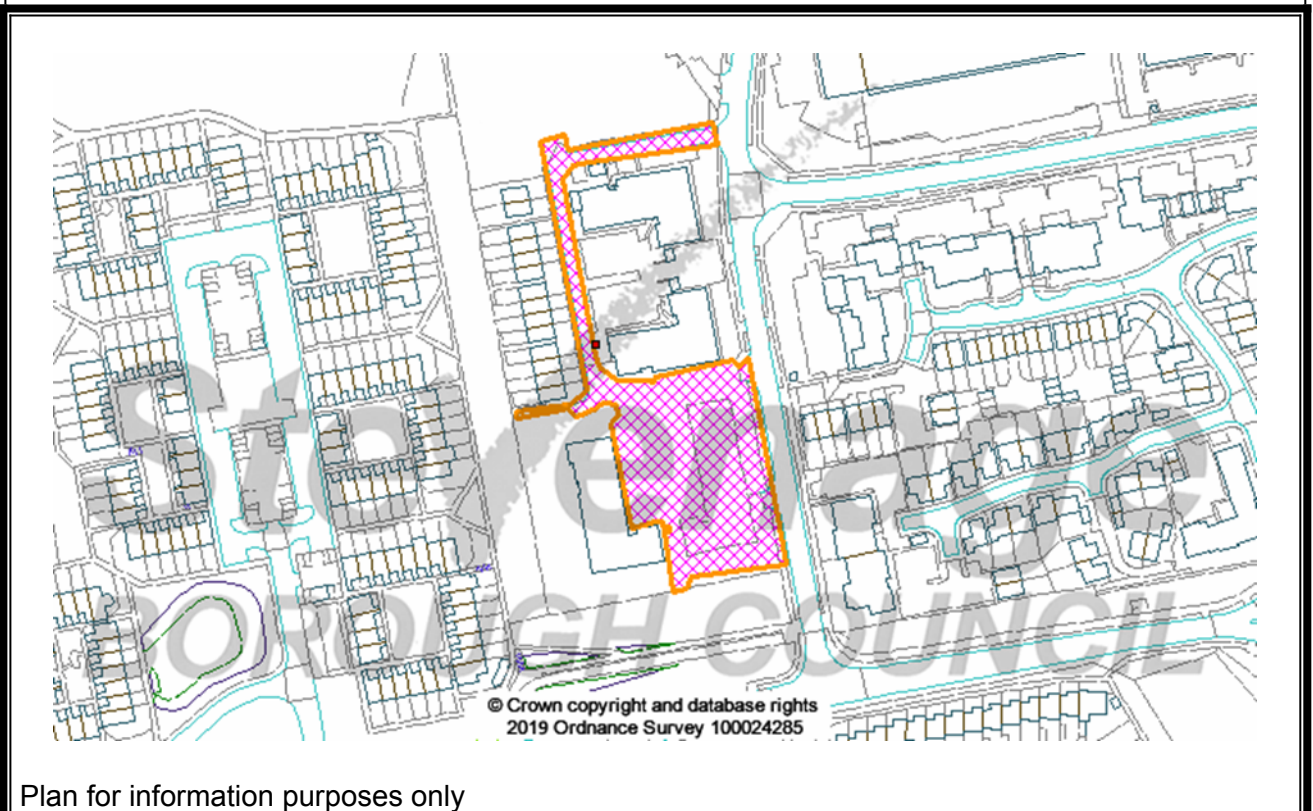


Meeting:	Planning and Development Committee	Agenda Item:
Date:	11 August 2020	
Author:	Ailsa Davis	01438 242747
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	Ailsa Davis	01438 242747

Application No:	20/00290/FP
Location:	Former DuPont Wedgwood Way Stevenage Herts
Proposal:	Change of use from commercial (use classes A1/A2/A3/D1) to 6 no: one-bed units and 3 no: two-bed units with associated facade alterations, cycle parking, 12 car parking spaces and 3 visitor spaces
Drawing Nos.:	20 0105-1000 G; 20 0105-1001B; 20 0105-1002; 20 0105-1001 E
Applicant:	Stevenage Borough Council
Date Valid:	3 June 2020
Recommendation:	GRANT PLANNING PERMISSION.



