

**STEVENAGE BOROUGH COUNCIL
PLANNING AND DEVELOPMENT COMMITTEE
MINUTES**

Date: Tuesday 15 September 2015

Time: 18.30 p.m.

Place: Council Chamber, Daneshill House, Danestrete, Stevenage

Present: Councillors D Cullen (Chair), M Downing (Vice Chair), D Bainbridge,
M Gardner, E Harrington, G Lawrence, J Lloyd CC and G Snell.

Started at: 18.30pm

Ended at: 19.20pm

1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were submitted on behalf of Councillors R Broom, L Chester, M Mckay and P Stuart.

There were no declarations of interests.

Councillor G Snell did not participate in the debate or vote with regards to Item 3 – Matalan Retail Park as he was not in attendance on 18 August 2015 when the Committee resolved to defer the matter so as to allow Officers provide further information on a number of issues.

Councillor G Snell participated on all the other items on the Agenda.

2. MINUTES – 18 AUGUST 2015

It was **RESOLVED** that the Minutes of the meeting of the Planning and Development Committee held on Tuesday 18 August 2015 be approved as a correct record and signed by the Chair.

3. APP REF; 14/00559/OPM – MATALAN RETAIL PARK, DANESTRETE STEVENAGE

The Committee considered an application for outline planning permission for residential development of up to 526 residential apartments and commercial units Class A1 (retail) A2 (professional and financial) A3 (restaurant) and A4 (drinking establishments) and A5 (hot food take away) with associated access, parking and landscaping following demolition of existing buildings.

The Development Manager reminded Members that the above item was deferred at the 18 August 2015 meeting in order to allow Officers provide clarity on how the affordable housing provision was arrived at; on how the scheme relates to the wider regeneration proposals for the town centre; requested further clarification on the car parking provision serving the new residential units and for Officers to review the height, numbers, scale and style of the development.

The Chair invited Mr John Davis of Pinetree Court, an objector to address the Committee. Mr Davis noted that concerns raised at the previous meeting on 18 August and recorded in the minutes of the meeting still prevail. Mr Davis welcomed the increase in car parking spaces that was being provided but felt it was still inadequate considering most residents would have an average of two cars. Mr Davis reiterated his earlier request for a pedestrian crossing across Danestrete.

The Chair thanked Mr Davis and invited Mr Paul Pinkney, SBC Interim Assistant Director of Regeneration to address the Committee. Mr Pinkney informed the Committee that the proposal is in line with the principles and the spirit of the adopted Stevenage Central Framework and supports the regeneration policy of the Council. Members were advised that on 24 July 2015, the Executive adopted the framework as a blueprint for the regeneration of the town centre and the wider central area.

The Chair thanked Mr Pinkney and invited the Development Manager to continue with his presentation.

On the insufficient number of affordable homes being provided for the scheme, Members were reminded that at the last meeting an independent viability consultant explained the whole process and subsequent negotiation with the applicant which resulted in only 24 social rented units being provided on site.

On the concerns with the design and scale of development, Members were advised that the applicant has confirmed that the quantum of development is required in order for the scheme to be viable and considering that the proposal is in outline form with all matters reserved, it is only an indicator of how the quantum of flats on these two sites would sit within the site and not necessarily constitute the final design.

With regard to the request for a pedestrian crossing across Danestrete, the Development Manager advised that a condition had been included if planning permission was granted, however this was subject to an assessment by the Highways Authority.

On the parking provisions for the scheme, Members were informed that applicant has revised the numbers and have provided further indicative plans which identify the number of car parking spaces which could be provided at the site to be increased from 109 to 175. The Officer advised the meeting that although the site is in a sustainable location and the Council's adopted parking standards allow for a reduction to 25%, the level of car parking to serve the development accords fully with the Council's adopted standards.

It was **RESOLVED** That outline planning permission be GRANTED subject to the applicant having first entered into and completed a s106 agreement to secure/provide financial contributions towards:-

- To secure the provision of affordable housing;
- Primary and nursery education, childcare provision and library services to serve the development;
- The provision of a fire hydrants;
- Monetary contributions towards outdoor sports provision and children's play space.

The detail of which would be delegated to the Head of Planning and Engineering and the Head of Legal Services or their successors and subject to the following conditions/reasons:

1. The approval of the details of the means of access, layout, scale, appearance and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority, prior to the commencement of any part of the development.
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
4. Within three months of occupation of the development hereby permitted the applicant shall submit both a commercial and residential Travel Plan with the object of reducing the number of trips to the development by private car which shall be first be approved by the Local Planning Authority. The Travel Plans shall thereafter be implemented in accordance with the approved details.
5. Construction of the approved development shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include construction vehicle numbers/routing, and shall be carried out as approved.
6. No tree shown retained on the approved plans shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
7. Before any development commences, including any site clearance or demolition works, any trees on the site which may be affected by the development shall be protected by fencing or other means of enclosure in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority. Such protection as may be agreed shall be inspected and approved by the Local Planning Authority prior to the commencement of the work and maintained until the conclusion of all site and building operations.
8. Within the areas to be fenced off in accordance with condition 7, there shall be no alteration to the ground level and they shall be kept clear of vehicles, materials, surplus soil, temporary buildings, plant and machinery.
9. The development hereby permitted shall not be commenced until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA), dated 02 October 2014 and letter dated 26 March 2015 from David Stimpson has been submitted to and approved in writing by the local planning authority. The drainage strategy shall include a restriction in run-off and surface

water storage on site as outlined in the FRA and details of who will be responsible for future maintenance of the surface water. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

10. No demolition or 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 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1300 on Saturdays.

