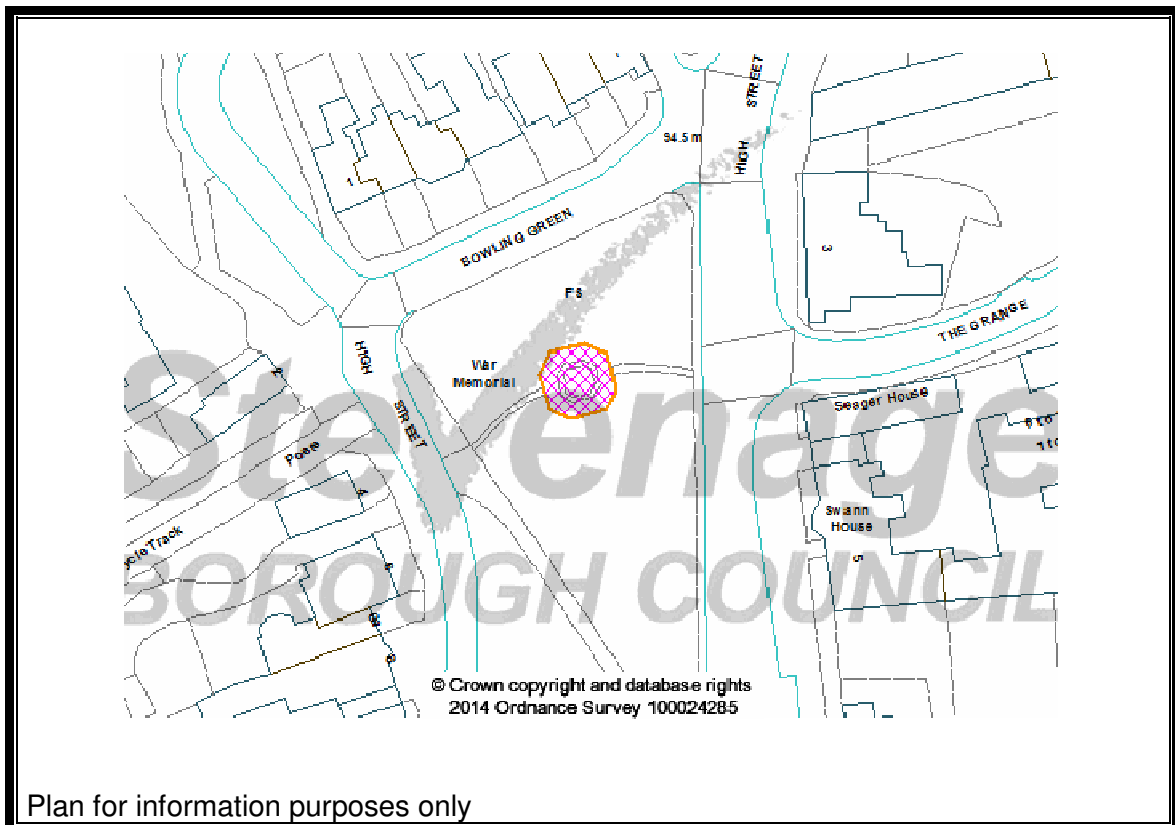


Meeting: Planning and Development Committee **Agenda Item:** 5
Date: 13 October 2015
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Application Nos:	15/00469/LB and 15/00495/FP
Location:	War Memorial, Bowling Green, Stevenage, Herts.
Proposal:	
15/00469/LB	Erection of new decorative railings on existing kerb of Stevenage War Memorial (Listed Building Consent)
15/00495/FP	Erection of new decorative railings on existing kerb of Stevenage War Memorial.
Drawing Nos.	PS/SM/22 A; PS/SM/23 A
Applicant:	Stevenage Borough Council
Date Valid:	
15/00469/LB	03 August 2015
15/00495/FP	17 August 2015
Recommendation:	GRANT LISTED BUILDING CONSENT AND GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site is located at the northern end of the High Street on the Bowling Green within the Old Town Conservation Area. The site comprises the War Memorial, which is registered as a Grade II (Unstarred) Listed Building as defined by Historic England. The War Memorial was erected in 1921 and is a Portland stone obelisk on a rectangular shaft with a bronze sword attached to the southern elevation of the memorial. There is also a bronze plaque which has the names of persons who have fallen during the war. The whole structure is fixed on two octagonal steps which is surrounded by gravel.
- 1.2 The surrounding area, which forms part of the Old Town Conservation Area, is characterised by a mixture of residential and commercial properties. The majority of the development which forms the northern end of the Old Town High Street centres on the 'Bowling Green' and the 'War Memorial'. There is a wide variety in the architecture within this part of the High Street incorporating a variety of external finishes which range from red brick, Mock Tudor or white render.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning permission was granted under reference 2/0073/96 in March 1996 for the alterations to, and refurbishment of the War Memorial.

