

# Public Document Pack



## PLANNING AND DEVELOPMENT COMMITTEE

**Date: Tuesday, 16 July 2019**

**Time: 6.30pm,**

**Location: Council Chamber, Daneshill House, Danestrete**

**Contact:**

**Members:** Councillors: D Cullen (Chair), ME Gardner (Vice-Chair),  
D Bainbridge, S Barr, J Hanafin, L Harrington, L Kelly, G Lawrence,  
J Lloyd, S-J McDonough, M McKay, G Snell and T Wren

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## AGENDA

### **PART 1**

#### **1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

#### **2. MINUTES - 18 JUNE 2019**

To approve as a correct record the Minutes of the previous meeting held on 18 June 2019.

Pages 3 – 10

#### **3. 19/00315/FPH - 29 HAYFIELD, STEVENAGE**

To consider the construction of a two storey rear extension following demolition of existing conservatory and raising the height of the roof in order to facilitate the creation of additional habitable accommodation in the roof space.

Pages 11 – 20

#### **4. 19/00344/FP - 107, BLENHEIM WAY, STEVENAGE**

To consider the change of use from public amenity land to residential garden.

Pages 21 – 26

#### **5. 19/00286/FP - 24 ALMONDS LANE, STEVENAGE**

To consider the change of use from public amenity land to residential use.

Pages 27 – 32

**6. 19/00284/FPM - 85 - 103 QUEENSWAY, STEVENAGE**

Change of use of 24-26 The Forum from A1 (Retail) to either A1 (retail), A2 (Financial and professional services), A3 (Restaurants and Cafes) or B1 (Business), conversion of part of 85 Queensway ground floor from A1 (Retail) to either A1, A2, A3 or A4 (Drinking Establishment) and change of use of ground floor of 87 Queensway and ground and first floor 91 Queensway from A1 (Retail) to either A1, A2 or A3.

Pages 33 – 46

**7. 19/00333/FPM - 21 - 29 TOWN SQUARE, STEVENAGE**

To consider a variation of Condition 1 of planning permission number 19/00063/FPM to amend approved drawings.

Pages 47 – 54

**8. INFORMATION REPORT - DELEGATED DECISIONS**

To note a report on decisions taken by the Assistant Director Planning and Regulatory in accordance with his delegated authority.

Pages 55 – 66

**9. INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS**

To note a report on decisions taken by the Assistant Director Planning and Regulatory in accordance with his delegated authority.

Pages 67 – 68

**10. URGENT PART I BUSINESS**

To consider any Part I Business accepted by the Chair as urgent.

**11. EXCLUSION OF THE PRESS AND PUBLIC**

To consider the following motions that:

1. Under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as described in paragraphs 1-7 of Part 1 of Schedule 12A of the Act as amended by Local Government (Access to information) (Variation) Order 2006.
2. That Members consider the reasons for the following reports (if any) being in Part II and determine whether or not maintaining the exemption from disclosure of the information contained therein outweighs the public interest in disclosure.

**12. URGENT PART II BUSINESS**

To consider any Part II Business accepted by the Chair as urgent.

Agenda Published 8 July 2019

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STEVENAGE BOROUGH COUNCIL

## PLANNING AND DEVELOPMENT COMMITTEE MINUTES

Date: Tuesday, 18 June 2019

Time: 6.30pm

Place: Council Chamber, Daneshill House, Danestrete

**Present:** Councillors: David Cullen (Chair), Doug Bainbridge, Sandra Barr, Liz Harrington, Graham Lawrence, John Lloyd, Sarah-Jane McDonough, Maureen McKay, Graham Snell and Tom Wren

**Start / End Time:** Start Time: 6.30pm  
End Time: 7.10pm

### 1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were submitted on behalf of Councillors Michelle Gardner (Vice-Chair), Jodie Hanafin and Lizzy Kelly.

Councillor Tom Wren declared a personal interest in item 4 – Land to the side of Austen Paths as he had contributed to the scheme as part of his Local Community Budget. Councillor Wren remained in the meeting but took no part in the consideration of the item.

### 2 MINUTES - 30 MAY 2019

It was **RESOLVED** that the Minutes of the meeting of the Planning & Development Committee held on 30 May 2019, be approved as a correct record and signed by the Chair.

### 3 19/00223/FP - GARAGE COMPOUND TO THE SOUTH OF 148 - 150 HYDEAN WAY

The Committee considered an application for the demolition of garages and construction of 3no. detached houses including change of use of access road to residential garden land for No.148 Hydean Way.

The application was before the Committee for determination as the applicant was Stevenage Borough Council.

The Development Manager gave an introduction and visual presentation to the Committee. He advised that the main issues for consideration in the determination of the application were the acceptability of the development in land use policy terms; design, scale and the impact on the character and appearance of the area; amenity of neighbours; amenity of future occupiers and access and parking.

The Chair invited Mrs Jennifer Undrell, an objector to address the Committee. Ms

Undrell's objections related to the loss of the hedgerows and trees along Shephall Green, inadequate parking provision for Plot 3, the diversion of the public right of way resulting in potential safety concerns and anti-social behaviour issues due to the lack of visibility. Mrs Undrell also expressed concerns regarding highways implications due to the narrowness of Shephall Green at this point.

The Chair thanked Mrs Undrell and invited the Development Manager to continue with his presentation.

Members were advised that the site was a windfall site and was defined as previously developed land with good access to local facilities and would not overburden the existing infrastructure.

The concern relating to the impact on the environment was accepted but it was considered that the demolition of the garages and subsequent loss of the hedgerows and replacement with high quality housing outweighed this harm.

In relation to the footpath diversion, the revised route for the path outweighed its removal. To address safety concerns, officers agreed to include an additional condition requiring lighting to be provided to the new footway, details to be agreed with the Local Planning Authority.

Members were also advised of the removal of certain permitted development rights from each of the new plots to help protect against neighbour amenity, future occupier amenity and maintaining acceptable parking provision standards.

Officers also advised that measures could be introduced to ensure vehicles did not park at the exit of the new footpath on to Shephall Green. This could be done by way of bollards or hatching on the highway.

It was **RESOLVED** that Planning permission be granted subject to the following conditions and an additional condition requiring lighting to be provided to the new footway:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 542-C-028-900-01; 542-C-028-900-02; 542-C-028-900-02; 542-C-028-900-04; 542-C-028-900-05A; 542-C-028-900-06A; 542-C-028-900-07 P; 542-C-028-900-07; 542-C-028C900-10; 542-C-028C900-10; 542-C-028C900-10; 542-C-028-900-13A; 542-C-028-900-14; 542-C-028-900-15; 542-C-028-900-15; 542-C-028-900-17; 542-C-028-900-18; 542-C-028-900-19.
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. No development shall take place above slab level until a schedule and samples of the materials including windows and doors, to be used in the construction of the external surfaces of the approved building 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.

4. Notwithstanding the details shown in this application the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development above slab level. The approved boundary treatments shall be completed before the use hereby permitted is commenced or before the building(s) is occupied.
5. No development shall take place above slab level until there has been submitted to and approved by the Local Planning Authority a scheme of soft and hard landscaping and details of the treatment of all hard surfaces. The scheme shall include details of all existing trees and hedgerows on the land and details showing all trees to be removed, or retained, together with details of all new planting to take place including species, size and method of planting.
6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of the development whichever is the sooner.
7. All hard surfacing comprised in the approved details of landscaping shall be carried out prior to the first occupation of the building or the completion of the development, whichever is the sooner.
8. 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.
9. No tree shown retained on the approved plans, or subsequently approved landscaping scheme, 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.
10. No removal of trees, scrubs or hedges shall be carried out on site between 1<sup>st</sup> March and 31<sup>st</sup> August inclusive in any year, unless searched before by a suitably qualified ornithologist.
11. No development shall take place until a detailed Site Waste Management Plan (SWMP) to detail how waste materials generated as a result of the proposed demolition and/or construction methods shall be disposed of, and detail the level and type of soil to be imported to the site as part of the development has been submitted to and approved in writing by the Local Planning Authority.
12. No 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 0730 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. These times apply to work which is audible at the site boundary.

13. The development hereby permitted shall not be brought into use until the proposed accesses have been constructed as identified drawing number 542-C-028 900 02, the existing access to the garage compound along Hydean Way has been closed, and the footway has been reinstated to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.
14. Before the proposed accesses are first brought into use a minimum of 0.65 metre x 0.65 metre pedestrian visibility splays shall be provided and permanently maintained to each side of the accesses. They shall be measured from the point where the edges of the access way cross the highway boundary, 0.65 metre into the site and 0.65 metre along the highway boundary, therefore forming a triangular visibility splay within which there shall be no obstruction to visibility between 600 mm and 2.0 metres above the footway level.
15. Before the accesses are first brought into use vehicle to vehicle visibility splays of 2.4 metres by 36 metres in both directions shall be provided and permanently maintained within which there shall be no obstruction to visibility between 600 mm and 2.0 metres above the footway level. These measurements shall be taken from the intersection of the centre line of the permitted access with the edge of the carriageway of the highway respectively into the application site and from the intersection point along the edge of the carriageway.
16. The accesses shall be 3.0 metres wide.
17. The new accesses shall be constructed in a hard surfacing material for the first 4.8 metres from the edge of the highway. This area of hardstanding and the remaining driveway areas shall be made of a porous material, or provision shall be made to direct surface water run-off water from the hardstanding to a permeable or porous area or surface within the curtilage of the dwellinghouse.
18. The parking provision hereby approved and as shown on Drawing number 542-C-028 900 02 within the garages and driveways shall be constructed and made ready for use prior to the occupation of the approved dwelling. The provision shall thereafter be retained for the purposes of parking in perpetuity.
19. No development shall take place until details of measures to address adaptation to climate change and energy efficiency have been submitted to and approved in writing by the Local Planning Authority. These measures shall then be implemented and permanently maintained in accordance with the approved details.
20. Notwithstanding the details pursuant to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Statutory Instrument revoking or re-enacting that Order, the provisions of



Article 3(1) and Classes B and C of Part 1, Schedule 2 to the said Order (relating to enlargements and alterations to the roof) shall not apply to the dwelling on plot 1 to which this permission relates and no such development shall be carried out without the permission of the Local Planning Authority being first obtained.

21. Notwithstanding the details pursuant to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Statutory Instrument revoking or re-enacting that Order, the provisions of Article 3(1) and Classes A, B and C of Part 1, Schedule 2 to the said Order (relating to enlargements to the dwellinghouse and enlargements and alterations to the roof) shall not apply to the dwelling on plot 2 to which this permission relates and no such development shall be carried out without the permission of the Local Planning Authority being first obtained.
22. Notwithstanding the details pursuant to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Statutory Instrument revoking or re-enacting that Order, the provisions of Article 3(1) and Classes A, B, C and E of Part 1, Schedule 2 to the said Order (relating to enlargements to the dwellinghouse and alterations to the roof, and outbuildings) shall not apply to the dwelling on plot 3 to which this permission relates and no such development shall be carried out without the permission of the Local Planning Authority being first obtained.
23. Prior to the commencement of the development hereby permitted, details shall be submitted to and agreed in writing by the Local Planning Authority of the appearance, location, number and level of illumination of the lighting to be installed to serve the diverted footpath forming part of this development. The lighting shall, thereafter, be installed in accordance with the approved details and retained at all times in good working order.

## **Informatives**

Construction standards for new/amended vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.

Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

The Committee considered an application for the creation of 8 parking bays and associated footpath.

The application was before the Committee for determination as the applicant was Stevenage Borough Council.

The Principal Planning Officer gave an introduction and visual presentation to the Committee. He advised that the main issues for consideration in the determination of the application were the impact of the loss of this piece of amenity land on the character and appearance of the area, the impact on neighbour amenity and the acceptability of the new parking in highway safety terms.

Members were advised that whilst the overall size of the amenity area was reduced by 44%, the reduction did not compromise the recreational use of the open space for local residents and has limited visual amenity value. In relation to the impact on trees, it was noted that whilst the proposed development did not involve the removal of any trees, the Council's Arboricultural Manager had recommended a 20% reduction in the crown of the trees.

Members were also informed that the County Council as Highway Authority had raised no objection to the proposal in terms of highway safety as the parking bays would meet all the necessary highway standards.

In response to a question from a Councillor regarding the need for the additional parking spaces, Officers advised that there were parking restrictions coming in along Ferrier Road to the side of Austen Paths which would reduce the amount of on-street parking capacity.

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: R162.
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. The materials to be used in the construction of the new parking spaces hereby permitted shall be as specified on the drawings and application details forming part of this application.
4. No 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 0730 and 1800 on Mondays to Fridays and between the hours of 0900 and 1330 on Saturdays.
5. The development hereby permitted shall not be brought into use until the proposed access and surfacing work has been constructed as identified on drawing number R162 to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.

6. Prior to the commencement of the development hereby permitted, the crowns of the Ash trees which are affected by the development hereby permitted shall be reduced by 20%.

5 **INFORMATION REPORT - DELEGATED DECISIONS**

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

6 **INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS**

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

7 **URGENT PART I BUSINESS**

None.

8 **EXCLUSION OF THE PRESS AND PUBLIC**

Not required.

9 **URGENT PART II BUSINESS**

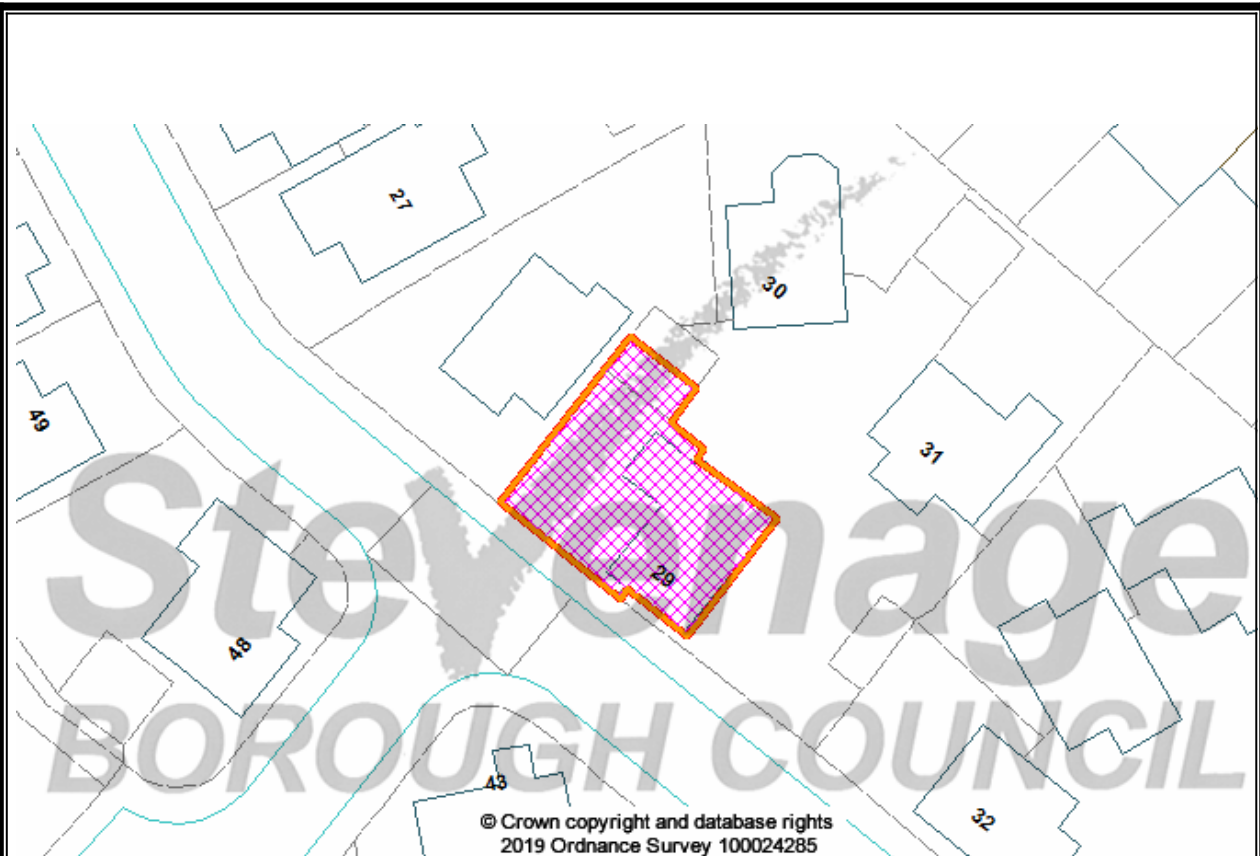
None.

