

# Public Document Pack



## PLANNING AND DEVELOPMENT COMMITTEE

**Date: Tuesday, 26 May 2020**  
**Time: 6.30pm,**  
**Location: Virtual - via Zoom**  
**Contact: Lisa Jerome 01438 242203**

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

---

## AGENDA

### **PART 1**

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

**2. MINUTES - 3 MARCH 2020**

To approve as a correct record the Minutes of the previous meeting held on 3 March 2020.

Pages 3 – 14

**3. PLOT 2000, ARLINGTON BUSINESS PARK, GUNNELLS WOOD ROAD, STEVENAGE**

To consider the erection of business and household storage facility (Use Class B8), associated car parking, delivery areas and associated ancillary works.

Pages 15 – 38

**4. UNIT 2 MONKSWOOD RETAIL PARK, MONKSWOOD WAY, STEVENAGE**

To consider the Modification of Clause 7 (goods restriction) of Section 106 Agreement (dated 30.11.1993) approved under planning permission reference number 02/0231/93/FP.

Pages 39 – 56

**5. SHEPHALBURY PARK, BROADHALL WAY, STEVENAGE, HERTS**

To consider the erection of 1 no. 6m high flagpole.

Pages 57 – 62

**6. 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 63 – 82

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

To consider the Appeals/Called In applications received since the last meeting of the Committee.

Pages 83 – 84

**8. URGENT PART I BUSINESS**

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

**9. 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.

**10. URGENT PART II BUSINESS**

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

## STEVENAGE BOROUGH COUNCIL

### PLANNING AND DEVELOPMENT COMMITTEE MINUTES

**Date: Tuesday, 3 March 2020**

**Time: 6.30pm**

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

**Present:** Councillors: David Cullen (Chair), Michelle Gardner (Vice-Chair), Doug Bainbridge, Sandra Barr, Jody Hanafin, Liz Harrington, Lizzy Kelly, Graham Lawrence, John Lloyd, Maureen McKay, Graham Snell and Tom Wren.

**Start / End Time:** Start Time: 6.30pm  
End Time: 9.09pm

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

Apologies for absence were received from Councillor Sarah-Jane McDonough.

There were no declarations of interest.

#### **2 MINUTES - 4 FEBRUARY 2020**

It was **RESOLVED** that the Minutes of the meeting of the Planning and Development Committee held on 4 February 2020 be approved as a correct record and signed by the Chair.

#### **3 19/00474/FPM - LAND TO THE WEST OF LYTTON WAY, STEVENAGE**

The Committee considered an application for the demolition of the existing office building (Use Class B1) and structures, and the construction of seven apartment buildings comprising 576 dwellings (Use Class C3) together with internal roads, parking, public open space, landscaping, drainage and associated infrastructure works on land to the west of Lytton Way, Stevenage.

The application was before the Committee for consideration as it was a major application.

The Chair invited Mrs Wheeler, an objector to the application, to address the Committee. Mrs Wheeler referred to the objections to the application, including the one from the Police Crime Prevention Team and the UK Power Network, who considered that one of the proposed flat blocks would be too close to a Sub-Station and would experience a frequent humming sound.

Mr Wheeler commented that two of the tower blocks were twice the height of nearby blocks. Part of the application site was not owned by the owners of the Icon building, and she considered that the layout of the site would not be conducive for

access by fire appliances should a fire break out in Block 1 or in the nearby Petrol Station.

Mrs Wheeler advised that the marketing of the site had referred to its location in the Bedwell Ward, whereas it was in fact located in the Old Town Ward. She felt that this was very undemocratic.

Mrs Wheeler was of the view that the Tower Blocks would change the appearance of the Old Town and would present an intimidating appearance. There was a lack of parking provision, which limited the number of families being able to reside in the flats, and there was no provision for deliveries or loading bays. She expressed concerns that the local GP surgeries would be able to cope with another influx of new residents.

Mrs Wheeler explained that she was not against development, but that it should be within reason. She felt that there were insurmountable issues in respect of this scheme and asked Members to refuse the application.

The Chair thanked Mrs Wheeler for her presentation, and invited Councillor Jim Brown, Old Town Ward Councillor, to address the Committee.

Councillor Brown advised that, even if the Committee was minded to grant the application and change the use of the site from employment to residential, he questioned whether the Icon site was the correct location for the development.

Councillor Brown was of the opinion that the flats would be priced beyond the means of most locals and would be used by commuters for easy access to London. He questioned, therefore, whether the development would meet the needs of young adults and families. SBC would be able to meet its 5 Year Land Supply without the need for the scale of the development proposed on the Icon site.

Councillor Brown questioned the reasons why the full allocation of affordable housing had not been offered by the developer and commented that the bus route information supplied was incomplete. He was concerned with the proposed Design and Access Statement, which showed a possible vehicular access onto Trinity Road. He asked the Committee to reject the application.

The Chair thanked Councillor Brown for his presentation, and invited Mr Mitch Tredgett, the applicant, to address the Committee.

Mr Tredgett advised that the application represented an opportunity for a high quality residential development, which provided much needed affordable housing and regularised an underutilised site in poor condition. The 576 new homes proposed would support the Council's SG1 aspirations, would be within walking distance of the town centre and would provide employment opportunities.

Mr Tredgett explained that the site had been marketed extensively for employment use for a number of years, but with no interest due to its poor condition and dated layout. The 576 new homes would be constructed to excellent environmental standards and electric vehicle charging points would be provided on the site.

Mr Tredgett stated that significant infrastructure improvements to the value of £1.66M would be provided via a Section 106 Agreement, including health, education and sustainable transport. The developer had a long standing association with the town and had provided other high quality developments across the Borough. He asked the Committee to grant the application planning permission.

The Chair thanked Mr Tredgett for his presentation.

The Development Manager gave an introduction and visual presentation to the Committee. He drew Members' attention to a document tabled at the meeting, which showed a revised Condition 1 (including two additional drawing numbers); an additional condition on car parking; and an amendment to paragraph 7.3.11 of the report, with the total figure for financial contributions totalling £1,663,076.00 and not £1,662,322.00 as stated).

The Development Manager advised that the main issues for consideration in the determination of the application were its acceptability in land use policy terms; housing policies and planning obligations; the impact on the character and appearance of the area generally; the impact on both existing amenities and proposed occupants; the effect of the proposals on the highway network; and the adequacy of parking provision, trees, ecology and landscaping and climate change.

The Development Manager considered that the principle of residential development had been established as being acceptable on this windfall site. In addition, whilst considered a high density scheme, the development was located within a sustainable location with access to local buses, train station, the nearby cycle and pedestrian network and was in close proximity to both the Old Town and Stevenage Town Centre and the facilities which they provided. In view of this, the proposal was considered to accord with the Council's adopted District Plan policies which related to windfall developments.

The Development Manager was of the view that the design and layout of the development would not significantly harm the amenities of the occupiers of neighbouring residential properties and the residents of the proposed development would enjoy an acceptable level of amenity (as set out in Paragraphs 7.5.1 to 7.5.8 of the report). In design terms, it would represent a high quality development resulting in landmark buildings in this prominent town centre location.

The Development Manager was of the opinion that the proposal would have adequate off-street parking, in line with the Council's adopted standards, as well as an appropriate level of cycle parking provision in a convenient location (as set out in Paragraphs 7.7.1 to 7.7.4 of the report). Issues relating to construction management, materials and landscaping, could be satisfactorily addressed through the use of conditions

In terms of the provision of affordable housing and developer contributions, the Development Manager explained that the application had been accompanied by a viability appraisal which had been assessed and which had demonstrated that the scheme was not capable of delivering the full amount of obligations normally

required (see Section 7.3 of the report). However, the applicant had made a significant offer towards affordable housing provision and other Section 106 obligations and this offer was considered acceptable.

In conclusion, the Development Manager recommended that, subject to a Section 106 Agreement, application 19/00474 be granted planning permission.

In response to issues raised by Members, the Development Manager, supported by the Assistant Director (Planning and Regulatory) commented as follows:

- the walking route to Stevenage Train Station was explained;
- SBC had a 5 year land supply without the 576 dwellings proposed, although windfall sites of this nature were a useful bolster to the housing numbers;
- the national “default position” was that sustainable development was acceptable, and that Members had to prove the unacceptability of such applications;
- the provision of the level of electric vehicle charging points proposed in the development was policy-compliant, especially as there were sustainable transport linkages to the town centre and the Old Town;
- the separation distance between the Power sub-station and the nearest proposed tower block met the requirements of the UK Power Network;
- which of the two options for affordable housing recommended for acceptance could be determined by officers or brought back to the Committee;
- the level of Section 106 contributions offered by the applicant had been tested against the viability of the scheme and were considered acceptable;
- a landscaping condition would protect a number of the trees on the site;
- a Secure by Design informative could be added to any grant of permission;
- the site was not designated for employment purposes in the Local Plan, even though it had previously been used as such;
- there was currently no zero carbon requirement in the Local Plan, notwithstanding the Council’s resolution to take steps to reach this point by the year 2030.

The Committee debated the application. Having acknowledged the views expressed by the speakers earlier in the meeting and the opinions of officers, Members voted against the officer’s recommendation to grant planning permission.

The Committee considered that the height, design and appearance of the development would be harmful to the visual amenities of the area. Members were also of the view that the proposed 576 dwellings in 7 flatted blocks on this constrained site would result in overdevelopment, which would be harmful to the character and appearance of the area. The Committee was of the further view that proposal would fail to provide the necessary mitigation required to deal with the impact that the proposed development would have on the demand on the infrastructure required to support it. It was therefore moved, seconded, and agreed that planning permission be refused for the above reasons.

It was **RESOLVED** that application 19/00474/FPM be refused planning permission for the following reasons:

1. The proposed development by virtue of its height, design and appearance would result in an incongruous form of development which would be harmful to the visual amenities of the area. The proposal would, therefore, be contrary to policies SP7, SP8 and GD1 of the Stevenage Borough Local Plan 2011-2031 and the advice in the National Planning Policy Framework 2019 and the Planning Practice Guidance 2014 relating to high quality design.
2. The proposal comprising 576 dwellings in 7 flatted blocks on this constrained site would result in an overdevelopment of the site which would be harmful to the character and appearance of the area. The proposal would, therefore, be contrary to policies SP7, SP8 and GD1 of the Stevenage Borough Local Plan 2011-2031 and the advice in the National Planning Policy Framework 2019 and the Planning Practice Guidance 2014 relating to high quality design.
3. The proposal would fail to provide the necessary mitigation required to deal with the impact that the proposed development would have on the demand on the infrastructure required to support the proposed development. The proposal would, therefore, be contrary to policy SP5 of the Stevenage Borough Local Plan 2011-2031.

**4 19/00283/FP - BARNWELL MIDDLE SCHOOL. SHEPHALL GREEN, STEVENAGE**

The Committee considered an application for an extension and resurfacing of playing courts, erection of 12no. 8m high floodlights, installation of 4.5m high fencing and siting of storage container at Barnwell Middle School, Shephall Green, Stevenage.

The application was before the Committee as it had been called-in by Councillor Sarah Mead for the reasons set out in Paragraph 3.3 of the officer report.

The Chair invited Mr Jeffrey Goodwin, an objector to the application, to address the Committee. Mr Goodwin advised that his objection centred around pollution in the Shephall Green area. He was aware of the reduction in floodlighting, but considered that there would still be light spillage.

In terms of noise pollution, Mr Goodwin commented that local residents were prepared to accept an element of daytime noise due to school activities, but did not want this noise to be extended into the evenings and weekends. This had been recognised by the School, as a Noise Management Plan had been prepared dealing with issues such as shouting, whistling, balls hitting the fence and vehicles entering and leaving the car park.

Mr Goodwin queried how some of these issues could be managed effectively, especially the shouting and balls hitting the fence, and in view of the fact that the playing courts were close to residential properties. He felt that it was important for the character of the Shephall Green Conservation Area to be maintained. There were public benches in Shephall Green, which allowed people to relax and reflect on their surroundings. This would be adversely affected by shouting from the playing courts and balls hitting the fence should the application be granted.

The Chair thanked Mr Goodwin for his presentation, and invited Councillor Sarah Mead, Shephall Ward Councillor, to address the Committee.

Councillor Mead advised that there were existing challenges to local residents, which were tolerated, in respect of parking issues relating to the School and nearby Church.

Councillor Mead stated that, if approved, this planning application would continue and increase the noise generated from the School into the evenings and weekends. She was in favour of improved physical wellbeing, but in this case not at the expense of the amenity of residents.

Councillor Mead asked the Committee to consider the overbearing impact of the application on local residents and the wider Shephall Green area, and questioned whether even a 12 month temporary permission would be appropriate. She was also concerned that the School had not consulted local residents prior to the submission of the application.

Councillor Mead concluded by stating that neither she nor the local residents were against the School improving its facilities, but she felt that the proposal before the Committee would result in an overbearing effect on the residents for seven days a week, including evenings.

The Chair thanked Councillor Mead for her presentation, and invited Mr Alex Petit, the applicant, to address the Committee.

Mr Petit advised that the School had large playing fields, which were often difficult to use due to weather conditions. The condition of the existing hard surface playing areas had deteriorated and were unfit for use, hence the application for a 3G surface to provide all year round activities.

Mr Petit stated that lighting and acoustic surveys had been carried out, and both had met the requirements of SBC Environmental Health. The planning application had been adapted to revise the hours of operation of the facility. The playing court was 68m to the closest property, and the noise survey had concluded that the decibel level would be 43, well below the 50 decibel limit.

Mr Petit was conscious of the impact of the proposal on local residents, but referred to the Noise Management Plan, whereby a lettings management company would monitor the site and act on complaints received. There was ample parking for the level of activity envisaged, and he hoped that the site would be primarily used for specific School events rather than open hire.

The Chair thanked Mr Petit for his presentation.

The Principal Planning Officer (RE) gave an introduction and visual presentation to the Committee. She advised that the application description had been amended, as the applicant was now seeking permission for 4no. (as opposed to 12no.) 8m high floodlights.



The Principal Planning Officer (RE) advised that the main issues for consideration in the determination of the application were its acceptability in land use policy terms, the impact on the character and appearance of the area and the setting of the conservation area, impact upon neighbouring amenity, impact on the highway network and parking provision.

The Principal Planning Officer (RE) considered that the proposed development would provide suitable facilities in order for the school to meet its PE curriculum requirements. In addition, the proposed development would also help to address the shortage of Artificial Grass Pitch (AGP) facilities as identified in the Council's Sports Facility Assessment and Strategy 2014 – 2031 (2014). She felt that the development would not have a detrimental impact on the visual amenities of the street scene or the historic character setting of the conservation area (as explained in Paragraphs 7.3.1 of the report). Furthermore, and through appropriate conditions, the development was not considered to have a detrimental impact on the amenities of nearby residents (for the reasons outlined in Paragraphs 7.4.1 to 7.4.5 of the report). Moreover, the scheme would have sufficient off-street parking and would not prejudice the safety and operation of the highway network.

Given the above conclusions, the Principal Planning Officer (RE) was of the opinion that the proposed development accorded with the Policies contained within the adopted Local Plan (2019), the Council's Supplementary Planning Documents, the NPPF (2019) and NPPG (2014). She therefore recommended that application 19/00283/FP be granted planning permission.

Members were generally supportive of improvements to school facilities, although not at the expense of the amenity of local residents. The Committee considered that a compromise solution could perhaps be sought regarding the proposed hours of operation of the facility. Members felt that determination of the application should therefore be deferred to enable the submission of such a compromise solution.

It was **RESOLVED** that the determination of application 19/00283/FP be deferred to enable the applicant to liaise with local objectors, with a view to the consideration of revised proposed hours of operation of the sports facility (including clarity as to proposed hours of operation on Bank Holidays), and that the outcome be reported back to the next meeting of the Planning & Development Committee.

**5      20/00102/ENF - LAND BETWEEN WATERCRESS CLOSE, COOPERS CLOSE AND WALNUT TREE CLOSE, STEVENAGE**

The Committee considered a report seeking authorisation to serve an enforcement notice regarding land between Watercress Close, Coopers Close and Walnut Tree Close. Late letters of representation from two objectors were tabled for Members' consideration.

The Principal Planning Officer (RE) gave an introduction and visual presentation to the Committee. She advised that the site was in private ownership, and that the current owner had applied for planning permission to build three detached houses with associated access and car parking in 2019 (Planning Reference:-

19/00002/FP). Officers were recommending refusal and the application was subsequently withdrawn at the request of the applicant before a decision was issued.

The Principal Planning Officer (RE) further advised that, on 25 January 2020, contractors arrived on site and erected 2m high hoarding panels across the entrance of each pedestrian access to the land. The agent had been contacted seeking removal of the hoarding and the owner of the land believed the works to be legal for planning purposes and was not willing to remove the enclosures.

The Principal Planning Officer (RE) stated that the approval of the residential estate off Walnut Tree Close and beyond that off Edmonds Drive was approved in 1986. As part of the approved plans the area of land was annotated as a 'play area'. However, no Section 106 Agreement was signed to specify that the land be used as such, or for agreement of the land to be adopted by the Council. Furthermore, there were no stipulations placed on the decision notice by way of condition that protected the area of land in question. Notwithstanding this, the area of land had been open for public use since the estate was built and it was considered by officers that the open space had acquired a public right of way and access over the land. This was because of the length of time in which it had been in use by the general public.

In terms of the hoarding erected on site, the Principal Planning Officer (RE) explained that each of the three entrances had been blocked up and enclosed by approximately 2m high hoarding. Each area of hoarding had been set back from the highway edge by approximately 1.5m to 2m maximum. Most visible at the cul-de-sac of Watercress Close, this hoarding and the hoarding at the end of Coopers Close were very prominent as viewed from the public realm and were considered harmful to overall the character and appearance of the street scene. Furthermore, these two areas of hoarding were considered to be adjacent to a vehicular highway for the purposes of Class A, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and thus would not benefit from permitted development rights as they were over 1m in height.

The Committee noted that whilst the Order did not specify a given distance by which something was considered adjacent to a highway, planning case law and appeal decisions had generally taken a viewpoint that if the boundary treatment or enclosure in question was the first line of boundary on a site it would be classed as being adjacent to a highway. At only between 1.5 and 2m in distance from the highway verge, the hoardings at Watercress and Coopers Close were deemed to be adjacent to the highway.

In terms of the hoarding erected at the Walnut Tree Close entrance, the Principal Planning Officer (RE) reported that this was set behind an existing area of 1.8m high close boarded fencing similar in appearance to the rear garden fencing along this stretch of the road. Similarly, there was a 1m high area of close boarded fencing actually closing off the opening into the open space. The hoarding was then set back approximately 3m to 4m from the initial fencing and highway edge. In this case the hoarding was not considered to lie adjacent to a highway. Notwithstanding this, the placement of the fencing precludes the public from accessing a public right of way over the land and this was not deemed acceptable in this instance.