1. SITE DESCRIPTION

- 1.1 The application site is the former DuPont UK Headquarter offices and training area, which is located in the north east of Stevenage, approximately 2.8km from Stevenage town centre. The site is 0.6 hectares in size and is broadly rectangular in shape. The site is situated in the south western corner of the Pin Green Industrial

Estate and is bounded by Wedgwood Way to the east, amenity grassland, a path and cycleway to the south with Martins Way beyond, a tree belt to the west, beyond which are residential properties in Ely Close and industrial and commercial buildings of the industrial estate to the north. To the north west of the application site is Wellfield Wood which is a designated Wildlife Site.

- 1.2 Following the recent residential redevelopment of the site granted planning permission in 2016, the application site subject to this proposal comprises a 5 storey residential block (Block A/Chilton House), accommodating 56 flats and 900sq.m of commercial floorspace on the ground floor which has been sub-divided into 4 units. One of the units has been occupied by Budgens convenience store. The 3 remaining commercial units are vacant and have never been let. The applicant has submitted evidence to demonstrate the units have been actively marketed for over two years.

2. RELEVANT PLANNING HISTORY

- 2.1 Prior approval application 14/00553/CPA sought for the change of use from Offices (Use Class B1 (a)) to 1no. 3 bed, 38no. 2 bed, 33no. 1 bed and 1no. studio residential units. Prior approval not required 25.11.2014.
- 2.2 Outline planning permission ref. 15/00253/OPM sought for the demolition of existing buildings and provision of up to 200 new homes, up to 900 sqm of Use classes A1/A2/A3/D1, provision of residential amenity space and associated access and car parking. Outline planning permission granted 11.08.2016.
- 2.3 Variation of s106 agreement ref. 16/00742/S106 sought for variation of clause 3.1.3.3 (affordable housing), clause 3.1.4.1 (affordable housing), clause 12.5 (obligation exclusion), and clause 5.4 of schedules 2 and 4 and clause 8 of schedule 4 (mortgagee exclusion) of the section 106 Agreement (dated 11 August 2016) approved under planning permission 15/00253/OPM. Variation to s106 agreement granted 6 December 2018.
- 2.4 Reserved matters approval ref. 16/00782/RMM sought pursuant to planning permission 15/00253/OPM for the erection of 38 no. two bedroom apartments, 42 no. one bedroom apartments, and 14 no. 3 bedroom dwellings, seeking approval of the appearance, landscaping, layout and scale. Reserved matters approval granted 21.02.2017.
- 2.5 Discharge of condition application ref. 17/00121/COND sought for discharge of conditions 6 (Code of Construction Practice), 8 (Travel Plan), 10 (Construction Method Statement), 11 (site layout drawing), 13 (tree protection fencing), 15 (scheme of external lighting), 16 (bird boxes), 20 (surface water drainage scheme), 21 (boundary treatment), 22 (materials) and 24 (drainage strategy) attached to outline planning permission 15/00253/OPM. Conditions discharged 21.04.2017.
- 2.6 A non-material amendment application ref. 17/00333/NMA to planning permission reference number 15/00253/OPM sought permission to alter the southern access into the site to utilise the existing access. Planning permission granted 9 June 2017.
- 2.7 Planning permission ref. 17/00376/FPM sought for the erection of apartment building containing 70 apartments with associated access, parking and landscaping. Planning permission granted 21 December 2017.
- 2.8 Reserved matters approval ref. 17/00185/RMM sought pursuant to outline planning permission 15/00253/OPM for 37 no. one bedroom apartments, 67 no. two bedroom

apartments and commercial space; seeking the approval of the appearance, landscaping, layout and scale. Reserved matters approval granted 9 June 2017.