3. THE CURRENT APPLICATION

- 3.1 The proposal seeks planning permission and listed building consent for the proposed erection of decorative railings on the existing kerb of the War Memorial. The railings would have a height of 570mm with an overall height of 865mm to the top of the posts. The railings would wrap around the base of the War Memorial. They would be constructed in black powder coated metal with metal posts capped with decorative finials with gold leaf finish detailing.
- 3.2 The proposed railings are to be erected in order to contain the floral tributes when laid down on the Memorial. The proposal is also to create some form of barrier so that members of the public going onto the Memorial itself.

4. PUBLIC REPRESENTATIONS

- 4.1 The application has been publicised by the erection of site notices and a press notice. At the time of drafting the report, no comments or representations had been received.

5. CONSULTATIONS

5.1 Council's Conservation Advisor (BEAMS)

- 5.1.1 Consider that the location, fixing and scale are acceptable. Initially, concerns were raised that the use of black, gold and red is nowhere echoed in the original designs of the Memorials of which are stone and bronze. Recommend, as a minimum, that the finials and poppies should be removed from the design. Following amendments to remove the poppies from the detailing, consider the proposals to be acceptable, but, still recommend the gold detailing is removed from the finials.

5.2 Parks and Amenities

- 5.2.1 No objection to the erection of the railings.

5.3 Open Space Society

5.3.1 No comment.

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)
- The Stevenage District Plan Second Review 2004.

The former Stevenage Draft Core Strategy and Development Management Policies were withdrawn on 1st February 2012. However, the Site Specific Policies Plan, the Old Town Area Action Plan and the Gunnels Wood Area Action Plan have all been approved locally by the Council's executive as material considerations in the determination of planning applications and continue to be used for Development Management purposes. Additionally, the Council's Interim Planning Policy Statement adopted in April 2012 is a material consideration in the determination of planning applications registered on or after the 18 April 2012.

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

TW1: Sustainable Development;
TW2: Structural Open Space;
TW8: Environmental Safeguards;
TW9: Quality in Design;
E9: Archaeology and Development
OT4: New Developments in the High Street

6.4 Interim Planning Policy Statement for Stevenage (April 2012)

IP01: Sustainable Development Principles

6.5 Supplementary Planning Documents

Stevenage Design Guide SPD (2009)
Old Town Conservation Area Management Plan SPD (2012)

6.6 Conservation Area Appraisal

Old Town Conservation Area Appraisal (2009).

7 APPRAISAL

7.1 The main issues for consideration in the determination of the applications are the acceptability of the proposal in land use policy terms, impact upon the Listed Building, impact on the character and appearance of the Conservation Area and impact upon neighbouring amenities.

7.2 Land use policy considerations

7.2.1 The War Memorial, given that it is located on the “Bowling Green”, is defined to fall within a designated area of structural open space. Accordingly, regard must be given to Policy TW2 of the adopted local plan which states:

“Development proposals which have an unacceptable adverse impact on the structural open spaces....will not be permitted”.

7.2.2 The proposed development seeks to erect decorative railings around the base of the War Memorial. Consequently, due to the siting of the proposed railings, the built form of the War Memorial would not encroach onto the structural open space. Given this, the proposed development would accord with Policy TW2 of the Local Plan (2004).

