

Meeting: Planning and Development Committee **Agenda Item: 3**

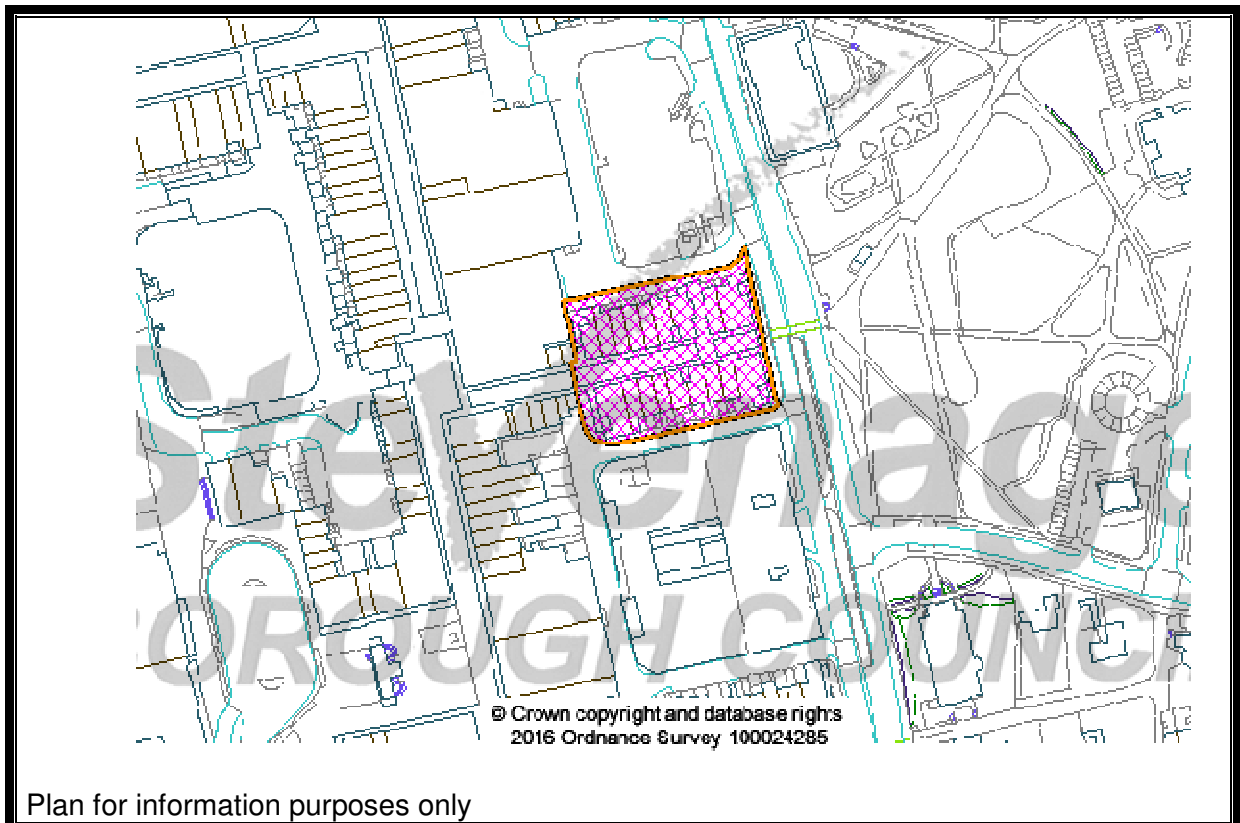
Date: 8 November 2016

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Application No:	16/00511/FPM
Location:	Park Place, Town Centre, Stevenage
Proposal:	Change of use of an existing three storey building from A1 (retail), B1 (office) and D1 (dental clinic) to retail and residential use and the construction of three additional floors for residential use comprising no. 44 studio units, no. 120 one bedroom residential units and no. 38 two bedroom residential units.
Drawing Nos.:	1285-D-1101A, 1285-D-1102, 1285-D-1103, 1285-D-1300, 1285-D-1301A, 1285-D-1302A, 1285-D-1303A, 1285-D-1304A, 1285-D-1305A, 1285-D-1306A, 1285-D-1307A, 1285-D-1308A, 1285-D-1309A, 1285-D-1310A, 1285-D-1311A, 1285-D-1312A, 1285-D-1701A, 1285-D-1801A, 1285-D-1802A and 1285-D-1803B.
Applicant:	Park Place Plaza Ltd
Date Valid:	5 August 2016
Recommendation:	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site comprises Nos. 5-29 (odd) and 14-38 (even) Park Place, which are two three storey high blocks which previously contained retail units at the ground floor and two levels of commercial floorspace above. The site forms the eastern part of Park Place with the two buildings located on the north and south side of the site, running east to west. They are separated by a pedestrian thoroughfare linking Queensway and the town centre to the Town Centre Gardens to the east and residential properties beyond, which are accessed via a subway under St Georges Way. The buildings were constructed in the 1960s and are flat roofed in appearance, constructed primarily of concrete panels and glazing at the first and second floors, with standard shopfronts serving the ground floor units.
- 1.2 The site is adjoined to the west by further commercial properties forming the western part of Park Place. As was the case with the application site, these units comprise retail premises on the ground floor but with a mixture of commercial and residential units on the first and second floors. To the west of these units is "Littlewoods Square" and Queensway. To the north the site backs onto the Marshgate surface level car park and the rear of commercial properties in Queensway. To the south the site adjoins the St Georges Multi Storey Car Park, below which is the indoor market. Both of the buildings the subject of the application are adjoined by service roads separating them from the two car parks. A pedestrian walkway is located under the northern block linking Park Place with Marshgate. To the east, the site abuts St Georges Way which is a dual carriageway.
- 1.3 The two, parallel buildings are each 72m in length. The application site has an area of 0.5 hectares and the buildings currently provide 5,089m² of floor area.