- 2.9 Variation of condition 1 (approved plans) attached to reserved matters approval reference number 17/00185/RMM granted 14 March 2018.

3. THE CURRENT APPLICATION

- 3.1 Following over two years of unsuccessful marketing, the current application seeks planning permission for the proposed change of use of the remaining 3 ground floor commercial units (use classes A1/A2/A3/D1) to six one-bed flats and three two-bed flats with associated façade alterations, cycle parking, 12 allocated car parking spaces and 3 visitor spaces.
- 3.2 This application was originally submitted with no details of off street car parking. After seeking clarification from the applicant, a proposed car parking plan was submitted. This allocated 12 spaces for the proposed flats and 5 spaces for staff parking in connection with the convenience store.
- 3.3 Following a second public consultation, a revised car parking plan was submitted allocating an additional 3 spaces for visitor parking.
- 3.4 This application comes before the Committee for determination as it was called in at the request of Councillor Barr.

4. PUBLIC REPRESENTATIONS

- 4.1 This planning application has been publicised by way of a site notice and the occupiers of the existing flats in Block A and neighbouring properties have been notified about the application via a letter. A second neighbour consultation was carried out following receipt of the amended car parking plan where the description of development was also changed to include the provision of 12 parking spaces.
- 4.2 At the time of drafting this report, a total of 36 objections have been received from neighbouring residents, 24 objections to the first consultation where no off street parking was being provided and 11 to the second consultation where 12 spaces were proposed. The main issues of concern relate to:

First consultation (no car parking proposed)

- Parking on this site is already a problem. Property owners get 1 allocated space per plot and some people have multiple vehicles. This is already causing the surrounding streets to get congested with parking occurring outside of marked parking bays;
- There is already a massive parking issue within the development with people parking at angles on corners and in front of cycle/bin stores blocking access; we have all received letters from Metropolitan stating so, as it is causing issues for waste collection;
- Shops and services such as a pharmacy and hairdressers are needed as part of this development as some people do not drive or have access to a car;
- Adding additional flats with potentially up to another 18 cars, as many homes have more than one car without creating additional parking is going to cause a larger problem for existing residents and local workers.
- The removal of the commercial units will have a direct impact on house values;
- The ground floor should be made into underground parking instead to serve existing residents and their visitors;

- The area would benefit massively from having the amenities that were proposed when residents invested their money in the development. If it really is such a struggle to fill the retail spaces, the planners for Chase Homes should look to utilise this space to solve some of the issues caused by not supplying enough space for its current residents and their visitors to park;
- Do not want the proposed flats to be social rented;
- Purpose of the ground floor units when the block was originally built was for business use. This initially attracted me to the development.

Second consultation (12 car parking spaces proposed)

- This was not what was agreed when I purchased the property and signed the contract. I was advised that the units would be for commercial use (Classes A1/A2/A3/D1) only;
- There still won't be enough parking spaces;
- There are no disabled parking spaces;
- Council / social housing properties would devalue our own properties;
- This is using existing parking. This will just exacerbate the existing parking issues. Where will visitors now park? New parking should be found and not from existing spaces;
- The parking that has now been allocated to the new proposed flats, we were told when purchasing our properties that these would be visitor spaces/unallocated spaces;
- We were sold our property with the understanding from MVTH that these unallocated spaces were visitors parking.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highways Authority

5.2 The scale of the development on transport and highway impact would be considered to have a negligible effect on vehicular trips than the present use. The traffic generation from the development would not alter significantly therefore and would not have a detrimental impact on highway safety. No objection.

5.3 Council's Environmental Health Section

5.4 No objection, subject to the imposition of conditions relating to contaminated land, hours of construction and dust emissions. However, issues relating to contaminated land and dust were dealt with when Block A was constructed.