7.3 Impact upon the Listed Building and the Conservation Area.

7.3.1 Paragraph 131 of the NPPF (2012) states that Local Planning Authorities (LPA) in the determination of planning applications, should take into account the desirability of sustaining and enhancing the significance of heritage assets. It is also stated that account should be made to the contribution that conservation heritage assets can

make to sustainable communities. Finally, there is a desirability for new development to make a positive contribution to local character and distinctiveness.

- 7.3.2 Policy OT4 of the adopted Local Plan (2004) states that new development will be required to be in harmony with the surrounding area in terms of scale and materials. Furthermore, proposals should normally be no more than two-storeys in height, should be in keeping with the predominant size and scale of the existing building and surrounding area, and the proposal should be designed so that their appearance is in harmony and character with the existing buildings in the conservation area and use traditional materials.
- 7.3.3 The War Memorial, is registered as a Grade II (Unstarred) Listed Building as defined by Historic England. The War Memorial was erected in 1921 and was designed by the architect Arnold Wright. The memorial is a Portland stone obelisk on a rectangular shaft with a bronze sword attached to the southern elevation of the memorial. There is also a bronze plaque which has the names of persons who have fallen during the war. The whole structure is fixed on two octagonal steps which is surrounded by gravel.
- 7.3.4 Turning to the proposed works as set out in paragraph 3.1, Listed Building Consent is required because the railings would be attached to the base of the War Memorial. Furthermore, planning permission would be required as the proposal would involve development with the curtilage of, and would create a means of enclosure around a Listed Building.
- 7.3.5 It is not uncommon for war memorials to be fenced off, either as part of their original design or a later addition. The proposed design is modest and low key as to not detract from the War Memorial which is the key focal point. The locations, fixings and scale of the proposed works are acceptable against the backdrop of the existing obelisk. The railings would comprise of posts with decorative finials on top. These finials would have a small amount of gold leaf finish located on top of the 45mm diameter hollow section of the post.
- 7.3.6 Following the comments of the Council's Conservation Advisors, the detail of the railings have been amended to omit the forged poppy wreaths. Whilst they still raise concern about the gold detailing in the finials, it is considered that the design of the railings, as amended, are acceptable and would not adversely affect the character and appearance of the Listed Building.
- 7.3.7 Turning to the impact on the conservation area, it is noted that there are properties which front onto Bowling Green and along the High Street which have metal railings located outside their property. Consequently, it is not considered that the proposed railings would be an incongruous feature within the context of the wider conservation area. Furthermore, the proposal, given that it would set against the existing war memorial, would not appear overbearing to the visual amenities of the area.
- 7.3.8 Given the aforementioned comments, it is considered that the proposed development would not have a detrimental impact on the historic character and appearance of the Listed Building. Furthermore, it would preserve the visual amenities of the Conservation Area.

7.4 Impact on residential amenities

- 7.4.1 The nearest residential properties which are numbers 1 to 5 Bowling Green, are located approximately 28m from the War Memorial. Therefore, the proposed development, given its siting, design and scale, would not affect the amenities of nearby residential properties.

8 CONCLUSIONS

- 8.1 In conclusion, it is considered that the proposed development would not have a detrimental impact on Bowling Green which is designated as structural open space. Further, the development would not have a detrimental impact on the character and appearance of the Grade II (unstarred) listed building or the character and appearance of the conservation area. Moreover, the proposal would not have a detrimental impact on the amenities of local residents.

9 RECOMMENDATIONS

- 9.1 That planning application reference 15/00495/FP be GRANTED subject to the following conditions:

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

PS/SM/22 A; PS/SM/23 A

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).

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.

- 9.2 That Listed Building Consent reference 15/00469/LB be GRANTED subject to the following conditions:

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

PS/SM/22 A; PS/SM/23 A

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

2. The works for which consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

Reason:- To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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. Central Government advice contained in the National Planning Policy Framework March 2012 and National Planning Policy Guidance 2014.
4. Responses to consultations with statutory undertakers and other interested parties referred to in this report.