In view of the above comments, the Principal Planning Officer (RE) recommended that an Enforcement Notice be issued requiring the removal of the three areas of hoarding and the reinstatement of the land to its original open state.

The Principal Planning Officer (RE) and Assistant Director (Planning & Regulatory) answered a number of Members' questions regarding the report.

It was **RESOLVED**:

1. That an Enforcement Notice be issued and served by the Assistant Director of Planning and Regulation and subject to an appointed solicitor by the Council being satisfied as to the evidence, requiring the removal of the three areas of hoarding and to reinstate the land to its original open state. The precise terms of the Enforcement Notice, including all time periods, to be delegated to the Assistant Director of Planning and Regulation.
2. That, subject to an appointed solicitor by the Council being satisfied as to the evidence, the Assistant Director of Planning and Regulation be authorised to take all steps necessary, including prosecution or any other litigation/works in default to secure compliance with the Enforcement Notice.
3. That, in the event of any appeal against the Enforcement Notice, the Assistant Director of Planning and Regulation be authorised to take any action required to defend the Enforcement Notice and any appeal against the refusal of planning permission.

## **6 COMMUNITY INFRASTRUCTURE LEVY (CIL) - UPDATE**

The Principal Planning Officer (DH) gave an update presentation on the Community Infrastructure Levy (CIL). He reminded Members that the CIL had been introduced by the Planning Act 2008, and was a £/m<sup>2</sup> charge on new floorspace to help fund infrastructure required to support growth. All developments of at least 1 dwelling or that created over 100m<sup>2</sup> net gain in floorspace would be required to pay CIL (subject to some exceptions). It replaced Section 106 agreements in part, but some Section 106 contributions would still be required. CIL money could be used to fund any infrastructure, such as transport schemes, schools, community facilities, parks and leisure facilities.

The Principal Planning Officer (DH) advised that the evidence base for CIL had been prepared as part of the production of the Local Plan, with updates in 2017 and 2019. The Council's CIL scheme had been examined by an independent examiner in September 2019, and the CIL Charging Schedule had been approved by the Council on 29 January 2020, with an implementation date of 1 April 2020.

The Principal Planning Officer (DH) referred to a table showing the CIL rates for the Borough, which would be non-negotiable charges on all development granted planning permission after 1 April 2020. He outlined the various CIL charging zones across the Borough.

The Committee was informed that, from 1 April 2020, all new developments may be subject to a CIL charge, not just larger schemes (although there were options for exemptions and relief available); Section 106 agreements would be simpler, only covering site-specific requirements, such as primary school provision or site access; Less time would be spent in negotiating between developers and service providers during the application stage; SBC would receive the money and control what it was spent on; and The County Council and other infrastructure providers could bid to receive CIL funding.

The Principal Planning Officer (DH) explained that the CIL was being implemented to help fund the infrastructure required by development in the Local Plan. Expenditure would be 80% core fund, 15% local spend and 5% CIL administration. The Council's Infrastructure Delivery Plan was likely to be updated to give an accurate overview of infrastructure requirements and cost, and it was likely that an Infrastructure Priority List would be produced to guide spend. Governance arrangements would be finalised at a later date. The Executive had agreed that the Planning and Development Committee would authorise expenditure of CIL funds of £75,000 or more.

In response to a Member's question, it was confirmed that CIL expenditure below £75,000 would be approved by the Assistant Director (Planning & Regulatory), following consultation with the Executive Portfolio Holder for Environment & Regeneration.

It was **RESOLVED** that the update on the Community Infrastructure Levy (CIL) be noted.

## **7 PARKING PROVISION AND SUSTAINABLE TRANSPORT SUPPLEMENTARY PLANNING DOCUMENT (SPD) - UPDATE**

The Principal Planning Officer (DH) gave an update presentation on the draft Parking Provision and Sustainable Transport Supplementary Planning Document (SPD). He commented that SPDs added detail to the policies in the adopted Local Plan. The Parking SPD was not part of the Development Plan, but was a material consideration in decision making for all developments. The SPD would set the requirements for parking that should be provided by developments. The Local Plan committed the Council to updating its existing Parking Provision SPD (adopted in 2012) in line with up to date policy. Therefore, the 2020 draft version sought to promote a modal shift from the current dependence on privately-owned vehicles to more sustainable types of transport.

The Principal Planning Officer (DH) referred to the revised Accessibility Zones across the Borough, and the reduced percentage of car parking that could be required on future residential and commercial development schemes, according to in which Zone each development was located.

The Committee noted that the SPD also included a requirement that 20% of vehicular parking spaces had an Electric Vehicle (EV) Charging Point; all other spaces to have the underlying infrastructure (cables and connections to electricity supply) for EV Charging Points; increased cycle spaces to match the

recommendations of the Stevenage Cycle Strategy; 5% of communal parking spaces for residential developments to be for Disabled parking; a range of disabled parking , depending on building type, for non-residential developments, incorporating staff, guests, visitor and future provision; and Transport Strategy Schemes, such as Park & Ride, Liveable Streets, Bike Hire Schemes and Bike Hubs.

The Principal Planning Officer (DH) advised that public consultation on the SPD would take place until 23 March 2020. All representations would be considered and any necessary amendments made to the document. It was planned that the proposed final SPD would be adopted in July 2020, and would therefore be able to be used in decision-making from that point.

In response to a Member's question, the Principal Planning Officer (DH) advised that the travel to work issue in respect of east-west links across the Borough was beyond the remit of the SPD.

It was **RESOLVED** that the update on the Parking Provision and Sustainable Transport Supplementary Planning Document (SPD) be noted.

**8 INFORMATION REPORT - DELEGATED DECISIONS**

It was **RESOLVED** that the report on Delegated Decisions be noted.

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

It was **RESOLVED** that the report on appeals/called-in applications be noted.

**10 URGENT PART I BUSINESS**

None.

**11 EXCLUSION OF THE PRESS AND PUBLIC**

Not required.

**12 URGENT PART II BUSINESS**

None.

**CHAIR**

This page is intentionally left blank

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

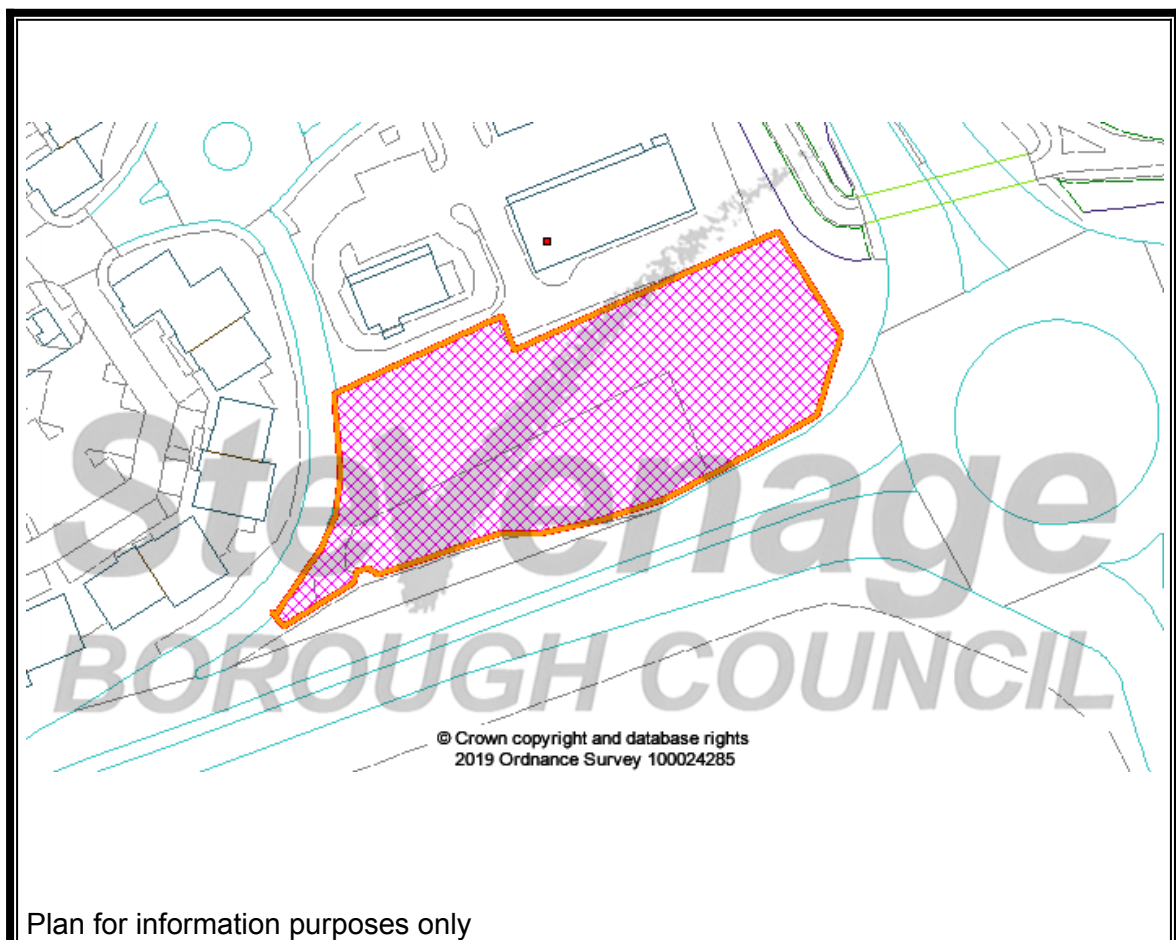
**Date:** 26 May 2020

**Author:** James Chettleburgh 01438 242266

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

**Contact Officer:** James Chettleburgh 01438 242266

Application Nos:	19/00673/FPM
Location:	Plot 2000, Arlington Business Park, Gunnels Wood Road, Stevenage
Proposal:	Erection of business and household storage facility (Use Class B8), associated car parking, delivery areas and associated ancillary works.
Drawing Nos.	PL01B; PL02A; PL05C; PL10B; PL11B; PL12C; PL16C; PL20C; PL21B; PL30B; PL31B; PL90C; 19-44-01 C.
Applicant:	Lok 'n' Store Limited
Date Valid:	15 <sup>th</sup> November 2019
Recommendation:	GRANT PLANNING PERMISSION



## **1. SITE DESCRIPTION**

- 1.1 The application site is located within the Gunnels Wood Road Employment Area. The site is bordered by Gunnels Wood Road (A1072) which is located to the east, Broadhall Way (A602) to the south and Whittle Way to the west with Arlington Court to the north. Part of the site comprises the recently completed Petrol Filling Station and associated convenience store as well as the Coffee 'Drive Thru' which is operated by Starbucks. The site is positioned in the south eastern corner of Arlington Business Park.
- 1.2 To the north of the site lies Arlington Court which comprises of two-storey brick built offices with a mono-pitched metal roof. To the west of the site is Arlington Business Park (also known as Gateway 1000) which comprises part single-storey, part two-storey and part three-storey offices, trade units and commercial premises. The buildings are generally constructed from metal cladding with full height curtain wall glazing along metal mono-pitched roofs.
- 1.3 To the south of the site beyond Broadhall Way is the Glaxo SmithKline (GSK) campus and to the east beyond Gunnels Wood Road is Leyden Road. This road comprises a number of commercial and industrial premises which are generally single-storey in height. To the west beyond Arlington Business Park lies Junction 7 of the A1(M) motorway which connects to Broadhall Way.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 Under outline planning application 02/00098/OP permission was sought for the erection of a business park comprising of Use Class B1, B2 and B8 uses with food store (Use Class A1), day nursery (Use Class D1) and car showroom. This application was granted planning permission in October 2002.
- 2.2 Planning application 04/00243/FP sought a variation of condition 7 of outline planning permission reference 02/00098/OP to omit the proposed new egress onto Gunnels Wood Road. This application was granted permission in July 2004.
- 2.3 Reserved matters application 04/00247/RM related to Phase 2 construction of access with associated landscaping, pursuant to outline permission 02/00098/OP. This application was granted In July 2004.
- 2.4 Reserved matters application 05/00428/RM was for the construction of 2991 square metres of Class B1(a) (Office) floorspace to be accommodate in 5 two storey buildings with ancillary car parking and landscaping pursuant to outline permission 02/00098/OP. This application was granted in October 2005.
- 2.5 Planning application 11/00701/FPM sought permission for the erection of a 3,770 sqm office, a 2,622 sq.m hotel and a 511 sq.m restaurant with associated car parking and vehicle and pedestrian accesses. This application was granted planning permission in September 2012.
- 2.6 Planning application 17/00183/FPM sought permission for the erection of 1 no. 83 bed hotel, petrol filling station with ancillary convenience store and coffee drive-thru outlet with associated access, parking and circulation arrangements, landscaping and associated works. This application was withdrawn in August 2017.
- 2.7 Planning application 17/00826/FPM sought permission for the erection of a four storey office building (Use Class B1a), petrol filling station with ancillary convenience store and coffee drive-thru outlet with associated access, parking and circulation



arrangements, landscaping and associated works. This application was granted planning permission in November 2018.

### **3. THE CURRENT APPLICATION**

- 3.1 This application seeks planning permission for a four-storey, 8,125 sq.m storage building (Use Class B8) with associated 235 sq.m of office space. The building itself would measure approximately 58m in length, 33m in depth with an overall height of approximately 15m. The external elevations of the building would be constructed from preformed cladding and curtain wall glazing fitted within powder polyester coated (ppc) aluminium frames. The building would comprise of cantilevered canopies over the loading doors and entrances.
- 3.2 In addition to the above, the proposal also comprises areas of new landscaping, parking, circulation areas and ancillary works. This application comes before the Planning and Development Committee is because it is a major commercial development.

### **4. PUBLIC REPRESENTATIONS**

- 4.1 Following notification of the application via letter, the erection of a site notice and the issuing of a press notice, no comments or representations have been received.

### **5. CONSULTATIONS**

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

- 5.1.1 Subject to conditions on construction management and vehicle access, it is not considered the development would have an unreasonable impact on the safety and operation of the adjoining highway network.

#### **5.2 Council's Engineering Section**

- 5.2.1 Cycle parking needs to be provided for use by both employees and storage users. Proposed provision of four internal stands for staff use and a similar number of stands should be provided externally for customers. These should be located as close as possible to the entrance, for maximum convenience and to provide overlooking for additional security.
- 5.2.2 Given the nature of the development, quality of cycle network and presence of cargo cycle services in the town, these should be of a sustainable type and spacing for use by cargo cycles to help support a modal shift.
- 5.2.3 Provision for some electrical car charging on site to encourage and facilitate electric vehicle use by customers and staff is encouraged.

#### **5.3 Lead Local Flood Authority**

- 5.3.1 The drainage strategy which has been submitted to the Council is considered to be acceptable. This is because the proposed development site can be adequately drained and will be able to mitigate any potential surface water flood risk. The applicant has also demonstrated that an appropriate sustainable drainage scheme can be implemented in accordance with best practice.
- 5.3.2 If the Council is minded to grant planning permission, it is recommended a condition be imposed requiring that the drainage scheme provided should be implemented in accordance with the approved details.

#### **5.4 Herts and Middlesex Wildlife Trust**

5.4.1 No comment.

#### **5.5 Council's Environmental Health Officer**

5.5.1 No concerns other than the standard conditions if approved.

#### **5.6 Thames Water**

5.6.1 With regards to surface water, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water, there is no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services is required.

5.6.2 There are public sewers crossing or close to the development, if there are plans for significant work near the sewers, it is important to minimise the risk of damage. Thames Water will need to check that the development does not limit repair or maintenance activities, or inhibit the serves provided in any way.

5.6.3 It is recommended that petrol/oil interceptors are fitted in all car parking, washing and repair facilities. Failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local watercourses. It is expected that the developer demonstrates what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation.

5.6.4 Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would recommend an informative be attached to the permission. This informative relates to the requirement to secure a Groundwater Risk Management Permit from Thames Water.

5.6.5 Looking at the waste water network and sewage treatment works infrastructure capacity, there are no concerns with the proposed development based on the information submitted.

#### **5.7 Hertfordshire County Council Minerals and Waste**

5.7.1 The Council needs to be aware of the Policies in regards to waste management of the site, including the re-use of unavoidable waste where possible and the use of recycled materials where appropriate to the construction.

#### **5.8 Police Crime Prevention Design Advisor**

5.8.1 It is strongly recommended the applicant engages with the Crime Prevention Design Service if permission is granted in order to achieve the police preferred minimum that is Secure by Design (SBD) – Commercial. On a separate note, if they can demonstrate that the items specified in the additional documents are third party certified to the relevant standards, the applicant is well on the way to achieving accreditation at no further costs.

## **5.9 Highways England**

5.9.1 No objection.

## **5.10 Environment Agency**

5.10.1 Groundwater is sensitive in this location due to the site being located upon a Secondary A aquifer within the superficial glaciofluvial sand and gravel deposits and a Principal aquifer with the Chalk bedrock, that are likely to be in hydraulic continuity. Therefore, it is recommended that the requirement of the NPPF and NPPG are followed. This means that all risks to groundwater and surface waters from contamination need to be identified so that appropriate remedial action can be taken. This should be in addition to the risk to human health that the Environmental Health Department will be looking at.

5.10.2 It is expected reports and Risk Assessments to be prepared in line with our Groundwater Protection guidance (previously covered by the GP3) and CLR11 (Model Procedures for the Management of Land Contamination). In order to protect ground water from further deterioration:

- No infiltration-based sustainable drainage systems should be constructed on land affected by contamination, as contaminants can remobilise and cause groundwater pollution;
- Piling, or any other foundation designs using penetrative methods, should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution;
- Decommission of investigative boreholes to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water.

## **5.11 North Hertfordshire District Council**

5.11.1 No comment.

## **5.12 UK Power Network**

5.12.1 No comment.

## **5.13 Council's Arboricultural Officer**

5.13.1 The trees are not particularly of high value or importance. However, we do need to ensure there is adequate and appropriate tree replanting.

## **5.14 Hertfordshire County Council Minerals and Waste**

5.14.1 No comment.

# **6. RELEVANT PLANNING POLICIES**

## **6.1 Background to the development plan**

6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the decision on the planning application should be in accordance with the development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- The Stevenage Borough Council Local Plan 2011-2031

- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014); and
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007).

