

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

Date: 9 December 2021

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Application No: 21/00872/FP

Location: Gladstone Court, Spring Drive, Stevenage, Hertfordshire SG2 8AY

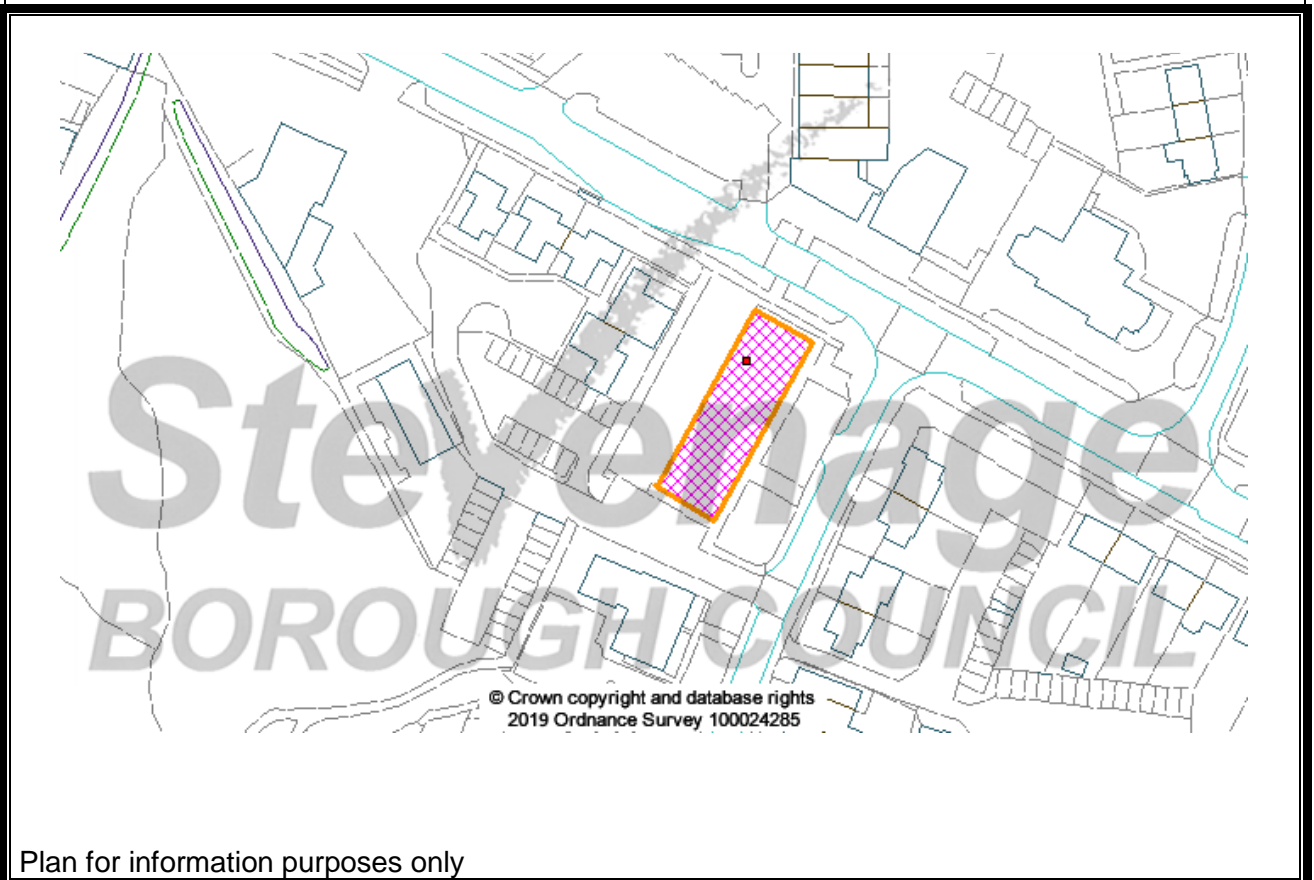
Proposal: Installation of a new heat dump for the roof solar panels on the south elevation of building at first floor level above the existing plant room doors