**CHAIR**

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<b>Meeting:</b>	<b>Planning and Development Committee</b>	<b>Agenda Item:</b>
<b>Date:</b>	<b>16 July 2019</b>	
<b>Author:</b>	<b>James Chettleburgh</b>	01438 242266
<b>Lead Officer:</b>	<b>Zayd Al-Jawad</b>	01438 242257
<b>Contact Officer:</b>	<b>James Chettleburgh</b>	01438 242266

Application No:	19/00315/FPH
Location:	29 Hayfield, Stevenage.
Proposal:	Two storey rear extension following demolition of existing conservatory and raising the height of the roof in order to facilitate the creation of additional habitable accommodation in the roof space.
Drawing Nos.:	011_D_01_; 011_D_02_1; 011_D_03_1; 011_D_07_1.
Applicant:	Mr Maher Habib
Date Valid:	23 May 2019
Recommendation:	GRANT PLANNING PERMISSION.



Plan for information purposes only

## **1. SITE DESCRIPTION**

- 1.1 The application site is located on the eastern side of Hayfield. The site comprises a two-storey detached dwellinghouse with a jerkinhead (hipped) roof with a two-storey gable-end wing on the principal elevation. In addition, there is also a light framed gable-end porch roof canopy positioned over the main entrance of the application property. In terms of visual appearance, the host property is constructed from a stock red brick with the principal elevation finished in cream render with brick detailing and the roof clad in concrete interlocking bold roll tiles. The fenestration detailing of the application dwellinghouse is generally symmetrical and uniform comprising of uPVC windows and doors. To the rear of the property is a single-storey conservatory with a brick base and glazed uPVC structure with a hipped roof. To the north of the property is a detached double garage (one garage space serving the application property) which is constructed from brick with a tiled gable-end roof.
- 1.2 The surrounding area is characterised by a mixture of detached, semi-detached and terraced properties. These properties are set out in a cul-de-sac arrangement and comprise of varying architectural styles and finishes. The properties within Hayfield are generally constructed from brick and render with some properties comprising of mock Tudor detailing.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 Planning application 18/00589/FPH sought permission for the demolition of the existing conservatory and the erection of a two-storey rear extension and construction of new roof for a loft conversion. This application was withdrawn in November 2018.

## **3. THE CURRENT APPLICATION**

- 3.1 This application seeks planning permission for the erection of a two-storey rear extension following demolition of the existing conservatory. The proposal also seeks permission for the raising of the roof in order to facilitate the creation of habitable accommodation in the roof space.
- 3.2 The proposed two-storey rear extension would measure approximately 2.5m in length and span 9.43m in width. In terms of height, the proposed works would have an eaves height of approximately of 5.45m with an overall height of 7.91m. The proposed works would comprise of a gable-end roof. In terms of the proposed floorplans, at ground floor level, the extension would seek to create an enlarged open plan kitchen, dining and living area. At first floor level, the proposed development would seek to enlarge the existing master bedroom and bedroom two.
- 3.3 The proposed development also seeks to increase the height of the original roof of the main dwellinghouse by 0.65m. The raised roof, combined with the roof space created above the proposed two-storey rear extension, would facilitate the creation of two additional bedrooms, storage and a bathroom.
- 3.4 This application has been referred to the Planning and Development Committee for its decision as this application has been called-in by Councillor Graham Snell. The reason for the call-in request is due to the following concerns raised by local residents:-
- Impact on neighbouring amenity;
  - Impact on the character of the street scene;
  - Car parking and highways issues; and
  - Concerns of overlooking of properties.

## **4. PUBLIC REPRESENTATIONS**

4.1 This planning application has been publicised by way of a site notice and neighbouring properties have been notified about the application via a letter. Objections have been received from numbers 24, 28, 30, 31, 32, 42, 46, 47, 48, 49 and 50 Hayfield. A summary of the objections which have been raised are as follows:-

- The area is already overdeveloped;
- Insufficient parking to serve the development;
- Concern about the property being converted into a HMO;
- The development could give rise to increased noise and disturbance;
- The increased traffic generated by the development would prejudice highway safety, including the safety of children;
- The development will result in a loss of light to neighbouring properties;
- The proposed development would impact on the privacy of neighbouring properties in terms of overlooking habitable rooms and private gardens;
- The building works would affect access to neighbouring properties;
- The development would have a detrimental impact on the well-being of residents in the cul-de-sac;
- The development would have a detrimental affect with regards to the reasons why residents moved to the area being a quiet cul-de-sac;
- The development will exacerbate parking issues in the area;
- The development could affect access for emergency vehicles in the cul-de-sac;
- The development, if approved, would set a precedent which would further depreciate the character of Hayfield;
- The development would be out of character and harm the visual amenities of the street scene;
- A number of residents objected to the previous application (Planning Reference:- 18/00589/FPH) on similar grounds;
- The development would result in a substantial reduction in the private garden area; and
- The development is considered to be overdevelopment of the plot.

4.2 Please note that the above is not a verbatim copy of the comments which have been received. To view full copies of the objections which have been received, these are available to view on the Council's website.

## **5. CONSULTATIONS**

### **5.1 Hertfordshire County Council as Highways Authority**

5.1.1 It is not considered there are any highway issues associated with the proposal.

## **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 Borough Local Plan 2011-2031 (2019) (Adopted Local Plan).

6.1.2 The National Planning Policy Framework sets out that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the National Planning Policy Framework.

6.1.3 In considering the policy implications of any development proposal, the Local Planning Authority will assess each case on its individual merits.

## **6.2 Central Government Advice**

6.2.1 A revised National Planning Policy Framework (NPPF) was published in February 2019. 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 213 of the NPPF applies which states that 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 Planning Practice Guidance must also be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 11 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**

Policy SP8: Good Design;  
Policy GD1: High Quality Design;  
Policy IT5: Parking and Access.

## **6.5 Supplementary Planning Documents**

Stevenage Design Guide Supplementary Planning Document January 2009.  
Council's Car Parking Standards Supplementary Planning Document October 2012.

# **7. APPRAISAL**

7.1 The main issues for consideration of this application are the impact on the character and appearance of the area, impact on residential amenity, car parking and highway implications.

## **7.2 Impact on the character and appearance of the area**

7.2.1 In terms of design, Paragraph 127 of the National Planning Policy Framework (NPPF) 2019 stipulates that planning decisions should ensure development functions well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. It also sets out that development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping is sympathetic to local character and history, including the surrounding built environment and landscape setting.



Paragraph 130 of the NPPF states that “permission should be refused for development of poor design that fail to make available opportunities available for improving the character and quality of an area and the way it functions”.

- 7.2.2 Policy GD1 of the Local Plan (2019) generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.
- 7.2.3 The existing dwellinghouse measures approximately 6.36m in length and spans 9.43m in width. In regards to height, the dwellinghouse has an eaves height of approximately 5.45m with an overall ridge height of 7.26m. As detailed under paragraph 3.2 of this report, the proposed two-storey rear extension, following demolition of the existing conservatory, would measure approximately 2.5m in length and span 9.43m in width. In terms of height, the works would have the same eaves height as the application property of 5.45m. However, as set out under paragraph 3.3, the development comprises an increase in ridge height of the property by 0.65m to 7.91m. As such, the roof of the proposed two-storey extension would tie into the increased roof height of the original ridge line of the application property.
- 7.2.4 Given the aforementioned, the proposed development works would generally appear proportionate and secondary against the original proportions of the application property. With regards to the increased height of the roof, this would reflect the ridgeline height of properties which form this part of Hayfield. As such, the roof profile of the application property would not be out of character in this instance.
- 7.2.5 With regards to visual appearance, the proposed works would be constructed out of similar materials used in the construction of the application property. With regards to fenestration detailing, this is symmetrically aligned and evenly spaced and would comprise of uPVC windows and doors. The windows would also comprise brick detailing around the cills in order to reflect the existing detailing used on the application property. With regards to the roof of the extension, this would comprise a gable-end which would tie into the raised jerkinhead (hipped) roof of the application property. As such, the roof has been sensitively designed to reflect the original architectural characteristics of the application property.
- 7.2.6 In relation to the proposed roof lights, these would measure 0.62m by 0.75m and sit flush within the roof slope. With regards to siting and position of the roof lights, two would be located on the gable-end roof of the two-storey extension, one would be located on the rear and three would be located on the roof slopes of the main dwelling. As such, the roof lights would appear proportionate and secondary within the respective roofs and evenly spaced to ensure that they do not appear cluttered.
- 7.2.7 Taking the above assessment into consideration, the proposed development works would not have a detrimental impact on the character and appearance of the dwellinghouse. In addition, whilst the extension would be readily visible from the public realm, it would not have a detrimental impact on the visual amenities of the area generally.

### **7.3 Impact on residential amenity**

#### Outlook

- 7.3.1 With regards to the impact on outlook, as there are no habitable room windows on the flank (eastern) elevation of number 28 Hayfield, the proposed works would not impact upon the outlook of the occupiers of this property. Notwithstanding, it is noted that the application property does sit forward of the original front building line of the aforementioned property. However, at ground floor level, the nearest habitable window is located beyond the integral garage and as such, is located over 11m from the proposed extension.
- 7.3.2 With respect to the windows at first floor level serving 28 Hayfield, it is noted there is a window located over the integral garage which appears to serve a bedroom. However, the proposed works are located over 8m from this window and the proposal does not breach the 45-degree amenity line in plan or elevation form. Consequently, it is not considered that the proposed development would not impact upon the outlook of the occupiers of number 28 Hayfield.
- 7.3.3 In regards to the impact on number 30 Hayfield, the proposed rear extension is over 8.6m from the nearest habitable windows of this property and over 11m from the section of the raised roof. Due to the level of separation combined with the fact that this property is orientated at an angle away from the application property, the outlook of the occupiers of number 30 Hayfield would not be detrimentally affected by the development in this instance.
- 7.3.4 In addition to the above, this property already looks onto the flank elevation of the detached double garage which is located between the application property and the aforementioned property. Moreover, number 30 Hayfield already looks onto the flank (eastern) elevation of the application property as well. Consequently, the level of harm to outlook would be very limited over and above the current situation in this instance.
- 7.3.5 Looking at the impact on number 31 Hayfield, due to the siting and position of this property in context with the application site, the proposed rear extension would not be readily visible from the forward facing habitable rooms within this property. However, it is appreciated that the proposed raising of the roof could potentially have an impact. Notwithstanding this, the application property is over 9.43m from the aforementioned property and the proposal seeks only to increase the height of the roof by 0.65m. In addition to this, the application site is not located directly opposite number 31 as this property looks onto the shared road which serves number 29 to 31. As such, the development would not harm the outlook of the occupiers of number 31 Hayfield in this instance.
- 7.3.6 Turning to the impact on number 32 Hayfield, it is noted that the rear habitable room windows look onto the front elevation of the application property. As such, the proposed rear extension would not be readily visible from 32 Hayfield. With regards to the raising of the roof, the application property is located over 19m from the rear elevation of number 32 Hayfield. In addition, the application property is approximately 11m from the private garden area of the aforementioned dwellinghouse. Taking these levels of separation into consideration, combined with the limited increase in the height of the roof, the proposed development would not harm the outlook or appear overbearing to the occupiers of 32 Hayfield in this instance.
- 7.3.7 With regards to the outlook of the occupiers of the application property, the first floor windows serving the master bedroom would only be located 9.38m from the flank elevation of number 28 Hayfield. Given this, the level of separation is below the Council's back to side

separation distance of 15m as set out in the Design Guide SPD. As such, the outlook of the occupiers of the dwellinghouse could be affected in this instance. However, in order to compensate for this impact, the master bedroom would be served by a secondary window on the northern elevation. This would ensure the bedroom is dual aspect in order to compensate for loss of outlook.

- 7.3.8 In relation to the windows serving the second bedroom and bedroom four in the roof space, these windows would look out onto the front garden area of number 28 Hayfield. As such, these rooms would have acceptable outlook in this instance.

#### Privacy

- 7.3.9 With regards to privacy, the proposed extension works would comprise of new openings at ground, first and second floor level which could impact upon the privacy of neighbouring properties. Dealing with the windows at ground floor level serving the open plan kitchen, dining room and living room, due to the presence of a 1.8m high close board timber fence, these windows would not overlook any private amenity areas or habitable rooms of neighbouring properties.
- 7.3.10 Turning to the windows serving bedroom two at first floor level, the window on the rear elevation would overlook the front garden area of number 28 Hayfield which is not classed as a private area. With regards to the second window serving this bedroom, this would overlook Hayfield which is a trafficked highway. In relation to the windows serving the master bedroom, one window looks onto the blank elevation of the aforementioned property which does not comprise of any habitable windows. With regard to the second window, this would overlook the shared driveway which serves 29 to 31 Hayfield as well as the detached garages. In addition, as set out in paragraph 7.3.3, 30 Hayfield is orientated at an angle away from the application property. As such, this window would not directly look onto the habitable room windows of the aforementioned property.
- 7.3.11 With regards to the impact on numbers 31 to 32, there would be no new windows or openings on the original flank and front elevations of the application property. As such, the privacy of these properties would not be detrimentally affected by the proposed development.