## **6.2 Central Government Advice**

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in February 2019. This largely reordered the policy substance of the earlier 2012 version of the NPPF albeit with some revisions to policy. At the time the revised NPPF was published, the Stevenage Local Plan was subject to a Holding Direction by the Secretary of State following an Examination in Public in 2017. On 25 March 2019 the Secretary of State withdrew the Holding Direction on the understanding that the Council would adopt it as part of the Development Plan. The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan be considered up to date for the purpose of determining planning applications.
- 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 (Adopted 2019)**

Policy SP1: Presumption in favour of sustainable development;  
 Policy SP2: Sustainable Development in Stevenage;  
 Policy SP3: A strong, competitive economy;  
 Policy SP5: Infrastructure;  
 Policy SP6: Sustainable Transport;  
 Policy SP8: Good Design;  
 Policy SP11: Climate Change, Flooding and Pollution;  
 Policy EC2a: Gunnels Wood Employment Area;  
 Policy EC4: Remainder of Gunnels Wood;  
 Policy EC5: Active frontages and gateways;  
 Policy IT4: Transport Assessments and Travel Plans;  
 Policy IT5: Parking and Access;  
 Policy IT6: Sustainable transport;  
 Policy IT7: New and improved links for pedestrians and cyclists;  
 Policy GD1: High Quality Design;  
 Policy FP1: Climate Change;  
 Policy FP2: Flood risk in Flood Zone 1;  
 Policy FP5: Contaminated land;  
 Policy FP7: Pollution;  
 Policy NH5: Trees and woodland.

## **6.4 Supplementary Planning Documents**

Parking Provision Supplementary Planning Document January 2012.  
 Stevenage Design Guide Supplementary Planning Document January 2009.

## **6.5 Community Infrastructure Levy Charging Schedule**

- 6.5.1 Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floorspace of a development.

## **APPRAISAL**

- 7.1 The main issues for consideration in the determination of the application are its acceptability in land use policy terms, community infrastructure levy, Impact on visual amenity, Impact on amenities, parking provision, means of access and highway safety, trees and landscaping, impact on the environment and development and flood risk.

## **7.2 Land Use Policy Considerations**

### Employment

- 7.2.1 Policy EC2a of the Stevenage Borough Local Plan 2011 – 2031 (2019) defines the site as falling within the Gunnels Wood employment area. Policy EC4: Remainder of Gunnels Wood stipulates that for sites outside of the Edge-of-Centre and Industrial Zones and allocated sites for employment, planning permission will be granted where:-
- a. Development (including changes of use) is for use classes B1(b) research and development, B1(c) light industry, B2 General Industry and / or B8 storage and distribution;
  - b. (Re-) development of the site would not prejudice the provision of an appropriate number and range of jobs across the Employment Area as a whole; and
  - c. On sites over two hectares in size, any proposals for B8 development are either part of a mixed use scheme providing a range of acceptable uses or essential to the continued operation of an existing use.

The above policy goes onto state that planning permission for B1(a) offices will only be granted as an exception to criteria a where it is ancillary to the specified uses, is essential to the continued operation of an established B1(a) use or a sequential test clearly demonstrates that no suitable sites are available in more accessible locations.

- 7.2.2 The proposed development seeks to deliver a storage facility (Use Class B8) which is in accordance with Policy EC4 of the adopted Local Plan. Focusing on the employment aspects of the development, it is noted that the proposed storage element of development would generate 4 full time staff equivalent (FTE). However, it is evidenced that 40% of all self-storage space is utilised by businesses rather than individuals and are of particular value for smaller businesses. The average business which utilises a facility such as one by Lok n Store are generally small businesses with a limited number of employees. This in essence allows them to establish and grow where space is at a premium. The types of businesses which use self-storage facilities are as follows:-

- Professional Services;
- Retail;
- Construction and Building;
- Wholesale;
- Non-profits;
- Media;
- Healthcare;

- Information technology; and education.
- 7.2.3 Commercial customers of the business generally use storage space for a variety of purposes, such as:-
- Storage of goods ordered on-line and sent direct from the store;
  - Storage of excess or seasonal stock;
  - Document/archive storage;
  - Furniture and document storage whilst offices are being refurbished or the organisation is relocating;
  - Storage of equipment and tools, storing shop or office fittings.

The Economic and Social Benefits Assessment submitted by the applicant (prepared by Turley Associates) stipulates that whilst self-storage units do not directly employ large numbers of staff, they do have a significant impact on local employment by fostering small business development. This report identifies that there were around 1 million businesses using self-storage across the UK in 2019. Further, some entire businesses operate from within their respective storage space. It also allows businesses to outsource particular services or elements of the business, such as storage for the office, data or sales functions.

- 7.2.4 It is also evidenced at the national level (by Savills and Turley Associates), over 50% of owner-occupied homes are under-occupied i.e. where a household has at least two bedrooms which are not regularly used. Many of the older households where children have left home where almost half of the 3.9 million home owners aged over 55 state they want to sell and move to smaller homes. As such, one of the barriers to downsizing is finding sufficient space in a smaller home for possessions. Therefore, storage facilities are a solution to this problem. The UK populous has also become more mobile, especially with around 2.5 million people in the rented sector with many developments in town centre locations being at a premium and so lack space to store all their items. This therefore, increases demand for self-storage facilities for both older generations, those who are privately renting or more mobile.
- 7.2.5 In addition to the above, through further negotiations with the applicant in order to boost employment numbers, the applicant has agreed to provide an element of office space on the first floor area of the building. The office element would comprise of 11 units which would generate an additional 20 FTE employees. As such, the proposed development as a whole would generate an acceptable level of employment in line with the Council's aspirations.
- 7.2.6 Given the aforementioned assessment, the proposed development represents an appropriate use of this site in accordance with the adopted Local Plan. The proposal would help to support many Small and Medium Enterprises (SMEs) and provide uplift in employment floorspace. The proposal would also indirectly support an estimated 1,332 jobs from a range of business sizes of which around 111 jobs will be reliant on the proposed development. Furthermore, the proposed development itself would also create an acceptable level of employment provision on this site. Consequently, it has been established that the overall principle of the development within the Gunnels Wood Employment Areas is deemed to be acceptable.

### **7.3 Community Infrastructure Levy**

- 7.3.1 The development is liable for Community Infrastructure Levy under the Council's adopted Charging Schedule (2020). The CIL Charging Schedule specifies a payment for new floorspace in line with the following rates (plus appropriate indexation):

Development Type	CIL Rate (£ per square meter)	
	Zone 1: Stevenage Central, Stevenage West Urban Extension and North of Stevenage Extension	Zone 2: Everywhere else
Residential		
Market housing	£40/m <sup>2</sup>	£100/m <sup>2</sup>
Sheltered housing	£100/m <sup>2</sup>	
Extra care housing	£40/m <sup>2</sup>	
Retail development	£60/m <sup>2</sup>	
All other development	£0/m <sup>2</sup>	

7.3.2 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.

7.3.3 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application. For this development, whilst the development would be the CIL liable, the rating for this scheme is £0.

## 7.4 Impact on Visual Amenity

7.4.1 This part of the Gunnels Wood Employment Area is dominated by three large sites, including the GSK complex and Arlington Business Park. The area immediately surrounding the site is characterised by two and three storey high modern office developments. In the wider area there is a range of single-storey industrial buildings as well as the car showrooms for BMW and Ford. Junction 7 of the A1(M) is a key gateway, not only entering the Gunnels Wood Road area, but also Stevenage as a town. In this location, a number of employment sites front onto Gunnels Wood Road, however, there is considered to be a poor sense of arrival into the area with few buildings providing an 'active frontage'.

7.4.2 Paragraph 127 of the NPPF 2019 stipulates that planning decisions should ensure development functions well and adds 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. In addition, the NPPF sets out that development should establish or maintain a strong sense of place, using arrangements of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit. It also stipulates that development should optimise the potential of the site to accommodate and sustain an

appropriate mix of development and finally, create places that are safe, inclusive and accessible.

7.4.3 Paragraph 130 of the NPPF states that “permission should be refused for development of poor design that fail to make available opportunities for improving the character and quality of an area and the way it functions”. Policy GD1 of the adopted Local Plan (2019) 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 as well.

7.4.4 Turning to Gunnels Wood Road specifically, Policy EC5: Active frontages and gateways states that planning permission for the (re-) development of sites with a frontage along, in this case Gunnels Wood Road and Broadhall Way, will be granted where:-

a. Proposals face directly onto the identified road and provide active frontages and natural surveillance;

b. Buildings are not set back significantly from the identified road;

c. Car parking and service areas are located away from the street frontage of the identified road;

d. On corner plots, where the roads intersect, schemes incorporate landmark architecture and gateway features wherever this would be compatible with the proposed use(s).

7.4.5 The proposed building is to be the principal building on the site and, as such, it is to be positioned in the most prominent location in the south east corner of the site adjacent to the roundabout fronting GSK. The building is to be a maximum of four storeys high, which as detailed in paragraph 3.1 of this report, would measure approximately 58m in length, 33m in depth with an overall height of approximately 15m. The building would have a staggered footprint combined with cantilevered canopies over the loading doors and main entrance with glazing below. There would also be a chamfered, cantilevered, glass box on the south-eastern elevation orientated towards the junction of Gunnels Wood Road and Broadhall Way. These features help to break up the overall massing of the building.

7.4.6 The proposed building would also comprise of extensive areas of curtain wall glazing on the main elevations fronting onto Gunnels Wood Road and Broadhall Way. There would also be a full height glazed lobby entrance/reception area on the western elevation as well as glazing at first floor level serving the offices on the northern elevation. These areas of glazing further help to break up the elevations and massing of the building as well creating active frontages. In terms of cladding, the use of contrasting colours helps to provide variety and interest into the overall facades when viewed from the public realm. In order to soften the appearance of the development, the applicant is also looking to create extensive landscaping areas along Broadhall Way and Gunnels Wood Road comprising of hedging and shrubs. This would also help to create an enhanced sense of arrival as someone travels into town via the A1(M).

7.4.7 Given the aforementioned assessment, it is considered that the proposed development would deliver a modern, well designed building which actively addresses the key arterial roads which are Gunnels Wood Road and Broadhall Way. The development would also bring back a vacant area of land to an active usage and would help to invigorate this part of the employment area. As such, the overall design and visual



appearance of the development would not be detrimental to the visual amenities of the wider area.

## **7.5 Impact on Amenities**

### Noise

- 7.5.1 Policy FP7 of the Local Plan (2019) states that all developments should minimise, and where possible, reduce air, water, light and noise pollution. Taking this policy into consideration, despite the proposed development comprising of noise a generating use, the nearest residential property lies within Norton Green which is approximately 932m to the north-west of the application site beyond the A1(M). Given this, the development would not harm the amenities of the nearest residential properties.
- 7.5.2 In terms of impact on neighbouring commercial properties, given the site forms part of Arlington Business Park, there is the Gateway 1000 development which comprises of three-storey offices. This is located on the western side of the site and is separated by Whittle Way. In addition the petrol filling station and coffee drive-thru facility are located to the north of the proposal. Given this relationship, the proposed development would be sufficiently separated from these businesses to not detrimentally impact on their operating conditions.
- 7.5.3 In respect of other neighbouring properties, to the south of the site on the opposite side of Broadhall Way is the GSK site. There is a significant separation distance between the two sites and, as such, it is considered that the development would not have an impact on the operation of GSK. Immediately to the north is Arlington Court which is an office development of two and three storey buildings. The proposed petrol filling station being the closest building would be 45m away, but the proposed fuel lanes would be in close proximity to the boundary. However, given the location of the site adjacent to Gunnels Wood Road which is one of the main distributor roads through Stevenage, and the fact that these are commercial premises, it is considered that the proposed siting of the fuel lanes will not have a detrimental impact upon the operating conditions of the occupiers of these premises.

### External lighting

- 7.5.4 In regards to external lighting, the applicant has not submitted any details of lighting which would be installed on the development or around the application site. However, to ensure that any external lighting does not affect the operation of nearby business operators or prejudices highway safety, it is recommended a condition be imposed to any permission granted in order to deal with external lighting. This condition will require the applicant to submit details of any external lighting scheme prior to the commencement of the development on-site.

## **7.6 Parking Provision**

- 7.6.1 The Parking Provision Supplementary Planning Document (SPD) sets a base standard of 1 parking space per 75m<sup>2</sup> of gross floor area (gfa) for warehouse and storage facilities (Use Class B8) which would equate to 106 parking spaces. In regards to the office provision, the Council's Parking Standards requires 1 space per 30m<sup>2</sup> of gross floor area. As such, there would be a requirement to provide 8 parking spaces. Consequently, there would be a requirement to provide a total of 114 spaces.
- 7.6.2 However, the application site is located in non-residential accessibility zone 4 (identified in the SPD), where car parking provision can be reduced to 75% to 100% of the base car parking standard which would equate to between 86 spaces to 114

spaces. The proposed development seeks to provide 20 parking spaces including 2 disabled parking spaces.

- 7.6.3 Given the aforementioned, there would be a shortfall of between 66 and 94 parking spaces. However, the proposed development is predominantly a self-storage facility for households and commercial premises with only 4 full time equivalent members of staff working at the building at any given time. Therefore, the overall level of parking proposed corresponds with the established operation of the business where there is a similar level of parking at other Lok n Store facilities across the country. The applicant has provided evidence to confirm that at existing stores there on average 5 vehicles visit the site at any one time, rarely rising above double figures. As such, it is considered that there would be sufficient parking available to serve the development.
- 7.6.4 In addition to the above, the site is accessible by foot and by bicycle due to the well-established cycle track being located immediately to the east of the development site. Moreover, there are parking restrictions along Whittle Way and in the immediate area which would help to control any potential on-street parking which could potentially occur. The applicant is also looking to provide electric vehicle charging points as part of the overall parking strategy of the development.

#### Cycle parking

- 7.6.5 With regard to cycle parking, the minimum standard for warehouse/storage development is 1 short term space per 10 staff. In relation to offices, there is a requirement to provide 1 space per 500m<sup>2</sup> of gross floor area and 1 long-term space per 10 full time staff. The proposed development seeks to provide the necessary cycle parking provision for both elements of the development in accordance with the Council's Standards. In addition, through negotiations with the applicant, they have also agreed to provide three spaces for cargo bikes in order to further encourage sustainable forms of travel to the development site.

#### Electric Vehicle Charging

- 7.6.6 Whilst the Council does not have a specific requirement on Electric Vehicle Charging in the adopted Parking Standards SPD (2012), it is noted that there is a drive towards the provision of low and zero emission vehicles in order to help tackle climate change. As such, if planning permission were to be granted, a condition could be imposed requiring the applicant to provide 10% of the parking bays to have provision for electric vehicle charging points. This would help to encourage the usage of electric vehicles in order to reduce the impact of emissions on the wider environment.

### **7.7 Means of access and highway safety**

- 7.7.1 The application site currently has a single access point which is located on a roundabout off of Whittle Way. This road is accessed from two points, one is the slip road off Broadhall Way (A602) to the south and the second is via Gunnels Wood Road (A1072) to the north located adjacent to the BMW (Specialist Cars) and Ford (Gates of Stevenage) garages. The access point off Broadhall Way is a one way system with the two-way traffic coming off Gunnels Wood Road. However, there is no direct access to the site from either Gunnels Wood Road or Broadhall Way.

- 7.7.2 Given the above, all of the vehicular traffic to and from the site would be via Whittle Way. The existing access road which has been constructed off the roundabout measures 9.13m wide with the main internal road being 6.48m in width. With this in mind, the access and internal road have been designed and implemented to accommodate 10m rigid vehicles such as emergency vehicles. The internal road also has three separate access points to serve the proposed development site, combined with the existing petrol filling station and the coffee shop drive-thru. This was in order to reduce conflict between the different uses within Plot 2000 as a whole. With respect to the surface car park serving the proposed development, the internal road layout would be of a sufficient size to accommodate two-way traffic in line with the Department for Transport (DfT) Manual for Streets.
- 7.7.3 Turning to visibility splays, the proposed access point on Whittle Way, including the internal access/egress points currently has adequate vehicle to vehicle and pedestrian inter-visibility splays in line with the DfT Manual for Streets and Hertfordshire County Council (HCC), Roads in Hertfordshire Design Guide. Therefore, vehicles entering and egressing should not prejudice the safety and operation of pedestrians, cyclists and vehicles utilising the highway network generally.
- 7.7.4 In assessing traffic generation, the applicant's transport consultant has produced a transport statement which incorporates details of proposed traffic generation for weekdays. In order to identify the predicted traffic generation of the proposal, the applicant has utilised TRICS (Trip Rate Information Computer System) which is a National Traffic Generation Database in order to predict the amount of traffic that would be generated by each individual use.
- 7.7.5 Using TRICS, the model adopted looked at likely trips generated for self-storage warehousing which are located in edge of town and suburban areas. The transport consultant also utilised comparable traffic generation for a similar Lok n Store development in Aldershot in order to provide a check on the predicted traffic from the Stevenage development. In addition, the applicant also looked at comparative data for offices which also form part of the development proposal. The modelling generated by the applicant looked at the weekday AM peak (08:00 to 09:00) weekday PM peak (17:00 to 18:00). Through the modelling, the transport statement sets out that development would generate at the AM peak, 23 arrivals and 8 departures and at the PM peak, 6 arrivals and 15 departures. As such, there would be 31 two-way trips in AM peak and 21 trips in the PM peak. This equates to approximately 1 trip every 2 minutes in the AM Peak and 1 trip every 3 minutes in the PM Peak.
- 7.7.6 Following consultation with Hertfordshire County Council (HCC) as Highways Authority, they consider the proposed access arrangement to be acceptable. This is because the Transport Statement includes a swept path analysis for large vehicles such as vans and rigid large goods vehicles. This analysis clearly demonstrates the development can safely accommodate these vehicles.
- 7.6.7 In regards to the traffic modelling generated within the Transport Statement, HCC Highways considers the data produced is a fair representation of the potential amount of traffic which would be generated by the development as a whole. Following a review of this, it is considered that the development would generate a nominal increase in vehicle trips to the development site, but this would not be significant, as advised by the Highways Authority, to prejudice highway safety. Turning to the impact on the A1(M) motorway and specifically junction 7, Highways England have confirmed that they have no objection to the proposed development. Therefore, it can be concluded that the proposal would also not have a detrimental impact on the safety and operation of the nearby motorway.

- 7.7.8 In summary, the proposed development as advised by HCC as the Highways Authority would not have a detrimental impact on the safety and operation of the highway network. However, this is subject to condition requiring the submission of a construction management plan. This would ensure the proposal during the construction phase of the development would not prejudice the safety and operation of the highway network.