6. RELEVANT PLANNING POLICIES

6.1 Background to the Development Plan

6.2 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 Borough Local Plan 2011-2031 (2019) (Adopted Local Plan).

6.3 The National Planning Policy Framework sets out that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the National Planning Policy Framework.

6.4 In considering the policy implications of any development proposal, the Local Planning Authority will assess each case on its individual merits.

6.5 Central Government Advice

6.6 A revised National Planning Policy Framework (NPPF) was published in February 2019. 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 213 of the NPPF applies which states that due weight should be afforded to the relevant policies in the adopted local plan according to their degree of consistency with it.

6.7 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.

6.8 In addition to the NPPF, advice in Planning Practice Guidance must also be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 11 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.

6.9 Adopted Local Plan

Policy SP1: Presumption in favour of sustainable development;
Policy SP2: Sustainable development in Stevenage;
Policy SP6: Sustainable transport;
Policy SP8: Good design;
Policy SP11: Climate change, flooding and pollution;
Policy IT5: Parking and access;
Policy GD1: High quality design;
Policy HO5: Windfall Sites
Policy HC2: Local Shops
Policy FP7: Pollution

6.10 Supplementary Planning Documents

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

6.11 Community Infrastructure Levy Charging Schedule

6.12 Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floorspace of a development.

7. APPRAISAL

7.1 The main issues for consideration in the determination of this application are its acceptability in land use policy terms, design and visual impact on the surrounding area, impact upon neighbouring amenities, amenities of future occupiers, parking provision and highway implications.

7.2 Land Use Policy Considerations

7.3 The application site is not designated within Stevenage Local Plan 2011 – 2031 (2019). The commercial units subject to this application were granted planning permission in August 2016 for a flexible commercial use of up to 900sq.m covering use classes A1/A2/A3/D1 as part of the residential redevelopment of the site of the former DuPont UK Headquarter offices known as the ‘Forster Oaks’ development. The units form part of a 5 storey block of flats known as Chilton House.

7.4 The existing permission allows for shops (use class A1), financial and professional services (use class A2), food and drink (use class A3) and non-residential institutions (use class D1). The application submission advises A3 use cannot be carried out due to the agreement of sale on the residential flats above. This leaves A1, A2 and D1 as potential uses for the units.

7.5 Only A1 use is explicitly protected in the Local Plan under Policy HC2 ‘Local Shops’, while D1 use is promoted within opportunity areas and sought to be retained in accompanying text throughout the Local Plan. It is not however policy protected. It should also be considered that although the commercial units have been provided, their uses have only been taken up with one convenience shop (Budgens) which is to be retained. The remainder only have the potential for these uses and as such, their substitution with residential units does not actually result in the loss of an active business.

7.6 Policy HC2 states that freestanding shops and small parades will generally be retained, with redevelopment of existing sites to alternative use only being permitted where:

a. Satisfactory on- or off-site provision is made to replace a loss of use(s);

b. It can be demonstrated that there is no longer a need for a particular facility or that alternate facilities are available locally;

c. The particular facility, or any reasonable replacement is not, and will not, be viable on that site;

d. The proposals provide overriding benefits against other objectives or policies in the plan; or

e. It can be demonstrated that a unit has been unsuccessfully marketed for its existing use, or has remained vacant, over a considerable period of time.

7.7 The application is accompanied by evidence to demonstrate the efforts taken to market the units and enquiries received. The report by Savills provides commentary on market conditions, how they have affected the letting of the units and the likelihood of securing commercial tenants going forward. It is considered that together, they demonstrate that an extended and appropriate marketing exercise has

been carried out, that no realistic tenants have come forward (notwithstanding the convenience shop) and that there is little prospect of letting the remaining units in the future.