2. RELEVANT PLANNING HISTORY

- 2.1 2/0087/63 Construction of shops and offices. Land at blocks 13 and 14 (north and south of Park Place) for Stevenage Development Corporation. Planning permission granted 11.06.1963.
- 2.2 00/00257/FP Change of use from B1 (Office) to D1 (Clinic). Planning permission granted 18.07.2000.
- 2.3 02/00357/FP Change of use from offices to dental clinic at Suites C and E 17 Park Place. Planning permission granted 09.09.2002.
- 2.4 09/00067/FPM Demolition of existing retail and office building and construction of 2,527 sqm of Class A1 (Retail), 304 sqm of Class A3 (Restaurants and Cafes) and 108 two bed and 73 one bed flats. Application withdrawn 19.05.2009.
- 2.5 09/00346/FPM Demolition of existing retail and office building and construction of 2,169 sqm of Class A1 (Retail), 304 sqm of Class A3 (Restaurants and Cafes), 358 sqm of Class D1 (Non-residential Institutions) and 108 two bed and 73 one bed flats. Planning permission refused 05.01.2010.
- 2.6 10/00130/FPM Demolition of existing retail and office building and construction of 2,169 sqm of Class A1 (Retail), 304 sqm of Class A3 (Restaurants and Cafes), 358 sqm of Class D1 (Non-residential Institutions) and 108 two bed and 73 one bed flats. Application withdrawn 09.09.2015.

- 2.7 16/00078/CPA Prior approval for the change of use of first and second floors (Use Class B1 (a)) to Residential Dwellings (Use Class C3), comprising of 1 bedroom and 2 bedroom flats. Prior approval not required 18.03.2016.

3. THE CURRENT APPLICATION

- 3.1 The current application seeks planning permission to change the use of the existing three storey buildings from their lawful A1 (retail), B1 (office) and D1 (dental clinic) uses to retail and residential use and the construction of three additional storeys on each building to provide residential accommodation. In total the proposal would provide 202 apartments comprising 44 no. studio units, 120 no. one bedroom units and 38 no. two bedroom units. Having regard to the scheme referred to in paragraph 2.7 above, the proposal would result in a net increase of 110 units over and above the prior approval scheme.
- 3.2 Specifically, the proposal is for 2,018m² of retail floorspace at ground floor level within 6 units, with the residential apartments above. All of the apartments would benefit from a private balcony, terrace or Juliette balcony and the application also includes 8 car parking spaces for employees of the retail element of the scheme, 124 secure cycle spaces for future residents and 12 additional cycle parking spaces for retail employees and customers.
- 3.3 The existing buildings are some 10m in height. The extended buildings would be approximately 19m in height. In addition to being extended vertically, the existing buildings would also be extended horizontally. These extensions would increase the depth of the existing building by approximately 6m at ground floor level and by 5m at the first and second floors.
- 3.4 The applicant has stated that the proposed buildings would be finished in high quality materials comprising rainscreen cladding, brick cladding, a light coloured frame, perforated screens and glazing. The proposal also includes a landscape strategy to revitalise the public realm through new landscaping, tree planting and street furniture.
- 3.5 Finally, the applicant has stated that energy efficiency measures will be applied to the design of the scheme. The proposal would therefore adopt a highly efficient building fabric, low air tightness, low energy ventilation systems, low energy lighting and other energy efficiency measures. The application also includes a draft residential travel plan.

4. PUBLIC REPRESENTATIONS

- 4.1 As a major planning application the proposal has been publicised by way of letters to adjoining premises, a site notice and a press notice. In response to this consultation five objections to the application have been received from the occupiers of 142 Grace Way, 387 Broadwater Crescent, 71 Plash Drive, Flat 6 Park Place Chambers and a resident of Stevenage that didn't give their address. The grounds of objection can be summarised as:

- The proposed flats are not in keeping with the town centre and would set a precedent;
- No provision has been made as to where the residents will park their cars and the proposal would cause major parking disruption;
- The proposed height of the development will make the area very dark and would make it feel unsafe;
- The tall buildings will act as a wind tunnel;

- The proposed buildings are too tall for the width of Park Place and the buildings would appear nondescript;
- The buildings do not provide for the well-being and health of their inhabitants;
- They would only provide for one type of occupancy and would not provide for families, carers or elderly people; and
- The internal corridor is of a poor design and would be disadvantaged by a lack of natural light.

Additionally, three letters of support have been received from 6 Park Place, Wych Elm House in Welwyn and 120 Sefton Road. The letters support the application on the grounds that:

- The development would improve the area making it a much safer place to be;
- The development would attract more people for shopping making the area more vibrant;
- The development will create more foot traffic and would make the town centre more aesthetically pleasing;
- It will bring a refreshing and much needed improvement to the area;
- It will bring affordable accommodation and new shops to enhance the town centre experience; and
- It's great to see this kind of regeneration and commitment to Stevenage and I hope this project invites other developments to follow.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highway Authority

5.1.1 HCC considers the development to be in accordance with both National and Local Policies. Therefore, the Highway Authority's formal recommendation is that there are no objections to the development proposal subject to recommended planning conditions, a s106 agreement to address travel planning and a highway informative.

5.2 Hertfordshire County Council as Fire and Rescue Service

5.2.1 The access for fire appliances and provision of water supplies appear to be adequate.

5.3 Environmental Health

5.3.1 On completion, the dwellings shall meet the relevant noise levels sufficient to comply with the current Building Regulations. Additionally, the layout and space within the flats seems reasonable.

5.4 Thames Water

5.4.1 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. Thames Water would advise that with regard to sewerage infrastructure capacity, they would not have any objection to the planning application. Thames Water further recommends the installation of a properly maintained fat trap on all catering establishments.