## **7.8 Trees and landscaping**

- 7.8.1 Policy NH5 of the Local Plan (2019) stipulates that development proposals will be expected to protect and retain individual trees within development sites and should include new planting where appropriate.
- 7.8.2 The development site generally has a limited number of trees and these are self-seeded and are of limited visual amenity value in accordance with British Standards BS:5837 2012. Therefore, all of these trees are to be removed in order to facilitate the construction of the development. However, it is important to note that these trees are not protected so can be removed without permission from the Council. In addition, the Council's Arboricultural Manager does not consider these trees to be of high value or importance and as such has no objection to their removal.
- 7.8.3 Notwithstanding the above, in order to compensate for the removal of these trees and in order to improve the biodiversity of the site, the proposed landscaping scheme seeks to provide a number of amenity planting areas which would comprise of a mixture of shrubs and wildflowers. These amenity planting areas would be located in and around the surface car parking area and the edge of the development site generally. Further to this, a number of mature trees fall outside the application boundary which are to be retained as part of the development proposal.
- 7.8.4 In summary, it is considered that the proposal, despite the loss of some existing trees on site, through the introduction of replacement planting and landscaping, would help to soften the appearance of the development which in turn would enhance the visual amenities of the wider area. However, to ensure that the landscaping scheme is implemented, it is recommended that a condition be imposed requiring the soft landscaping to be planted in accordance with the submitted plans.

## **7.9 Impact on the Environment**

### Land contamination

- 7.9.1 The application site, as identified in the applicant's Phase 1 Preliminary Site Assessment sets out that in the 1960's and 70's there were a number of buildings on site which made up the former BAE aircraft components factory with areas of hardstanding. These buildings have been demolished with the site open brownfield land. The assessment identifies a moderate to low risk of contaminants within the soil which may pose a risk to end users. In addition, the report identifies that there is potential contaminants within the Made Ground to mitigate into the underlying aquifer, therefore, it is considered there is a moderate to low risk to groundwater.
- 7.9.2 Following consultation with the Council's Environmental Health Section, it is considered that whilst there are contaminants on this site, the recommendations set out in the applicant's Preliminary Risk Assessment is considered to be acceptable.

## Groundwater

7.9.3 The application site is located upon Secondary A aquifer within the superficial glaciofluvial sand and gravel deposits and a Principal aquifer within the Chalk bedrock. Given this, the Environment Agency recommends that in order to protect groundwater quality from further deterioration, the following needs to be adhered too:

- No infiltration-based sustainable drainage systems should be constructed on land affected by contamination, as contaminants can remobilise and cause groundwater pollution;
- Piling, or any other foundation designs using penetrative methods, should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution; and
- Decommission of investigative boreholes to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies, in line with paragraph 170 of the National Planning Policy Framework.

7.9.4 With regards to infiltration-based drainage, the proposed drainage scheme which has been submitted would not comprise of any infiltration techniques. As such, the overall risk of mobilising contaminants from the drainage scheme proposed has been designed out. However, with regards to piling and decommissioning of the boreholes, it is recommended that the above requirements for these two aspects can be secured by conditions if the Council was minded to grant planning permission.

## **7.10 Development and Flood Risk**

7.10.1 The application site is located within Flood Zone 1 within the Environment Agency's flood risk map. Flood Zone 1 is defined as land having less than 1 in 100 annual probability of flooding. Therefore, all developments are generally directed to Flood Zone 1. Notwithstanding this, the application which has been submitted to the Council is classified as a major development, therefore, in line with the Town and Country Planning (General Development Procedure) (England) Order 2015, the applicant has provided a Sustainable Urban Drainage Strategy.

7.10.2 The sustainable drainage system which would be installed as part of the development proposal comprises of a 250m<sup>3</sup> storage tank for the car park and a second tank in the south-east corner of the site creating a total capacity of 356m<sup>3</sup>. Following consultation with Hertfordshire County Council as the Lead Local Flood Authority (LLFA), they have advised that the applicant has provided an appropriate sustainable drainage scheme in accordance with industry best practice. The LLFA has also recommended that a condition be imposed to require the development to be carried out in accordance with the detailed drainage strategy.

7.10.3 In addition to the above, a condition would be imposed to require the application to provide a more detailed drainage strategy (based on the adopted strategy for the whole site) with engineering drawings and sections of the attenuation system as well as to provide a detailed management plan. This is to ensure that the development does not result in surface water flooding both on and off the site.

## **7.11 Other matters**

### Sustainable construction and climate change

7.11.1 Policy FP1 of the adopted Local Plan (2019) stipulates that development that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:

- Ways to ensure development is resilient to likely variations in temperature;
- Reducing water consumption to no more than 110 litres per person per day, including external water use;
- Improving energy performance of buildings;
- Reducing energy consumption through efficiency measures;
- Using or producing renewable or low carbon energy from a local source; and
- Contributing towards reducing flood risk through the use of SuDS or other appropriate measures.

7.11.2 The applicant as set out in their application submission that the building will only use electric power and will be sourced from Green Energy Plc. This energy supplies electricity exclusively from renewable generators and audited for zero carbon. The building will be thermally insulated in accordance with Building Regulations. The glazing on the curtain walls of the building will be installed with high performance solar controlled glass which would help to manage the solar gain in the building during the summer months.

7.11.3 In addition, the applicant will be looking at a number of energy efficiency measures which includes the following:-

- Ventilation to the reception and staff facilities with built in heat recovery;
- Weather compensated heating controls;
- LED lighting to be installed in frequently used areas;
- Photoelectric and occupancy sensing lighting control to be installed to ensure that only occupied areas are illuminated; and
- Installation of photovoltaic (PV) solar panels which will produce a substantial proportion of the store's energy for lighting and small power.

7.11.4 Further to the above, the development would have an acceptable drainage system to ensure it does not contribute towards flooding. The development would also comprise of new landscaping to improve wildlife and biodiversity. The applicant is also looking to provide some EV charging points in the parking areas as well as extensive cycle parking (including a bay for cargo bikes) in order to encourage more sustainable forms of travel.

7.11.5 Turning to sustainable construction, it is recommended the applicant submits a SWMP (Strategic Waste Management Plan) for the development. This is to ensure that materials used in construction consist of recycled materials and any materials generated from the construction of the development are also properly recycled where possible. It is recommended that if planning permission were to be granted, a condition could be imposed requiring the applicant to submit a SWMP prior to the commencement of development.

7.11.6 Given the above, and subject to condition, it is considered that the development has been designed in order to be adaptable to climate change through the use of sustainable technologies and construction.

## 8 CONCLUSIONS

- 8.1 In principle, the proposed development would be an acceptable use in the established employment area of Gunnels Wood Road. The proposal would be a contemporary modern development which would form a landmark on the junction of Broadhall Way and Gunnels Wood Road. The scheme would not have a detrimental impact on amenity or the operation of neighbouring businesses and there would be sufficient off-street parking and cycle parking. The proposal would not prejudice the safety and operation of the highway network and with conditions, there would be no issues with contamination and flood risk. Moreover, there would be an acceptable landscaping scheme to compensate for the loss of some trees on the site, which do have a limited amenity value. Further to this, the developer would be looking to adopt a number of measures to ensure the development is adaptable to climate change.
- 8.2 Given the above, it is considered that the proposed development would accord with the policies contained in the adopted Local Plan (2019), the Council's Design Guide SPD (2009), the Council's Parking Standards SPD (2012), the NPPF (2019) and NPPG (2014).

## 9 RECOMMENDATIONS

- 9.1 That planning application reference 19/00673/FPM be Granted Planning Permission subject to the following conditions:-
- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:  
PL01B; PL02A; PL05C; PL10B; PL11B; PL12C; PL16C; PL20C; PL21B; PL30B; PL31B; PL90C; 19-44-01 C.  
**REASON:-** For the avoidance of doubt and in the interests of proper planning.
  - 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
**REASON:-** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
  - 3 No development above slab level shall take place until samples of the materials to be used in the construction of the hardsurfacing areas, including roads, footpaths and car parking areas, hereby permitted have been submitted to and approved in writing by the local planning authority. The external surfaces of the development shall be carried out in accordance with the approved details. Furthermore, all hard surfacing comprised in the details of shall be carried out within three months of the first occupation of the building(s) or the completion of the development, whichever is the sooner.  
**REASON:-** To ensure the development has an acceptable appearance and to protect the visual amenities of the area.
  - 4 The external surfaces of the building hereby permitted shall be constructed in accordance with the details specified in the application submission.  
**REASON:-** To ensure the development has an acceptable appearance and to protect the visual amenities of the area.
  - 5 Prior to the commencement of development (including site clearance) a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works of construction of the development shall be carried out in accordance with the approved statement and Hertfordshire County Council's specifications. The Construction Management Plan shall address the following:-

- (i) Details of construction phasing programme (including any pre-construction or enabling works);
- (ii) Hours of construction operations including times of deliveries and removal of waste;
- (iii) Demolition and construction works between the hours of 0730 and 1800 on Mondays to Fridays and between the hours 0830 and 1300 on Saturdays only.
- (iv) The site set-up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas;
- (v) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
- (vi) Details of the provisions for temporary car parking during construction which shall be provided prior to the commencement of construction activities;
- (vii) The location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- (viii) Screening and hoarding;
- (ix) End of day tidying procedures;
- (x) Siting and details of wheel washing facilities;
- (xii) Cleaning of site entrances, site tracks and adjacent to public highway;
- (xiii) Control measures to manage noise and dust;
- (xiv) Details of consultation and compliant management with local businesses and neighbours;
- (xv) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour;
- (xvi) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures;
- (xvii) Details of a Site Waste Management Plan (SWMP) detailing actual waste arising and how waste is managed (i.e. re-used, recycled or sent off-site for treatment or disposal) and where it is sent to. Further updated should be provided throughout the life of the development at an interim of two months or sooner should the level of waste be considered significant by the developer.

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

- 6 No part of the development hereby permitted shall be occupied until the relevant access and car parking areas have been fully constructed, surfaced and permanently marked out. The car parking areas so provided shall be maintained as a permanent ancillary to the development and shall be used for no other purpose at any time.

**REASON:-** To ensure that adequate access and parking is provided at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety along the adjacent highway.



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

**REASON:-** To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is completed.

- 8 Piling using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

**REASON:-** To ensure that the proposed office building does not harm ground water resources. Some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution. A piling risk assessment and appropriate mitigation measures should be submitted with consideration of the EA guidance.

- 9 A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of the permitted development.

**REASON:-** To ensure that redundant boreholes are safe and secure and does not cause pollution or loss of water supplies.

- 10 The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage strategy carried out by Bradbrook Consulting, reference 19-003/300 dated March 2019 the following mitigation measures detailed within the strategy:

1. Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 2 l/s during the 1 in 100 year event plus 40% of climate change event.
2. Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 356m<sup>3</sup> (or such storage volume agreed with the LLFA) of total storage volume in attenuation tanks.
3. Discharge of surface water from the private drain into the Thames Water sewer network.

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

**REASON:-** To prevent flooding by ensuring the satisfactory disposal of and storage of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

- 11 No development shall place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate that the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will be exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
1. A detailed drainage plan including the location and provided volume of all SuDS features, pipe runs and discharge points. If areas are to be designated for informal flooding these should also be shown on a detailed site plan.
  2. Exceedance flow paths for surface water for events greater than the 1 in 100 year including climate change allowance.
  3. Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
  4. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.
- The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.  
**REASON:-** To prevent the increase risk of flooding both on and off site.
- 12 The secure cycle storage facilities as detailed in the application submission shall be installed in accordance with the approved details.  
**REASON:-** To ensure the suitable provision of cycle storage and to encourage a modal shift.
- 13 The soft landscaping shall be carried out in accordance with drawing numbers PL 05 C and 19-44-01 C unless otherwise agreed in writing by the Local Planning Authority.  
**REASON:-** To ensure the proper completion of the of the hard and soft landscaping and in the interests of the visual amenities of the area
- 14 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.  
**REASON:-** To ensure the proper completion of the soft landscaping in the interests of visual amenity.
- 15 No tree shown on the approved soft landscaping plan numbers PL 05 C and 19-44-01 C shall be cut down, uprooted or destroyed, nor shall any retained tree detailed on the aforementioned drawings be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.  
**REASON:-**To ensure the protection of those trees which should be retained in the interests of visual amenity.
- 16 Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

**REASON:-** To ensure the maintenance of the approved landscaping scheme in the interests of visual amenity.

- 17 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.

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

- 18 No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination and predicted light contours, have first been submitted to, and approved in writing the Local Planning Authority prior to first occupation of the development. Any external lighting shall accord with the details so approved.

**REASON:-** In order to protect the amenities and operations of neighbouring properties and to ensure any external lighting does not prejudice highway safety.

- 19 Prior to the first occupation of the development hereby permitted, details of Electric Vehicle Charging Points to include provision of 10% of the car parking spaces to be designated for plug-in Electric Vehicles have been submitted to and approved in writing by the Local Planning Authority. The approved Electric Vehicle Charge Points shall be installed in accordance with the approved details and thereafter permanently retained.

**REASON:-** In order to provide facilities to charge electric vehicles and to help reduce the impact of vehicle emissions on the local environment.

- 20 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 prior to the erection of the boundary treatment in question. The approved boundary treatments shall be completed before the use of the hereby permitted development commences.

**REASON:-** To ensure the development has a satisfactory appearance and in the interests of visual amenity of the wider street scene of Gunnels Wood Road and Broadhall Way.

- 21 The cycle parking provision and refuse facilities as detailed in the application submission shall be completed in accordance with the approved details before the use of the hereby permitted development commences.

**REASON:-** To ensure there is sufficient cycle parking to encourage a modal shift and

### **Pro-active statement**

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

### **INFORMATIVES**

#### Hertfordshire Highways

Prior to commencement of the development the applicant shall contact <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or call on 0300 1234 047 to obtain the requirements to arrange a site visit to agree a condition survey of the approach of the highway leading to the development likely to be used for delivery vehicles to the development. Under the provisions of Section 59 of the Highways Act

1980 the developer may be liable for any damage caused to the public highway as a result of traffic associated with the development. Herts County Council may require an Officer presence during movements of larger loads.

#### Thames Water

There are also public sewers crossing or close to the development, therefore, in order to protect the public sewers and to ensure Thames Water can gain access for future repair and maintenance, approval should be sought from Thames Water where the erection of a building would be over the line of, or would come within 3m of a public sewer.

A Groundwater Risk Management Permit from Thames Water will be required for discharging ground water into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We expect the developer to demonstrate what measures they will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 0203 577 9483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed online via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).

#### Environment Agency

The developer should follow the risk management framework provided in CLR11, Model Procedures of Land Contamination, when dealing with land affected by contamination. The applicant should refer to the following sources of information and advice in dealing with land affected by contamination, especially with respect to protection of the groundwater beneath the site:

- Gov.UK – The Environment Agency's approach to Groundwater protection (2017), Technical Guidance Paper, including CLR 11 and GPLC and use MCERTS accredited methods for testing soils at the site;
- NPPF – Land affected by contamination;
- BS5930:2015 Code of practice for site investigations;
- BS10175:2011 A2:2017 Code of practice for investigation of potentially contaminated sites;
- BS ISO 5667-22:2010 Water quality, sampling, Guidance on the design and installation of groundwater monitoring points;
- BS ISO 5667-11:2009 Water quality, sampling, Guidance on sampling of groundwater's (A minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns and groundwater quality, more monitoring locations may be required to establish the conceptual model).

#### Hertfordshire Constabulary Crime Prevention Design Advisor.

The proposed development should achieve Secured by Design (SBD) accreditation in order for it to comply with current Building Regulations. The Police Crime Prevention Design Advisor can be contracted by telephone on 01707 355227 or by email on [mark.montgomery@herts.pnn.police.uk](mailto:mark.montgomery@herts.pnn.police.uk).

#### Community Infrastructure Levy

Stevenage Borough Council adopted a Community Infrastructure Levy (CIL) Charging Schedule at Full Council on 27 January 2020 and started implementing CIL on 01 April 2020. This application may be liable for CIL payments and you are advised to contact the CIL Team for clarification with regard to this. If your development is CIL liable, even if you are granted an exemption from the levy, please be advised that it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (as amended) that CIL Form 6

(Commencement Notice) must be completed, returned and acknowledged by Stevenage Borough Council before building works start. Failure to do so will mean you risk losing the right to payment by instalments and a surcharge will be imposed. NB. please note that a Commencement Notice is not required for residential extensions if relief has been granted. Stevenage's adopted CIL Charging Schedule and further details of CIL can be found on the Council's webpages at [www.stevenage.gov.uk/CIL](http://www.stevenage.gov.uk/CIL) or by contacting the Council's CIL Team at [CIL@Stevenage.gov.uk](mailto:CIL@Stevenage.gov.uk).

### **13 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 and Stevenage Design Guide adopted October 2009.
3. Stevenage Borough Local Plan 2011 – 2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2019.
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.