- 7.8 As such, it is considered that this application demonstrates parts (b) and (e) of Policy HC2 have been satisfied, in that the evidence and Savills report show there is alternative retail provision currently available in the immediate vicinity and that the site has been marketed for a considerable period of time – more than two years – with no realistic tenants coming forward. On this basis, it is concluded that the policy tests in this case have been met and the loss of the commercial units is acceptable.
- 7.9 Turning then to the principle of additional housing on this site, the principle of residential development within urban areas is set out in both national and local policy. Paragraph 61 of the National Planning Policy Framework (NPPF) (2019) requires that the planning system should deliver a mix of housing in terms of size, type, tenure and price to support a wide variety of households in all areas. Policy SP7 of the Local Plan states that the Council will support applications for housing development on unallocated sites where they are in suitable locations. As an unallocated site in the Local Plan, Policy HO5 relates to non-designated sites known as 'windfall' housing sites stating that permission for unallocated sites will be granted where:
- (a) The site is on previously developed land or is a small, underused urban site;
 - (b) There is good access to local facilities;
 - (c) There will be no detrimental impact on the environment and the surrounding properties;
 - (d) Proposals will not prejudice our ability to deliver residential development on allocated sites; and
 - (e) The proposed development would not overburden existing infrastructure.
- 7.10 For the purpose of clarity, the definition of previously-developed land, as stated within the NPPF, is 'land which is or was occupied by a permanent structure including the curtilage of the developed land and any associated fixed surface infrastructure'. The application site does meet the definition of previously developed land as it comprises an existing building, therefore complies with criterion (a) of Policy HO5.
- 7.11 The site is also conveniently located to access local facilities. The Marketing Commentary report accompanying the application sets out all of the facilities and services within a mile of the site, including the Great Ashby Neighbourhood Centre which provides a convenience store, estate agents, Chinese/Fish and Chips takeaway, barbers, hair salon, vets, pharmacy and a nursery. It is considered therefore, that the site also complies with criterion (b) of Policy HO5. The impact on the environment and surrounding properties is addressed further in this report (criterion c of Policy HO5). The proposal would not prejudice the ability of the Council to deliver strategic residential development and nine additional dwellings would not overburden existing infrastructure, complying with criteria d and e of Policy HO5.
- 7.12 It is therefore concluded that, subject to a satisfactory impact on the environment and surrounding properties to be discussed below, the proposal is acceptable in terms of land use.

Community Infrastructure Levy

- 7.13 The development is liable for Community Infrastructure Levy under the Council's adopted Charging Schedule (2020). The CIL Charging Schedule specifies a payment for new floorspace in line with the following rates (plus appropriate indexation):

<i>Development Type</i>	<i>CIL Rate (£ per square meter)</i>	
	<i>Zone 1: Stevenage Central, Stevenage West Urban Extension and North of Stevenage Extension</i>	<i>Zone 2: Everywhere else</i>
<i>Residential</i>		
<i>Market housing</i>	<i>£40/m²</i>	<i>£100/m²</i>
<i>Sheltered housing</i>	<i>£100/m²</i>	
<i>Extracare housing</i>	<i>£40/m²</i>	
<i>Retail development</i>	<i>£60/m²</i>	
<i>All other development</i>	<i>£0/m²</i>	

- 7.14 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.
- 7.15 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application.
- 7.16 Design and visual impact on the surrounding area**
- 7.17 In terms of design, Paragraph 127 of the NPPF 2019 stipulates that planning decisions should ensure development functions well and adds to the overall quality of the area, not just in the short term but over the lifetime of the development. It also sets out that development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping is sympathetic to local character and history, including the surrounding built environment and landscape setting. Paragraph 130 of the NPPF states that "permission should be refused for development of poor design that fail to make available opportunities for improving the character and quality of an area and the way it functions".
- 7.18 Policy SP8 of the adopted Local Plan (2019) requires new development to achieve the highest standards of design and sustainability which can deliver substantial improvements to the image and quality of the town's built fabric. Policy GD1 of the Local Plan generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.
- 7.19 The Design and Access Statement accompanying the application advises the design ethos of the proposal is to mimic the fenestration and openings of the floors above, thus providing a cohesive scheme that allows the overall building to read as a singular entity. Due to existing structural columns and gas meter boxes, the

applicant has advised it has been necessary in parts to introduce dummy windows and half-height windows as opposed to full height as per the floors above. Due to the commercial floor to ceiling heights of the ground floor units, there would be a large brick void between the ground and first floors if the openings in the façade were simply bricked up.