5.5 Hertfordshire County Council as Lead Local Flood Authority

5.5.1 We have no objection to the proposed development. The flood risk assessment prepared by WSP project number 70023960 dated July 2016 submitted to the local planning authority (LPA) presents an acceptable drainage strategy for the site. At this full planning application stage the applicant has provided sufficient detail to demonstrate that there is a feasible drainage scheme for the site, including attenuation volumes. Thames Water has confirmed that they have no objection to the proposed discharge into the surface water sewer. As this is a full planning application, we therefore recommend conditions to be attached to any grant of planning permission.

5.6 NHS England and East and North Hertfordshire Clinical Commissioning Group:

5.6.1 Contributions required of £125,469.50 for the primary care element and total mental health, acute and community costs requested for the development of £622,893.26.

5.7 Hertfordshire Constabulary as the Crime Prevention Design Service

5.7.1 There are minor concerns as it has not been demonstrated that the applicant has had regard to Secured by Design. As such the Police Crime Prevention Design Service will not be objecting to the application and should the applicant contact us to achieve SBD accreditation then we would, in fact, support the scheme.

5.8 Environment Agency

5.8.1 Having reviewed the information submitted, we have no comments to make on this application.

5.9 Hertfordshire County Council as Minerals and Waste Planning Authority

5.9.1 In determining the planning application the borough council is urged to pay due regard to the policies of the Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 and to ensure their objectives are met. Many of the policy requirements can be met through the imposition of planning conditions.

5.10 BEAMS as the Council's Conservation Advisor

5.10.1 The proposal entails retaining the existing buildings but significantly altering the facades / fenestration and extending the buildings upwards by 3 storeys (these 3 storeys being set back). A contemporary architectural approach is being taken with the use of modern materials, cantilevered balconies and large areas of glazing which is appropriate to the existing buildings and the adjacent Stevenage New Town conservation area. BEAMS raised concerns about a previous scheme to redevelop Park Place due to the height of the proposed new development. The current proposal is not considered to have a significant impact upon the setting of the Stevenage New Town Conservation Area and on balance the proposal is considered an enhancement to Park Place itself and the wider New Town Centre, assisting its future regeneration. Recommend approval.

5.11 Hertfordshire County Council in relation to impact on service provision

- 5.11.1 Based on the information provided for a development of 202 dwellings, the County Council would seek financial contributions towards primary education, secondary education, library services and youth services.

5.12 Parks and Amenities

- 5.12.1 Financial contributions required to fund equipment improvements for the play areas at the Town Centre Gardens or King George V Playing Fields and works to the Millennium Gardens.

6. RELEVANT PLANNING POLICIES

6.1 Background to the Development Plan

- 6.1.1 In the determination of planning applications development must be in accordance with the statutory development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014);
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007); and
- The Stevenage District Plan Second Review 2004.

The Council has now commenced work on the new Stevenage Borough Local Plan 2011-2031. The draft version of the Plan was published in January 2016 and will be used as a material consideration in the determination of all planning applications registered on or after Wednesday 6 January 2016. The Site Specific Policies DPD, the draft Gunnels Wood Area Action Plan (AAP), the draft Old Town AAP, the Pond Close Development SPG, Stevenage West Masterplanning Principles SPG, the Gunnels Wood Supplementary Planning Document and the Interim Planning Policy Statement for Stevenage are no longer material considerations in the determination of all planning applications registered on or after Wednesday 6 January 2016.

- 6.1.2 Where a Development Plan Document has been submitted for examination but no representations have been made in respect of relevant policies, then considerable weight may be attached to those policies because of the strong possibility that they will be adopted. The converse may apply if there have been representations which oppose the policy. However, much will depend on the nature of those representations and whether there are representations in support of particular policies.
- 6.1.3 In considering the policy implications of any development proposal the Local Planning Authority will assess each case on its individual merits, however where there may be a conflict between policies in the existing Development Plan and policies in any emerging Development Plan Document, the adopted Development Plan policies currently continue to have greater weight.

6.2 Central Government Advice

- 6.2.1 In March 2012 the National Planning Policy Framework (NPPF) was published and in doing so it replaced many documents including all Planning Policy Guidance Notes and Planning Policy Statements. The NPPF sets out the Government's planning policies for England and

how these are expected to be applied. Annex 1 of the NPPF provides guidance on how existing local plan policies which have been prepared prior to the publication of the NPPF should be treated. Paragraph 215 of the NPPF applies which states that only due weight should be afforded to the relevant policies in the adopted local plan according to their degree of consistency with it.

- 6.2.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is itself a material consideration. Given that the advice that the weight to be given to relevant policies in the local plan will depend on their degree of consistency with the NPPF, it will be necessary in the determination of this application to assess the consistency of the relevant local plan policies with the NPPF. The NPPF applies a presumption in favour of sustainable development.
- 6.2.3 In addition to the NPPF advice in the National Planning Practice Guidance (March 2014) also needs to be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 14 of the National Planning Policy Framework requires the application to be determined in accordance with the presumption in favour of sustainable development unless otherwise specified.

6.3 Adopted Local Plan

TW1	Sustainable Development
TW8	Environmental Safeguards
TW9	Quality in Design
TW10	Crime Prevention
TW11	Planning Requirements
H7	Assessment of Windfall Residential Sites
H8	Density of Residential Development
H14	Benefits of Affordability
T6	Design Standards
T12	Bus Provision
T13	Cycleways
T14	Pedestrians
T15	Car Parking Strategy
TR1	Town Centre
TR3	Retail Frontages
TR7	Loss of Office Accommodation
TR9	Town Centre Car Parking
EN27	Noise Pollution
EN13	Trees in New Developments
EN38	Energy Conservation and Supply
L15	Outdoor Sports Provision in Residential Developments
L16	Children's Play Space Provision in Residential Developments
L17	Informal Open Space in Residential Developments
L18	Open Space Maintenance

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

Policy SP1: Presumption in Favour of Sustainable Development
Policy SP2: Sustainable Development in Stevenage
Policy SP3: A Strong, Competitive Economy
Policy SP4: A Vital Town Centre
Policy SP5: Infrastructure
Policy SP6: Sustainable Transport
Policy SP7: High Quality Homes