#### Sunlight and Daylight

- 7.3.12 In assessing the impact on light from the sky, it is set out in the BRE guide on Site Layout Planning for Daylight and Sunlight (2011) to draw a section in a plane perpendicular to each affected window. Then an angle is measured to the horizontal subtended by the new development at the level of the centre of the lowest window. If the angle is less than 25 degrees for the whole of the development then it is likely to have an effect on the level of skylight enjoyed by the existing building.
- 7.3.13 Following an assessment of the proposed development, whilst it is appreciated the development involves the raising of the roof and the creation of a two-storey rear extension, it would not subtend the 25 degree line as drawn from the nearest habitable room windows of neighbouring properties. In addition, the development would not breach the 45 degree line as taken from the centre of the habitable windows in elevation form. This is due to the level of separation as well as the orientation of neighbouring properties in context with the application site. Therefore, in accordance with the BRE Guidance, an additional assessment as to the impact the development may have in terms of sunlight or daylight does not have to be undertaken in this instance.
- 7.3.14 In regards to overshadowing, an assessment in accordance with the BRE guidance has been undertaken. The assessment identified that the proposed development would generate

additional overshadowing to number 28 Hayfield between 08:00AM and 09:00AM. However, the shadowing generated by the development would fall within the shadow of the existing boundary treatment as well as shadow generated by number 28 itself. In addition, the overshadowing would occur over the front garden area which is not classified as private amenity space. With regards to the impact on number 30, whilst it is noted the development involves a raising of the roof of the original dwelling, the level of overshadowing generated by the development would only occur over the shared driveway.

- 7.3.15 Turning to the impact on number 31 Hayfield, it identified that the development would by 3:00PM generate an area of overshadowing to the front of the aforementioned property. However, the overshadowing created by the development is only limited over and above the current situation. As such, there would be insufficient grounds to warrant refusal in this instance.

#### Private Garden Area

- 7.3.16 The Council's Design Guide SPD, whilst this relates to new dwellings, states that the minimum garden space for a property should normally be 50 square metres. The host application property currently has a private garden area of 81 sq.m. Following demolition of the existing conservatory, the proposal would result in a 15% reduction of the private garden area to 69 sq.m. The retained garden area as such would exceed the adopted standards which are set out in the Council's Design Guide.

### **7.4 Car parking and highway implications**

- 7.4.1 Policy IT5 of the adopted Local Plan (2019) states that planning permission will be granted where proposals comply with the requirements of the Parking Supplementary Planning Document. Turning to the Council's Parking Standards SPD (2012), it sets out the parking standard for residential development (including extensions to dwellinghouses) based on the number of bedrooms.
- 7.4.2 The existing application property currently comprises 4 bedrooms. The proposed development comprises of 4 bedrooms (2 within the roof space). However, the proposal does also comprise a study on the first floor which is of a sufficient size to be converted into a bedroom. As such, the proposed development would result in the creation of a 5 bedroomed dwellinghouse.
- 7.4.3 The Council's Car Parking Standard for a 4 + bedroomed property is 2.5 spaces (rounded up to 3). However, the original property only comprises of 1 parking space which is technically below the Council's currently adopted parking standards. Notwithstanding this, as the parking standard for 4 and 5 bedroomed properties is the same and that would not be altered by this application, then it would be unreasonable to request additional off-street parking to serve the enlarged property.
- 7.4.4 Given the aforementioned, whilst it is noted residents have substantive concerns regarding parking provision, there is insufficient grounds to recommend refusal based on the level of parking which is available to serve the enlarged property. With regards to impact on the safety and operation of the highway network, Hertfordshire County Council as Highways Authority has advised in their comments that they do not consider the development would prejudice the safety and operation of the highway network.
- 7.4.5 With regards to vehicles parking on the vehicular highway and concerns raised by local residents if a vehicle blocks access to a property, including contractor vehicles, then this is a matter for the Police and/or Hertfordshire County Council as Highways Authority to enforce against.

## **7.5 Other matters**

### Use of the property as a House of Multiple Occupation

- 7.5.1 It is appreciated that a number of concerns have been raised that the property could be converted into a House of Multiple Occupation (HMO). Notwithstanding the concerns which have been raised, the applicant is merely seeking permission to undertake a number of extensions to the property and has not sought permission from the Council as the Local Planning Authority to use the property as a HMO. However, if the applicant were to use the property as a HMO in the future, they would have to apply for planning permission from the Council. This is because the Council introduced an Article 4 Direction which came into force on the 20 September 2017. This Direction removes permitted development rights for changes of use from C3 (Residential) to C4 (HMO).

### The development will set a precedent

- 7.5.2 It is noted that a number of residents have raised concerns about the proposed development creating a precedent. Whilst it is legitimate to give weight to the possibility of creating an undesirable precedent when considering a planning application, the NPPF does advocate that applications for planning permission must be determined on their individual merits in accordance with the development plan unless material considerations indicate otherwise. Therefore, this application before the Council has been carefully assessed on its own individual merits in line with the development plan and, as such, it is not considered that this development would generate an unacceptable precedent in this instance.

### Noise

- 7.5.3 A number of residents have raised concerns that the development would give rise to unacceptable noise if it was to be converted to a HMO. However, as mentioned in paragraph 7.5.1 of this report, this application does not seek planning permission as a HMO.
- 7.5.4 With regards to noise generally, if the development gives rise to statutory nuisance, including during the construction phase, the Council's Environmental Health Section has powers to deal with such nuisances in line with the Environmental Protection Act 1990.

## **8. CONCLUSIONS**

- 8.1 In summary, it is considered that the proposed development would not have a detrimental impact on the character and appearance of the application property or the visual amenities of the area generally. In addition, the proposed development would not have a detrimental impact on the amenities of neighbouring properties and would not prejudice highway safety.
- 8.2 Given the above, the proposed development accords with the Policies contained within the adopted Local Plan (2019), the Council's Supplementary Planning Documents, the NPPF (2019) and NPPG (2014).

## **9. RECOMMENDATIONS**

- 9.1 That planning permission be GRANTED subject to the following conditions:-
- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

011\_D\_01\_; 011\_D\_02\_1; 011\_D\_03\_1; 011\_D\_07\_1.

**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 The materials to be used in the construction of the development hereby permitted shall be as specified in the application submission.

**REASON:-** To ensure the development 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 Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012.
3. Stevenage Borough Local Plan 2011-2031 adopted May 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
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 February 2019 and Planning Policy Guidance March 2014.

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

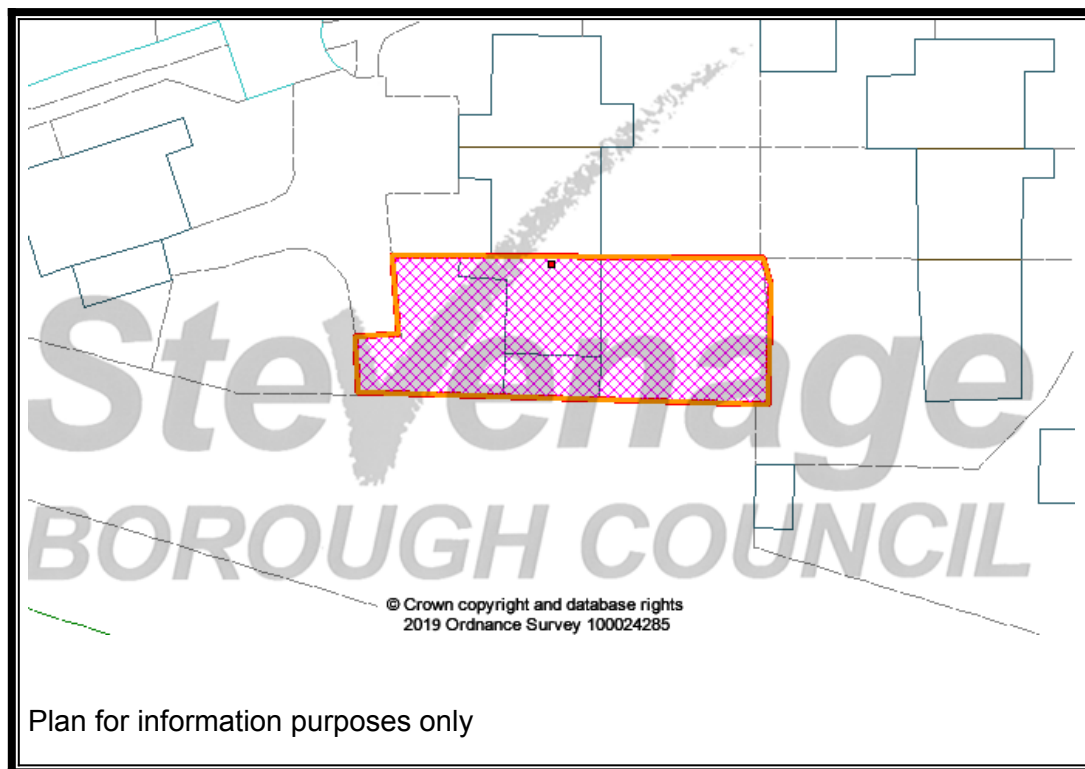
**Date:** 16 July 2019

**Author:** Rebecca Elliott    01438 242836

**Lead Officer:** Zayd Al-Jawad    01438 242257

**Contact Officer:** Rebecca Elliott    01438 242836

Application No:	19/00344/FP
Location:	107 Blenheim Way, Stevenage
Proposal:	Change of use from public amenity land to residential garden.
Drawing Nos.:	Site location plan.
Applicant:	Mrs Patricia Bosowitz
Date Valid:	4 June 2019
Recommendation:	GRANT PLANNING PERMISSION



## 1. SITE DESCRIPTION

- 1.1 107 Blenheim Way is an end of terrace dwelling located on the southern side of Blenheim Way with access off a small spur road serving 5 properties. The property has a modest frontage with parking for approximately three vehicles. The rear garden is east facing with residential

properties to the rear and directly opposite the frontage. To the south and side of the property the site abuts a large wooded amenity area, providing screening between the railway line and the residential properties.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 There is no planning history for this site.

## **3. THE CURRENT APPLICATION**

- 3.1 The application seeks permission for the change of use of amenity land to the southern side of the property to residential garden and enclosure with fencing.
- 3.2 The application comes before the Planning and Development Committee as Stevenage Borough Council is the land owner and there has been an objection to the proposal.

## **4. PUBLIC REPRESENTATIONS**

- 4.1 The application has been publicised by neighbour letters and the posting of a site notice. One representation has been received from 109A Blenheim Way raising concerns and suggesting that the land could be used for wider community benefits like providing housing and that if the occupiers of No.107 were to relocate CCTV equipment it could impact privacy of users of the adjacent footpath.
- 4.2 Please note that the above is not a verbatim copy of the comments which have been received. To view full copies of the objections which have been received, these are available to view on the Council's website.

## **5. CONSULTATIONS**

### **5.1 SBC Estates Services**

- 5.1.1 The Council's Estates Department have agreed to sell the land subject to planning permission being granted.

### **5.2 Council's Arboricultural Officer**

- 5.2.1 I have looked into this application and can confirm that I have no objection from an arboriculture view point

## **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 Borough Local Plan 2011-2031 (2019) (Adopted Local Plan).



6.1.2 The National Planning Policy Framework sets out that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the National Planning Policy Framework.

6.1.3 In considering the policy implications of any development proposal, the Local Planning Authority will assess each case on its individual merits.

## **6.2 Central Government Advice**

6.2.1 A revised National Planning Policy Framework (NPPF) was published in February 2019. 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 213 of the NPPF applies which states that 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 Planning Practice Guidance must also be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 11 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**

SP8 Good Design

NH6 General Protection of Open Spaces

## **APPRAISAL**

7.1 The main issues for consideration in the determination of this application are the loss of the open space, its impact on the character and visual amenity of the area, and impact on neighbour amenity.

## **7.2 Loss of the Open Space**

7.2.1 The area of land in question is currently in the ownership of Stevenage Borough Council and is designated as an area of informal open space and is protected by Policy NH6 of the adopted Local Plan. Policy NH6 for general protection of open space states that the loss of unallocated open space should have regard to the quality and accessibility of the open space, whether the open space is serving its function and purpose, and whether alternate space(s) would remain available for community use.

7.2.2 The area of land in question is sited immediately adjacent the southern boundary of the site, and runs from the front boundary to the rear boundary with a varying width of 2m to 8m (approximately) and a length of approximately 25.7m. The total area would be approximately 113.5 square metres. The land currently forms part of an area of woodland which stretches along the southern boundary of the Blenheim Way estate and borders the railway line to the

south. The area of land in question contains shrubbery and small self-seeded trees. Due to the layout of the nearby area, the area of land forms a triangular shape, and the proposal would see the existing diagonal boundary of No's 95 and 109A Blenheim Way continued.

- 7.2.3 The woodland area is accessed by informal footpaths which run centrally along the main woodland strip. The area has recently been tidied, but typically it is not useable by the public because of its landscaped cover. The remaining woodland areas along this part of Blenheim way are considered sufficient to provide amenity space and create a noise and visual barrier between the residential estate and railway line. In Policy terms and assessed on its own merits the change of use is considered acceptable.

### **7.3 Impact on the Character and Appearance of the Area**

- 7.3.1 The proposed change of use is not considered to visually harm the character of the area. The neighbouring properties No's 95 and 109A (new build associated with 109) have both extended their residential gardens through the land sale process, and the proposal would see a proposed boundary line similar to these properties.
- 7.3.2 The proposal includes the enclosure of the land with 1.8m high fencing to match the existing boundary treatments. Given the existing boundary treatment includes a 1.8m high fence along the frontage, which abuts the amenity space, and the neighbour opposite has the same, it is not considered that the use of matching fencing would harm the character and visual appearance of the area.

### **7.4 Amenity of Neighbours**

- 7.4.1 The proposal, by virtue of its location to the south of the application property and adjoining the gardens of No's 95 and 109A would not adversely affect the amenity of the occupiers of these properties.

## **8 CONCLUSIONS**

- 8.1 It is considered that the change of use from amenity land to residential garden accords with adopted policy and would not harm the character and visual amenity of the area, or the amenity of neighbouring properties. The application is, therefore, recommended for approval.

## **9 RECOMMENDATION**

- 9.1 That planning permission be GRANTED subject to the following conditions -
1. The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan.  
**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. The area of land, shown outlined in red on the approved Site Location Plan, shall be enclosed by timber fencing to match the existing rear garden fencing and shall be no higher than 1.8m in height unless otherwise agreed in writing by the Local Planning Authority.  
**REASON:-** To ensure the development has an acceptable appearance.

### **Pro-active Statement**

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

## **10 BACKGROUND DOCUMENTS**

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Local Plan 2011-2031.
3. Central Government advice contained in the National Planning Policy Framework February 2019 and the National Planning Policy Guidance 2014, as amended.
4. Responses to consultations with statutory undertakers and other interested parties referred to in this report.

