



**PLANNING AND DEVELOPMENT COMMITTEE**

**8 DECEMBER 2020**

**SUPPLEMENTARY AGENDA**

**PART I**

**5. NORTH OF STEVENAGE (17/00862/OPM)**

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**6. 14 BRICK KILN ROAD, STEVENAGE (20/00568/FP)**

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**Meeting:** Planning and Development  
Committee

**Date:** 8 December 2020

## **ADDENDUM REPORT**

### **Agenda Item 5: NORTH OF STEVENAGE (17/00862/OPM)**

Condition 31 had been amended in light of amendments to the Use Classes Order in September 2020. However, transitional arrangements for applications submitted prior to that date, and which refer to the existing use classes, must be determined by the local planning authority using the existing use classes rather than the new ones. The condition should therefore now read as follows (previously condition 28 on report of 4 February):

31. Notwithstanding the requirements of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that order) the non-residential units shall be used for Use Classes A1 /A2 /A3/ A4/ B1/ D1/ D2 only of the schedule to the Town and Country Planning (Use Classes) Order 1987 and for no other purposes, unless agreed in writing or approved by way of separate planning permission.

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

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## ADDENDUM REPORT

### Agenda Item 6: 14 BRICK KILN ROAD, STEVENAGE (20/00568/FP)

- 2.1 Further to the receipt of a late objection from the Rt. Hon Stephen McPartland MP in respect of the above application, each of the points raised in his letter are addressed below:

#### Application Publicity

- 2.2 The planning application was advertised by way of a site notice displayed on a lamppost opposite the site, which gave residents details of the application and how to comment. A total of five adjoining occupiers were sent a neighbour consultation letter on the 16 October 2020; Nos. 12 and 16 Brick Kiln Road either side of the application property and Nos. 28, 30, and 32 Brick Kiln Road who back onto the site at the rear. This is in accordance with the statutory requirements for publicity as set out in Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

#### Supporting Information

- 2.3 With regards to the information submitted with the application, national validation requirements were met with the submission of the application form, site location plan, existing and proposed plans. Other required supporting information is at the discretion of the Local Planning Authority. In this instance, additional background information was sought from the Council's Housing Development team and published on the website.
- 2.4 The property will be managed by Stevenage Borough Council, which has to comply with regulations in terms of managing issues such as anti-social behaviour. Management of the HMO will be delivered by an existing 24 hour security provision that is currently in operation at various Council managed sites across the town, which will be expanded to cover this property. The office will be staffed to meet support requirements, rather than an ongoing 24 hour provision.

#### Suitability of property for 8 bed HMO

- 2.5 Planning permission was granted under ref 14/00532/FP on 16 February 2015 for the change of use from an existing care home into an 8 bedroom HMO. This permission was never implemented and has now expired. The property has since been bought by Stevenage Borough Council, who has applied to renew this permission.
- 2.6 The fact planning permission was granted five years ago for the same proposal is a material planning consideration. The principle of subdivision was established under

the previous planning permission and the subdivision under this proposal continues to be considered acceptable in planning policy terms.

- 2.7 The use of the property by the Council as supported accommodation for those in immediate need, prior to offering suitable permanent accommodation as part of the Council's 'Housing First' model is not, however, a material planning consideration. The proposed use of the property falls within the definition of a House of Multiple Occupation and therefore the application should be assessed on that basis.
- 2.8 Environmental Health has commented on the application and considers the proposed layout suitable to accommodate this number of bedrooms. Subject to appropriate licencing of the premises and fire protection measures being undertaken, Environmental Health are raising no objection to the use of the property as a large HMO.

#### Determination of application

- 2.9 The Town and Country Planning General Regulations (1992) enable local planning authorities to determine their own development proposals on land in which they have an interest. The application is being determined by planning committee in accordance with Council process, which stipulates that all planning applications where the Council is the applicant should be determined by committee as opposed to officer delegated authority.

#### Car Parking

- 2.10 The Council's Parking Provision SPD (2020) sets out that houses in multiple occupation require 0.5 spaces per tenancy unit, resulting in a requirement for four spaces. Four existing off street parking spaces are available on site, therefore the proposal meets the Council's maximum adopted standards. Furthermore, the parking arrangement has been assessed by the County Council as highway authority who considers this to be acceptable and, similarly, is raising no objection on highway safety grounds.
- 2.11 Planning permission was refused under ref 13/00246/FP on 20 January 2014 and dismissed at appeal for a change of use from an existing care home into a ten bedroom HMO at the application property. The reason for refusal was the proposal would fail to make adequate provision for car parking as set out in the Parking Provision SPD (2012) – now superseded. As set out above, the current application meets the requirements of the 2020 Parking Provision SPD and is therefore policy compliant.