7.20 In order to avoid a large expanse of blank brickwork that would be to the detriment to the building's appearance, the extent of glazing on the ground floor units is taller than those on the floors above. This has been designed to increase the amount of light that the new residential properties will receive and to improve the appearance of the building.

7.21 In order to improve the appearance further, a girder-effect fascia has been added to the front elevation of the building. This ties the commercial unit to the remainder of the elevation (the shop signage will be accommodated within the girder fascia) and appropriately dresses the façade, creating interest as opposed to a large brick void.

7.22 Overall it is considered that the design of the proposal will be appropriate to the existing residential block and the locality in general.

7.23 Impact upon Neighbouring Amenity

7.24 The proposed flats would be located on the ground floor of an existing residential block; therefore the introduction of this use into a building already built and designed for residential use is unlikely to raise any amenity concerns with existing residents located above in terms of noise. The separation distance between the rear elevation of Block A and the rear elevation of Block B is approximately 31m which is also in excess of the 30m back to back separation distance set out in the Design Guide. There is already a degree of mutual overlooking between the two blocks and as such, it is not considered that nine additional flats on the ground floor will significantly change this relationship as to warrant a refusal of planning permission.

7.25 Policy FP7 of the Local Plan (2019) stipulates that all development proposals should minimise, and where possible, reduce air, water, light and noise pollution. Taking this policy into consideration, it is considered that construction work associated with the proposed development could have an impact on the amenities of residents living above.

7.26 Given the aforementioned, the Council's Environmental Health section has recommended a condition be imposed to restrict the hours of construction. With this condition in place, the development should not have a detrimental impact on the amenities of residents living in floors 1 – 5 above and in adjacent blocks B to the north and C to the east.

7.27 Amenity of Occupiers of Proposed Dwellings

7.28 The Local Plan stipulates criterion for new development in respect of living standards, in line with the space standards contained in the Nationally Described Space Standards (2015). These standards address the total unit space and bedroom sizes to ensure proposed residential units provide a good living environment.

7.29 The proposal comprises 1 x double bed studio flat; 5 x double bed one bedroom flats; 2 x two bedroom (1 x double, 1 x single) flats and 1 x two bedroom (2 x double bedroom) flat. The standards recommend the minimum gross internal floor area for a one bedroom dwelling with 2 bed spaces would be 50sq.m. For a two bedroom flat

with 3 bed spaces, the minimum floor area is 61sq.m. For a two bedroom flat with 4 bed spaces, the minimum floor area is 70sq.m.

- 7.30 The submitted floor plan suggests only one of the six 1 bedroom flats will comply with the standards, however the remaining four range between 47 – 49sq.m, with the studio flat at 39sq.m. The two bedroom flats with 3 bed spaces are under at 57 and 59sq.m respectively. However, the two bedroom flat with 4 bed spaces is over compliant at 73sq.m. Whilst the flats are slightly below the standards, they are not significantly under the recommended floor area such that they would create a substandard living environment for future occupiers. Built in storage space is shown on the floor plan provided.
- 7.31 The standards also stipulate bedroom sizes for double rooms. A double bedroom should be a minimum of 11.5sq.m in area. All nine flats comply with this requirement, lending weight to the conclusion that they will provide an acceptable living environment. The proposed flats would also have windows serving all habitable rooms. As such, the outlook from and daylight/sunlight levels within the dwellings are considered to provide an acceptable form of living accommodation for the proposed occupiers.
- 7.32 Turning then to external amenity space, whilst the proposed flats do not have any private amenity space there is existing communal amenity space available for use as part of the wider development, which was secured as part of the original 2016 planning permission. The 0.2 hectare area is located in the north east corner of the site adjacent to Block E and includes an informal children's play area. It is therefore considered that the proposal is acceptable in this regard.