This page is intentionally left blank

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

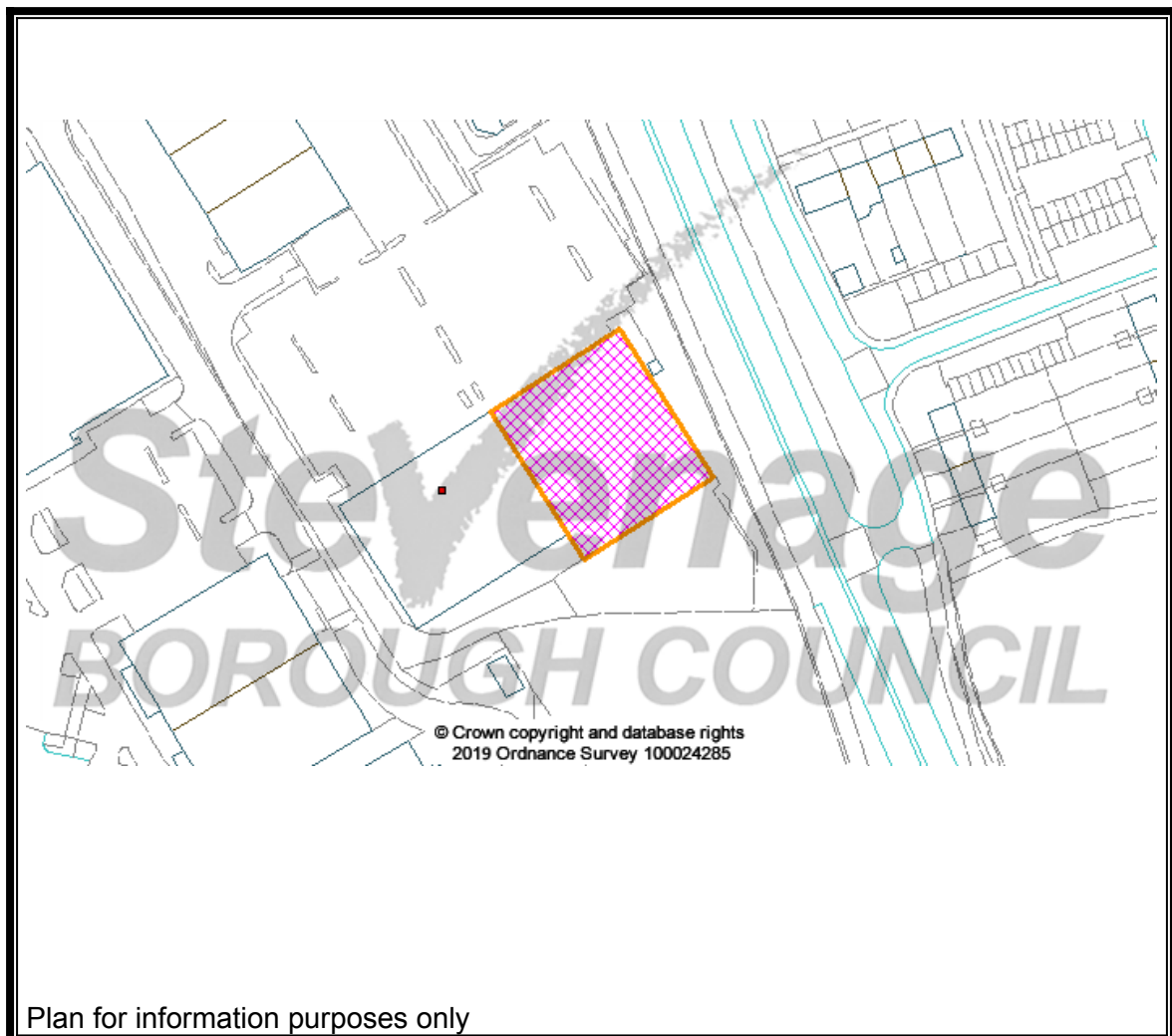
**Date:** 26 May 2020

**Author:** James Chettleburgh 01438 242266

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

**Contact Officer:** James Chettleburgh 01438 242266

Application Nos:	20/00111/S106
Location:	Unit 2 Monkswood Retail Park, Monkswood Way, Stevenage
Proposal:	Modification of Clause 7 (goods restriction) of Section 106 Agreement (dated 30.11.1993) approved under planning permission reference number 02/0231/93/FP.
Drawing Nos.	2417-URB-U2-00-DR-A-208100
Applicant:	BBC Pension Fund
Date Valid:	25 February 2020
Recommendation:	Agree Variation of S106 Agreement.



## 1. SITE DESCRIPTION

- 1.1 The application site is located off Elder Way within Monkswood Retail Park. The application site comprises a one and half storey, pre-fabricated steel clad, vacant retail unit which was previously occupied by Mothercare. The site forms part of a cluster of retail units which consists of Home Bargains, Topps Tiles, Jollyes Pet Supplies along with a detached McDonalds restaurant with associated drive thru, car parking and soft landscaping.
- 1.2 The site is located approximately 1 km south of the Town Centre and approximately 294m south of the North Hertfordshire College building. Between the College and Monkswood Retail Park is Elder Way water meadow which is a designated wildlife site. To the west and south-west of the application site lies Roaring Meg Retail Park.

## 2. RELEVANT PLANNING HISTORY

- 2.1 There is a varied and lengthy history associated with this Retail Park. The most relevant applications are set out below:
- 2.2 2/0021/93 outline application for 2 no. retail units, tyre and exhaust unit, petrol filling station, drive-in restaurant, access and car parking. Outline application was withdrawn on 9 December 1993
- 2.3 2/0231/93 planning application for 4 x retail units, restaurants, access, car parking and landscaping. Planning permission was granted on 30 November 1993.
- 2.4 20/00125/FP planning application for external alterations to the building including new shop frontage, removal of roof lights and 1 no. door opening infilled. Planning permission was granted on 21 April 2020.

## 3. THE CURRENT APPLICATION

- 3.1 This application has been made under S106A part 6(b) of the Town and Country Planning Act 1990 (As amended) to seek permission to vary the wording of the S106 agreement which was attached to planning permission reference: 2/0231/93/FP in respect of good restrictions. Clauses 7a and 7b of the agreement relating to the control of goods that can be sold from the retail park are as follows:

*“7a. Not to use or permit to be used the retail units to be constructed pursuant to the Application for the retailing of food (except as to 194 square feet which may be used for the sale of baby foods and milk products) or adult clothing or footwear; and*

*7b. Not to use or permit to be used more than 5,000 square feet of the gross sales area of the retail units to be constructed pursuant to the Application for the retailing of children’s or babies fashion clothing or footwear”.*

- 3.2 This application seeks permission to modify the definition of clause 7a only, as highlighted in bold and underlined, in the following way:

*“Not to use or permit to be used the retail units to be constructed pursuant to the application for the retailing of food (except as to 194 square feet which may be used for the sale of baby foods and milk products and **5,000 square feet of food retailing in Unit 1 and 15,220 square feet of food retailing in Unit 2**) or adult fashion clothing or footwear”*



- 3.3 The proposal before the Council does not consist of or include any alteration to the external appearance of the existing retail unit nor increase the floor space. This is because a separate application has been made for the external alterations to the building (planning application 20/00125/FP) and separate advertisement consent application will also be required respectively.

## **4. PUBLIC REPRESENTATIONS**

- 4.1 A site notice has been erected in accordance with Section 5 (1) of the Town and Country Planning (Modification and Discharge of Planning Obligations) Regulation 1992. At the time of drafting this report, no comments or representations have been received.

## **5. CONSULTATIONS**

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

- 5.1.1 It is confirmed that in highways terms, the requirements to the Modification of Clause 7 (goods restrictions) of Section 106 Agreement (dated 30.11.1993) approved under planning permission number 02/0231/93/FP is acceptable.

## **6. RELEVANT PLANNING POLICIES**

### **6.1 Background to the development plan**

- 6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the decision on the planning application should be in accordance with the development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- The Stevenage Borough Council Local Plan 2011-2031
- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014); and
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007).

### **6.2 Central Government Advice**

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in February 2019. This largely reordered the policy substance of the earlier 2012 version of the NPPF albeit with some revisions to policy. At the time the revised NPPF was published, the Stevenage Local Plan was subject to a Holding Direction by the Secretary of State following an Examination in Public in 2017. On 25 March 2019 the Secretary of State withdrew the Holding Direction on the understanding that the Council would adopt it as part of the Development Plan. The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan be considered up to date for the purpose of determining planning applications.
- 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 Central Government Legislation**

- Town and Country Planning Act 1990 (as amended);
- Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992;
- Planning Practice Guidance (2014).

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

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 TC1: Town Centre;  
Policy TC3: Centre West Major Opportunity Area;  
Policy TC4: Station Gateway Major Opportunity Area;  
Policy TC5: Central Core Major Opportunity Area;  
Policy TC6: Northgate Major Opportunity Area;  
Policy TC7: Marshgate Major Opportunity Area;  
Policy TC8: Town Centre Shopping Area;  
Policy TC9: High Street Shopping Area;  
Policy TC10: High Street Primary and Secondary Frontages;  
Policy TC11: New convenience retail provision;  
Policy TC13: Retail Impact Assessments  
Policy IT4: Transport Assessments and Travel Plans;  
Policy IT5: Parking and Access

### **6.5 Supplementary Planning Document**

- 6.5.1 Council's Car Parking Standards SPD (2012)

### **6.6 Community Infrastructure Levy Charging Schedule**

- 6.6.1 Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floorspace of a development.

## **7. APPRAISAL**

- 7.1 The main issue for consideration in the determination of this application is whether the proposed modification of Clause 7 attached to the S106 agreement of planning permission 2/0231/93 is acceptable in accordance with the retail, highways and parking policies set out in the NPPF and the adopted Local Plan (2019).

### **7.2 Planning Policy Considerations**

- 7.2.1 Through Section 106a part 6(b) of the Town and Country Planning Act (1990), an application can be made to the Local Planning Authority to determine whether a planning obligation, in this case clause 7 (goods restrictions), shall continue to have effect without modification. This application has therefore been submitted, in accordance with the Town and Country Planning (Modifications and Discharge of

Planning Obligations) Regulation 1992, to seek approval to allow the former Mothercare store at Unit 2, Monkswood Retail Park to be lawfully occupied by The Food Warehouse, which is an out of centre foodstore format operated by Iceland Foods Ltd (Iceland).

#### Retail impact and the Sequential Test

7.2.2 The NPPF reaffirms the Government's objectives for ensuring the vitality and viability of town centres. For proposals that are not in an existing centre, the NPPF states that a sequential test must be undertaken giving preference to town centre sites and then edge of centre sites before consideration is given to out of centre sites. For reference, under Annex 2: Glossary of the NPPF identifies that retail development is a main town centre use. Additional to this, the NPPF states that for proposals of this nature (above the default threshold of 2,500m<sup>2</sup> – if there is no locally set threshold) an impact assessment must be undertaken which has to consider the following:-

a) the impact of the development on existing, committed and planning public investment in a centre or centres in the catchment area of the proposal; and

b) the impact of the development on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment.

7.2.3 The Planning Practice Guidance (PPG) (2014) reaffirms the 'town centre first' principle, that compliance with the sequential and impact tests does not guarantee that permission will be granted and that the Local Planning Authority will have to take into account all material considerations in reaching a decision. With regards to the sequential test, the PPG states that the applicant must demonstrate flexibility. A town centre site does not have to accommodate precisely the scale and form of the proposed development and consideration should be given to the contribution that more central sites are able to make.

7.2.4 Policy TC13: Retail impact assessments of the adopted Local Plan (2019) states that for main town centre uses, an impact assessment is required for any proposal in excess of 300m<sup>2</sup> for main town centre uses located outside of the town centre. This policy goes on to state that this should include an assessment of:

i. The impact of the proposal on existing, committed and planned public and private investment in centres in the catchment area; and

ii. The impact of the proposal on town centre vitality and viability, including consumer choice and trade in the Town Centre and wider area, up to five years from the time that the application is made. For major schemes, where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time that the application is made.

7.2.5 To address the two tests, the applicant has submitted a Planning Statement and Retail Statement dated February 2020. This document contains a significant amount of technical information and judgements on the suitability and availability of alternative sites and the likely impacts from the proposed development. These have been carefully assessed in the following sections of this report.

#### Sequential Assessment

7.2.6 To give some background, the proposed modification to the S106 agreement attached to planning permission 2/0231/93 would allow The Food Warehouse (TFW), who are looking to take out a long-term lease on the premises, to trade from the store. The modification in this instance would allow TFW as part of their business model, to sell a

wide range of chilled and frozen products, together with fresh produce (fruit, salad, vegetables), branded grocery lines and a range of beverages and alcoholic drinks. In essence, the retailer offers include “big produce packs”, which enable customers to buy certain products in bulk such as 5kg sacks of pet food and 10 litre bottles of cooking oil, and “Case Saver” deals aimed at families who want to stock up on frozen food and infrequent, large bulk shops. The store can be described as a hybrid of a “cash and carry” and a traditional foodstore, offering budget buys alongside competitively priced goods. As such, the modification to the legal agreement would allow TFW to legally trade the goods outlined above from the application site.

- 7.2.7 TFW also has a non-food retail offer which is ancillary to the convenience offer and comprises a limited range of seasonal goods and ‘special buys’. The availability of which is generally restricted as with discounters such as Aldi and Lidl. In contrast to the traditional “high street” Iceland stores, which are generally half the size of a TFW store, these “high street” stores are more orientated towards top-up/basket shopping whereas TFW format is targeted at providing main (bulk) food shopping opportunities.
- 7.2.8 Given the above, the existing Iceland store which is located within The Forum, Stevenage Town Centre, is to be retained. The ideology is that the two stores would complement each other with the much larger store sited in the Monkswood Retail Park providing a bulky offer with a larger footprint than the existing store.
- 7.2.9 In regards to locational criteria, the second store would not be able to operate within the town centre as there is the potential for store cannibalisation (Where a second store opens up in close proximity to an existing store and the existing store losing customer base to the new store). Therefore, the area of search for the second store would be followed by sites at edge-of-centre locations when assessing the ‘sequential’ preference of more central opportunities.
- 7.2.10 In considering the suitability of alternative sites, it is necessary to have regard to the characteristics of any site that must be met in order to satisfy the applicant’s business model. The definition of “suitability” is pertinent in the consideration on flexibility of format and scale. This definition has been clarified by the Supreme Court in *Tesco Stores v Dundee City Council*. Since this time, the judgement has been recognised by the High Court, Secretary of State and Inspectors as being applicable to the NPPF. In the Dundee judgment, it identifies that provided the applicant has demonstrated flexibility with regard to format and scale, the question is whether the alternative site is suitable for the proposed development, not whether the proposed development could be altered or reduced so that it can be made to fit the alternative site.
- 7.2.11 The aforementioned is important in the case of this application, as there is no requirement in either the NPPF or Planning Practice Guidance for applicants to demonstrate scope of disaggregation. This was confirmed in the *Warner Retail (Moreton) Ltd v Cotswold District Council* Court of Appeal Decision in 2016 as well as by the Secretary of State in his appeal decisions. The *Mansfield Judgment (Aldergate V Mansfield DC & Anor 2016)* affirms that, in applying the sequential test, the decision maker will generally be required to consider the type and format of the proposed development, rather than the requirements of any specific named operator. It identifies that the area and sites covered by the sequential test search should not vary from applicant to applicant according to their identify, but from application to application based on their content.
- 7.2.12 In accordance with the above case law and with the requirements of paragraph 87 of the Framework, the applicant is required to look at the format and space requirements of the new store so that opportunities to utilise suitable town centre or edge-of-centre sites are fully explored. The applicant has advised that firstly, the store would require a floor space of between 1,273 sq.m to 1,555sq.m (showing a degree of flexibility) in

order to meet the business model of TFW. Further, the format, space requirements and need for adjacent car parking are all key factors for the out-of-town store. Given the requirements of the proposed store, the applicant is only required to consider sites which can accommodate the entirety of the floor space required by TFW, i.e. at a minimum of 1,273 sq.m. The sequential assessment when considering available sites would have to take into account the following Guidance Principles:

1) Availability – whether a site is currently available or are likely to become available for development within an acceptable timeframe.

2) Suitability – with due regard to the requirements to demonstrate flexibility, whether sites are suitable to accommodate the need or demand which the proposal is intended to meet.

3) Viability – whether there is a reasonable prospect that development will occur on a site at a particular point in time. However, the importance of demonstrating viability of alternative depends in part on the nature of the need and timescale over which is to be met.

7.2.13 Further to the above, the Guidance states that if the applicant asserts that the proposal by virtue of its nature is locationally specific and cannot be accommodated in a more central location, or that it is not possible to adopt a flexible approach to accommodate any need/demand more centrally to justify the applicant's position, then this has to be taken into consideration in the determination of the application.

7.2.14 The applicant, as specified earlier in the report, could not operate a store within the town centre due to conflict with the existing store. However, for completeness, they have assessed a number of vacant units, including those identified by Officers, in the town centre. In addition, the applicant has reviewed available sites in the Old Town as well as the town's neighbourhood centres. Taking into consideration the advice in the PPG and associated Case Law, the Local Planning Authority has considered the above sites in detail.

7.2.15 Starting off with the Town Centre, in relation to Park Place, retail space delivered under planning permission 16/00511/FPM is divided into two retail blocks of 975 sq.m each. These represent less than 69% of the required floorspace which is the subject of this planning permission. As such, they would be unable to accommodate the proposed development without detrimentally impacting on the applicant's business model. Turning to 85 to 103 Queensway (including the former M&S store), there is currently a planning permission (18/00268/FPM) which comprises 10 retail units (ranging from Use Class A1 to A4) and a gymnasium (Use Class D2). The units range in size from 112 sq.m up to 790 sq.m which are, therefore, not suitable to accommodate the proposed development. With respect to units 74, 76, 86 and 88 Queensway which are currently vacant, these units range between 219 sq. to 240 sq.m in floor area. Consequently, these units are not of a sufficient size to accommodate the proposed development.

7.2.16 In relation to 33 Queensway, whilst this unit is vacant and comprises 269.49 sq.m of floorspace, it is also currently being subdivided into smaller units (Planning Permission 19/00563/FP), as such, this premises would not be able to accommodate the proposed development. Turning to the former BHS store, this unit has been vacant since August 2016 and has remained vacant to date. The unit currently has a floorspace of 2,340 sq.m which would be of a sufficient size to accommodate the proposed development. However, the Council currently has an application (Planning reference:- 19/00647/FPM) for the partial demolition and redevelopment of the store to create an 11 storey building comprising of 520 sq.m of ground floor retail with 277 residential units. Given this, whilst this site is vacant, there are aspirations to redevelop this site

for residential uses where the proposed quantum of retail floorspace is significantly lower than the identified minimum. As such, the unit cannot be considered immediately available for the purposes of the sequential test.