Policy SP8: Good Design
Policy SP9: Healthy Communities
Policy SP11: Climate Change, Flooding and Pollution
Policy SP13: The Historic Environment
Policy TC1: Town Centre
Policy TC7: Marshgate Major Opportunity Area
Policy TC8: Town Centre Shopping Area
Policy IT3: Infrastructure
Policy IT4: Transport Assessments and Travel Plans
Policy IT5: Parking and Access
Policy HO1: Housing Allocations
Policy HO7: Affordable Housing Targets
Policy HO8: Affordable Housing Tenure, Mix and Design
Policy HO9: House Types and Sizes
Policy GD1: High Quality Design
Policy FP1: Climate Change
Policy NH10: Conservation Areas

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document January 2012.
Stevenage Design Guide 2009.
Town Square Conservation Area Management Plan July 2012

7. APPRAISAL

7.1 The main issues for consideration in the determination of this application are its acceptability in land use policy terms, the impact on the character and appearance of the area; the impact on both existing neighbouring amenities and future residential amenity; the effect of the proposals on the highway network and the adequacy of parking provision.

7.2 Land Use Policy Considerations

7.2.1 The application site is identified within the Town Centre Policy Area in the Stevenage District Plan Second Review 1991-2011, where policy TR1 applies. Policy TR1 states that “Within the town centre policy area, as identified on the proposals map, permission will be granted for inter alia housing provided that it does not conflict with the Council’s adopted vision or strategy for the town centre or other policies.” As such the principle of residential development is accepted, particularly now that prior approval has been granted to change the use of the buildings from offices to flats under reference number 16/00078/CPA. However, as an unallocated housing site within the urban area of Stevenage the proposal is considered to be a ‘windfall’ site where policy H7 of the District Plan (Assessment of Windfall Residential Sites) applies. Policy H7 sets out a number of criteria against which proposals for residential development on sites not allocated in the District Plan will be assessed against. The proposal is subject to both the relevant housing policies of the District Plan and the National Planning Policy Framework March 2012 (NPPF).

7.2.2 The NPPF states at paragraph 49 that “housing applications should be considered in the context of the presumption in favour of sustainable development” and that “relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.” Taking these issues in turn, the site is considered to be in a highly sustainable location. The application site is approximately 200m from the town centre bus station and 450m from the railway station and

both these modes of transport can be easily reached on foot. The application site is located in the town centre and has ready access to a range of retail and service units as well as a number of food and drink premises. The site is in close proximity to three supermarkets and there are pharmacies, a library, doctors and dental surgeries all within a short walk of the site. Finally, the nearest primary school is Brooms Barns JMI School at Homestead Moat, which is located approximately 450m from the application site to the south-east, with the nearest secondary school being The Thomas Alleyne School which is approximately 1,400m to the north of the site. As such the application site is considered to have excellent access to local facilities and alternative forms of travel to the private car and is therefore in a highly sustainable location.

- 7.2.3 In relation to the five year supply of deliverable housing, paragraph 47 of the NPPF states that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. The most up to date housing supply figures indicate that the Council is unable to meet its requirement to provide a five year supply of deliverable housing. The fact that the Council is unable to meet its requirement to provide a five year supply of housing is thus a material consideration in the assessment of the application.
- 7.2.4 The fact that the site is considered to be in a highly sustainable location, would constitute a sustainable form of development and that the Council is unable to provide a five year supply of deliverable housing sites are strong material considerations that significantly weigh in favour of the application.
- 7.2.5 Additionally, the ground floor units are also designated as secondary retail frontages by policy TR3 of the District Plan where proposals for A2, A3 or other uses appropriate in a town centre retail street will be permitted. The proposal is not specific on the type of retail use proposed and would keep this flexible to assist with the marketing of these units. However, any type of A1, A2 or A3 use would be appropriate in these units and would comply with policy TR3.
- 7.2.6 Policy TR7 of the District Plan relates to the loss of office accommodation in the Town Centre Inset Area. However, the planning application itself does not result in the loss of any office accommodation. The buildings have gained a prior approval to change the use of the buildings from offices to residential under reference 16/00078/CPA. Although this has yet to be implemented it does mean that this change is permitted and it is this approval that results in the loss of the existing office accommodation, rather than the current planning application. It is also fair to say that the dated nature of the buildings do not lend themselves to a modern office working environment.
- 7.2.7 Finally, further to stating that housing is an appropriate land use in the Town Centre Inset Area, policy TR1 also states that mixed use development will be permitted provided that it does not conflict with the Council's adopted vision, strategy for the town centre or other policies. Given the proposed mixed use of retail and residential is considered to be acceptable in principle, it is then also important to assess the use against the Council's specific housing policies.