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

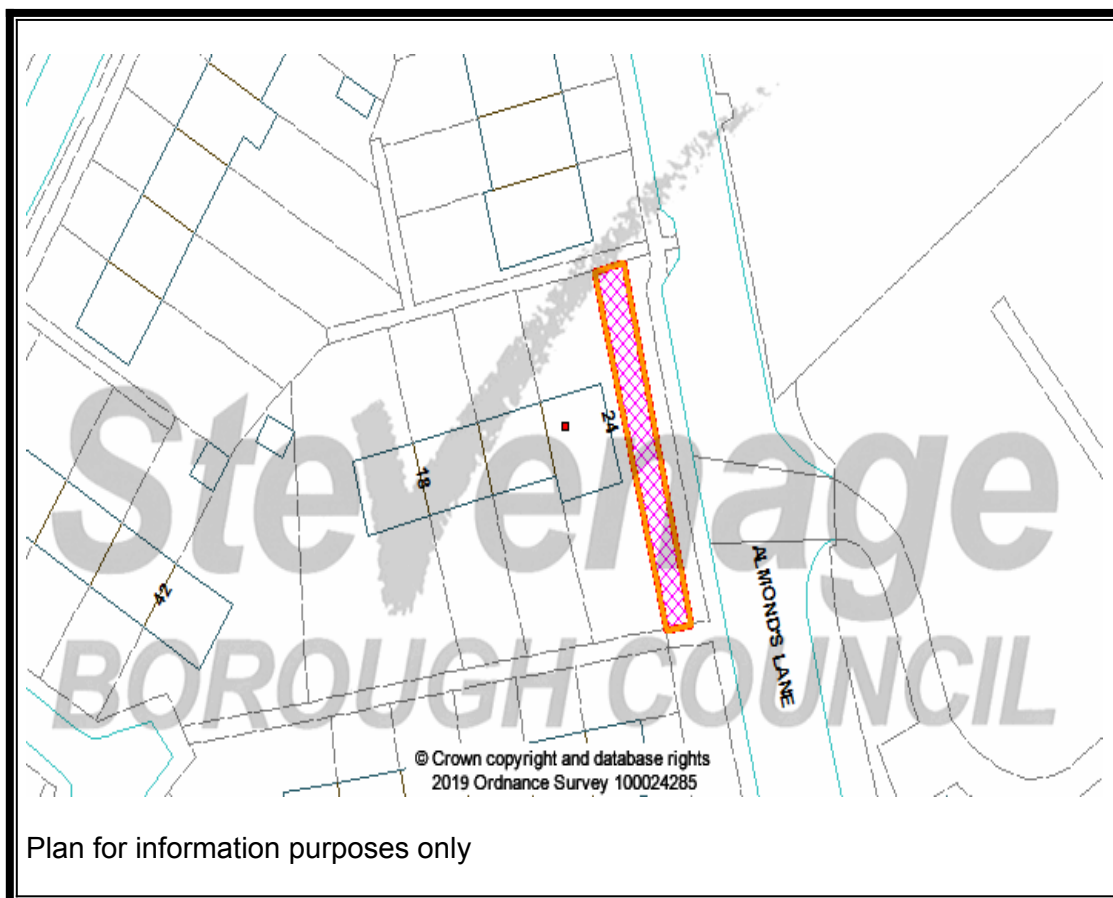
**Date:** 16 July 2019

**Author:** Linda Sparrow    01438 242837

**Lead Officer:** Zayd Al-Jawad    01438 242257

**Contact Officer:** Linda Sparrow    01438 242837

Application No:	19/00286/FP
Location:	24 Almonds Lane, Stevenage
Proposal:	Change of use from public amenity land to residential
Drawing Nos.:	SITE LOCATION PLAN; TQRQM19137225356805 (Amended Site Plan);
Applicant:	Mr Mark Roddie
Date Valid:	20 May 2019
Recommendation:	GRANT PLANNING PERMISSION



## **1. SITE DESCRIPTION**

- 1.1 24 Almonds Lane is an end of terrace dwelling located on the western side of Almonds Lane, close to the northern entrance/exit gate of Almonds Lane Cemetery. The property is bounded by residential dwellings to the north, south and west. To the east of the property is an area of public amenity land with a pedestrian footpath and parking bay beyond. The rear garden is enclosed with a 1.8m high close boarded timber fence and the front garden is enclosed with a mature hedgerow.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 Permission granted under reference number 00/00197/FP in June 2000 for a part single storey, part two storey front extension.

## **3. THE CURRENT APPLICATION**

- 3.1 The application seeks permission for the change of use of amenity land to the eastern side of the property to residential garden and enclosure with fencing. The parcel of land to which this application relates measures between 2m wide at the front of the property and 2.5m wide at the rear of the property and 32m in length. A strip of land measuring 2.5m wide would be retained between the parcel of land and the adjacent public footpath.
- 3.2 The application comes before the Planning and Development Committee as Stevenage Borough Council is the land owner and there has been an objection to the proposal.

## **4. PUBLIC REPRESENTATIONS**

- 4.1 The application has been publicised by neighbour letters and the posting of a site notice. One representation has been received from the owner of 26 Almonds Lane raising the following concerns:-
- use of the land by members of the public for the storage of buildings materials;
  - future intentions of the owners to build a house on the land;
  - future installation of a dropped kerb in the parking bay to allow parking on the land;
  - on-street car parking issues;
  - security when exiting property as view over land will be removed;
  - width of garden is out of character for the area;
  - will affect house value;
  - use of the extended rear garden with outbuildings and trampolines;
  - will extend the alleyway which is already dark and intimidating;
  - would have to change our boundary fences to match in height and re-arrange garden to use front door instead of side door.
- 4.2 Please note that the above is not a verbatim copy of the comments which have been received. To view a full copy of the objection which has been received, it is available to view on the Council's website.

## **5. CONSULTATIONS**

### **5.1 SBC Estates Services**

- 5.1.1 Have agreed to sell the land subject to planning permission being granted.

## **5.2 Herts County Council as Highway Authority**

- 5.2.1 Have no objections to the proposal and do not wish to restrict the grant of planning permission.

## **5.3 SBC Parks and Amenities Department**

- 5.3.1 Have no objections to the change of use of the land. However, they note that the proposal will result in the loss of the boundary hedgerow around the front curtilage and would suggest that replacement planting is undertaken along this boundary.

# **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 Borough Local Plan 2011-2031 (2019) (Adopted Local Plan).

- 6.1.2 The National Planning Policy Framework sets out that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the National Planning Policy Framework.

- 6.1.3 In considering the policy implications of any development proposal, the Local Planning Authority will assess each case on its individual merits.

## **6.2 Central Government Advice**

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in February 2019. 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 213 of the NPPF applies which states that 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 Planning Practice Guidance must also be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 11 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**

SP8 Good Design

NH6 General Protection of Open Spaces

## **7. APPRAISAL**

- 7.1 The main issues for consideration in the determination of this application are the loss of the open space, its impact on the character and visual amenity of the area, and impact on neighbour amenity.

### **7.2 Loss of the Open Space**

- 7.2.1 The area of land in question is currently in the ownership of Stevenage Borough Council and is designated as an area of informal open space and is protected by Policy NH6 of the adopted Local Plan. Policy NH6 for general protection of open space states that the loss of unallocated open space should have regard to the quality and accessibility of the open space, whether the open space is serving its function and purpose, and whether alternate space(s) would remain available for community use.

- 7.2.2 The area of land in question is sited immediately adjacent the eastern boundary of the site, and runs from the front boundary to the rear boundary with a varying width of 2m at the front to 2.5m at the rear and a length of 32m. The total area would be approximately 88sqm. The land currently forms part of a larger area of informal grassed amenity area which measures between 4.5m and 6m wide and 32m in length, with a total area of approximately 153sqm. The area of land in question is fully laid to grass and contains 1no. lamp post on the northern corner and 1no. telegraph pole centrally positioned on the eastern boundary. These are not affected by the application proposal.

- 7.2.3 Whilst the land is open in nature, with no access restrictions, it is too small to be considered an area of meaningful open space, but rather, it is a small strip of grass separating the highway from the boundary of No. 24. The loss of the amenity space is not considered to detrimentally impact the form and function of the surrounding structural open space. The open space does not serve a specific function or purpose within the community, such that its loss would be unreasonable. Larger more useable areas of open space are located within reasonable proximity in the Old Town area. In Policy terms therefore, the change of use this area of amenity land is considered acceptable.

### **7.3 Impact on the Character and Appearance of the Area**

- 7.3.1 The proposed change of use is not considered to visually harm the character of the area. A remaining strip of land approximately 2.5m wide and 32m long would be retained between the application site and the public footpath which would still allow public views along this length of Almonds Lane.

- 7.3.2 The proposal includes the enclosure of the land with 1.8m high timber fencing to match the existing boundary treatments along the rear curtilage, a low level hedge along the side of the front curtilage and 1m high timber fencing along the front curtilage. Given the existing boundary treatment includes a 1.8m high fence along the rear curtilage, which abuts the amenity space, neighbouring properties in the vicinity have the same, and the neighbour to the north, No. 26 has 1m high timber fencing to their front curtilage, it is not considered the use of matching fencing would harm the character and visual appearance of the area.

- 7.3.3 The application in its original format included the loss of the hedgerow around the front curtilage. Following concerns raised by the Parks and Amenities Department, the applicant revised the scheme to replace some of the hedgerow along the side of the front curtilage. This will retain the visual character of the area and ensure that flora and fauna are not overly



harmful as a result of the proposal. The use of 1m high timber fencing along the front boundary is not considered to be harmful to the visual amenities of the area as other properties in the vicinity have low level timber fencing to their front curtilages.

#### **7.4 Amenity of Neighbours**

- 7.4.1 The extension of the 1.8m high fencing line along the rear boundary of the property adjacent to the front garden of the neighbour to the north, No. 26, will likely result in some shadowing of this neighbouring garden. However, there are no habitable rooms close to the proposed fence line and loss of light to front gardens is not considered to be significant such as to sustain a refusal of permission.
- 7.4.2 The neighbour at No. 26 utilises the side entrance door as their main entrance, which is set back 2.3m from the front elevation of the property. This neighbour has expressed concerns that the extension of the fencing line will negatively affect the security of their premises when exiting the property as their view over the open space will be removed. This situation would not differ from any of the properties in the terrace of dwellings who enter and exit their property through the rear garden along this alley way.
- 7.4.3 Comments relating to the use of the extended private rear garden and potential for outbuildings and play equipment to be installed are not material planning considerations and cannot be taken into account in the assessment of this application. Any structures erected in the rear garden would need to comply with the nationally set Permitted Development Rights or a planning application would be required. Further, there is no protection of, or right to, views from properties in Planning Law. Accordingly, the change of use of this land is not considered to harm the amenities of the occupiers of neighbouring properties.

#### **7.5 Other Matters**

- 7.5.1 Planning applications must be considered on the merits of the application at hand and potential future uses for the land cannot be taken into account. This application relates solely to the use of the land being changed to private residential use; the erection of a new dwelling on the land would be subject to its own planning application and cannot be taken into consideration as part of the assessment of this application. Further, any requirement for a dropped kerb would be a matter for Herts County Council as Highways Authority.
- 7.5.2 Matters raised relating to on-street car parking issues and the parking bays along Almonds Lane would fall outside of the remit of the planning legislation.

### **8. CONCLUSIONS**

- 8.1 It is considered that the change of use from amenity land to residential garden accords with adopted policy and would not harm the character and visual amenity of the area, nor the amenity of neighbouring properties. The application is, therefore, recommended for approval.

### **9. RECOMMENDATION**

- 9.1 That planning permission be GRANTED subject to the following conditions -
- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:  
SITE LOCATION PLAN; TQRQM19137225356805 (Amended Site Plan);  
**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 The approved area of land shall be enclosed by close boarded timber fencing no higher than 1.8m between markers A, B, C and D, timber post and rail fencing no higher than 1m between markers E and F, and the existing hedgerow shall be replaced between markers C and E, as shown on Plan Number TQRQM19137225356805 (Amended Site Plan) unless otherwise agreed in writing by the Local Planning Authority.

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

- 4 No removal of trees, scrub or hedges, shall be carried out on site between the 1st March and 31st August inclusive in any year, unless searched beforehand by a suitably qualified ornithologist.

**REASON:-** Nesting birds are protected from disturbance under the Wildlife & Countryside Act 1981 (as amended).

#### **Pro-active Statement**

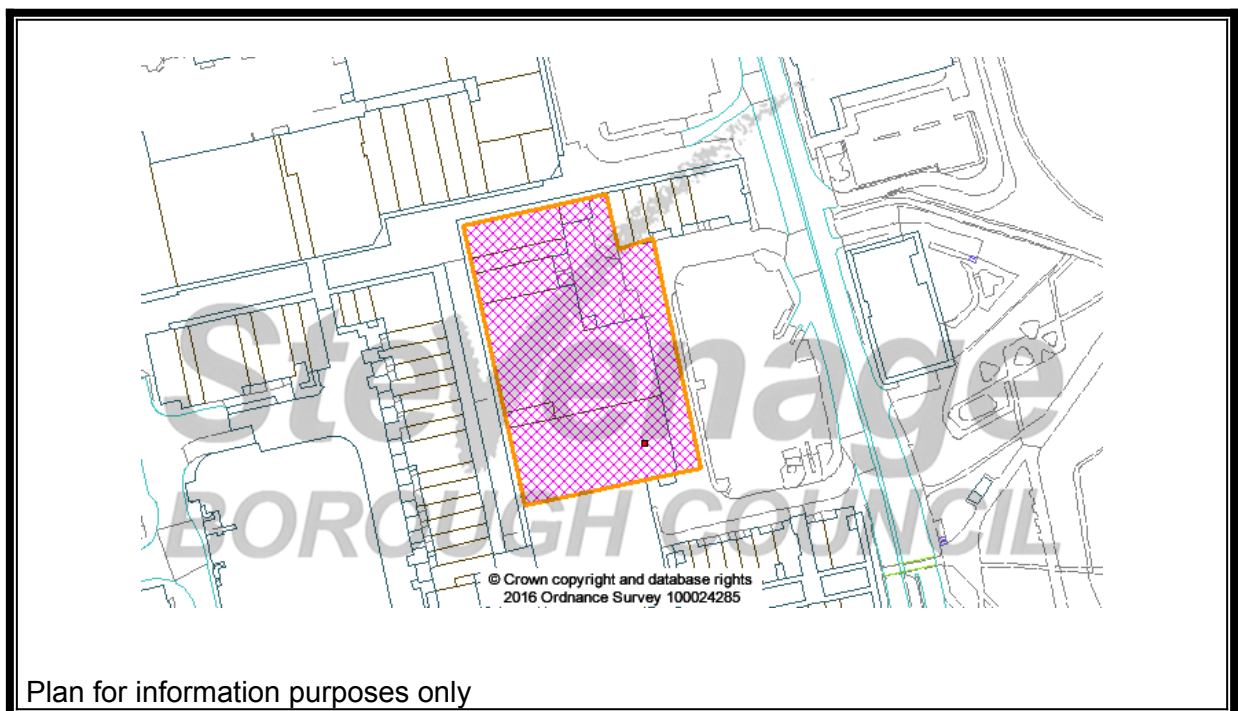
- 1 Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

## **10. BACKGROUND DOCUMENTS**

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Local Plan 2011-2031 (adopted May 2019).
3. Central Government advice contained in the National Planning Policy Framework February 2019 and the National Planning Policy Guidance 2014, as amended.
4. Responses to consultations with statutory undertakers and other interested parties referred to in this report.