- 7.2.17 Further to the above, the overall floorspace of the existing BHS store is significantly larger than the maximum floorspace required for the proposed development. This would result in a significant amount of underutilised floorspace. As such, this site is also considered unsuitable in terms of floorspace requirements. In addition, and as mentioned earlier in the report, the proposed development would complement the existing in centre store which is smaller in size and with a different business model to the proposal. The former BHS unit is positioned directly opposite the existing Iceland store and, therefore, it would be unviable to co-locate the proposed development adjacent to an existing food store by the same company. As such, this could lead to cannibalisation of the existing store if the proposed development was delivered in close proximity to the existing Iceland store. Moreover, as per the business models requirements, the store is not located adjacent to a surface car park which are fundamental to how the business operates, the unit is not deemed as a viable option. In addition to this,
- 7.2.18 The applicant has also reviewed the former Office Outlet premises on Fairlands Way which closed in January 2019. These premises currently have a floorspace of 1,790 sq.m, which could potentially accommodate the proposed development. However, as set out in paragraph 7.2.17, due to this site's proximity to the existing Iceland store, it would not be acceptable to co-locate as it would have a detrimental impact upon the existing store. In addition, the floorspace provision exceeds the requirements of the proposal and whilst it comprises a 45 space parking area, this is below the 100 parking space requirement in order for the development to viably operate. As such, this site is not considered to be sequentially preferable to accommodate the proposed development.
- 7.2.19 Looking at the Matalan site, in October 2017 the Council granted outline planning permission (14/00559/OPM) for a residential development of up to 526 residential units and commercial units Class A1 (Retail), Class A2 (Professional and Financial), Class A3 (Restaurant) and A4 (Drinking Establishment) and A5 (Hot Food Take-away) with associated landscaping following demolition of the existing building. Whilst it is evident there are aspirations to redevelop the site, this application has yet to be implemented with no timeframes on delivery. In addition, the existing Matalan store is still operating and as such, the site is not considered suitable or viable.
- 7.2.20 Turning to the Stevenage Town Centre Regeneration 2007 Proposal, this achieved a resolution to grant planning permission in January 2012, subject to the completion of a S106 agreement, which to date, has not been signed. The proposal sought to redevelop the bus station and the surrounding underutilised sites. Approximately 45,000m<sup>2</sup> floorspace was proposed, including a department store, a hotel and residential units. The regeneration scheme does not include the provision of a retail warehouse or a specific sized unit to accommodate the proposed development. In addition, the proposed development partnership has withdrawn their interest in the scheme. Given this, it is considered that this proposal is neither available within the necessary timeframe required by the developer, nor is it viable in terms of the costs of implementing the scheme. Accordingly, this scheme does not represent a sequentially preferable site.
- 7.2.21 Turning to current planning application which relates to the regeneration of Stevenage Town Centre known as SG1 (Planning reference:- 19/00743/FPM), this application was submitted to the Council for the following:-

*The demolition of existing buildings on the site and the mixed use redevelopment of Plots A-K including new retail and food and beverage uses (A1-A5), leisure (D2), office (B1), community (D1) and residential (C3). New buildings to comprise residential accommodation (Class C3), retail floorspace Class (A1/A2/A3/A4/A5 floorspace), leisure floorspace (D2), office floorspace (Class B1), Public Services Hub (Class D1/B1/A1/A3), primary school (D1), plant and storage, servicing, new vehicle and pedestrian accesses and circulation, new public amenity space, new and amended car parking, new landscaping and public realm and associated works. Full details (access, appearance, landscaping, layout and scale) are submitted for Plots A and K and all matters reserved for Plots B to J.'*

7.2.22 As this is a hybrid application, the detailed elements of the scheme with respect to phase one relate to Plots A (Swingate House and Car Park) and Plot K (Former Police Station and Hertfordshire County Council Offices). For phases two to four (Plots B to J), this part of the scheme is in outline with all matters reserved. The detailed plans for Plots A and K, include the provision of 760 residential units and 151 sq.m of retail/restaurant floorspace. With respect to the outline element (with all matters reserved) of the hybrid application, whilst the application does not specifically include floorspace figures for retail development, it is confirmed that the ground floor commercial space includes a range of Use Class A1 to A5 premises located at the northern end of the SG1 site.

7.2.23 Taking the aforementioned into consideration, in regards to the first phase of development, there would be an insufficient quantum level of floorspace to accommodate the proposed development. In regards to the latter phases of the development, the provision of a food store which operates as a cross between a cash and carry and large format warehouse style foodstore, would not be consistent with the mixed use aspirations of the proposed SG1 development. In addition, and as mentioned earlier, due to the proximity of SG1 to the existing Iceland store, the proposal would not commercially be viable for Iceland to operate a second store within the town centre. Moreover, if planning permission were to be granted the development would be delivered over a 12 year period. Consequently, the proposed regeneration scheme (SG1) would not be a sequentially preferable site on the basis of suitability, viability and availability.

7.2.24 Upon request of officers, the applicant also reviewed the six Major Opportunity Areas (MOAs) which are detailed in the adopted Local Plan (2019). These areas include the following:-

- Southgate Park;
- Centre West;
- Station Gateway;
- Central Core;
- Northgate; and
- Marshgate.

7.2.25 The more relevant area which could accommodate the proposed development is Northgate Major Opportunity Area (Policy TC6) as it makes reference to the delivery of a new foodstore. For reference, this policy states that planning permission will be granted where it included, but not limited to, new Class A1, A3 and A4 uses and the replacement Use Class A1 major food store. The supporting text of PolicyTC6 makes reference to the Tesco Extra Store, but, it does set out that this site is unlikely to come forward until the end of the plan period, transitioning into the post 2031 period. Consequently, as the application site is currently vacant and available for occupation, the Northgate MOA is not considered to be a sequentially preferable site on the basis of availability.

- 7.2.26 With regards to the Old Town, the only vacant premises of notable size is 74 and 74a High Street which is the former Waitrose. This property was vacated in October 2019 with the two units comprising 600 sq.m and 760 sq.m. The unit is being marketed as two separate units as the intention is for it to be split, combined with the fact the unit is under two separate ownerships. Consequently, these units would not be of a sufficient size to accommodate the proposed development as they are significantly below the stores requirements. In addition, whilst there is a pay and display car park to the rear, this is not suitable to a value food operator and would not satisfy the requirements of the business model. As such, whilst the units are vacant, they are not deemed sequentially preferable on the basis of suitability or viability.
- 7.2.27 In reference to the Town's Local and Neighbourhood Centres, as set out under Policy HC1 of the adopted Local Plan (2019), there are 7 neighbourhood centres, 7 local centres and 1 district centre. In addition to this, Policy SP4 of the adopted Local Plan (2019) also sets out the provision of convenience floorspace in the strategic developments North and West Stevenage along with south-east Stevenage. Dealing with the existing neighbourhood centres, local centres and district centres, none of these are suitable to accommodate the proposed development due to its overall business model requirements. In addition, with regards to the strategic sites, these are identified for small scale convenience stores and as such, the proposed development would not be suitable within the strategic sites.
- 7.2.28 Taking the aforementioned assessment into consideration, it is noted that the BHS site and Office Outlet are more suitable locations to support the proposed development. However, given Iceland operate a store which is within 200m, the BHS and Office Outlet sites are not suitable for the proposed operator. Consequently, the Sequential Test which has been submitted by the applicant sufficiently demonstrates that there are no sequentially available sites within the town centre. Furthermore, as mentioned in paragraphs 7.2.6 to 7.2.8 there is an existing Iceland which operates from the Forum in the town centre which is to be retained. Therefore, the applicant has sufficiently demonstrated in accordance with the NPPF and associated guidance that Unit 2, Monkswood Retail Park is the only sequentially acceptable site to allow The Food Warehouse to operate from. Consequently, the sequential test is considered to be acceptable and in accordance with the NPPF (2019) and the Council's adopted Local Plan (2019).

#### Impact Assessment

- 7.2.29 Paragraph 89 of the NPPF identifies that planning applications for retail development outside a town centre, not in accordance with an up to date Local Plan, should be assessed in terms of the following impacts on centres:
1. The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
  2. The impact of the proposal on town centre vitality
- 7.2.30 Confirmation of how the retail impact test should be used in decision taking is set out in paragraph 17 of the 'Planning for Town Centre Vitality and Viability' section of the NPPG. The guidance states that the impact test should be undertaken in a proportionate and locally appropriate way, drawing on existing information where possible. The NPPF also advises that when assessing applications for *inter alia* retail outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if a development is over a proportionate, locally set floorspace threshold. As set out under paragraph 7.2.4 Stevenage Borough Council has a locally set threshold set threshold of 300m2.



- 7.2.31 An assessment of impact is essentially determined by the projected turnover of the proposed development, where this trade will be drawn from and the ability of the existing centres to absorb the predicted impact. The assessment should include the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area and the impact of the proposal on a town centre's vitality and viability.
- 7.2.32 In respect to the first test, the applicant has undertaken health checks in each of the centres of the study area. The applicant's assessment focuses on the existing, committed and planned public and private investment scheme within the centres outlined in the study area. Where schemes have been committed (developments with planning permission), these have been assessed as part of the impact assessment as well. With regard to the second test, the town centre health checks are important to set a baseline so that the relative value of any impact can be fully assessed.
- 7.2.33 Based on the information provided, the proposed development, using the applicant's business model and existing operations, would have an estimated sales density of £7,268 per sq.m. With this in mind, the ground floor unit extends to 1,414 sq.m, with an estimated gross/net split of 80/20 (up to 20% of the sales floorspace is anticipated to be used for comparison goods) and as such, will have a sales floor area of 1,131 sq.m (283 sq.m is back of house). This equates to a turnover at the store of around £8,220,108 (£7,268 x 1131) at 2019 (in 2017 prices) which is considered to be the base year of this assessment. This scenario is considered to be robust and acceptable as a similar sales density was agreed for the Lichfield Scheme (Planning Reference:- 19/01273/FULM). For reference, this store would also have a sales density of £7,268 sq.m.
- 7.2.34 In terms of the "Design Year" (the year the proposal has achieved a mature trading pattern), the applicant is looking at this to be 2021 for their assessment. This is considered to be acceptable as it is a three year window between 2019 to the first full year of trade in the TFW development. The applicant estimates the turnover to be £8.24m (adopting an annual growth rate of 0.1% annual) which is considered to be reasonable. The Council's Retail Study prepared in 2014 estimates the total turnover of £524.2m for Stevenage Town Centre in 2021. This puts into context the limited scale of the proposal and even assuming the unlikely scenario that the whole of the proposed development's turnover is derived from Stevenage Town Centre, this will have an impact of 1.5% on the total turnover of the town centre. This is not considered to be significantly adverse to the town centre.
- 7.2.35 In more realistic terms, the development will not draw all of its trade from the town centre due to its very nature, but it will instead trade draw from large convenience stores across the catchment area of Stevenage which includes Tesco's superstore and Asda superstore. It must be noted that the existing unit can be occupied by a wide range of alternative non-food providers under the existing consent for the premises which could generate a greater trade draw from the town centre. In terms of trade draw outside of the catchment area, this is expected to be in the region of 5% to 10%. Stevenage has a fairly wide catchment area given the quantum of existing town centre retail and leisure offer, which will continue to be expanded further through the various regeneration schemes being progressed, so an estimate of 5%-10% is considered realistic.
- 7.2.36 Therefore, it is evident that the proposal, due to its modest scale, will not have any perceptible impact on the vitality and viability of Stevenage Town Centre, and will not have any discernible impact on existing convenience or comparison shopping patterns due to the proposals limited scale.

### Impact on Investment

7.2.37 Paragraph 89 of the NPPF states that, in assessing impact, account should be taken of the impact the proposal would have on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal. This is reflected in Policy TC13 in the adopted Local Plan (2019). Paragraph 15 of the NPPG notes that where wider town centre developments or investments are in progress, it will be appropriate to assess the impact of relevant applications on that investment. Key considerations will include:

- The policy status of the investment;
- The progress made towards securing the investment;
- The extent to which an application is likely to undermine planned development or investment based on the effect on current/forecast turnovers, operator demand and investor confidence.

7.2.38 Taking into consideration of the above, as set out in paragraph 7.2.21 of this report, there was a resolution to grant planning permission, subject to the completion of a S106 agreement, which to date, has not been signed, for the regeneration of the town centre. This scheme was a mixed use retail-led development which would have helped to reinforce the town centres key position in Hertfordshire. However, as mentioned earlier in the report, the proposed development partnership has withdrawn their interest in the scheme. As such, whilst a scheme based on the major redevelopment of the town centre could be resurrected, it is likely that the delivery of such scheme would be many years away.

7.2.39 More recently, the Council currently has an application (Planning Reference:- 19/00743/FPM) as referenced in paragraph 7.2.23 of this report, for large scale residential led regeneration of Stevenage Town Centre which also incorporates mixed use retail provision. However, this application is yet to be determined by the Council as the Local Planning Authority. If this application were to be granted by the Council, it would be a project which would be delivered over a number of phases in which the first phase (Phase One) provides a small element of retail floorspace with this phase predominantly incorporating residential floorspace. The later phases of the scheme would also be predominantly residential led with no designated floorspace for large format food retail store. As such, it is not considered the scheme would impact on this investment. This is a similar situation for the BHS and Matalan Schemes and it is not envisaged the scheme would impact on these investments.

7.2.40 With regards to the MOAs identified in the adopted Local Plan (2019), the only MOA which is identified for large scale food retailer is Northgate. However, as detailed in paragraph 7.2.28, this would be delivered at the latter end of the Local Plan period, around 2031 and there are currently no timescales for when this part of the town would be redeveloped. Therefore, it is not considered the proposal would impact on any future investment on parcels identified in the Local Plan for development. Furthermore, as these schemes come forward, they would establish Stevenage Town centre as the primary retail shopping destination in the area.

### Other Retail Policy Issues

7.2.41 The NPPG states that compliance with the sequential test and impact tests does not guarantee that permission will be granted and that the local authority will have to take into account all material considerations in reaching a decision. Additionally, paragraph 87 of the NPPF (2019) states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre.

- 7.2.42 It is agreed that the application site is out of centre and the site is 1km to the south of the town centre. However, the site is considered fairly accessible by modes of transport other than the private car as there are bus stops in close proximity on Monkswood Way and London Road which connect to the town centre. There are also good footpath and cycleway links to the site from the town centre, taking approximately 10 minutes to walk to the site from the town centre and approximately 5 minutes to cycle.
- 7.2.43 The proposed development would also seek to re-occupy a vacant, underutilised retail unit which has been on the market for approximately 4 months following Mothercare going into Administration in November 2019. The applicant has also confirmed that the development would help to provide between 20 to 25 new job opportunities as well as investment into the store in order to bring the store to operational use. Given this, the proposal would help to ensure all of the units within Monkswood Retail Park are occupied.
- 7.2.44 To conclude this section on retail planning policy, it has been demonstrated that the application passes both the sequential test and the retail impact test. It has been shown that the proposal would not have a negative impact on town centre turnover and it is considered that the town centre is reasonably healthy to absorb any potential impact. Finally, there are no sequentially preferable sites within the town centre framework area which would be able to support the proposed development. Therefore, the conclusion has been reached that the proposal is acceptable in retail planning policy terms.

### 7.3 Community Infrastructure Levy

- 7.3.1 The development is liable for Community Infrastructure Levy under the Council's adopted Charging Schedule (2020). The CIL Charging Schedule specifies a payment for new floorspace in line with the following rates (plus appropriate indexation):

Development Type	CIL Rate (£ per square meter)	
	Zone 1: Stevenage Central, Stevenage West Urban Extension and North of Stevenage Extension	Zone 2: Everywhere else
Residential		
Market housing	£40/m <sup>2</sup>	£100/m <sup>2</sup>
Sheltered housing	£100/m <sup>2</sup>	
Extra care housing	£40/m <sup>2</sup>	
Retail development	£60/m <sup>2</sup>	
All other development	£0/m <sup>2</sup>	

- 7.3.2 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.
- 7.3.3 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has

been submitted along with the application. For this development, the CIL liability would be £0 as no new floorspace is being created.

#### **7.4 Highway safety and parking implications**

- 7.4.1 The retail park is currently served off Elder Way which connects to the A602 Monkswood Way which is a dual carriageway. The road serves Monkswood Retail Park as well as the Roaring Meg Retail Park. Monkswood Retail Park is served by a spur road off Elder Way. The park is split into three parcels, there is the McDonalds drive thru as one parcel, the former Mothercare and Home Bargain units make up the second and the third parcel is Jollyes, Topps Tiles and Mattressman. The proposed development does not seek to extend or alter any of the existing access arrangements which serve Monkswood Retail Park and the application property itself.
- 7.4.2 Given the above, all of the vehicular traffic to and from the site would be from Elder Way where vehicles will either turn left into Roaring Meg Retail Park or right onto Monkswood Way. The existing road network is sufficient to accommodate two-way traffic, including rigid vehicles. The visibility splays of the existing access points, both vehicle-to-vehicle and pedestrian inter visibility splays accord with Dft Manual for Streets and Hertfordshire County Council (HCC), Roads in Hertfordshire Design Guide. Therefore, vehicles entering and egressing should not prejudice the safety and operation of pedestrians, cyclists and vehicles utilising the highway network generally.
- 7.4.3 In assessing traffic generation, the applicant's transport consultant has produced a transport assessment which incorporates details of proposed traffic generation for weekdays and weekends. In order to identify a base traffic flow, traffic surveys were undertaken in November 2019. The exit/entry counts identified 530 two-way movements (232 arrivals and 268 departures during the weekday PM Peak hour (17:00 to 18:00) and 660 two-way movements (333 arrivals and 327 departures) during the Saturday Peak Hour (12:00 to 13:00).
- 7.4.4 The assessment also comprises of a future year assessment of model in order to inform the potential future impact of the development on the surrounding highway network. This has been completed using TRICS (Trip Rate Information Computer System) which is a National Traffic Generation Database in order to predict the amount of traffic that would be generated by each individual use. This software was used to firstly identify, what the trip rates would have been for the previous use as Mothercare and then what the future trip rates would be.
- 7.4.5 The assessment identified that for the previous use as a Mothercare Store which had a floor area of 1,683 sq.m, the trip rates in the AM Peak (08:00 to 09:00) would be 2 two-way trips (2 arrivals, 0 departures) and the Weekday Peak (13:00 to 14:00) of 43 two-way trips (21 arrivals, 22 departures). In regards to the PM Peak (17:00 to 18:00), there would have been 33 (15 arrivals, 18 departures) and the Saturday Peak (12:00 to 13:00) of 131 two-way trips (66 arrivals, 65 departures). Turning to the proposed development which comprises of 1,414sq.m of retail floor space (as mezzanine will be removed), this would generate in AM Peak 55 two-way trips (33 arrivals, 22 departures) and the Weekday Peak 118 trips (54 arrivals, 64 departures). In regards to the PM Peak, there would be 118 trips (58 arrivals, 60 departures) and the Saturday Peak of 158 two-way trips (79 arrivals, 79 departures).