Drawing Nos.: CD-C392-Gladstone Court-04 Rev P2; -11 Rev P2; 12 Rev P2; and -13 Rev P2

Applicant: Stevenage Borough Council

Date Valid: 6 August 2021

Recommendation: GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site comprises a six storey block of flats at the junction of Spring Drive and Broadwater Crescent, owned by Stevenage Borough Council. The site is adjoined to the west by the car park for the flats and some bungalows; to the south by a single storey medical centre; and to the east and north by Spring Drive and Broadwater Crescent respectively. On the opposite side of Spring Drive are two storey dwellings while on the opposite side of Broadwater Crescent are a mix of single and two storey buildings. The application site is within Roebuck Ward and is within a Conservation Area.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning application 21/00624/FP sought permission for the installation of new sprinkler tank and pump equipment within roof plant room and new sprinkler drop pipe on the south east elevation of the building down to a ground storey fire brigade inlet box. Planning permission was Granted 13 July 2021.

3. THE CURRENT APPLICATION

- 3.1 Planning permission is sought for the installation of a new heat dump fan unit. This unit is to service the roof solar panels on the south elevation of the building at first floor level above the existing plant room doors. The unit would be mounted on a steel 0.6m deep bracket positioned immediately above the plant room doors. The unit itself would measure 0.67m in height, span 0.57m in width and 0.3m in depth.
- 3.2 Positioned above the heat dump fan unit would be a timber acoustic screen. The screen would measure 3.8m in width, 0.35m in height and project 0.6m from the wall. It would incorporate a shallow mono-pitched roof. The acoustic screen itself would be finished in grey.
- 3.3 The application comes before Committee for consideration as the applicant is Stevenage Borough Council.

4. PUBLIC REPRESENTATIONS

- 4.1 This planning application has been publicised by way of a site notice and neighbour notification letter along with a press notice. No responses were received.

5. CONSULTATIONS

5.1 Council's Environmental Health Section

- 5.1.1 A review has been undertaken of the Noise Impact Assessment for this application, dated 1st October (ref. AP1697/21322/0). The Environmental Health Section note the recommendation for an acoustic screen to be installed to mitigate noise from the proposed heat dump unit and that revised plans have been submitted (drawing no. CD-C392-Gladstone Court – 13, revision P3).
- 5.1.2 The Environmental Health Section recommends that if planning permission is granted, a condition is attached requiring the provision of the acoustic screen to the specification shown in the revised plans.

5.2 Council's Conservation and Historic Advisor

- 5.2.1 Gladstone Court is a circa 1950s / 1960s brick-built block of Independent Living Scheme flats located opposite the 'neighbourhood centre' within the Marymead area of Broadwater. Due to its height (compared to surrounding development), it is a focal point within the Broadwater (Marymead) Conservation Area.
- 5.2.2 The Conservation Area was designated in 2007 as a good example of one of Stevenage's Mark 1 'New Town' neighbourhoods. Conservation Areas are defined as "areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance".
- 5.2.3 The proposed addition of a solar panel heat dump above the boiler room doors (ground floor, south elevation – not north as referred to in the application) will represent a small scale, minor visual change to this side elevation. As such, the proposals are considered to preserve the significance of the Broadwater (Marymead) Conservation Area in line with National and Local Plan Policy. No objection.

6. RELEVANT PLANNING POLICIES

6.1 Background to the development plan

- 6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the decision on the planning application should be in accordance with the development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:
- The Stevenage Borough Council Local Plan 2011-2031
 - Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014); and
 - Hertfordshire Minerals Local Plan 2002-2016 (adopted 2007).

6.2 Central Government Advice

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in June 2021. This largely reordered the policy substance of the earlier 2012 and 2019 versions of the NPPF albeit with some revisions to policy. The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up to date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up to date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up to date development plan, reflecting the requirements of section 38(6) of the 2004 Act. The NPPF and the PPG, with which Members are fully familiar, are both material considerations to be taken into account in determining this application.