<b>Meeting:</b>	<b>Planning and Development Committee</b>	<b>Agenda Item:</b>
<b>Date:</b>	<b>16 July 2019</b>	
<b>Author:</b>	<b>James Chettleburgh</b>	01438 242266
<b>Lead Officer:</b>	<b>Zayd Al-Jawad</b>	01438 242257
<b>Contact Officer:</b>	<b>James Chettleburgh</b>	01438 242266

Application No:	19/00284/FPM
Location:	85 to 103 Queensway, Stevenage.
Proposal:	Change of use of 24-26 The Forum from A1 (Retail) to either A1 (retail), A2 (Financial and professional services), A3 (Restaurants and Cafes) or B1 (Business), conversion of part of 85 Queensway ground floor from A1 (Retail) to either A1, A2, A3 or A4 (Drinking Establishment) and change of use of ground floor of 87 Queensway and ground and first floor 91 Queensway from A1 (Retail) to either A1, A2 or A3.
Drawing Nos.:	P1.1 (received 04.07.2019); P1.2 (received 04.07.2019); P1.3 (received 04.07.2019); P2.1 (received 04.07.2019); P2.2 (received 04.07.2019).
Applicant:	Reef Estates
Date Valid:	13 May 2019
Recommendation:	GRANT PLANNING PERMISSION.



## **1. SITE DESCRIPTION**

- 1.1 The application site is located at the northern end of Queensway which falls within Stevenage Town Centre. The site comprises numbers 85 (The former M&S store) to 103 (the former Poundland) Queensway and is part three-storey, part four storeys in height with a shopping parade at ground floor level with offices and ancillary retail floorspace located above. However, the building drops down to single-storey where it turns the corner into The Forum with this part of the building which was previous occupied by “Kaprys Polish Delicatessen”. The building itself across all of the levels is flat roofed. The Queensway elevation is predominantly constructed from concrete panels with a textured pebble dash finish, crittall windows and green tiles with a timber canopy overhanging the ground floor shopping parade. The shopping parade itself generally comprises of full height glazed shop frontages with low level stall risers and fascia signage. Building works, in line with planning permission 18/00268/FPM have now commenced on-site where the old shop frontage to the former M&S store has now been removed along with general soft stripping of the building.
- 1.2 The Marshgate elevation (rear) of the building is constructed from either grey engineering or red bricks with metal windows. At ground floor level there are single-storey projections with flat roofs comprising of plant on their respective roof areas and metal shutters and doors which form part of the service area to the building. There are also external metal staircases and an electricity sub-station. On the roof area of the former M&S building there are areas of plant and equipment located within brick enclosures.
- 1.3 To the east of the application site (rear) is the Marshgate Car Park and service road and beyond this is St George’s Way, Bowes Lyon and Town Centre Gardens. To the north of the development site is “The Forum” which is a modern two ½ storey building comprising of retail units and to the north-east is a modern, brick built, two-storey building comprising a tanning salon, hot food takeaway, a mattress store and the Job Centre. To the south/south east of the application site is Park Place which has undergone extensions along with external modernisation works in order to create a new residential development with ground floor retail units. To the west of the application (the front) is the main Queensway pedestrianised area of the town centre beyond which is the other part of the shopping parade with retail premises at ground floor level with ancillary retail floorspace above. To the front of the building is a metal framed, painted white, glazed canopy which over-sails the public footpath.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 There have been numerous permissions granted in the past for advertisements at the premises as well as alterations to shop fronts.
- 2.2 Planning application 18/00279/FPM sought permission for the demolition of existing buildings and the provision of undercroft car parking, retention of existing office use (Use Class B1) on upper floors, change of use of existing retail units (Use Class A1) to a mixed use development of Use Classes A1 (Shops), A2 (Professional & Financial Services), A3 (Restaurants & Cafes), A4 (Drinking Establishments) and D2 (Gym) with associated enhancements to shop frontages, replacement canopies, public realm improvements, associated car parking and highway works. This application was withdrawn in January 2019.
- 2.3 Planning application 18/00286/FPM sought planning permission for the partial demolition of existing buildings to facilitate erection of new residential building comprising 39no. studio, 54no. one bed and 1no. two bed flats with under-croft car parking; retention of existing office use (Use Class B1) on upper floors; change of use of existing retail units (Use Class A1) to a mixed use development of Use Classes A1 (Shops), A2 (Professional & Financial Services), A3 (Restaurants & Cafes), A4 (Drinking Establishments) and D2 (Gym) with

associated enhancements to shop frontages; replacement canopies; public realm improvements and associated car parking and highway works. This application was granted planning permission in December 2018.

- 2.4 Prior approval application 18/00386/CPA seeks approval for the change of use of the second floor from use Class B1(a) (offices) to use Class C3 (residential) to provide 11 flats. Prior approval was granted in August 2018.
- 2.5 Planning application 18/00390/FP seeks planning permission for the change of use of the second floor from retail (Use Class A1) to for 8 residential flats ( 7 x studio flats and 1 x 1 bed) including upgrade and refurbishment to stair and access to residential flats, a new lift and formation of bin and cycle store areas at ground floor. This application was granted in September 2018.
- 2.6 Prior approval application 18/00393/CPA seeks prior approval for the change of use from Use Class A1 (Shop) and Class A2 (Financial & Professional) to 2 no. dwelling units (Use Class C3). This application is pending consideration. Prior approval was granted in August 2018.
- 2.7 Planning application 18/00508/FP sought permission for a change of use of part of the first floor from retail (Use Class A1) to Offices (Use Class B1(a)) and external improvement works. This application was granted planning permission in October 2018.
- 2.8 Advertisement Consent application 18/00648/AD sought consent for the installation of 2no. internally illuminated and 5no. non illuminated fascia signs. This application was granted in January 2019.
- 2.9 Planning application 18/00735/FP sought planning permission for the change of use of part of the second floor from Retail (Use Class A1) and Financial and Professional Services (Use Class A2) to offices (Use Class B1(a)) and external improvement works. This application was granted in January 2019.
- 2.10 Discharge of condition application 19/00012/COND sought to discharge condition 12 (Drainage Strategy) attached to planning permission reference 18/00268/FPM. The condition was discharged in May 2019.
- 2.11 Discharge of condition application 19/00086/COND seeks to discharge conditions 8 (construction management); 14 (noise assessment); 15 (dust control); 17 (plant machinery); and 25 (demolition plan) attached to planning permission reference number 18/00268/FPM. This application is pending consideration.
- 2.12 Discharge of condition application 19/00168/COND sought to discharge condition 18 (Site Waste Management Plan) attached to planning permission reference 18/00268/FPM. This condition was discharge in April 2019.
- 2.13 Discharge of condition application 19/00289/COND sought to discharge condition 19 (Site Investigation) attached to planning permission 18/00268/FPM. This condition was discharged in May 2019.
- 2.14 Discharge of condition application 19/00376/COND seeks to discharge condition 6 (Materials) attached to planning permission reference number 18/00390/FP. This application is pending consideration.
- 2.15 Discharge of condition application 19/00375/COND seeks to discharge condition 4 (Materials) attached to planning permission reference number 18/00508/FP. This application is pending consideration.

- 2.16 Discharge of condition application 19/00374/COND seeks to discharge condition 3 (Materials) attached to planning permission reference number 18/00268/FPM. This application is pending consideration.
- 2.17 Discharge of condition application 19/00380/COND seeks to discharge of condition 1 (Noise Levels) attached to planning permission reference number 18/00386/CPA. This application is pending consideration.
- 2.18 Discharge of condition application 19/00379/COND seeks to discharge of condition 3 (Noise Levels) attached to planning permission reference number 18/00390/FP. This application is pending consideration.

### 3. THE CURRENT APPLICATION

- 3.1 To give some background to the current application before the Council, under planning permission 18/00286/FPM, part of the approved scheme comprised a change of use of some of the existing retail ground floor units (Use Class A1) to a mixed use development of Use Classes A1 (Shops), A2 (Professional & Financial Services), A3 (Restaurants & Cafes), A4 (Drinking Establishments) and D2 (Gym). This was in order to allow greater flexibility to help drive up footfall along Queensway as well as improve occupancy rates of vacant premises. The overall mix of uses, which was approved by the Council in December 2018, is set out in the table below.

Table 1: Approved retail mix for 85 to 103 Queensway.

Unit Name	Use Class	Total Gross Internal Area (GIA) (Sq.m)
85 A Queensway	A1	789.88
85 B Queensway	D2	1,633.21
85 C Queensway	A1 – A3	358.11
87 Queensway	A1	229.91
89 Queensway	A1 – A3	532.25
91 Queensway	A1	362.67
93 Queensway	A1	331.53
95 Queensway	A1	1,070.82
97 – 99 Queensway	A2	762.53
101 Queensway	A1	375.86
103 Queensway	A1 – A4	821.76

- 3.2 The current application before the Council seeks planning permission for additional flexibility in the use of premises along Queensway and The Forum. As such, this application seeks planning permission for the change of use of 24-26 The Forum from A1 (Retail) to either A1 (retail), A2 (Financial and professional services), A3 (Restaurants and Cafes) or B1 (Business), conversion of part of 85 Queensway ground floor from A1 (Retail) to either A1, A2, A3 or A4 (Drinking Establishment) and change of use of ground floor of 87 Queensway and ground and first floor 91 Queensway from A1 (Retail) to either A1, A2 or A3. The overall proposed retail mix for the development is set out in the table below.

Table 2: Proposed retail mix for 85 to 103 Queensway and 25 to 26 The Forum.

<b>Unit Name</b>	<b>Use Class</b>	<b>Total Gross Internal Area (GIA) (Sq.m)</b>
85 A Queensway	A1, A2, A3 and A4	789.88
87 Queensway	A1, A2 and A3	112.76
91 Queensway	A1, A2 and A3	215.91 (Ground Floor) 61.22 (First Floor)
24 to 26 The Forum	A1, A2, A3 and B1.	90.92

- 3.3 This application comes before the planning committee for its consideration as it is a major commercial application.

## **4. PUBLIC REPRESENTATIONS**

- 4.1 As a major planning application, the proposal has been publicised by way of letters to adjoining premises, site notices and a press notice. At the date of drafting this report, no comments or representations have been received.

## **5. CONSULTATIONS**

### **5.1 Hertfordshire County Council as Highways Authority**

- 5.1.1 The County Council as the Highways Authority consider the development would not result in any highways issues. Therefore, it does not wish to restrict the grant of planning permission.

### **5.2 Hertfordshire County Council as Lead Local Flood Authority**

- 5.2.1 The development is not increasing the hardstanding and no external works are being undertaken. In addition, the vulnerability would not be increasing. Therefore, there is no objection on flood risk ground to the application.

### **5.3 Council's Environmental Health Section**

- 5.3.1 It is considered that subject to conditions, the proposed development would be acceptable from an environment perspective. In terms of suggested conditions, these are as follows:-

- A detailed scheme for the installation of extraction equipment to deal with odour be submitted to the Council for its approval in writing;
- A detailed scheme for the adequate provision of waste and recycling be submitted to the Council for its approval;
- A restriction on the hours of construction;
- A detailed scheme for noise nuisance mitigation measured be submitted to the Council for its approval.

### **6.1 Central Government Advice**

- 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 Borough Local Plan 2011-2031 (2019) (Adopted Local Plan).

6.1.2 The National Planning Policy Framework sets out that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the National Planning Policy Framework.

6.1.3 In considering the policy implications of any development proposal, the Local Planning Authority will assess each case on its individual merits.

## **6.2 Central Government Advice**

6.2.1 A revised National Planning Policy Framework (NPPF) was published in February 2019. 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 213 of the NPPF applies which states that 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 Planning Practice Guidance must also be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 11 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 Stevenage Borough Local Plan 2011-2031 (2019)**

Policy SP1: Presumption in favour of sustainable development

Policy SP2: Sustainable Development in Stevenage

Policy SP4: A Vital Town Centre

Policy SP5: Infrastructure

Policy SP6: Sustainable Transport

Policy SP8: Good Design

Policy SP11: Climate Change, Flooding and Pollution

Policy TC1: Town Centre

Policy TC7: Marshgate Major Opportunity Area

Policy TC8: Town Centre Shopping Area

Policy IT5: Parking and Access

Policy GD1: High Quality Design

Policy FP1: Climate Change

Policy FP2: Flood Risk in Flood Zone 1

## **6.5 Supplementary Planning Documents**

Parking Provision Supplementary Planning Document January 2012.

Stevenage Design Guide Supplementary Planning Document January 2009.



## **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 residential amenity; the effect of the proposals on the highway network; the adequacy of parking provision and flood risk.

### **7.2 Land Use Policy Considerations**

- 7.2.1 The application site is identified within the Town Centre in the Stevenage Borough Local Plan 2011-2031 (2019) as defined by Policies TC1 and TC8. More specifically, Policy TC8 (Town Centre Shopping Area (TCSA)) of the aforementioned plan states that uses appropriate in a town centre will be permitted at ground floor level, including Use Classes A1, A2, A3, A4, C1, D1 and/or D2.

- 7.2.2 Turning to the application site itself, Policy TC8 identifies that the premises 79 to 101 Queensway are designated as primary retail frontages. Given this, only proposals for Use Class A1 (shops) will be permitted. Looking at the proposed development, it would involve a change of use of the following units which fall within primary retail frontage:-

- 85 A Queensway (former M&S store) from Use Class A1 to a flexible use of either A1, A2, A3 and A4;
- 87 Queensway (former Thomas Cook store) from Use Class A1 to a flexible use of either A1, A2 and A3;
- Unit 89 (former Select store) from Use Class A1 to a flexible use of either A1, A2 and A3.

- 7.2.3 Given the above, the proposed development could result in a potential reduction in A1 retail floorspace which would be contrary to Policy TC8 of the adopted Local Plan (2019). Notwithstanding the above, the aforementioned policy does further stipulate that planning permission would be allowed for other uses where:-

- The proposal will retain an active frontage;
- The proposal will generate footfall equivalent to, or greater than A1 or A2 use in the equivalent location; and
- The unit has been unsuccessfully marketed for A1 or A2 use, or has remained vacant, for at least six months.

- 7.2.4 In regards to the first point, the premises are currently vacant and therefore, by allowing a more flexible use in these premises, it would help to bring back these vacant units into operation creating a more active frontage and help to draw trade down to this part of Queensway. In addition, through a more flexible use, the introduction of potentially a restaurant, café or bar can help introduce a night time economy in this part of the Town Centre. Independent research such as by Allegra, the Killian Pretty Review, the Grimsey Review and more recently the High Street 2030: Achieving Change Report (by the Institute of Place Management and Manchester Metropolitan University, December 2018) have demonstrated that café's and/or coffee shops along with restaurants are social hubs which help bring people together in a safe and comfortable environment. These reports also demonstrate that they help to improve the vitality and viability of a town centre as they encourage people to stay in the centre for longer. In addition, the applicant's Town Centre Health Check report identifies that uses including banking, restaurants, cafes, fitness studios and event spaces form part of the essential retail offer for a shopping community. In

addition, the Town Centre Health Check report identifies that a more flexible approach to uses is absolutely critical to the town's success due to evidence of demands from occupiers such as Loungers, Lloyds and Pret A Manger.