7.33 Parking Provision

- 7.34 Policy IT5 of the adopted Local Plan (2019) states that planning permission will be granted where proposals comply with the parking standards set out in the plan. The Council's Car Parking Standards SPD (2012) sets out the maximum amount of off-street parking for residential dwellings. The parking standards require 1 space per 1 bedroom dwelling and 1.5 spaces per 2 bedroom dwellings, giving a total requirement of 10.5 spaces (rounded up to 11) for this proposal.
- 7.35 When the original outline planning permission for the site was granted (ref. 15/00253/OPM), a 25% reduction in parking provision was agreed on the basis that the Council accepted the site had the characteristics of an accessibility Zone 3 location with the inclusion of the small local centre. However, since the flats have been built it is clear from the consultation responses to this application and the views of the local Members that inadequacy of parking is a problem with this development. On this basis, a similar 25% reduction cannot be considered for this application, particularly in light of the fact the majority of commercial units in the 'local centre' are being converted to residential use (subject to planning permission).
- 7.36 The applicant has therefore submitted a proposed car parking plan which shows a total of 12 spaces allocated to the proposed flats, 5 spaces for staff parking in connection with the existing convenience store and 3 visitor spaces. These spaces are existing; however the applicant has advised that they were previously allocated for use by the commercial units which were never occupied. Should planning permission be granted for their change of use to residential, the spaces will be available for use by the future occupiers of the proposed flats.
- 7.37 The provision of 12 car parking spaces is in excess of the requirement for 11 spaces as set out within the Council's Car Parking Standards SPD (2012). Whilst this application cannot rectify any deficiency in existing parking levels, it should not

worsen the existing situation. The fact the proposal is now being supported by car parking provision in excess of that required by the Council's Parking SPD should ensure this is the case. On this basis, it is considered the proposal is acceptable in this regard.

7.38 In recognition of the parking issues raised by the neighbour consultation responses, the applicant is able to offer an additional 3 parking spaces to be allocated as visitor parking to serve the development as a whole. These spaces are shown on the proposed car parking plan, which is subject to a planning condition to ensure they are delivered.

7.39 In terms of cycle parking provision, there is a requirement to provide 1 long term space per flat giving a total of 9 spaces to be provided in secure cycle storage. A cycle storage shed accommodating 9 bike racks is shown on the submitted drawings. This will be located to the south west of Block A, at the rear of the convenience store.

7.40 Highway implications

7.41 Hertfordshire County Council as Highway Authority have commented as follows:

7.42 The residential/industrial area has a range of transport connections with bus stops to Stevenage town centre. The nearest being a 3-minute walk to Cartwright Road for the No 7 service. The site benefits from pedestrian facilities that provide access to the surrounding residential areas, local shops, restaurants, employment sites and public transport facilities are accessible by bus, walking and cycling. It should be noted that connected to the proposed dwellings is a convenience store (Budgens).

7.43 There are also a number of primary schools within acceptable walking distance the nearest being a 0.4 mile 9-minute walk. The nearest secondary school is Nobel which is approx.1-mile and an 18-minute walk, it can therefore be considered to be fairly well located in terms of sustainable access. Furthermore, it accords with the requirements of the National Planning Policy Framework in relation to promoting sustainable transport.

7.44 The proposals for parking are for 12 spaces (see drawing 20 0105-1001 D) and 9 cycle spaces, there are no proposed alterations to the existing vehicular or pedestrian access. No proposed disabled parking provision has been provided. The scale of the development on transport and highway impact would be considered to have a negligible effect on vehicular trips than the present use. The traffic generation from the development would not alter significantly and would not have a detrimental impact on highway safety.