- 7.4.6 Based on the aforementioned, in the AM Peak, there would be an increase of 31 arrivals and 22 departures. In the PM peak, there would be an increase of 43 arrivals and 42 departures. On the Saturday Peak, there would be an increase of 13 arrivals and 14 departures. However, these represent the gross number of trips associated with the existing permitted non-food retailer and the proposed discount food retailer. Therefore, other factors have to be considered such as shopping being a discretionary trip where people have a choice of when, where and how they travel with trips which are classified as follows:-
- Diverted trips which are those that are diverted from an existing destination with the new destination deemed more convenient. These trips typically will still be new to the immediate network unless diverted from an adjacent store such as ASDA to the north;
  - Linked trips where people will visit another destination on the park and or immediate vicinity. It is established that there are higher proportions of linked trips in areas where there are greater concentrations of retail such as in the immediate area;
  - Pass-by trips which are on the road network that visit as a result of the proposed development with higher proportions during peak period and on busier roads such as the A602;
  - Pass-by diverted trips that are diverted from nearby streets such as Broadhall Way and Six Hills Way;
  - New trips which are considered new to the network and will generally be a destination for food shopping which would have occurred in any event.
- 7.4.7 Based on the information provided and taking the aforementioned into consideration, the applicants Transport Consultant undertook additional modelling. This suggested that there would be 37 additional new trips (21 arrivals, 16 departures) during the morning peak, 51 additional new trips (26 arrivals, 25 departures) in the evening peak and 3 additional trips (1 arrival, 2 departures) during the Saturday peak hour. With regards to trip distribution, the modelling has identified that the greatest level of trips would occur on Monkswood Way to the south of Elder Way with increases of one additional vehicle every 3 to 4 minutes northbound. However, the anticipated increases would not result in any changes in traffic conditions on the local or wider network.
- 7.4.8 In terms of parking, in accordance with the Council's Parking Standards SPD (2012), the existing use (non-food retail) would have required 1 space per 20m<sup>2</sup> of gross floor area. Given this, there would have been a requirement to provide 85 parking spaces. However, as the site is located in non-residential accessibility zone 2, as such the overall maximum parking requirement would be between 25-50%. This equates to a requirement of between 22 and 44 spaces. Turning to the proposed development, the parking standard for a food retail store is 1 space per 18m<sup>2</sup> of gross floor area. Given this, there would be a requirement to provide between 20 and 40 spaces.
- 7.4.9 There are currently 258 parking spaces, including 14 disabled spaces and 4 spaces for use by parents with young children serving Monkswood Retail Park. Of these, 168 spaces are located to the front of Home Bargains and the former Mothercare units, 61 spaces in front of Jollyes, Topps Tiles and Mattressman with the remainder of the parking (29 spaces) associated with the Mc Donald's store.
- 7.4.10 The applicant has provided a parking survey (undertaken in November 2019) of the existing parking spaces serving Monkswood Retail Park which identified a peak occupancy of 198 spaces (77%) on Saturday afternoon (14:00). In terms of demand, it is anticipated the proposal could increase demand of addition 25 spaces during the weekday afternoon, and 10 additional spaces during the Saturday afternoon for the proposed development when compared to the existing assuming an average stay of 45 minutes. These are both calculated as follows:-

#### Weekday Afternoon

- Existing non-food use:- 21 arrivals = 16 spaces;
- Proposed food use:- 54 arrivals = 41 spaces;
- Difference:- 25 spaces.

#### Saturday Afternoon

- Existing non-food use:- 66 arrivals = 50 spaces;
- Proposed food use:- 79 arrivals = 60 spaces;
- Difference:- 10 spaces.

- 7.4.11 Given the above, it is considered that the proposal would not impact on the availability of parking at peak times under normal trading conditions as the existing car park has more than sufficient capacity to accommodate the proposed development. In relation to cycle parking, there would be up to 6 bicycles in the form of 3 Sheffield stands in the vicinity of the store entrance. This would help to encourage staff to modal shift away from the private car.
- 7.4.12 In relation to deliveries and refuse, all of these would take place via the service yard to the rear of the building which can accommodate articulated HGVs. The proposal does not include any changes to the delivery strategy and in terms of numbers, the store would receive 1 to 2 deliveries per day. This will increase up to 3 deliveries per day during peak trading periods such as the run up to Christmas. In terms of waste, this would be collected at the same time as per the existing retail units.
- 7.4.13 Taking the aforementioned into consideration, whilst there would be an increase in vehicle movements, the development would not result in any significant change to the flow of traffic on the existing highway network. In addition, there would be more than sufficient car parking capacity within the retail park to accommodate the proposed development. Given this, Hertfordshire County Council as Highways Authority do not raise any objections to the proposal as they consider the development would not prejudice the safety and operation of the highway network.

## **8. CONCLUSIONS**

- 8.1 This application proposes to alter the wording of the agreed S106 and, in accordance with the above, the modification of the wording of the S106 is considered to be acceptable. Such a modification has been sufficiently supported by an acceptable 'Sequential Test' which demonstrates that there are no sequentially suitable sites within the town centre, and it would not have a negative impact on the vitality and viability of the town centre. In addition, it would ensure that a vacant retail unit would be brought back into use and provide additional employment for the area and would not prejudice highway safety. As such, the proposed modifications to the agreement accord with the provisions of the adopted Local Plan (2019), the NPPF (2019) and PPG (2014).

## **9. RECOMMENDATIONS**

- 9.1 That the Committee agree to the variation to Clause 7a (goods restriction) of the S106 agreement to delegate authority to the Assistant Director of Planning and Regulation in conjunction with the Council's appointed Solicitor, to agree the precise wording of the variation to the S106 agreement.

## **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 and Stevenage Design Guide adopted October 2009.
3. Stevenage Borough Local Plan 2011 – 2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2019.
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.

This page is intentionally left blank



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

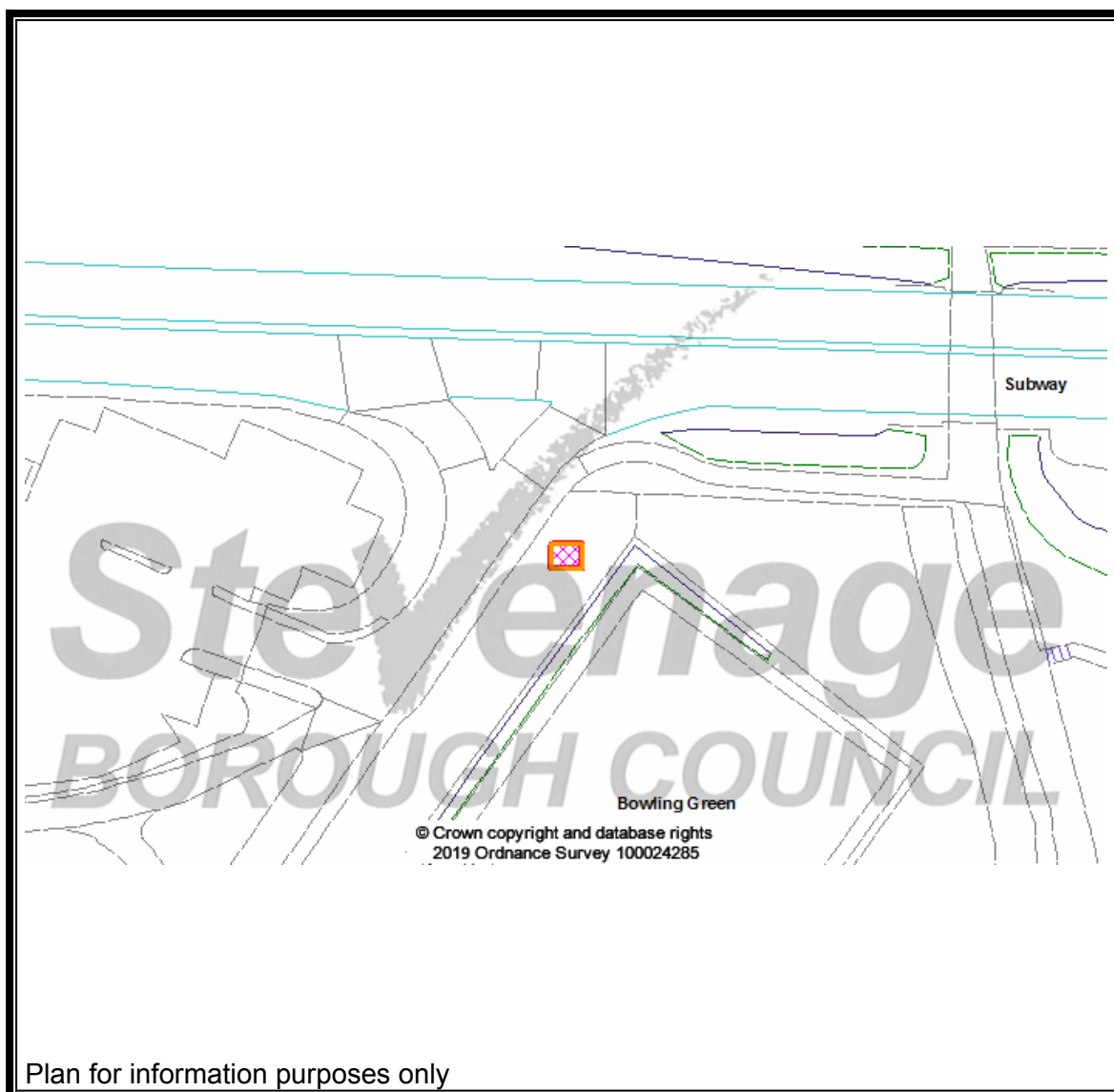
**Date:** 26 May 2020

**Author:** James Chettleburgh 01438 242266

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

**Contact Officer:** James Chettleburgh 01438 242266

Application Nos:	20/00085/AD
Location:	Shephalbury Park, Broadhall Way, Stevenage, Herts.
Proposal:	Erection of 1 no. 6m high flagpole.
Drawing Nos.:	'Location of Flag' and 'Flag Details'.
Applicant:	Stevenage Borough Council
Date Valid:	06 February 2020
Recommendation:	GRANT ADVERTISEMENT CONSENT



## **1. SITE DESCRIPTION**

- 1.1 The application site is located at the northern end of Shephalbury Park which is designated as Principal Open Space under the adopted Local Plan (2019). The park itself is accessed from Broadhall Way (A602) with various pedestrian access points from the surrounding residential estates.
- 1.2 At the north-western edge of the park is the Shephalbury Sports Academy which comprises the main academy building and associated 3G football pitches. To the east of the academy is the Bowling Green and clubhouse and to the south of this are the enclosed tennis courts. The park also comprises the Council's Depot as well as The Coptic Orthodox Church and associated buildings. The surrounding area is characterised by a mixture of two-storey terraced and semi-detached properties which are set within rigid building lines. These properties are generally constructed from brick with pitched roofs clad in concrete inter-locking roof tiles.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 Planning application 07/00659/FP sought permission for the erection of new sports pavilion and associated car parking area. This application was granted planning permission in November 2007.
- 2.2 Tree Preservation Order application 07/00789/TPTPO sought consent for a 30% crown reduction to 1 no. Oak Tree. Consent was granted in January 2008.
- 2.3 Planning application 08/00409/REG3 sought permission of new sports changing facilities and community hall with associated car parking and landscaping following the removal of existing temporary facilities. This application was granted planning permission in October 2008.

## **3. THE CURRENT APPLICATION**

- 3.1 The current application seeks advertisement consent for the proposed erection of 1 no. 6m high flag pole. The flag pole would be constructed from fibreglass with a hinged base plate. The proposed flag would be cloth with white lettering on a green background. The flag would measure 90cm in height by 180cm in width with the maximum height of the lettering being 11cm and the maximum height of the green flag symbol being 77cm. The flag would read "Green Flag Award" and include the green flag symbol of two figures and a tree.

## **4. PUBLIC REPRESENTATIONS**

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

## **5. CONSULTATIONS**

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

- 5.1.1 The proposal would be located adjacent to a private road on land in control of the applicant offset from Broadhall Way that is designated as the A602 Principal Main Distributor Road that is subject to a speed limit restricted to 40 mph.
- 5.1.2 The sign is proposed adjacent to a public highway. Given that the flag is set back from the public highway it is considered that the proposal would not affect drivers along the adjacent highway the flag would not be a significant highway safety issue. The flag is

set at a sufficient height for the head clearance of pedestrians consequently the proposal is considered acceptable in highway terms.

## **6. RELEVANT PLANNING POLICIES**

### **6.1 Background to the development plan**

6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the decision on the planning application should be in accordance with the development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- The Stevenage Borough Council Local Plan 2011-2031
- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014); and
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007)

### **6.2 Central Government Advice**

6.2.1 A revised National Planning Policy Framework (NPPF) was published in February 2019. This largely reordered the policy substance of the earlier 2012 version of the NPPF albeit with some revisions to policy. At the time the revised NPPF was published, the Stevenage Local Plan was subject to a Holding Direction by the Secretary of State following an Examination in Public in 2017. On 25 March 2019 the Secretary of State withdrew the Holding Direction on the understanding that the Council would adopt it as part of the Development Plan. The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan be considered up to date for the purpose of determining planning applications.

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 (Adopted 2019)**

Policy SP8: Good Design;  
Policy GD1: High Quality Design;

## **7 APPRAISAL**

7.1 Paragraph 132 of the NPPF states that "...advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts". Therefore, the main issues for consideration in the determination of this application are the effects of the proposal on the visual amenities of the area and also public safety.

## **7.2 Visual amenity**

- 7.2.1 The NPPF (2019) advises that in relation to the impact of an advertisement on visual amenity, the quality and character of places can suffer when advertisements are poorly sited and designed.
- 7.2.2 It is recognised that the proposed flagpole and associated flag is to be located in Shephalbury Park, where there are currently no adverts or signage of this type. However, the flagpole and associated flag relate specifically to Shephalbury Park in which it is located, promoting the fact that the Park has won an award and, as such, is considered to be an appropriate feature. Additionally, the flagpole and associated flag would be set against the backdrop of the existing mature trees. Moreover, the existing academy has a number of advertisement signage promoting the facilities available. As such, the proposal would not appear as an incongruous feature.
- 7.2.3 Given the aforementioned comments, it is considered that the proposed flagpole and associated flag would not have a detrimental impact on the visual amenities of the surrounding area. The proposal would also have to be well maintained to ensure that its visual impact is acceptable over time; this can be achieved through the imposition of a condition.

## **7.3 Public safety**

- 7.3.1 In terms of assessing the impact upon public safety, regard needs to be given to the effect of an advertisement upon the safe use and operation of any form of traffic or transport on land (including pedestrians). With regard to pedestrians, the flag pole would be located near the junction of Broadhall Way (A602) and the access road into the park. The flag pole would also be sited away from the bowling green area and positioned against the back drop of the existing mature trees. In addition, the flagpole is also positioned back from the public footpath which runs along the edge of the spur road off Broadhall Way. Consequently, the proposal would not impede on pedestrians in anyway. Additionally, the flag pole is 6m in height and as such, would not result in any safety issues for pedestrians.
- 7.3.2 Given the proximity of Broadhall Way, Hertfordshire County Council as Highway Authority has been consulted. The Highway Authority, noting that the proposal is to be non-illuminated and is set back from the edge of the highway; do not consider the proposal to have a significant impact on Broadhall Way. Consequently, the proposal is considered acceptable in highway terms.

## **8 CONCLUSIONS**

- 8.1 In conclusion, it is considered that the signage proposed would not have an adverse effect on the visual amenity of Shephalbury Park and would acceptably promote the fact that the Park has been awarded Green Flag status. Additionally, the signage would not present a safety risk to members of the public.

## **9 RECOMMENDATIONS**

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

‘Location of Flag’ and ‘Flag Details’

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

2. This consent shall be for a limited period only, expiring five years after the date of this notice and on or before that date the advertisements shall be removed and the buildings/land restored to its former condition.

**REASON:-** To comply with Regulation 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

3. (A) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitles to grant permission.

(B) No advertisement shall be sited or displayed so as to:-

- i) Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- ii) Obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- iii) Hinder the operation of any device used for the purpose of security of surveillance or for measuring speed of any vehicle.

(C) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

(D) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

(E) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

**REASON:-** In accordance with Regulation 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

## **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 and Stevenage Design Guide adopted October 2009.
3. Stevenage Borough Local Plan 2011 – 2031 adopted 2019.
4. Hertfordshire County Council’s Local Transport Plan 4 adopted May 2019.
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.

This page is intentionally left blank

**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 : 18/00234/FP  
Date Received : 25.04.18  
Location : Boots UK Ltd 54 High Street Stevenage Herts  
Proposal : Erection of 6no. two bed flats with associated car parking to the rear of No.54 High Street.  
Date of Decision : 24.03.20  
Decision : **Planning Permission is GRANTED**
  
2. Application No : 19/00297/FP  
Date Received : 15.05.19  
Location : 11 Valley Way Stevenage Herts SG2 9AB  
Proposal : Erection of 1no. three bedroom dwelling and change of use of amenity land to residential.  
Date of Decision : 26.03.20  
Decision : **Planning Permission is GRANTED**

3. Application No : 19/00475/FP  
Date Received : 08.08.19  
Location : Land To The Rear Of 4 Middle Row Stevenage Herts SG1 3AN  
Proposal : Erection of two/three storey building with Use Class A1 (shop) at basement, ground and first floor level with ancillary flat/office at second floor level.  
Date of Decision : 31.03.20  
Decision : **Planning Permission is GRANTED**
4. Application No : 19/00711/FPH  
Date Received : 05.12.19  
Location : 148 Letchmore Road Stevenage Herts SG1 3PT  
Proposal : Retrospective permission for engineering works to reduce ground levels to rear of dwelling by 250mm and raise ground levels to the rear of the garden by 250mm, including construction of new hardstanding and retaining walls to front and rear.  
Date of Decision : 01.05.20  
Decision : **Planning Permission is GRANTED**
5. Application No : 19/00714/FPH  
Date Received : 06.12.19  
Location : 112 Mildmay Road Stevenage Herts SG1 5SW  
Proposal : Retrospective permission to erect an outbuilding in garden  
Date of Decision : 22.04.20  
Decision : **Planning Permission is GRANTED**
6. Application No : 19/00719/FP  
Date Received : 09.12.19  
Location : A6028/A1072 High Mast (Hitchin Rd) Hitchin Road Stevenage Herts  
Proposal : Installation of a 20 metre high Monopole Antenna and ancillary cabinets  
Date of Decision : 01.05.20  
Decision : **Planning Permission is GRANTED**



7. Application No : 20/00008/FP  
Date Received : 07.01.20  
Location : Unit B2 Roebuck Retail Park London Road Stevenage  
Proposal : Change of Use from class A1 (Retail) to class D2 (Gym)  
Date of Decision : 30.03.20  
Decision : **Planning Permission is GRANTED**
8. Application No : 20/00009/AD  
Date Received : 07.01.20  
Location : Unit B2 Roebuck Retail Park London Road Stevenage  
Hertfordshire  
Proposal : 1no. non-illuminated fascia sign  
Date of Decision : 30.03.20  
Decision : **Advertisement Consent is GRANTED**
9. Application No : 20/00020/NMA  
Date Received : 09.01.20  
Location : Caswell House Cavendish Road Stevenage Herts  
Proposal : Non Material Amendment to vary conditions 1 (approved drawings), 2 (car parking spaces) and 8 (noise impact assessment) attached to planning permission 19/00369/FP  
Date of Decision : 31.03.20  
Decision : **Non Material Amendment AGREED**
10. Application No : 20/00039/TPTPO  
Date Received : 17.01.20  
Location : 26 Shephall Green Stevenage Herts SG2 9XS  
Proposal : Lift crown and reduce height by 20% to 1no. Spruce (T1) protected by TPO 125  
Date of Decision : 01.04.20  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**

11. Application No : 20/00056/RM  
Date Received : 24.01.20  
Location : 7 Chouler Gardens Stevenage Herts SG1 4TB  
Proposal : Reserved matters application pursuant to outline application reference number 18/00704/OP for alterations to the site access  
Date of Decision : 06.04.20  
Decision : **Reserved Matters are APPROVED**
12. Application No : 20/00058/FP  
Date Received : 24.01.20  
Location : Giles Nursery And Infant School Durham Road Stevenage Herts  
Proposal : Single storey extension to existing early years building  
Date of Decision : 25.03.20  
Decision : **Planning Permission is GRANTED**
13. Application No : 20/00062/COND  
Date Received : 27.01.20  
Location : Former Shephall Way Surgery 29 Shephall Way Stevenage Herts  
Proposal : Discharge of condition 3 (materials); 6 (access); 7 (visibility); 15 (wheel washing) and 16 (climate change) attached to planning permission reference number 19/00197/FP  
Date of Decision : 25.03.20  
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.