7.3 Compliance with the Council's Housing Policies

- 7.3.1 As set out above, as the site is unallocated for housing within the adopted District Plan, the application site is considered to be a 'windfall' site where policy H7 of the District Plan applies. Policy H7 sets out a number of criteria against which proposals for residential development on sites not allocated in the District Plan should be assessed against.
- 7.3.2 Firstly, the application site is on previously developed land. The application site currently comprises 2no. three storey, predominantly vacant, retail and office buildings and the paved thoroughfare between the buildings. As the site is currently occupied by buildings and hard surfacing, it is considered to accord with the definition of previously developed land set out in Annex 2 of the NPPF. The NPPF states that previously developed land 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 NPPF also advises that a key objective is that local planning authorities should continue to make effective use of land by re-using land that has been previously developed. Further, as a previously developed site, the proposal would not result in the loss of any structural open space, which thus satisfies criterion (b) of policy H7.
- 7.3.3 Criterion (c) of Policy H7 states that there should be no detrimental effect on the environment and the surrounding or adjoining properties. This issue will be assessed in detail in the following sections considering the impact on the character and appearance of the area and the impact on neighbouring amenity.
- 7.3.4 Finally, policy H7 also requires that there is access to local facilities and that residential proposals include opportunities to access alternative forms of travel to private motorised transport. As shown in paragraph 7.2.2 above the site has excellent access to local facilities and services and also excellent access to the public transport network and both the pedestrian and cycle networks. The site has been demonstrated to be in a highly sustainable location and, as such, would comply with criteria (d) and (e) of policy H7 of the District Plan.
- 7.3.5 Policy H8 of the District Plan relates to the density of residential development and states that 'in general, the net density of new housing should be within the range of 30-50 dwellings per hectare and that higher densities (50-65+ dwellings per hectare) will be encouraged in developments in the town centre, at neighbourhood centres and other locations well served by passenger transport.' The proposal is seeking 202 units on a site of 0.5 hectares which will provide a density of approximately 404 dwellings per hectare, well in excess of the range set out above. However, it is recognised that this site is in a highly sustainable location, is in close proximity to other high density schemes and the high density is a result of the number of apartments proposed which would not be out of context in this location. More importantly, the drawings demonstrate that a high quality residential environment can be created utilising this form of development and as such this high density approach is considered to be appropriate in this location.

7.4 The Emerging Local Plan (Stevenage Borough Local Plan 2011-2031)

- 7.4.1 As demonstrated above, the proposal is in accordance with policy H7 of the Adopted District Plan; however, it is also important to consider the emerging policy position.
- 7.4.2 Firstly, emerging policy SP4 promotes the comprehensive and co-ordinated regeneration of Stevenage Central (Town Centre plus adjoining sites) and states that this should provide for 3,000 new homes. Additionally, policy SP7 allocates the town centre for 2,950 new homes.

- 7.4.3 Further, as well as being within the defined Town Centre of the emerging Local Plan, the site is also within the Marshgate Major Opportunity Area, where policy TC7 applies. This seeks high-density residential units, new D1, D2, leisure, cultural and civic uses and new use class A1, A3 and A4 uses. As such the principle of this mixed use proposal is also in accordance with the emerging Local Plan which allocates the town centre for a significant number of dwellings.
- 7.4.4 It is recognised that the proposal provides for a number of one and two bedroom units. Emerging policy HO9 requires that residential schemes provide an appropriate range of market and affordable house types and size taking into account structural imbalances in the existing housing stock, the housing needs of the Borough, the location and accessibility of the application site and recent completions, existing permissions and sites in the five-year land supply. The emerging plan makes it clear that there is a specific need to increase the number of smaller homes and apartments that are available. Whilst the proposal would provide a large number of smaller units, it is considered that the proposed mix of units is acceptable in this town centre location and is in accordance with policy HO9 of the emerging Local Plan.

Affordable Housing and Developer Contributions

- 7.4.5 Policy HO7 of the emerging Local Plan requires that on previously developed sites, 25% of new homes will be required to be affordable. As set out previously, as there has already been a prior determination granted for the conversion of the offices at the site to residential, the net increase in units is 110. Consequently, in working out the level of s106 contributions which can be borne by the application, it is only reasonable to apply this to the net increase of residential units created. In view of this, 28 of the units would be required to be affordable. Policy HO7 continues that “planning permission will be refused where these targets are not at least achieved unless:
- a) Developers robustly demonstrate that the target cannot be achieved due to site-specific constraints resulting in higher than normal costs, which affect its viability; or
 - b) Meeting the requirements would demonstrably and significantly compromise other policy objectives.”
- 7.4.6 Additionally, paragraph 173 of the NPPF states that “pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking”. It continues to state “to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.” In essence the viability of a scheme can be a material consideration in the determination of a planning application.
- 7.4.7 In this instance the applicant has provided a detailed financial viability assessment which demonstrates that the proposal is unable to provide the policy compliant position of 25% affordable housing. This appraisal has been independently assessed by the Council’s own viability consultants who have confirmed that the application is unable to provide the full amount of affordable housing provision. However, whilst the full amount cannot be provided, as an alternative a financial contribution in lieu of on-site affordable housing of £403,357 has been negotiated with the applicant, which would equate to approximately 7.5% of the affordable housing. This approach is in accordance with the NPPF as it has

been clearly demonstrated that the scheme would not be viable with the usual full requirement of affordable housing provision. In this instance the financial contribution is considered to be acceptable.

- 7.4.8 In addition to affordable housing, financial contributions are also required in accordance with the Hertfordshire County Council tool kit and contributions to Stevenage Borough Council for commuted payments towards the improvement of nearby outdoor sports facilities/ open space. Contributions have also been sought by the NHS. Based on the net increase of units, the following contributions toward these aspects have been secured:-

Stevenage Borough Council	Financial Contribution
Open outdoor space	£5,297.60
Children's play space	£4,782.80
Total	£10,080.40
Hertfordshire County Council	
Education, Libraries and Youth	£49,022.00
Total	£49,022.00
Other	
NHS	£226,029.00

- 7.4.9 With regard to the NHS contribution this sum is below their initial request, which was based on the full amount of residential units not the net increase of units. The response of the NHS has been sought with regard to the offer made and any additional comments made will be reported to the Committee.

- 7.4.10 Finally, as part of the proposed development it is intended to improve the public realm in the vicinity of the site. This will include a number of improvements, including re-paving and landscaping the area between Queensway and St. Georges Way, new lighting and works to improve the appearance of the adjoining multi storey car park. The developer has set aside a sum of £469,000 to undertake these works, which includes £50,000 toward improving the appearance of the car park. However, it is intended that these works to the public realm will be secured by way of a condition attached to the permission in order that the work can be undertaken by the developer at the same time or immediately after the development is completed. The precise details of this work would first be agreed by the Council and it is proposed that this would be equivalent to the financial sum set aside by the developer. If the works undertaken are not equivalent then any surplus would be clawed back to the Council for its own use.