- 7.2.5 Further to the above, it has been evidenced by the applicant that retailers are opting for smaller, economic stores to use which incorporate click and collect or home deliveries. They have advised that due to high rates and rent as well as a general reduction in footfall, including in Stevenage Town Centre, this has led to some retailers to change their business models showcasing less products and requiring less space in order to reduce overheads. In addition, they have advised companies like Waterstones have called upon the Government to overhaul or scrap business rates due to their debilitating impact on the high street and shopping centre retailing generally. This is supported in the report issued by the House of Commons, Ministry of Housing, Communities and Local Government (MHCLG) Committee Report – High Streets and Town Centres in 2030 dated 13<sup>th</sup> February 2019 which sets out that High Street retailers are paying business rates as a proportion of turnover ranging from 1.5% to 6.5% whereas online retailers are paying approximately 0.7% of turnover. In addition to this, the report has identified that footfall in the UK for the first 9 months of 2018 was down by 8.1% and with the average vacancy rate in the UK of 11.1%. With regards to Stevenage, the applicants Town Centre Health Check report identifies a vacancy rate of 13.6%.
- 7.2.6 It has also been evidenced that oversized portfolios have been struggling such as Woolworths and BHS and that this is now a similar situation for companies such as House of Fraser, M&S, Debenhams and New Look. This is further supported by the House of Commons and MHCLG Committee Report (2019) which identifies that around 71% of BHS stores are still empty. Furthermore, companies such as M&S are looking to close 100 stores by 2022 and Debenhams plans to close 166 of its stores. Further to this, companies such as House of Fraser and Debenhams have instructed agents to seek tenants to occupy their excessive floorspace. Moreover, the Centre for Retail Research reports that since 2008, 34 middle and large retailers have gone into administration, 8 of which in 2018, affecting 12,997 stores and 178,576 employees. Among these include HMV, House of Fraser, Maplin, Poundworld and Toys R Us. Additionally, as set out in the House of Commons Report, New Look and Carpetright have agreed Company Voluntary Arrangements (CVAs) this year. A CVA, through an insolvency practitioner, is a legally binding agreement with a company's creditors to allow a proportion of its debts to be paid back over time.
- 7.2.7 Given the aforementioned, as the retail market has substantially changed, by helping to diversify the usage of floorspace along this stretch of Queensway with the introduction of restaurants and café's will help to drive up footfall. This would, in essence, help to lead to a retailer taking on a smaller premise which is currently vacant as well helping to boost sales of existing retailers. In addition to this, the report published by the House of Commons states *"we are convinced that high streets and town centres will survive, and thrive, in 2030 if they adapt, becoming activity-based community gathering places where retail is a smaller part of a wider range of uses and activities"*. This is reflected to what is set out in the Grimsey Review where café's and/or coffee shops along with restaurants are seen as "social hubs".
- 7.2.8 Looking vacancy rates, the units associated with this application site have been vacant for more than six months and have been actively marketed commercially. The M&S store (85 Queensway) has been vacant since September 2015 and was previously marketed by CPRE (Commercial Property Real Estates) through online marketing brochures, A-boards and on commercial websites and then by Cushman and Wakefield and Prime Retail. More recently, the site has been marketed by Kearney Bell who is acting on-behalf of the

applicant. They have advised that there is no interest in letting the store as there is no demand for a store of this size and why the store has generally remained vacant for nearly 4 years.

- 7.2.9 Turning to the former Select store (89 Queensway), this property has been vacant for over 22 months and was previously actively marketed by Green and Partners (Commercial Agent) through online marketing brochures, signage and through commercial websites. The rent on this unit had also been reduced but there has been no interest in this unit. With regards to the former Rymans Stationary Store (91 Queensway), this premises has also been vacant for a number of months and was also being actively marketed for A1 retail by Green and Partners. More recently, these premises along with the most recently vacated Thomas Cook (87 Queensway) and Kaprys (24 to 26 The Forum) have been actively marketed by Kearney Bell who have also targeted a number of A1 national retailers. They have advised that again there is no interest in the use of these premises as Use Class A1 (retail).
- 7.2.10 Further to the above, the applicant has confirmed that details of the vacant premises have also been circulated through external channels such as the Estate Agents Clearing House (which covers 11,500 property agents with 2,862 retail agents), Shop Property (accessed by agents and retailers with a membership of over 10,000) and Pipnet (accessed by agents and retailers with a membership of over 10,000). Details of the vacant units were also circulated more widely by Prime Retail as well as Cushman and Wakefield when they were originally involved in the letting of the properties. However, as advised, no interest was received from A1 retailers except for River Island.
- 7.2.11 Notwithstanding the above, River Island advised (as confirmed by Kearney Bell) that they would only relocate if their fit out costs (in the region of £1m) was paid for and they could occupy under an all-inclusive rent (including rates and service charge). The agents Kearney Bell advised that this would result in a severe loss making and would not be sustainable for the landlord. In addition, this would only result in another unit within a Primary Retail frontage which falls within the Westgate Shopping Centre being vacant. Consequently, the occupation of one of the vacant units by River Island would not be financially viable or really address vacancy rates in the town centre generally.
- 7.2.12 Further to the above, whilst not part of the development site, there are a number of vacant units on the opposite side of the application site along Queensway (Units 64, 74-76, 86 and 88) which were previously occupied by A1 retailers. These premises are currently being marketed by Brown and Lee as well on commercial websites and again they still remain vacant. Taking the aforementioned matters into consideration, it has been demonstrated that there is a need for a more flexible usage in some of the premises in order to entice footfall along this part of Queensway and help to bring back a more active frontage.
- 7.2.13 Turning to the proposed change of use of 24 to 26 The Forum, whilst these premises were previously occupied by an A1 retailer, they are designated as secondary retail frontage and, as such, the adopted Local Plan does not restrict the use of premises in secondary frontages for A2, A3 and B1 uses.
- 7.2.14 Given the aforementioned assessment, whilst the proposal could potentially result in the loss of A1 retail floorspace, it would help create an active frontage, have a higher footfall and would help bring vacant units back into operation. In addition, the proposal does not result in the complete loss in A1 units. This is because these premises can be reverted back to their original approved use if, for example, a restaurant or café vacated a particular premises due to the application seeking a “flexible” permission. Consequently, the

proposed development would help to support the vitality and viability of the town centre. In this regard, the proposal is considered to comply with Policy TC8 of the Local Plan (2019), the NPPF (2019) and PPG (2014).

### **7.3 Impact on the Character and Appearance of the Area**

- 7.3.1 In terms of design, Paragraph 127 of the National Planning Policy Framework (NPPF) 2019 stipulates that planning decisions should ensure development functions well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. It also sets out that development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping is sympathetic to local character and history, including the surrounding built environment and landscape setting. Paragraph 130 of the NPPF states that “permission should be refused for development of poor design that fail to make available opportunities available for improving the character and quality of an area and the way it functions”.
- 7.3.2 Policy GD1 of the adopted Local Plan (2019) generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.
- 7.3.3 The proposed development does not seek to extend or alter the external appearance of the application building. This is because the external works and associated extensions to the building are being implemented under planning permission 18/00268/FPM. Consequently, the proposed development would not harm the visual amenities of the area in this instance.

### **7.4 Impact upon residential amenity**

- 7.4.1 Policy FP8 of the emerging Local Plan (2016) stipulates that permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed, pollution generating uses.
- 7.4.2 In terms of impact on amenities of existing premises, the nearest residential properties are located approximately 34m to the south-east of the application site in Park Place. However, these properties are located to the rear of the site beyond Marshgate. As such, these properties already lie in close proximity to noise generating uses such as Costa Coffee and Stevenage Café and Sandwich Bar. In addition, the properties in Park Place are also already affected by background noise which is generated from St George’s Way and Marshgate Car Parks. As such, it is not considered the development would have a detrimental impact on the amenities of occupiers of Park Place due to the existing surrounding environment.
- 7.4.3 Notwithstanding the above, under planning permission 18/00268/FPM which is currently being implemented by the applicant, this scheme comprises of residential apartments. These apartments would be located in a residential block located to the rear of the application site as well as above existing premises along Queensway. Consequently, it is considered that the development could potentially impact upon the amenities of future residents of the properties in the Queensway development. This is due to noise which could be generated from the proposed uses. In addition, if permission were to be granted, the premises could be used as a restaurant and/or café, which could potentially generate odours from the cooking of food which could have an effect on future residents in this instance.
- 7.4.4 Given the aforementioned, following consultation with the Council’s Environmental Health Section, they have advised that a number of conditions should be imposed if permission were to be granted. This is because without these conditions in place, the wider

environment in terms of noise, odour and lack of management of waste could have a detrimental impact on the amenities of future occupiers of the residential development. The suggested conditions are set out under paragraph 5.3 and section 9 of this committee report.

## **7.5 Impact on the Highway Network**

- 7.5.1 The application site is currently accessed off Marshgate which is a service road off St George's Way which is managed by Stevenage Borough Council as landowner. The proposed development does not seek to alter or undertake any improvement works on the vehicular highway.
- 7.5.2 Looking at traffic generation, the proposed development does not seek to increase the existing level of floorspace within the building. As a result, the proposal would not lead to an increase in vehicle trips to and from the site over and above the existing uses. The application site is also located in a sustainable location due to being in the town centre. As such, the site is located in close proximity to Stevenage Bus Station as well as Stevenage Train Station which is approximately 300m to the west. The site is also accessible by bicycle due to the town centre being connected to the extensive cycle network.
- 7.5.3 Given the above, Hertfordshire County Council as Highways Authority does not consider the proposed development would prejudice the safety and operation of the highway network.

## **7.6 Parking provision**

- 7.6.1 Policy IT5 of the Local Plan (2019) states that planning permission will be granted where proposals comply with the parking standards as set out in the Council's Car Parking Standards SPD (2012). The Council's Car Parking Standards SPD (2012) sets out the maximum number of parking spaces which would be required to support the proposed development.
- 7.6.2 Following an assessment of the proposed development, whilst there would be a parking demand for the development in line with the Council's Standards, the development is not seeking to create any additional floorspace. Furthermore, the proposed development, as is the current situation, does not consist of or include the provision of any off-street parking. This is because the application site, being in the town centre, is well served by public transport with a number of surface car parks in and around the Town Centre which can be used by staff and customers.
- 7.6.3 In addition to the above, the Council's Parking Standards SPD (2012) does allow for zero parking for non-residential development in the town centre due to being a sustainable and highly accessible location. Consequently, despite the lack of additional off-street parking being provided, the proposed development would still be in accordance with the Council's Car Parking Standards SPD (2012). Furthermore, the proposed development in terms of parking would be no worse than is currently the case.
- 7.6.4 With regards to cycle parking, each of the premises as detailed on the submitted drawings would be served by secure cycle parking for employees. In addition, as part of the approved development for Queensway (Planning Reference:- 18/00268/FPM), this development would also provide 18 cycle hoops on the footpath connection between the Forum and Marshgate. Consequently, it can be considered that the level of cycle parking would be appropriate for this development.

## **7.7 Development and Flood Risk**

- 7.7.1 The application site is situated within Flood Zone 1 which has a low probability of flooding. However, as the application is classed as a Major residential application, there is a statutory requirement to consult Hertfordshire County Council as the Lead Local Flood Authority (LLFA). The LLFA has confirmed that as the proposed development comprises a change of use where no additional floorspace via extensions are being undertaken or there is the creation of no additional hardsurfacing, there is no objection to the development on flood risk grounds.

## **8. CONCLUSIONS**

- 8.1 In summary, it is considered that the principle of the introduction of a flexible permission for the retail units would not have a detrimental impact on the vitality and viability of Stevenage Town Centre. In addition, it not considered the development would have a detrimental impact on the character and appearance of the area or harm the amenities of existing and future residents. Furthermore, the proposed development would comply with the Council's standards with regards to car parking and cycle parking and would not prejudice the safety and operation of the public highway. Finally, the proposed development would not be susceptible or generate additional flooding.
- 8.2 Given the above, the proposed development accords with the Policies contained within the adopted Local Plan (2019), the Council's Supplementary Planning Documents, the NPPF (2019) and NPPG (2014).

## **9. RECOMMENDATIONS**

- 9.1 That planning permission be GRANTED subject to the following conditions:
- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

P1.1 (received 04.07.2019); P1.2 (received 04.07.2019); P1.3 (received 04.07.2019); P2.1 (received 04.07.2019); P2.2 (received 04.07.2019).

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

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

**REASON:-** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 3 Prior to the first occupation of the ground floor Use Class A1 (Shop) to A3 (Restaurants and Cafes) or A4 (Bars and Public Houses) units as detailed on the approved drawings, a scheme for the installation of equipment to control the emission of fumes and smell from these premises shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be fully implemented prior to the first occupation of these units. All equipment installed as part of the scheme shall thereafter be operated, serviced and maintained in accordance with the manufacturer's instructions.

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

- 4 Prior to the first occupation of the ground floor Use Class A1 (Shop) to A3 (Restaurants and Cafes) or A4 (Bars and Public Houses) units as detailed on the approved drawings, a scheme for the adequate provision of waste segregated into recycling and non-recycling

shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be fully implemented prior to the first occupation of these units.

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

- 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 0730 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. These times apply to work which is audible at the site boundary.

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

- 6 Prior to the first occupation of the ground floor Use Class A1 (Shop) to A3 (Restaurants and Cafes) or A4 (Bars and Public Houses) units as detailed on the approved drawings, details of noise nuisance mitigation provisions appropriate to the occupation of the unit will be submitted to and approved in writing by the Local Planning Authority, so as to prevent the occurrence of noise nuisance due to the occupation and use of the unit.

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

### **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**

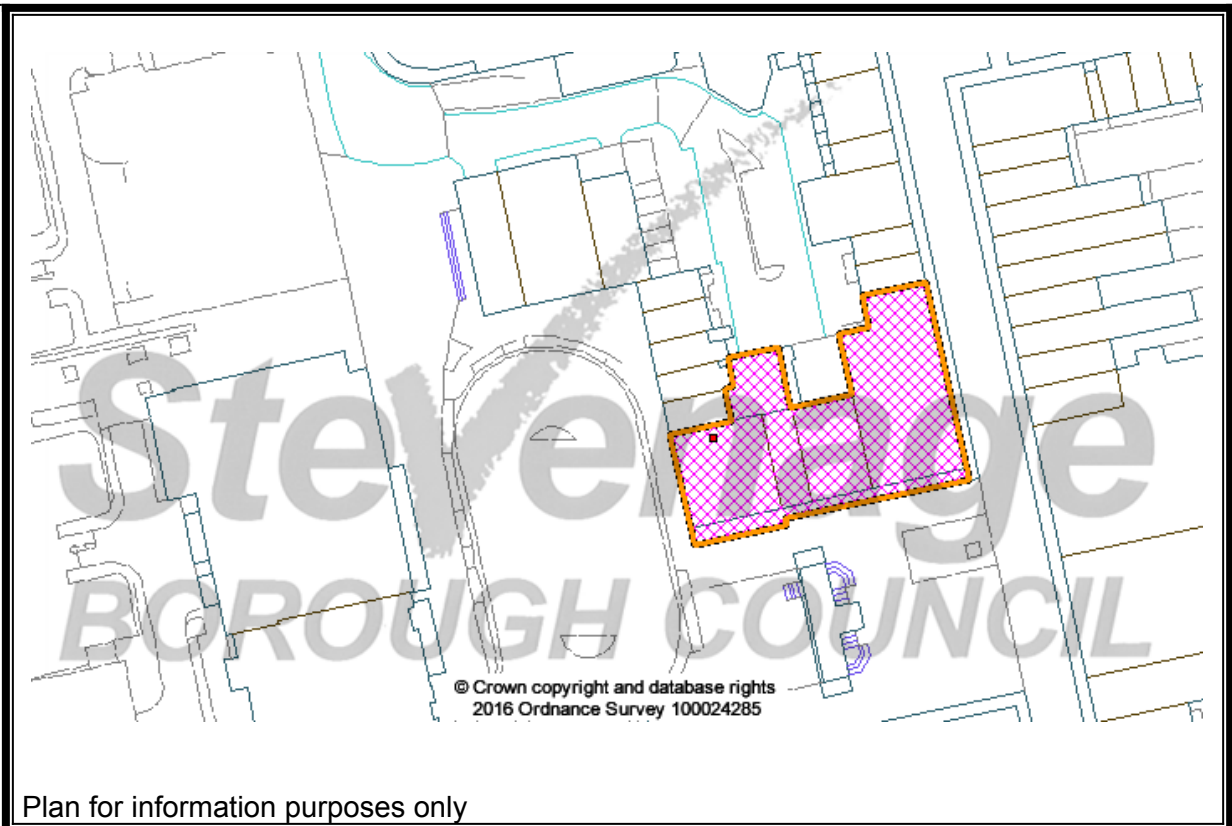
1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012.
3. Stevenage Borough Local Plan 2011-2031 adopted May 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
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 February 2019 and Planning Policy Guidance March 2014.