7.45 Other Matters

Refuse and recycling

7.46 The Design Guide (2009) states, provision should be made within new development for the storage and collection of waste from a site. The current requirements for waste and recycling per household are as follows:-

- Residual Waste - 240 litres;
- Cans and Plastics - 55 litres;
- Paper and cardboard - 55 litres;
- Glass - 20 litres;
- Garden Waste (For the dwellinghouses) - 240 litres.

- 7.47 It is set out on the submitted floor plan that there would be storage for refuse and recycling on the ground floor. Therefore, the proposed refuse and recycle storage is considered to be acceptable.

8. CONCLUSIONS

- 8.1 In summary, the principle of the proposed change of use has been established to be acceptable as the applicant has demonstrated sufficient evidence to confirm that parts (b) and (e) of Policy HC2 have been satisfied. The submitted evidence and Savills report show there is alternative retail provision currently available in the immediate vicinity and that the site has been marketed for a considerable period of time – more than two years – with no realistic tenants coming forward. On this basis, it is concluded that the policy tests in this case have been met and the loss of the commercial units is acceptable.
- 8.2 As a windfall site, the proposed residential flats are considered acceptable in principle and meet the requirements of Policy HO5. Furthermore, the proposed elevational alterations would not have a detrimental impact on the character and appearance of the area and the proposal would provide an acceptable living environment for future occupiers, whilst not raising any amenity issues with adjacent flats in Blocks B and C and in Block A above.
- 8.3 The allocation of 12 parking spaces to serve the proposed flats and 3 visitor spaces is in excess of the Council's Parking SPD (2012) requirement and whilst this application cannot address the existing parking issues on the site, it will not worsen the current situation. The car and cycle parking provision meets the policy requirements and is considered acceptable.
- 8.4 As such, the proposed development is in accordance with the Policies specified in the adopted Local Plan (2019), the Council's Design Guide SPD (2009), the Council's Car Parking Standards SPD (2012), the NPPF (2019) and PPG (2014).

9. RECOMMENDATIONS

- 9.1 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:
20 0105-1000 G; 20 0105-1001B; 20 0105-1002; 20 0105-1001 E
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 building works required to implement this permission shall be carried out only between the following times:
0730 to 1800 Mondays to Fridays
0900 to 1300 Saturdays
And not at all on Sundays and Bank Holidays.

The hours specified relate to activities which are audible at the site boundary.

REASON:- To satisfactorily protect the residential amenities of nearby occupiers and the operation of adjoining businesses.

4. The parking spaces as shown on drawing ref. 20 0105-1001 E shall be provided in accordance with the approved plan.

REASON:- To ensure adequate car parking facilities are provided to serve the proposed development.

Informative

1. Community Infrastructure Levy

Stevenage Borough Council adopted a Community Infrastructure Levy (CIL) Charging Schedule at Full Council on 27 January 2020 and started implementing CIL on 01 April 2020.

This application may be liable for CIL payments and you are advised to contact the CIL Team for clarification with regard to this. If your development is CIL liable, even if you are granted an exemption from the levy, please be advised that it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (as amended) that CIL Form 6 (Commencement Notice) must be completed, returned and acknowledged by Stevenage Borough Council before building works start. Failure to do so will mean you risk losing the right to payment by instalments and a surcharge will be imposed. NB, please note that a Commencement Notice is not required for residential extensions if relief has been granted.

Stevenage's adopted CIL Charging Schedule and further details of CIL can be found on the Council's webpages at www.stevenage.gov.uk/CIL or by contacting the Council's CIL Team at CIL@Stevenage.gov.uk.

Pro-active statement

1. 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 (paragraph 38) 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 Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012 and Stevenage Design Guide adopted October 2009.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
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 February 2019 and Planning Policy Guidance March 2014.