7.5 Impact upon the Character and Appearance of the Area

- 7.5.1 The application proposes significant external alterations to the two buildings as well as horizontal and vertical additions to these existing buildings. The proposal would modernise and improve the appearance of the existing buildings and is considered to have a positive impact on the character and appearance of the area for the following reasons.

- 7.5.2 In terms of the layout, the scheme obviously utilises the existing buildings and thus has the same basic layout with the two buildings running east to west with the retail units at ground floor level addressing the Park Place thoroughfare. With regard to scale, it is considered that the site is able to accommodate six storey buildings at this edge of town centre location. The extended buildings would be similar in scale to the multi-storey car park, which is a four storey building. Taller buildings in this location would also act as a gateway into the town centre on this eastern periphery. Finally, as can be seen from the response of the Council's

Conservation Consultant (BEAMS), this taller building approach is not considered to have a significant impact on the setting of the Stevenage New Town Conservation Area.

- 7.5.3 The existing buildings are now dated and do not contribute positively to the street scene. The applicant has adopted a contemporary, dynamic frame approach to the design solution utilising modern materials, cantilevered balconies and large areas of glazing. As such the new buildings are characterised by new, carefully controlled rhythmic facades, with upper level setbacks, expressed corners and landmark features. The dynamic frame approach which has been adopted is considered to result in a high quality design solution that accords with the principles of the NPPF and policy GD1 of the emerging local plan that requires high quality design. Whilst the buildings would be taller than the majority of the town centre buildings, the design does reference the proportions and simple geometric form of existing buildings in the town centre and the high quality design would ensure that the buildings themselves would have an acceptable impact on the character and appearance of the area. For a contemporary approach to work effectively, it requires the use of high quality materials. Whilst the materials that have been indicated appear appropriate, it is recommended that a condition is attached to the grant of any planning permission requiring the submission of samples of building materials.
- 7.5.4 In addition to the buildings themselves, the proposal also provides for significant improvements to the public realm in the vicinity of the application site and a landscape strategy has been submitted as part of the application. The proposals intend to revitalise the public realm through new landscaping, tree planting, street furniture and use of the area, most likely in the form of external seating areas for cafes and restaurants. This approach is welcomed; however, the public realm improvements do need to stretch beyond the application site to include the remainder of the Park Place thoroughfare up to 'Littlewoods Square' and possible enhancements to the subway to the Town Centre Gardens. As set out in paragraph 7.4.10 above, the applicant has set aside a figure of £469,000 to complete these works and the specific detail of these works would be agreed by the Council before they are implemented.
- 7.5.5 Having regard to the aforementioned, whilst the scheme introduces taller buildings into this part of the town, it is considered that the scale and form of the buildings would enhance this part of the town centre and would create an important gateway into the town when entering from the east, through the Town Centre Gardens. The articulation and materials proposed, together with the public realm improvements, would result in an attractive development that would significantly enhance this part of the town centre.

7.6 Impact upon Neighbouring Amenity

- 7.6.1 With regard to the impact on neighbouring amenity, the proposal would not unduly affect the operation or amenity of any of the existing neighbouring buildings. The application site is adjacent to the St George's Multi-Storey car park to the south, the Marshgate surface level car park to the north and St George's Way to the east, beyond which are the Town Centre Gardens. In view of this, it is considered that the only buildings which would be affected by the development are those located to the west of the application site, nos. 1 and 3 Park Place and nos. 2-12 (even) Park Place and residential properties in Park Place Chambers.
- 7.6.2 With regard to nos. 3 and 12 Park Place, these form the end properties in the two, three storey parallel commercial blocks forming the western part of Park Place. These have blank side elevations with the exception of a glazed stairwell located in the end of no. 3. There are

windows at first and second floor in the front of these buildings, particularly the southern block which face northwards and some of these units are in residential use. However, given the perpendicular relationship between these windows and the proposed extended buildings and the proposed separation distances, it is not considered that there would be any unacceptable loss of light or over dominance of these existing units. Additionally, there would be a separation distance of approximately 44m from the side elevation of the proposed southern block to the rear elevation of the properties in Queensway which would be well in excess of the 25m back to side separation distance set out in the Stevenage Design Guide. This distance would be sufficient to avoid any undue loss of privacy or other detrimental impacts.

7.7 Future Residential Amenity

- 7.7.1 In considering a residential scheme of this nature it is also important to ensure that living conditions for any future occupiers are appropriate.
- 7.7.2 Given the town centre location of this proposal, it is considered acceptable that the proposal does not include any formal open space. However, each unit would benefit from either a private balcony, terrace or Juliette balcony and 73% of the units would have a private balcony or terrace with an average size of 9.7m². These would provide individual amenity areas for residents and this is considered to be an appropriate solution in this town centre location. To meet the requirements of policies L15 and L16 of the District Plan, commuted payments towards existing sports/open space facilities and children's play space will be included as a provision in the s106 legal agreement. The nearest substantive open spaces with children's play equipment are in the Town Centre gardens, approximately 190m to the north-east of the application site and at the King George V playing fields, 450m to the north-west.
- 7.7.3 The units proposed range in size from 34.5m² to 78m² which are considered to be of a suitable size and it is noted that the Council's Environmental Health department has stated that the layout and space within the flats is acceptable. Additionally, the proposal has been assessed with regard to both levels of daylight and sunlight for future occupiers and the levels of light are considered to be acceptable. Finally, suitably sized refuse stores and cycle parking have been designed into the proposal such that they would be within the confines of the building and would be suitable and convenient for residents. Given this assessment, the living conditions for future occupiers would be acceptable.