11. Before development commences details of wheel cleaning facilities to be provided on site during site preparation and construction works shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be installed on site before the development commences, including any site clearance or demolition works, and shall be retained in working order until the completion of development and all vehicles leaving the site during this period shall use these facilities.

12. Prior to the commencement of development, details of the arrangements for the siting of any construction compound, storage of materials within the site and for the parking of vehicles associated with the development shall be submitted to and approved in writing by the Local Planning Authority and implemented as approved.

13. No demolition/development hereby permitted shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:

1. The programme and methodology of site investigation and recording.
2. The programme and methodology of site investigation and recording as suggested by the archaeological evaluation.
3. The programme for post investigation assessment.
4. Provision to be made for analysis of the site investigation and recording.
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation.
6. Provision to be made for archive deposition of the analysis and records of the site investigation.
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

14. No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site.

Moreover, it must include:

a survey of the extent, scale and nature of contamination;

(i) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,

- ecological systems,
- archaeological sites and ancient monuments;

15. If contamination is found as set out in condition 14, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

16. Prior to the commencement of work on the site, the applicant shall submit a scheme of dust control measures which shall be approved in writing by the Local Planning Authority. This shall be carried out and adhered to throughout the construction period. Dust and airborne particulates from operations on site shall be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust.

17. Prior to the commencement of any works on site, a survey shall be carried out to identify the presence of any asbestos on site. Any asbestos that is found must be removed using recognised safe methods and carried out by a licensed contractor. The correct enforcing authority must be notified of these removal works at least 14 days prior to removal works taking place. and ecological systems, and to ensure development can be carried out safely with unacceptable risks to workers, neighbours and other off site receptors.

18. Prior to the commencement of demolition and construction works a detailed Demolition and Construction Method Statement shall be submitted to and approved in writing by the Environmental Health Department. The Method Statement shall detail and advise of the measures in accordance with the best practicable means to be used to minimise construction noise and vibration likely to affect adjacent residential premises. The approved Statement shall be adhered to throughout the construction period.

19. A methodology for the screening or enclosure of plant and machinery to be used during the construction period shall be submitted to and approved by the Local Planning authority before works are commenced. The siting of plant and machinery shall be away from noise sensitive areas wherever possible. Vehicles and machines in intermittent use shall be shut down in the intervening periods between work.

20. Before the development commences, a report should be carried out by a competent acoustic consultant and submitted to the local planning authority for approval, which assesses (1) the likely noise impacts from the development and (2) the scheme for protecting the proposed residential properties from road traffic noise from the adjoining roads. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels. It should include all calculations and baseline data, and be sent out so that Environmental Health can fully audit the report and critically analyse the contents and recommendations.

21. Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of a pedestrian access across Danestrete in the vicinity of the application site, the feasibility of which shall have been the subject of a highway safety audit. If the pedestrian access is to be provided it shall be carried out in accordance with the approved details

4. APP REF: 15/00466/FPM – 3A, STEVENAGE LEISURE PARK, KINGSWAY, STEVENAGE

The Committee considered a change of use from Class A4 (Drinking Establishment) to Class D2 (Assembly and Leisure Use) .

The Principal Planning Officer gave an oral and visual presentation to the Committee and advised that the issues for consideration were the acceptability of the proposal in land use policy terms and highway and parking issues.

The Committee were advised that the site is within the Stevenage Leisure Park in the Stevenage District Plan Second Review 1991-2011; as such policy L3 applies. The Officer informed Members that as the proposed adventure golf use falls within the D2 use class, the scheme is fully in accordance with Policy L3.

The Officer advised that with regards to impact on the highway network, the proposal is unlikely to significantly alter the traffic generation of vehicles to the site and the existing car parking layout is considered acceptable to accommodate the development. He also noted that Hertfordshire County Council as the Highway Authority had no objections to the proposal as it would have no significant effect on the safety and operation of the adjoining highways.

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: 13.004(P) 101, 13.004(P) 106, 13.004(P) 107 and 13.004(P) 109

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

5. APP REF 15/00457/FPM – UNIT 6 FULTON CLOSE, STEVENAGE, HERTS, SG1 2AF

The Committee considered a change of use from Class B8 (Storage or Distribution) to Class D1 (Non-residential Institutions)

The Principal Planning Officer gave an oral and visual presentation to the Committee and advised that the main issue for consideration was whether the educational and training use of this unit is appropriate in this industrial location.