6.3 Adopted Local Plan

Policy SP1: Presumption in favour of sustainable development;
Policy SP8: Good Design;
Policy SP13: The Historic Environment;
Policy GD1: High Quality Design;
Policy FP7: Pollution
Policy NH10: Conservation Areas.

6.4 Supplementary Planning Documents

Broadwater Conservation Area Management Plan SPD (2012).
Council's Design Guide SPD (2009).

6.5 Community Infrastructure Levy Charging Schedule

- 6.5.1 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 floor space of a development. This proposal is not CIL liable.

7. APPRAISAL

- 7.1 The determining issues in this application relate to the impact of the development upon the character and appearance of the building and the area and whether it would preserve or enhance the character and appearance of the Broadwater (Marymead) Conservation Area, and the impact of the proposal upon the amenities of the neighbouring properties.

7.2 Impact on the Character and Appearance of the Area and the Conservation Area

- 7.2.1 The application site comprises a six storey block of flats in a prominent location at the junction of Spring Drive and Broadwater Crescent. It is a focal point of the Broadwater (Marymead) Conservation Area. The proposed works would have very little impact upon the external appearance of the building, considering their limited nature. Similarly, the impact upon the character and appearance of the street scene would be limited. The development would preserve the character and appearance of the Conservation Area as advised by the Council's Conservation and Heritage Advisor. The visual impact of the proposed development would, therefore, be acceptable.

7.3 Impact upon Neighbouring Amenities

- 7.3.1 The application is accompanied by a Noise Impact Assessment prepared by Spectrum Acoustic Consultants (ref. AP1697/21322/0). The assessment concludes that mitigation would be required in order to reduce noise from the fan to an acceptable level. The proposed mitigation, as set out in paragraph 3.2 of this report, is through the installation of an acoustic screen which is to be positioned above the fan. This is in order to block the line of sight from the unit to the habitable rooms above. With this screen in place, the noise impact from the fan would be reduced to an acceptable level.
- 7.3.2 Following consultation with the Council's Environmental Health Section, they consider the proposed development would be acceptable subject to the imposition of a condition. This condition would require the acoustic screen to be installed in accordance with the updated plans.

7.4 Other Considerations

Human Rights and Equalities

- 7.4.1 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.

- 7.4.2 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking.
- 7.4.3 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 7.4.4 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.
- 7.4.5 Due to the nature of the proposed development, it would not cause any harm to persons who fall within the aforementioned protected characteristics. As such, there are no equality related issues with this development.

8. CONCLUSIONS

- 8.1 The proposed development would not have any adverse impacts upon the character and appearance of the building, would preserve the character and appearance of the Broadwater (Marymead) Conservation Area and would not, subject to conditions, have any adverse amenity impacts either as a result of its limited nature.
- 8.2 It is concluded the proposed development accords with the Policies specified in the adopted Local Plan (2019), the Council's Design Guide SPD (2009), the NPPF (2021) and the 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:
- CD-C392-Gladstone Court – 04 Revision P2; CD-C392-Gladstone Court – 11 Revision P2; CD-C392-Gladstone Court – 13 Revision P3.
- 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 Prior to the first use of the heat dump fan unit, the acoustic screen as detailed on drawing number CD-C392-Gladstone Court – 13 Revision P3 and in the Noise Impact Assessment prepared by Spectrum Acoustic Consultants (ref. AP1697/21322/0) shall be installed in accordance with the approved details. The acoustic screen shall thereafter be maintained in accordance with the manufacturer’s specification and be permanently retained in its approved position until such time the heat dump fan unit is no longer required.

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

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.

INFORMATIVES

- 1 The applicant is advised that consideration must be given to not blocking the emergency vehicular access to the adjacent Marymead Surgery, 18 Spring Drive, Stevenage during the development.

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 – Design Guide adopted October 2009, Broadwater Conservation Area Management Plan SPD adopted 2012.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
5. Central Government advice contained in the National Planning Policy Framework July 2021 and Planning Policy Guidance March 2014.