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<b>Meeting:</b>	<b>Planning and Development Committee</b>	<b>Agenda Item:</b>
<b>Date:</b>	<b>16 July 2019</b>	
<b>Author:</b>	<b>James Chettleburgh</b>	01438 242266
<b>Lead Officer:</b>	<b>Zayd Al-Jawad</b>	01438 242257
<b>Contact Officer:</b>	<b>James Chettleburgh</b>	01438 242266

Application No:	19/00333/FPM
Location:	21-29 Town Square, Town Centre, Stevenage.
Proposal:	Variation of condition 1 of planning permission number 19/00063/FPM to amend approved drawings.
Drawing Nos.:	AA7916-2102A; AA7916-2013A; AA7916-2015A; AA7916-2101A; AA7916-2200C; AA7916-2201C; AA7916-2202B; AA7916-2203B; AA7916-2205B; AA7916-2206B; AA7916-2001' AA7916-2000; AA7916-2002; AA7916-2100A.
Applicant:	Stevenage Borough Council
Date Valid:	31 May 2019
Recommendation:	GRANT PLANNING PERMISSION.



## **1. SITE DESCRIPTION**

- 1.1 The application site is located within the designated area of Stevenage Town Centre as well as the Town Square Conservation Area. The site comprises a pre-cast reinforced concrete three-storey flat roofed building which consists of crittall glazed windows, exposed stone aggregate panels, brickwork, mosaics and tiles. In terms of numbers 21 to 23 Town Square which was formally McDonalds, this comprises a colonnade where the supporting columns are clad in tiles. At first floor level above 29 Town Square (Starbucks), there is an existing recessed balcony area with metal railings and across the main elevations of 25 to 29 Town Square there is a timber canopy. The shop fronts at ground floor level comprise of full height aluminium framed windows with low level stall risers with associated fascias above.
- 1.2 To the south of the application site is the main Town Square which comprises the Grade II Listed Clock Tower and Surrounding pool. There is also the Grade II Listed Joy Ride which comprises a bronze mother and child sculpture by Franta Belsky. The sculpture is set on top of a platform with stairs and railings to either side. The buildings which form the main shopping parade of Queensway are generally uniform in design, being three-storeys in height with a shopping parade at ground floor level with the fenestration at first and second floor level comprising single-glazed crittall windows. The properties also consist of timber canopies which are an original feature of the pedestrianised town centre.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 Planning application 19/00063/FPM sought permission for the Change of use of units 21 to 23 Town Square from Class A3 (Restaurant) to a mixed use Class A1 (Retail) and Class A3 (Restaurant and Café) space at ground and first floor level, conversion of existing office Class B1(a)) and Employment Agency (Class A2) at first and second floor level to a mixed use of offices (Class B1 (a)) and gallery (Class D1) and replacement of existing betting shop (Sui Generis) with a ground-floor communal lobby. External renovation works, use of rear roof-terrace as events and amenity space and associated plant. This application was granted in April 2019.
- 2.2 There have also been a number of applications for advertisements and planning permission which have been submitted over the years at the various premises within the application site.

## **3. THE CURRENT APPLICATION**

- 3.1 This application seeks to vary condition 1 attached to planning permission 19/00063/FPM to amend the approved plans. For reference, this condition states the following:-

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

AA7916 - 2102 A; AA7916 - 2103 A; AA7916 - 2105 A; AA7916 - 2106 A; AA7916 - 2101 A; AA7916 - 2200 B; AA7916 - 2201 B; AA7916 - 2202 A; AA7916 - 2203 A; AA7916 - 2205 A; AA7916 - 2206 A; AA7916 - 2001; AA7916 - 2000; AA7916 - 2002; AA7916 - 2100 A;

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

- 3.2 Following the grant of planning permission 19/00063/FPM, detailed surveys undertaken on the building identified lower ceiling heights at second floor level. As a result, access from the second floor core into the gallery space would not have been usable due to headroom. The proposed amendment to the approved scheme seeks the introduction of a new roof lantern/lift overrun above the existing head clearance which will allow the lifts to be able to operate. The proposed roof lantern would measure approximately 4.72m in length, span 6.76m in width with a height of approximately 1.99m. It would be constructed of metal cladding and double glazed aluminium/composite windows.

- 3.3 This application has been referred to the Planning and Development Committee as Stevenage Borough Council is the applicant and landowner.

## **4. PUBLIC REPRESENTATIONS**

- 4.1 This planning application has been publicised by way of a site notice and neighbouring properties have been notified about the application via a letter. The application was also published in the local press as it is located within the Town Square Conservation Area. Since the drafting of this report, no comments or representations have been received.

## **5. CONSULTATIONS**

### **5.1 Council's Conservation Advisor**

- 5.1.1 The applicants have demonstrated in their documentation that the roof lantern is necessary to provide access to the second floor gallery. Without the access this use cannot be provided and there would be a subsequent loss of activity within the town centre. The lantern has been located as far to the rear of the Town Square elevation as possible, and should only be visible in limited, long views of the building. The materials and fenestration of the lantern, whilst not the same as the town square building are simple and in the character of an addition to the structure.
- 5.1.2 The impact on the significance of the conservation area is limited. The change in roof form will be visible in some views, but this must be balanced by the improved access to upper levels of the building and the potential uses that this enables.
- 5.1.3 The NPPF requires consideration to be made to sustain heritage assets in viable uses that are consistent with their conservation that this development achieves. The regeneration benefits of bringing new activities and uses to the town centre buildings provides an obvious positive contribution to the character of the town centre conservation area in this scheme. The provision of equal access to all parts of the building to enable all to benefit from these uses provides a clear justification for this scheme.

## **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 Borough Local Plan 2011-2031 (2019) (Adopted Local Plan).
- 6.1.2 The National Planning Policy Framework sets out that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the National Planning Policy Framework.
- 6.1.3 In considering the policy implications of any development proposal, the Local Planning Authority will assess each case on its individual merits.

## **6.2 Central Government Advice**

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in February 2019. 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 213 of the NPPF applies which states that 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 Planning Practice Guidance must also be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 11 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**

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 SP8: Good Design;  
Policy SP13: The historic environment;  
Policy EC7: Employment development on unallocated sites;  
Policy TC1: Town Centre;  
Policy TC5: Central Core Major Opportunity Area;  
Policy TC8: Town Centre Shopping Area;  
Policy HC7: New and refurbished leisure and cultural facilities;  
Policy GD1: High Quality Design;  
Policy NH10: Conservation areas.

## **6.5 Supplementary Planning Documents**

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

## **7. APPRAISAL**

- 7.1 When considering applications of this type, local planning authorities are entitled to consider only the question of the conditions to which planning permission should be granted and must leave the original permission intact. In this instance, the other conditions imposed on the originally granted planning permission for this development remain relevant, so that the only issue for consideration in the determination of this application is how the variation of the condition referred to above would impact on the approved scheme and whether any additional conditions are warranted.
- 7.2 The main issues for consideration of this application are, therefore, the acceptability of the changes to the scheme in respect of the visual impact on the conservation area.

## **7.2 Visual impact on the conservation area**

- 7.2.1 In terms of design, Paragraph 127 of the National Planning Policy Framework (NPPF) 2019 stipulates that planning decisions should ensure development functions well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. It also sets out that development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping is sympathetic to local character and history, including the surrounding built environment and landscape setting. Paragraph 130 of the NPPF states that “permission should be refused for development of poor design that fail to make available opportunities available for improving the character and quality of an area and the way it functions”.
- 7.2.2 Turning to the impact on the setting of the Town Square Conservation Area along with the Grade II listed clock tower with associated pool and Joy Ride statue, paragraphs 193 to 196 of the NPPF have to be considered in the determination of this planning application. This is because, as established through case law, if there is any harm to these heritage assets, great weight has to be given as to the impact the development may have on these assets. Dealing with Paragraph 193, it stipulates that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 7.2.3 Paragraph 194 sets out that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification which includes grade II listed buildings. Paragraph 195 sets out that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. In reference to paragraph 196 of the NPPF (2019), this sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 7.2.4 Policy GD1 of the Local Plan (2019) generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design. Policy NH10 of the same document states that development proposals affecting a conservation area should have regard to the relevant Conservation Area Management Plan SPD.
- 7.2.5 The Conservation Area Management Plan SPD (2012) identifies that the Town Centre was planned as the first pedestrianised town centre with distinctive and architectural built form. The square itself is framed with low rise three-storey buildings arranged in a block form of rectilinear plots with continual retail frontages. The town square is identified as being relatively unaltered whilst existing public art and flat topped canopies being retained which provide the area with local distinctiveness. In addition, many of the buildings retain their original pre-cast panels and metal casement windows.
- 7.2.6 As set out in paragraph 3.2 of this report, the proposed amendment to the approved scheme seeks the introduction of a new roof lantern/lift overrun above the existing head clearance which will allow the lifts to be able to operate. The proposed roof lantern would measure approximately 4.72m in length, span 6.76m in width with a height of approximately

1.99m. It would be constructed of metal cladding and double glazed aluminium/composite windows. The lantern itself has been positioned as far to the rear of the Town Square elevation as possible in order to reduce its impact from long views of the building. The materials and detailing of the lantern, whilst differentiating from the Town Square building is simple in its design and sits comfortably against the characteristics of the building.

- 7.2.7 Given the aforementioned, the Council's Conservation Advisor considers the impact of the proposal in terms of the significance of the conservation area, would be limited. As such, whilst the change in the roof form would be visible, this must be balanced by the improved access to the upper levels of the building, including persons who are disabled, and the potential uses that this development would enable. In addition, the overall regeneration benefits of the development as whole which brings in new activities in uses to the town centre buildings provides an obvious positive contribution to the character of the town square conservation area. Consequently, the overall benefits of the development would outweigh the limited harm it would have on the conservation area and the setting of the listed buildings.

## 8. CONCLUSIONS

- 8.1 In summary, it is considered that the proposed amendment to the approved scheme would have an acceptable impact on the character and appearance of the Town Square Conservation Area within which the site lies.
- 8.2 Given the above, the proposed development accords with the Policies contained within the adopted Local Plan (2019), the Council's Supplementary Planning Documents, the NPPF (2019) and NPPG (2014).

## 9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the following conditions:-
- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
- AA7916-2102A; AA7916-2013A; AA7916-2015A; AA7916-2101A; AA7916-2200C; AA7916-2201C; AA7916-2202B; AA7916-2203B; AA7916-2205B; AA7916-2206B; AA7916-2001' AA7916-2000; AA7916-2002; AA7916-2100A.
- REASON:-** For the avoidance of doubt and in the interests of proper planning.
- 2 The development hereby permitted shall be begun before 4 April 2022.
- REASON:-** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- 3 Prior to the undertaking of external concrete cladding works to the application building and the installation of the lift overrun, samples of the materials to be used to replace the concrete cladding of the development and the lift overrun hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
- REASON:-** To ensure the finished appearance of the development enhances the character and appearance of the building as well as preserve and enhance the character and appearance of the Town Centre Conservation Area.
- 4 Prior to the undertaking of external fenestration works to the application building, drawn details of the replacement fenestration showing the detail and proportions of glazing bars

compared to existing fenestration for the front elevations to Danestrete, Town Square and Queensway shall be submitted to and approved in writing but the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

**REASON:-** To ensure the finished appearance of the development enhances the character and appearance of the building as well as preserve and enhance the character and appearance of the Town Centre Conservation Area.

- 5 Prior to the first occupation of a Class A3 (Restaurants and Cafes) as detailed in the submitted application, a scheme for the installation of equipment to control the emissions of fumes and smell from these 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 use of the premises as Class A3 (Restaurants and Cafes). All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

**REASON:-** In order to protect the amenities of the occupiers of adjoining properties.

- 6 Before any plant and/or machinery is installed on the premises as detailed in the application submission, details of the acoustic louvered screen shall be submitted to and approved in writing by the Local Planning Authority. The acoustic screen shall be installed in accordance with the approved details prior to the first operation of the plant and/or machinery.

**REASON:-** In order to protect the amenities of nearby premises.

- 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 0730 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. These times apply to work which is audible at the site boundary.

**REASON:-** In order to safeguard the amenities of the occupiers of neighbouring properties.

- 8 Prior to the occupation the building, details of measures to address adaptation to climate change shall be submitted to and approved in writing by the Local Planning Authority. These measures shall then be implemented and permanently maintained in accordance with the approved details.

**REASON:-** To ensure the development is adaptable to climate change through provision of energy and water efficiency measures.

- 9 Prior to the occupation of the building, details of cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall thereafter be erected in accordance with the approved details.

**REASON:-** To encourage a modal shift to more sustainable forms of transport and to ensure the development accords with the Council's adopted Parking Standards.

### **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 Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012.
3. Stevenage Borough Local Plan 2011-2031 adopted May 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
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 February 2019 and Planning Policy Guidance March 2014.



**Meeting:** Planning and Development  
Committee

**Agenda Item:**

**Date:**

## **IMPORTANT INFORMATION - DELEGATED DECISIONS**

Author – Technical Support 01438 242838

Lead Officer – Zayd Al-Jawad 01438 242257

Contact Officer – Dave Rusling 01438 242270

The Assistant Director of Planning and Regulation has issued decisions in respect of the following applications in accordance with his delegated authority:-

1.      Application No :      18/00406/FP  
  
            Date Received :      11.07.18  
  
            Location :              83 Penn Road Stevenage Herts SG1 1HT  
  
            Proposal :              Conversion of the existing dwelling and erection of single storey front, side and rear and two storey rear extensions to form 4no. one bedroom self-contained flats.  
  