7.8 Impact on the Highway Network

- 7.8.1 The impact of the proposal on the highway network is limited in this instance. The existing buildings have a limited amount of parking associated with them and it is likely that the majority of former employees would have parked in the public car parks in close proximity. The development now proposed is for a car free development for the residential units and eight car parking spaces for employees of the retail element of the scheme. As such there would be minimal vehicular movements to the site itself. Whilst there may be vehicular movements to nearby car parks from any future residents or employees, the Highway Authority considers that these would be on a similar scale to the previous use. Accordingly, there is not considered to be a material increase or change in character of traffic in the vicinity of the site and therefore the Highway Authority has no objection to the proposal. However, they are seeking the provision of a travel plan as part of the development and a contribution of £6000 has been secured for monitoring purposes of this plan.

7.9 Parking Provision

- 7.9.1 As stated above the proposal does not provide for any residential car parking on site. The Parking Provision Supplementary Planning Document sets a base standard of 1 space per one bed unit and 1.5 spaces for a two bed unit, which would equate to 121 car parking spaces for the unit sizes proposed (89 x one bed and 21 x two bed) of the net increase of 110 dwellings. However, the application site is in Zone 1 (identified in the SPD), where car parking provision can be reduced to 25-50% of the base car parking standard which would equate to 31 to 61 spaces. In this instance the applicant has offered to provide a 50% subsidy for residential parking permits for 50% of the net increase in units for a period of two years. A financial contribution of £49,500 has been provided for this purpose (55 units at a cost of £450 x 2 years). After the first two years any residents would then have to purchase their own season tickets should they wish to continue to park a car in close proximity to the site. Whilst this proposal would only partly meet the requirement of the SPD, it is considered to be a suitable compromise solution in this instance given the highly sustainable location of the site. The requirement to provide a 50% subsidy for season tickets for two years can be secured in the s106 legal agreement. Additional to this a financial contribution of £7,000 has been secured toward a parking survey in order to assess the impact that the parking provision may have on nearby residential streets in the Bedwell area. Finally, a car club contribution of £10,000 has been secured which will be used toward the provision of cars for hire occupiers of the development who are non-car owners.
- 7.9.2 It should be noted that this type of arrangement has previously been agreed for other similar town centre developments and that this approach was also previously agreed by Members in their consideration of the 10/00130/FPM application which achieved a resolution to grant planning permission. Finally, the Council's Parking Provision SPD does state that car-free residential developments will only be permitted in those locations that have high accessibility by non-car modes and are within easy walking distance of shops and services which are characteristics of this site.
- 7.9.3 With regard to cycle parking, the proposal offers 124 secure cycle parking spaces for future residents and 12 spaces for use by retail employees and/or customers. The Council's Parking Provision SPD does set out that cycle parking should be provided at 1 space per unit, however, in this instance it is noted there is a fall-back position of providing a conversion of the existing buildings to residential use under a prior approval application. Given this, it is considered to be a reasonable approach to provide cycle parking for the fully new build units given the constrained nature of the site.
- 7.9.4 In relation to the retail units proposed, it is difficult to apply the relevant cycle parking standards at this time until it is known exactly what use class these units would fall into and the numbers of staff that would be employed. The SPD sets out a standard of 1 short term space per 350m² gross floor area and as the units range in size from 315m² to 379m², two spaces for each unit is considered to be an appropriate provision.

7.10 Other Considerations

Flood Risk Assessment

- 7.10.1 The application site is situated within a Flood Zone 1 location which has a low probability of flooding and accordingly the Environment Agency has no objection to the proposals. Additionally, Hertfordshire County Council as the Lead Local Flood Authority (LLFA) has

confirmed that the applicant has provided sufficient detail to demonstrate that there is a feasible drainage scheme for the site. Accordingly, the LLFA raise no objection on flood risk grounds subject to conditions which are included in section 9.1 of this report.

Relocation of Existing Occupiers

- 7.10.2 From the site visit it was noted that both buildings have now been vacated, with the exception of Inline Orthodontics who are still occupying part of the first floor of the northern building. It is known that this occupier has to vacate the building by the end of March 2017, which is a commercial decision outside of the planning system. Notwithstanding this, the applicant is working with this last remaining occupier to find a suitable alternative unit in close proximity to the site. Otherwise both buildings are now vacant and lend themselves to a suitable alternative use.

Energy Statement

- 7.10.3 The applicant has provided an Energy Statement to accompany the application. The Energy Statement demonstrates that the development will utilise highly efficient building fabric, low air tightness, low energy ventilation systems and low energy lighting. This attention to sustainability is welcomed and is in accordance with policy FP1 Climate Change of the emerging Local Plan.

8. CONCLUSIONS

- 8.1 It is considered that the proposal would represent an appropriate conversion and extension of these buildings in this town centre location, which does not conflict with the Council's adopted vision or strategy for the town centre. Whilst the application site is not allocated for residential development within the adopted District Plan, a proposed mixed use development of retail and residential is considered to be acceptable. Although a high-density scheme, the location close to the town centre, bus and rail stations and cycle and pedestrian facilities represents a sustainable location, which is able to accommodate a high-density proposal. In view of this, the proposal is considered to accord with the Council's adopted District Plan policies which relate to developments in the town centre. Further, the town centre is allocated for residential development in the emerging Local Plan.
- 8.2 The design and layout of the buildings has demonstrated that the proposed scheme would not significantly harm the amenities of the occupiers of neighbouring residential properties and the residents of the proposed apartments would enjoy an acceptable level of amenity. Whilst the buildings would be taller than neighbouring buildings, the Council has previously accepted a taller building approach in this location in the assessment of planning application reference 10/00130/FPM. In design terms it would represent a high quality development resulting in an attractive gateway to the town centre, which would assist in the wider aspirations of redeveloping the town centre and provide an enhancement of the public realm at and adjacent to the application site.
- 8.3 The proposal would not provide any car parking on site to serve the development. However, the applicant has provided information to justify this approach and to provide appropriate mitigation that would deal with those residents who choose to own a car and live in the development. The proposal to provide car parking season tickets is considered to be an acceptable compromise in this highly sustainable, town centre location and the proposal has provided an appropriate amount of cycle parking in a convenient location. Finally, issues relating to construction management, materials, public realm improvements, affordable housing and developer contributions can be satisfactorily addressed through the

use of conditions or a s106 legal agreement. Accordingly, it is recommended that planning permission is granted.