With regard to land use policy, the meeting was advised that the site is within the Gunnels Wood Employment Area in the Stevenage District Plan Second Review 1991-2000; to which policies E2 and E4 apply. Members were informed that Policy E4 of the District Plan states that within the designated Employment Areas, a range of

employment uses within the B1 (business), B2 (general industrial) and B8 (Storage or distribution) would be encouraged, however proposals for employment generating uses that do not fall within the above use classes would be considered on its merits.

Members were advised that although the use of the units for educational and training purposes does not fall within the B1, B2 or B8 use classes, it is considered that the type of vocational training proposed would be similar in character to those of an employment use and would be appropriately carried out in an employment area.

Members were reminded that the National Planning Policy Framework March 2012 (NPPF) seeks to support existing business sectors, taking account of where they are expanding and also states that planning policies should avoid the long term protection of sites allocated for employment use where there is reasonable prospect of a site being used for that purpose and that the use of the unit for North Hertfordshire College is considered to be in accordance with the NPPF as it provides for both current employment and greater access to employment opportunities in the future. The Officer also advised that the unit is not being taken out of permanent employment use and a condition is to be attached to planning permission to ensure that if building is vacated by college in the future, it would be reverted back to its previous lawful B8 business use.

In relation to car parking, the meeting was advised that the 20 car parking spaces being provided at Unit 6 is considered sufficient and as site falls within Zone 1 where the parking provision can be reduced.

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 plan: 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 use hereby permitted shall be carried on only by North Hertfordshire College or its successors in title. When the premises cease to be occupied by North Hertfordshire College or its successors in title, the use hereby permitted shall cease.
4. Prior to the use of the building for an educational and training D1 use, details of secure cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The works, as agreed, shall be carried out prior to the first occupation of the building as an educational and training facility and permanently retained thereafter.

6. APP REF 15/00183/FP – 10 POPPLE WAY, STEVENAGE

The Committee considered a change of use from A1 (shop) to A5 (Hot Food Take Away) and installation of rear extraction duct.

The Development Manager gave an oral and visual presentation to the Committee and advised that the main issue for consideration were the acceptability of the

proposed change of use in land use policy terms; the impact on the character and appearance of the area and the schemes impact on neighbouring residential amenity.

With regards the acceptability of the proposal on land use policy, Members were advised that site is located within the Popple Way Small Neighbourhood Centre as designated in Policy NC2/9 of the District Plan. The Officer informed the committee that the application site is currently occupied as a retail unit and its loss to accommodate a take away needs to be assessed. He advised that the scheme would still ensure that 50% of the premises is given over to retail floor space and not have a detrimental impact upon the principal shopping function of the small neighbourhood centre. He also stated that the introduction of a further take away in this parade accords with the advice in the NPPF in providing further customer choice and diversity of the retail offer.

On the impact of the proposal on the character and appearance of the area, Members were advised that in addition to the change in use, the application seeks a new extractor duct on the rear extension which would only have a minor visual impact and given its positioning on the rear elevation, it would not have an undue harmful impact on the character and appearance of the area.

With regards to the impact of the scheme on residential amenity , Members were advised that the take away would require the installation of appropriate ventilation/extraction systems to mitigate against the likely noise and odour problems associated with such uses. The Officer advised that a condition would need to be imposed on any grant of permission to ensure adequate control over this issue..

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: Site location plan and 1074:01.

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

3The use of the premises for the purposes hereby permitted shall operate only between the hours of 11.00 and 23.00 Mondays to Sundays, including Public and Bank Holidays and at no other time.

4. Prior to the first use of the premises as an A5 takeaway, the extraction system as submitted with the application and the technical details provided by Ventam Systems Ltd shall be installed and permanently retained in good working order thereafter.

5.No demolition or 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 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1300 on Saturdays.

7. **APP REF 15/00471FP – LAND ADJACENT 177 RIPON ROAD, , STEVENAGE**

The Committee considered a change of use of public amenity land to private residential land.

The Development Manager gave an oral and visual presentation to the Committee and advised that the main issue for consideration were the impact of the loss of the amenity land and on the character and appearance of the area.

The Officer advised that the application site 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 Local Plan.

Members were advised that the amenity space does not form an area of useable land but a large shrub bed separating the communal parking hardstanding from the boundary of No.177 and that the loss of the amenity space and some of the shrubbery is not considered to detrimentally impact the form and function of the structural open space.

With regards to concerns on the likelihood of a loss of a tree raised by an objector, the Officer advised that the tree is within the area of land to be enclosed as garden area and although it is not known if tree will be retained, the Council's Arboricultural Officer has advised that the Council would not seek retention of the tree as it is a poor specimen and in very close proximity to No.177, such that it may cause problems in the future.

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 approved area of land which forms the side and rear garden of the dwellinghouse shall be enclosed by timber fencing no higher than 1.8m in height unless otherwise agreed in writing by the Local Planning Authority.

8. **INFORMATION REPORT – APPEALS**

None

9. **INFORMATION REPORT – DELEGATED DECISIONS**

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

10. **URGENT PART 1 BUSINESS**

None

11. EXCLUSION OF PRESS AND PUBLIC

Not Required

PART II

12. URGENT PART II BUSINESS

None

Chair