            Date of Decision :      26.06.19  
  
            Decision :              **Planning Permission is GRANTED**
  
2.      Application No :      18/00758/COND  
  
            Date Received :      12.12.18  
  
            Location :              Plot 2000 Gunnels Wood Road Stevenage Herts  
  
            Proposal :              Partial discharge of condition 4 (Sample of Materials) and 19 (Cycle Storage) and discharge of conditions 5 (Refuse Stores), 6 (Dust Control), 7 (Construction Management Plan), 9 (Preliminary Contamination Assessment), 12 (Drainage System), 15 (Underground tanks), 17 (Surface Water Drainage), 18 (Underground surface water), 26 (Site Waste Management Plan), 27 (No external lighting) and 28 (Bat and bird boxes) of planning approval 17/00826/FPM  
  
            Date of Decision :      12.06.19  
  
            Decision :              **The discharge of Condition(s)/Obligation(s) is APPROVED**

3. Application No : 19/00034/FPH  
Date Received : 22.01.19  
Location : 9 Stanmore Road Stevenage Herts SG1 3QA  
Proposal : Part single storey, part two-storey rear extension and single-storey side extension.  
Date of Decision : 28.06.19  
Decision : **Planning Permission is GRANTED**
4. Application No : 19/00209/FPH  
Date Received : 04.04.19  
Location : 28 Kings Walden Rise Stevenage Herts SG2 0JX  
Proposal : Part two storey, part single storey side extension  
Date of Decision : 07.06.19  
Decision : **Planning Permission is GRANTED**
5. Application No : 19/00212/FPH  
Date Received : 07.04.19  
Location : 55 Hertford Road Stevenage Herts SG2 8SE  
Proposal : Addition of a first floor, loft conversion including 6no. dormer windows and alterations to driveway  
Date of Decision : 10.06.19  
Decision : **Planning Permission is GRANTED**
6. Application No : 19/00225/CLPD  
Date Received : 12.04.19  
Location : 61 Fairview Road Stevenage Herts SG1 2NT  
Proposal : Certificate of Lawfulness for the enlargement of the existing roof to facilitate a loft conversion with new rear dormer and roof lights  
Date of Decision : 07.06.19  
Decision : **Certificate of Lawfulness is APPROVED**

7. Application No : 19/00227/FPH  
Date Received : 12.04.19  
Location : 2 Lodge Way Stevenage Herts SG2 8DB  
Proposal : Single storey front and two storey side extensions  
Date of Decision : 11.06.19  
Decision : **Planning Permission is GRANTED**
8. Application No : 19/00228/FPH  
Date Received : 12.04.19  
Location : 25 Furzedown Stevenage Herts SG2 9EL  
Proposal : Single storey front extension, including ramped access and single storey rear extension  
Date of Decision : 11.06.19  
Decision : **Planning Permission is GRANTED**
9. Application No : 19/00229/AD  
Date Received : 12.04.19  
Location : Unit 8 Stevenage Leisure Park Kings Way Stevenage  
Proposal : 5no. internally illuminated fascia signs, 2no. non-illuminated menu boards, 2no. internally illuminated light boxes and 1no. digital sign  
Date of Decision : 06.06.19  
Decision : **Advertisement Consent is GRANTED**
10. Application No : 19/00230/CLPD  
Date Received : 13.04.19  
Location : 2 Nicholas Place Rectory Lane Stevenage Herts  
Proposal : Certificate of lawfulness for single storey rear extension.  
Date of Decision : 06.06.19  
Decision : **Certificate of Lawfulness is APPROVED**

11. Application No : 19/00231/FPH  
Date Received : 15.04.19  
Location : 41 Burymead Stevenage Herts SG1 4AY  
Proposal : Erection of front porch and canopy  
Date of Decision : 11.06.19  
Decision : **Planning Permission is GRANTED**
12. Application No : 19/00233/FP  
Date Received : 15.04.19  
Location : Pine Lodge Care Home Graveley Road Stevenage Hertfordshire  
Proposal : Erection of 2 no conservatories and single storey extension to laundry room  
Date of Decision : 19.06.19  
Decision : **Planning Permission is GRANTED**
13. Application No : 19/00240/FP  
Date Received : 18.04.19  
Location : 59 Long Leaves Stevenage Herts SG2 9BB  
Proposal : Erection of single storey rear extension to facilitate conversion of existing 3 bedroom house into 1No. 2 bedroom flat and 1no. 1 bedroom flat with associated parking and external staircase.  
Date of Decision : 11.06.19  
Decision : **Planning Permission is GRANTED**
14. Application No : 19/00242/FPH  
Date Received : 22.04.19  
Location : 48 Dryden Crescent Stevenage Herts SG2 0JG  
Proposal : Single storey side extension  
Date of Decision : 17.06.19  
Decision : **Planning Permission is GRANTED**

15.      Application No :      19/00245/AD  
             Date Received :      23.04.19  
             Location :              Tesco 50 High Street Stevenage Herts  
             Proposal :              Erection of 1no. non-illuminated vinyl sign in shop front window  
             Date of Decision :      11.06.19  
             Decision :                **Advertisement Consent is GRANTED**
16.      Application No :      19/00248/FPH  
             Date Received :      24.04.19  
             Location :              2 Shackleton Spring Stevenage Herts SG2 9DF  
             Proposal :              First floor side extension.  
             Date of Decision :      20.06.19  
             Decision :                **Planning Permission is GRANTED**
17.      Application No :      19/00254/FP  
             Date Received :      27.04.19  
             Location :              17 Kennett Way Stevenage Herts SG1 3XU  
             Proposal :              Erection of 1no. 4 bed dwelling and front porch extension to No.17  
             Date of Decision :      17.06.19  
             Decision :                **Planning Permission is GRANTED**
18.      Application No :      19/00256/FPH  
             Date Received :      29.04.19  
             Location :              17 Shackledell Stevenage Herts SG2 9AE  
             Proposal :              Single storey front extension  
             Date of Decision :      17.06.19  
             Decision :                **Planning Permission is GRANTED**

19. Application No : 19/00257/FP  
Date Received : 29.04.19  
Location : 37 Pankhurst Crescent Stevenage Herts SG2 0QF  
Proposal : Erection of 1no. one bed dwelling on land adjacent to 37 Pankhurst Crescent  
Date of Decision : 21.06.19  
Decision : **Planning Permission is GRANTED**
20. Application No : 19/00259/FPH  
Date Received : 30.04.19  
Location : 30 Longfields Stevenage Herts SG2 8QB  
Proposal : Front porch  
Date of Decision : 17.06.19  
Decision : **Planning Permission is GRANTED**
21. Application No : 19/00260/TPCA  
Date Received : 30.04.19  
Location : Longmeadows Symonds Green Lane Stevenage Herts  
Proposal : Removal of 1no. Norway Spruce to front of Plot 2 and replacement with 1no. Himalayan Birch  
Date of Decision : 11.06.19  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
22. Application No : 19/00263/FPH  
Date Received : 30.04.19  
Location : 170 Oaks Cross Stevenage Herts SG2 8NA  
Proposal : First floor rear extension.  
Date of Decision : 17.06.19  
Decision : **Planning Permission is GRANTED**

23. Application No : 19/00264/CLPD  
Date Received : 01.05.19  
Location : 116 Letchmore Road Stevenage Herts SG1 3PT  
Proposal : Certificate of Lawfulness for loft conversion with rear and side dormers and velux windows to the front  
Date of Decision : 18.06.19  
Decision : **Certificate of Lawfulness is APPROVED**
24. Application No : 19/00266/FPH  
Date Received : 02.05.19  
Location : 1 Tates Way Stevenage Herts SG1 4WP  
Proposal : Two storey side extension incorporating replacement garage  
Date of Decision : 25.06.19  
Decision : **Planning Permission is GRANTED**
25. Application No : 19/00270/FPH  
Date Received : 02.05.19  
Location : 21 St. Andrews Drive Stevenage Herts SG1 4UY  
Proposal : Single storey rear conservatory/extension  
Date of Decision : 25.06.19  
Decision : **Planning Permission is GRANTED**
26. Application No : 19/00271/FP  
Date Received : 02.05.19  
Location : Bunyan Baptist Church Basils Road Stevenage Herts  
Proposal : Single storey in-fill extension, single storey front and part single, part two storey rear extensions to meeting room including 3no velux windows to meeting room.  
Date of Decision : 27.06.19  
Decision : **Planning Permission is GRANTED**

27. Application No : 19/00272/FPH  
Date Received : 05.05.19  
Location : 53 Spring Drive Stevenage Herts SG2 8BA  
Proposal : Two storey side extension, new pitched roof to existing single storey rear extension, new front porch and replacement detached garage  
Date of Decision : 02.07.19  
Decision : **Planning Permission is GRANTED**
28. Application No : 19/00276/TPTPO  
Date Received : 07.05.19  
Location : 2 Gunnells Fairview Road Stevenage Herts  
Proposal : Reduce crown by 20% to maintain reasonable size of 1 no: Beech tree (T1) protected by TPO 79.  
Date of Decision : 03.07.19  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
29. Application No : 19/00277/FP  
Date Received : 07.05.19  
Location : 61 Brixham Close Stevenage Herts SG1 2SA  
Proposal : Change of use from public amenity land to residential use  
Date of Decision : 02.07.19  
Decision : **Planning Permission is GRANTED**
30. Application No : 19/00282/FPH  
Date Received : 08.05.19  
Location : 4 Orchard Crescent Stevenage Herts SG1 3EW  
Proposal : Erection of part single-storey, part two-storey front extension including front porch, part single-storey, part two-storey side extension and single-storey side and rear extensions following demolition of existing garage and conservatory.  
Date of Decision : 12.06.19  
Decision : **Planning Permission is GRANTED**



31. Application No : 19/00285/CLPD  
Date Received : 13.05.19  
Location : 27 Hayfield Stevenage Herts SG2 7JP  
Proposal : Lawful development certificate for the installation of a rear dormer window and 3 no. roof lights.  
Date of Decision : 20.06.19  
Decision : **Certificate of Lawfulness is APPROVED**
32. Application No : 19/00291/AD  
Date Received : 14.05.19  
Location : Costco Wholesale UK Limited Gunnels Wood Road Stevenage Herts  
Proposal : Erection of 1 no. illuminated fascia sign  
Date of Decision : 17.06.19  
Decision : **Advertisement Consent is GRANTED**
33. Application No : 19/00292/LB  
Date Received : 14.05.19  
Location : Costco Wholesale UK Limited Gunnels Wood Road Stevenage Herts  
Proposal : Erection of 1 no. externally illuminated fascia sign.  
Date of Decision : 17.06.19  
Decision : **Listed Building Consent is GRANTED**
34. Application No : 19/00295/FPH  
Date Received : 15.05.19  
Location : 109 Whitney Drive Stevenage Herts SG1 4BL  
Proposal : Single storey rear extension and installation of shiplap cladding.  
Date of Decision : 28.06.19  
Decision : **Planning Permission is GRANTED**

35. Application No : 19/00296/COND  
Date Received : 15.05.19  
Location : 8A Magellan Close Stevenage Herts SG2 0NF  
Proposal : Discharge of Condition 12 (Works to Trees) attached to planning permission 16/00791/FP  
Date of Decision : 26.06.19  
Decision : **The Condition(s)/Obligation(s) cannot be discharged but are deemed Acceptable**
- Please note that the condition(s) cannot be discharged given that a breach of planning control has occurred in this instance. However, the Local Planning Authority would not seek any enforcement action against the breach at this time. Notwithstanding this, the Local Planning Authority still reserves the right to undertake enforcement action if a further breach of the condition(s) occurs at a later date.
- The case officer's letter is attached providing further information.
36. Application No : 19/00298/FPH  
Date Received : 15.05.19  
Location : 21 Franklins Road Stevenage Herts SG1 3BN  
Proposal : Single storey side extension.  
Date of Decision : 02.07.19  
Decision : **Planning Permission is GRANTED**
37. Application No : 19/00300/FPH  
Date Received : 15.05.19  
Location : 45 Whitney Drive Stevenage Herts SG1 4BQ  
Proposal : Part single-storey, part two-storey rear extension, side dormer window, balcony and installation of timber cladding and rendering of property  
Date of Decision : 03.07.19  
Decision : **Planning Permission is GRANTED**

38. Application No : 19/00305/TPTPO  
Date Received : 17.05.19  
Location : St Mary's Church Shephall Green Stevenage Herts  
Proposal : Raise the canopy of 1no. Yew tree (T5) to above head height, protected by TPO 8  
Date of Decision : 02.07.19  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
39. Application No : 19/00310/FPH  
Date Received : 21.05.19  
Location : 67 Scott Road Stevenage Herts SG2 0DA  
Proposal : Replacement front porch  
Date of Decision : 28.06.19  
Decision : **Planning Permission is GRANTED**
40. Application No : 19/00312/TPCA  
Date Received : 22.05.19  
Location : St Mary's Church Shephall Green Stevenage Herts  
Proposal : Removal of 1no. Sycamore Tree and 1no. Laurel tree.  
Date of Decision : 02.07.19  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
41. Application No : 19/00318/NMA  
Date Received : 24.05.19  
Location : 34 Kimbolton Crescent Stevenage Herts SG2 8RJ  
Proposal : Non material amendment to planning application reference number 18/00761/FPH to widen the front porch extension  
Date of Decision : 18.06.19  
Decision : **Non Material Amendment AGREED**

42.      Application No :      19/00350/NMA  
            Date Received :      06.06.19  
            Location :              1 Park Close Stevenage Herts SG2 8PX  
            Proposal :              Non Material Amendment to planning application 18/00548/FPH to insert 4no. roof lights, add 1no. window to the rear elevation and relocate the side elevation window  
            Date of Decision :      17.06.19  
            Decision :              **Non Material Amendment AGREED**
43.      Application No :      19/00359/COND  
            Date Received :      13.06.19  
            Location :              128 Shephall View Stevenage Herts SG1 1RR  
            Proposal :              Discharge of condition 5 (boundary treatments) attached to planning permission reference number 18/00566/FP  
            Date of Decision :      20.06.19  
            Decision :              **The discharge of Condition(s)/Obligation(s) is APPROVED**

## **BACKGROUND PAPERS**

1. The application files, forms, plans and supporting documents having the reference number relating to these items.
2. Stevenage Borough Local Plan 2011-2031 adopted May 2019.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012 and the Stevenage Design Guide adopted October 2009.
4. Responses to consultations with statutory undertakers and other interested parties.
5. Central Government advice contained in the National Planning Policy Framework February 2019 and National Planning Practice Guidance 2014 (as amended).
6. Letters received containing representations.

**Meeting:** Planning and Development  
Committee

**Agenda Item:**

**Date:** Tuesday 16 July 2019

## **INFORMATION REPORT - APPEALS / CALLED IN APPLICATIONS**

Author – Linda Sparrow 01438 242837

Lead Officer – Zayd Al-Jawad 01438 242257

Contact Officer – David Rusling 01438 242270

### **1. APPEALS RECEIVED**

- 1.1 17/00730/ENF, 18b Boulton Road. Appeal against serving of Enforcement Notice relating to an unauthorised gym operating from the premises.
- 1.2 19/00165/FP, Land at 68 Wildwood Lane. Appeal against refusal of planning permission for the demolition of existing double garage. Erection of detached three-bedroom house and integral garage. Erection of replacement single garage to no. 68.

### **2. DECISIONS AWAITED**

- 2.1 18/00461/ENF, 4 Oakdell. Appeal against serving of Enforcement Notice relating to the construction of a timber bridge over the brook.

### **3. DECISIONS RECEIVED**

- 3.1 None.

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