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the applicant having first entered into and completed a s106 legal agreement to secure / provide financial contributions towards: -
- The provision of a financial contribution toward affordable housing;
 - Primary education, secondary education, library services and youth services;
 - The improvement of outdoor sports facilities and children's play space;
 - Town centre car park season tickets for two years;
 - Contributions toward a car club and parking study;
 - Repayment of any monies not used toward the public realm improvements;
 - The cost of evaluating, assessing and monitoring the residential Travel Plan;
 - Health care provision.

The detail of which would be delegated to the Head of Planning and Engineering in liaison with the Head of Legal Services and subject to the following conditions:-

- 1 The development hereby permitted shall be carried out in general accordance with the following approved plans: 1285-D-1101A, 1285-D-1102, 1285-D-1103, 1285-D-1300, 1285-D-1301A, 1285-D-1302A, 1285-D-1303A, 1285-D-1304A, 1285-D-1305A, 1285-D-1306A, 1285-D-1307A, 1285-D-1308A, 1285-D-1309A, 1285-D-1310A, 1285-D-1311A, 1285-D-1312A, 1285-D-1701A, 1285-D-1801A, 1285-D-1802A and 1285-D-1803B.

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 No development shall take place until a schedule and samples of the materials to be used in the construction of the external surfaces of the extensions and refurbishment of the existing buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 4 No development shall commence until a scheme of soft and hard landscaping and details of the treatment of all hard surfaces has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all new planting to take place including species, size and method of planting. The approved landscaping scheme shall be implemented within the first available planting season following the first occupation of the buildings or the completion of the development whichever is the sooner.

REASON: - To ensure a satisfactory appearance for the development.

- 5 Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

REASON: - To ensure a satisfactory appearance for the development.

- 6 Prior to the first occupation of the retail units hereby permitted, a scheme for the installation of equipment to control the emission of fumes and smell from the premises shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be implemented prior to the first occupation of these units. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

REASON: - To protect the amenities of the occupiers of adjoining properties.

- 7 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 0830 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority.

REASON: - To safeguard the amenities of the occupiers of neighbouring properties.

- 8 No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Statement. The Construction Method Statement shall address the following matters:

- Off-site highway works in order to provide temporary access throughout the construction period; work shall be completed prior to the commencement of development and reinstated as required;
- How the building programme will affect the Park Place thoroughfare and include the necessary arrangements for its restriction during development;
- Construction and storage compounds (including areas designated for car parking);
- Siting and details of wheel washing facilities;
- Cable trenches;
- Foundation works;
- Substation building;
- Cleaning of site entrances, site tracks and the adjacent public highways;
- Disposal of surplus materials.

REASON: - To minimise the impact of construction vehicles and to maintain the amenity of the local area.

- 9 No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway 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 implemented as approved.

REASON: - In the interests of highway safety, amenity and the free and safe flow of traffic.

- 10 Within six months of implementing the permission hereby approved, the applicant shall submit a final 'Travel Plan' with the object of reducing residents travelling to the

development by private car. The Travel Plan shall be implemented after its approval in writing by the Local Planning Authority in consultation with the Highway Authority.

REASON: - To encourage the use of sustainable transport modes, as well as promoting the available alternatives to the car.

- 11 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment, WSP project number 70023960 dated July 2016 and the following mitigation measures as detailed within the surface water drainage strategy:

1. The surface water run-off generated by the site must not exceed 143.9 l/s during the 1 in 100 year + climate change event.
2. A minimum attenuation volume of 56m³ must be provided to ensure that there is no increase in surface water run-off volumes for all rainfall events up to an including the 1 in 100 year + climate change event. Attenuation to be provided in attenuation tanks; as indicated in drawing 3960-DS-004 Revision A included in appendix E of the flood risk assessment by WSP project number 70023960 dated July 2016.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

REASON: - To prevent flooding by ensuring the satisfactory disposal of surface water from the site.

- 12 No development shall take place until final design details of the SuDS elements and the drainage network is completed and sent to the Local Planning Authority for written approval. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The design of the drainage scheme shall also include:

- Detailed engineering details of the design of the proposed attenuation tanks;
- Provision of a fully detailed drainage plan showing pipe diameters, pipe runs, outlet points and location of SuDS features.

REASON: - To ensure that the site can be effectively drained during the lifetime of the development.

- 13 The development hereby permitted shall not commence until a scheme has been submitted to and agreed in writing by the Local Planning Authority for ensuring that daytime internal noise levels (0700-23.00) within the living areas of the residential units hereby permitted does not exceed 40LAeq,T and that night time internal noise levels (23.00-07.00) within bedrooms within the residential units do not exceed 35LAeqT and 45 LAm_{max}, fast. The development shall be implemented in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

REASON: - To ensure that residents of the development do not suffer undue noise disturbance from traffic on the adjoining highway.

- 14 No later than 3 months after the commencement of the development hereby permitted details of a scheme of public realm enhancements for the entire length of Park Place between Queensway and St. Georges Way shall be submitted to and agreed in writing by the Local Planning Authority. The proposed works shall be undertaken and completed in

accordance with the approved details prior to the occupation of any of the development unless otherwise agreed in writing by the Local Planning Authority.

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

Pro-active Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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) (Amendment No. 2) Order 2015.

10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage District Plan Second Review 1991-2011.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012 and the Stevenage Design Guide adopted October 2009.
4. Stevenage Borough Local Plan 2011-2031 Publication Draft.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework March 2012 and National Planning Policy Guidance March 2014.
7. Letters received containing representations referred to in this report.