14. Application No : 20/00064/FP  
Date Received : 27.01.20  
Location : 9 Four Acres Stevenage Herts SG1 3PL  
Proposal : Change of use from three bedroom dwelling to 4 bed House of Multiple Occupation (HMO)  
Date of Decision : 31.03.20  
Decision : **Planning Permission is GRANTED**
15. Application No : 20/00072/FP  
Date Received : 29.01.20  
Location : MBDA UK Six Hills Way Stevenage Herts  
Proposal : Infill of courtyard to building 200 and additional lobby to provide additional internal office space with associated landscaping works  
Date of Decision : 31.03.20  
Decision : **Planning Permission is GRANTED**
16. Application No : 20/00079/COND  
Date Received : 03.02.20  
Location : 75 Turpins Rise Stevenage Herts SG2 8QZ  
Proposal : Discharge of condition 13 (secure cycle parking) attached to planning permission reference 16/00748/FP  
Date of Decision : 01.05.20  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
17. Application No : 20/00082/FPH  
Date Received : 04.02.20  
Location : 67 Conifer Walk Stevenage Herts SG2 7QS  
Proposal : Single storey rear extension  
Date of Decision : 25.03.20  
Decision : **Planning Permission is GRANTED**

18. Application No : 20/00083/CLPD  
Date Received : 05.02.20  
Location : 41 Bedwell Crescent Stevenage Herts SG1 1LU  
Proposal : Certificate of Lawfulness for a single storey side extension  
Date of Decision : 25.03.20  
Decision : **Certificate of Lawfulness is APPROVED**
19. Application No : 20/00086/TPTPO  
Date Received : 10.02.20  
Location : 4 Foster Close Stevenage Herts SG1 4SA  
Proposal : Reduction of crown on 1no. Oak tree (T4) by up to 1m and 1no. Oak tree (T2) by up to 2m protected by TPO 10  
Date of Decision : 25.03.20  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
20. Application No : 20/00089/FP  
Date Received : 13.02.20  
Location : Caswell House Cavendish Road Stevenage Herts  
Proposal : Variation of conditions 1 (Approved Drawings), 3 (Parking Spaces) and 9 (Noise Impact Assessment) including revised NOx emission limits, attached to planning permission reference 17/00343/FP.  
Date of Decision : 31.03.20  
Decision : **Planning Permission is GRANTED**
21. Application No : 20/00092/FPH  
Date Received : 14.02.20  
Location : 16 Shephall Way Stevenage Herts SG2 9QW  
Proposal : Two storey side and rear extension including demolition of garage  
Date of Decision : 30.03.20  
Decision : **Planning Permission is GRANTED**

22. Application No : 20/00095/COND  
Date Received : 14.02.20  
Location : MBDA UK Six Hills Way Stevenage Herts  
Proposal : Discharge of condition 7 (remediation scheme) attached to planning reference number 19/00660/FP  
Date of Decision : 31.03.20  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
23. Application No : 20/00096/CLPD  
Date Received : 15.02.20  
Location : 20 Letchmore Road Stevenage Herts SG1 3JH  
Proposal : Certificate of Lawfulness for a single storey rear extension  
Date of Decision : 02.04.20  
Decision : **Certificate of Lawfulness is APPROVED**
24. Application No : 20/00097/FPH  
Date Received : 15.02.20  
Location : 106 St. Margarets Stevenage Herts SG2 8RE  
Proposal : Single storey side extension  
Date of Decision : 09.04.20  
Decision : **Planning Permission is GRANTED**
25. Application No : 20/00098/FPH  
Date Received : 16.02.20  
Location : 48 Wood Drive Stevenage Herts SG2 8NX  
Proposal : Proposed two storey rear extension and alterations  
Date of Decision : 01.04.20  
Decision : **Planning Permission is GRANTED**

26. Application No : 20/00099/COND  
Date Received : 17.02.20  
Location : 188 Bedwell Crescent Stevenage Herts SG1 1NE  
Proposal : Discharge of condition 3 (materials) attached to planning permission reference number 19/00722/FP  
Date of Decision : 06.04.20  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
27. Application No : 20/00100/FPH  
Date Received : 18.02.20  
Location : 13 Cromwell Road Stevenage Herts SG2 9HT  
Proposal : Two storey side extension, single storey rear extension and new roof over existing front porch  
Date of Decision : 06.04.20  
Decision : **Planning Permission is GRANTED**
28. Application No : 20/00101/FPH  
Date Received : 18.02.20  
Location : 6 Essex Road Stevenage Herts SG1 3EZ  
Proposal : Single storey side and rear extension  
Date of Decision : 06.04.20  
Decision : **Planning Permission is GRANTED**
29. Application No : 20/00103/FPH  
Date Received : 20.02.20  
Location : 20 Dewpond Close Stevenage Herts SG1 3BL  
Proposal : Single storey rear infill extension and first floor side extension with roof alterations  
Date of Decision : 20.04.20  
Decision : **Planning Permission is GRANTED**

30. Application No : 20/00105/TPCA  
Date Received : 21.02.20  
Location : 1- 5 Rooks Nest Cottages Weston Road Stevenage Herts  
Proposal : Reduction of 4no. Conifer Trees by approximately 12 ft, and reduction of 1no. Hawthorne Tree by 30%.  
Date of Decision : 30.04.20  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
31. Application No : 20/00106/CLPD  
Date Received : 21.02.20  
Location : 6 Headingley Close Stevenage Herts SG1 3RU  
Proposal : Certificate of lawfulness for Single Storey Rear Extension & Loft Conversion, roof windows to front roof slope. Installation of new side window and replacement of side door to window.  
Date of Decision : 08.04.20  
Decision : **Certificate of Lawfulness is APPROVED**
32. Application No : 20/00107/FPH  
Date Received : 21.02.20  
Location : 15 Mackenzie Square Stevenage Herts SG2 9TT  
Proposal : Engineering works to reduce ground levels to the front of the dwelling to create a new driveway.  
Date of Decision : 28.04.20  
Decision : **Planning Permission is GRANTED**
33. Application No : 20/00109/CLPD  
Date Received : 24.02.20  
Location : 86 Durham Road Stevenage Herts SG1 4HX  
Proposal : Certificate of Lawfulness for erection of a front porch and a single storey rear extension following demolition of existing conservatory  
Date of Decision : 08.04.20  
Decision : **Certificate of Lawfulness is APPROVED**

34. Application No : 20/00112/FPH  
Date Received : 25.02.20  
Location : 27 Trafford Close Stevenage Herts SG1 3RY  
Proposal : Two storey side extension and single storey rear extension  
Date of Decision : 16.04.20  
Decision : **Planning Permission is GRANTED**
35. Application No : 20/00113/TPTPO  
Date Received : 25.02.20  
Location : 73 Sparrow Drive Stevenage Herts SG2 9FB  
Proposal : To remove 2 no. Ash Trees (T24 and T23) protected by TPO 38 and replanting of 2no trees in place of the two removed.  
Date of Decision : 17.04.20  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
36. Application No : 20/00115/FPH  
Date Received : 25.02.20  
Location : 15 Greydells Road Stevenage Herts SG1 3NL  
Proposal : Single storey rear extension.  
Date of Decision : 08.04.20  
Decision : **Planning Permission is GRANTED**
37. Application No : 20/00116/FPH  
Date Received : 25.02.20  
Location : 2A Bournemouth Road Stevenage Herts SG1 2PN  
Proposal : Single storey rear and side extension  
Date of Decision : 16.04.20  
Decision : **Planning Permission is GRANTED**



38. Application No : 20/00117/NMA  
Date Received : 26.02.20  
Location : 7 Chouler Gardens Stevenage Herts SG1 4TB  
Proposal : Non Material Amendment to change window sizes and position plus additional window to WC attached to planning permission 19/00201/RM  
Date of Decision : 25.03.20  
Decision : **Non Material Amendment AGREED**
39. Application No : 20/00118/FP  
Date Received : 27.02.20  
Location : 326 York Road Stevenage Herts SG1 4HW  
Proposal : Change of use from Highway land to residential  
Date of Decision : 09.04.20  
Decision : **Planning Permission is GRANTED**
40. Application No : 20/00119/FPH  
Date Received : 27.02.20  
Location : 245 Ripon Road Stevenage Herts SG1 4LR  
Proposal : Single storey rear extension to existing extension and introduction of new pitched roofs.  
Date of Decision : 20.04.20  
Decision : **Planning Permission is GRANTED**
41. Application No : 20/00121/FP  
Date Received : 28.02.20  
Location : Nando's 11 Stevenage Leisure Park Kings Way Stevenage  
Proposal : Single storey side extension, replacement bin storage area and external alterations to building  
Date of Decision : 16.04.20  
Decision : **Planning Permission is GRANTED**

- |     |                    |   |
|-----|--------------------|---|
| 42. | Application No :   | 20/00122/AD   |
|     | Date Received :    | 28.02.20  |
|     | Location :         | Nando's 11 Stevenage Leisure Park Kings Way Stevenage   |
|     | Proposal :         | Installation of 1no. internally illuminated lettering sign and 1no. internally illuminated menu sign                    |
|     | Date of Decision : | 16.04.20  |
|     | Decision :         | <b>Advertisement Consent is GRANTED</b>   |
| 43. | Application No :   | 20/00124/COND   |
|     | Date Received :    | 28.02.20  |
|     | Location :         | 12 North Road Stevenage Herts SG1 4AL   |
|     | Proposal :         | Discharge of condition 25 (Climate Change) attached to planning permission reference 18/00740/FPM                       |
|     | Date of Decision : | 23.04.20  |
|     | Decision :         | <b>The discharge of Condition(s)/Obligation(s) is APPROVED</b>  |
| 44. | Application No :   | 20/00125/FP   |
|     | Date Received :    | 29.02.20  |
|     | Location :         | Unit 2 Monkswood Retail Park Elder Way Stevenage Herts  |
|     | Proposal :         | External alterations to the building including new shop frontage, removal of rooflights and 1no. door opening infilled. |
|     | Date of Decision : | 21.04.20  |
|     | Decision :         | <b>Planning Permission is GRANTED</b>   |
| 45. | Application No :   | 20/00127/FPH  |
|     | Date Received :    | 02.03.20  |
|     | Location :         | 564 York Road Stevenage Herts SG1 4ES   |
|     | Proposal :         | Part single, part two storey front extension  |
|     | Date of Decision : | 23.04.20  |
|     | Decision :         | <b>Planning Permission is GRANTED</b>   |

46. Application No : 20/00128/FPH  
Date Received : 02.03.20  
Location : 1 The Close Rectory Lane Stevenage Herts  
Proposal : Single storey front extension and relocation of existing garage  
Date of Decision : 20.04.20  
Decision : **Planning Permission is GRANTED**
47. Application No : 20/00131/HPA  
Date Received : 04.03.20  
Location : 14 Broxdell Stevenage Herts SG1 3TU  
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 6m, for which the maximum height will be 3m and the height of the eaves will be 2.4m  
Date of Decision : 06.04.20  
Decision : **Prior Approval is NOT REQUIRED**
48. Application No : 20/00133/FP  
Date Received : 04.03.20  
Location : Former Shephall Green Infant School Shephall Green Stevenage Herts  
Proposal : Construction of 2 No. 4 bedroom semi detached houses  
Date of Decision : 24.04.20  
Decision : **Planning Permission is GRANTED**
49. Application No : 20/00134/FPH  
Date Received : 05.03.20  
Location : 11 Fellowes Way Stevenage Herts SG2 8BW  
Proposal : Single Storey Front Extension  
Date of Decision : 22.04.20  
Decision : **Planning Permission is GRANTED**

50. Application No : 20/00136/FPH  
Date Received : 05.03.20  
Location : 18 Sish Lane Stevenage Herts SG1 3LS  
Proposal : Part two storey side extension and part single storey rear extension  
Date of Decision : 23.04.20  
Decision : **Planning Permission is GRANTED**
51. Application No : 20/00137/FPH  
Date Received : 05.03.20  
Location : 28 Walkern Road Stevenage Herts SG1 3RA  
Proposal : Proposed single storey rear extension  
Date of Decision : 28.04.20  
Decision : **Planning Permission is GRANTED**
52. Application No : 20/00138/FPH  
Date Received : 06.03.20  
Location : 46 Sandown Road Stevenage Herts SG1 5SF  
Proposal : Two storey side and part two storey, part single storey rear extension  
Date of Decision : 23.04.20  
Decision : **Planning Permission is GRANTED**
53. Application No : 20/00139/FPH  
Date Received : 06.03.20  
Location : 7A Lyndale Stevenage Herts SG1 1UB  
Proposal : Two storey front and rear extensions  
Date of Decision : 29.04.20  
Decision : **Planning Permission is GRANTED**

54. Application No : 20/00140/FP  
Date Received : 06.03.20  
Location : Unit 1 Chilton House Wedgwood Way Stevenage Herts  
Proposal : Installation of external condensing units and installation of new shop front  
Date of Decision : 29.04.20  
Decision : **Planning Permission is GRANTED**
55. Application No : 20/00142/FP  
Date Received : 07.03.20  
Location : Courtlands Chantry Lane Todds Green Stevenage  
Proposal : Proposed detached dwelling to replace existing mobile home.  
Date of Decision : 30.04.20  
Decision : **Planning Permission is GRANTED**
56. Application No : 20/00145/CLPD  
Date Received : 10.03.20  
Location : 4 Hunters Close Stevenage Herts SG2 7BL  
Proposal : Certificate of lawfulness to move existing boundary gates further towards the highway and erection of car port.  
Date of Decision : 30.04.20  
Decision : **Certificate of Lawfulness is APPROVED**
57. Application No : 20/00147/CLPD  
Date Received : 11.03.20  
Location : 3 Darwin Road Stevenage Herts SG2 0DE  
Proposal : Certificate of lawfulness for a single storey rear extension  
Date of Decision : 29.04.20  
Decision : **Certificate of Lawfulness is APPROVED**

58.      Application No :      20/00148/FPH  
            Date Received :      11.03.20  
            Location :              98 Letchmore Road Stevenage Herts SG1 3PT  
            Proposal :              Single storey side extension.  
            Date of Decision :      29.04.20  
            Decision :              **Planning Permission is GRANTED**
59.      Application No :      20/00149/FPH  
            Date Received :      11.03.20  
            Location :              20 Essex Road Stevenage Herts SG1 3EX  
            Proposal :              Single storey rear extension and side infill extension including  
   garage conversion  
            Date of Decision :      01.05.20  
            Decision :              **Planning Permission is GRANTED**
60.      Application No :      20/00150/TPCA  
            Date Received :      12.03.20  
            Location :              7 Chestnut Walk Stevenage Herts SG1 4DD  
            Proposal :              Removal of 6no. conifer trees, reduction by 30% on 1no. Ash  
   tree and felling of 1no. Ash tree.  
            Date of Decision :      16.04.20  
            Decision :              **CONSENT TO CARRY OUT WORKS TO A TREE IN A  
CONSERVATION AREA**

61. Application No : 20/00151/TPTPO  
Date Received : 12.03.20  
Location : 7 Chestnut Walk Stevenage Herts SG1 4DD  
Proposal : Reduction by 30% on 1no. English Oak tree (T4), 1no. Red Horse Chestnut tree (T5) and 1no. Common Lime tree (T6) protected by TPO 85.  
Date of Decision : 16.04.20  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
62. Application No : 20/00156/FPH  
Date Received : 13.03.20  
Location : 168 Fairview Road Stevenage Herts SG1 2NE  
Proposal : Demolition of existing garage and rear extension and erection of new rear extension and front extension.  
Date of Decision : 01.05.20  
Decision : **Planning Permission is GRANTED**
63. Application No : 20/00160/TPCA  
Date Received : 16.03.20  
Location : 3 Nicholas Place Rectory Lane Stevenage Herts  
Proposal : Removal of 2no. Fig trees  
Date of Decision : 23.04.20  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**

64. Application No : 20/00165/FP

Date Received : 17.03.20

Location : The Gatehouse Rectory Lane Stevenage Herts

Proposal : Erection of 1no. two bedroom bungalow

Date of Decision : 06.05.20

Decision : **Planning Permission is REFUSED**

For the following reason(s);

1. The proposed dwellinghouse by virtue of its siting, design and projection forward of the properties in Woodfield Road, does not reflect the scale, form or pattern of development within the Conservation Area and it would also further erode the open character of this part of the Conservation Area. If approved the proposed dwellinghouse would substantively harm the significance of the St Nicholas and Rectory Lane Conservation Area. The proposal is therefore contrary to Policies SP8, SP13, HO5, GD1 and NH10 of the Stevenage Borough Local Plan 2011 to 2031 (adopted 2019), the St Nicholas and Rectory Lane Conservation Area Management Plan SPD (2012), the NPPF (2019) and PPG (2014).
2. The proposed dwelling/house, due to its siting and proximity to The Gatehouse would be harmful to the outlook of the occupiers of this property. Therefore, the proposed development is contrary to Policies SP8, GD1 and HO5 of the Stevenage Borough Local Plan 2011 - 2031 adopted 2019, Chapter 5 of the Council's Design Guide SPD (2009), the NPPF (2019) and PPG (2014).

65. Application No : 20/00179/AD

Date Received : 30.03.20

Location : 85 Queensway Town Centre Stevenage Herts

Proposal : 2 x Internally illuminated fascia sign, 1 x internally illuminated projecting sign, 6 x vinyl window graphics

Date of Decision : 06.05.20

Decision : **Advertisement Consent is GRANTED**



## **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.

This page is intentionally left blank

**Meeting:** Planning and Development  
Committee

**Agenda Item:**

**Date:** Tuesday 26 May 2020

## **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 None.

### **2. DECISIONS AWAITED**

2.1 17/00730/ENF, 18b Boulton Road. Appeal against serving of Enforcement Notice relating to an unauthorised gym operating from the premises.

2.1.1 This appeal for Boulton Road has been re-started as of 18 February 2020 to allow for the procedure to be changed from written representations to a hearing.

2.1.2 19/00620/FP, 8a and 8b Magellan Close. Appeal against refusal of permission for the variation of condition 1 (approved plans) and removal of condition 11 (no new windows and doors) attached to planning permission 16/00791/FP.

### **3. DECISIONS RECEIVED**

3.1 None.

This page is intentionally left blank