

# Public Document Pack



## PLANNING AND DEVELOPMENT COMMITTEE

**Date: Wednesday, 6 January 2021**

**Time: 6.30pm,**

**Location: Via Zoom**

**Contact: Lisa Jerome 01438 242203**

**committees@stevenage.gov.uk**

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

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## AGENDA

### PART 1

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

**2. MINUTES - 8 DECEMBER 2020**

To approve as a correct record the Minutes of the previous meeting of the Committee held on 8 December 2020.

Pages 5 – 28

**3. 14 BRICK KILN ROAD (20/00599/FP)**

To consider an application for the Change of Use from care home (C2) into an 8 bedroom HMO (sui generis).

Pages 29 – 46

**4. 24 JULIANS ROAD (20/00608/FP)**

To consider an application for the variation to planning permission reference number 16/00608/FP to convert the integral garage.

Pages 47 – 54

**5. FLATS 23 AND 24, WALPOLE COURT, BLENHEIM ROAD (20/00620/FP)**

To consider an application for the Change of Use from Residential Flats (Use class C3) to Physiotherapy Clinic (use class D1) to facilitate the continued provision of the service while redevelopment of the main site granted permission under reference 18/00398/FP takes place.

Pages 55 – 62

**6. NORTH CAR PARK, CORNER OF SIX HILLS WAY AND LONDON ROAD  
(20/00624/FPM)**

To consider an application for the variation of condition 1 (Approved Drawings) and condition 6 (Car Parking) attached to planning permission 16/00482/FPM.

Pages 63 – 78

**7. PART OF HIGHWAY EMBANKMENT, CORNER OF SIX HILLS WAY AND  
LONDON ROAD (20/00625/FP)**

To consider an application for the installation of new fire escape route to be created from one of the two stair cores of the adjacent development approved under planning application 16/00482/FPM, necessary as the stair core cannot discharge directly into the proposed car park.

Pages 79 – 88

**8. STEVENAGE BOROUGH COUNCIL DEPOT, CAVENDISH ROAD  
(20/00692/FP)**

To consider an application for the reconfiguration of existing waste transfer bays, including replacement transfer bay enclosures and the creation of 1no. additional transfer bay with associated enclosure.

Pages 89 – 96

**9. INFORMATION REPORT - DELEGATED DECISIONS**

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

Pages 97 – 108

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

To note a report on planning appeals lodged and decisions received since the last meeting of the Committee.

Pages 109 – 110

**11. URGENT PART I BUSINESS**

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

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

To consider the following motions:

1. That under Section 100A 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.

### 13. URGENT PART II BUSINESS

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

**NOTE: Links to Part 1 Background Documents are shown on the last page of the individual report, where this is not the case they may be viewed by using the following link to agendas for Executive meetings and then opening the agenda for Wednesday, 6 January 2021 –**

<http://www.stevenage.gov.uk/have-your-say/council-meetings/161153/>

Agenda Published **Insert date of Publication**

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STEVENAGE BOROUGH COUNCIL

## PLANNING AND DEVELOPMENT COMMITTEE MINUTES

Date: Tuesday, 8 December 2020

Time: 6.30pm

Place: Virtual (via Zoom)

**Present:** Councillors: Simon Speller (Chair), Maureen McKay (Vice Chair), Doug Bainbridge, Sandra Barr, Laurie Chester, Michael Downing, Michelle Gardner, Jody Hanafin, Lizzy Kelly, Graham Lawrence, John Lloyd, Graham Snell and Tom Wren

**Start / End Time:** Start Time: 6.30pm  
End Time: 10.40pm

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

There were no apologies for absence and no declarations of interest.

### 2 **MINUTES - 4 NOVEMBER 2020**

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

### 3 **UNIT B3, COCKERELL CLOSE, STEVENAGE (20/00548/FPM)**

The Committee considered an application for the installation of a mezzanine floor and enclosed external compound.

The Planning Officer gave an introduction to the Committee. She advised that the main issues for consideration in the determination of this application were the acceptability in land use policy terms, the impact on the character and appearance of the area, impact upon neighbouring amenities, parking provision and highway implications of the mezzanine floor and storage compound only.

The Committee was advised that the use of the premises by FIRA Elements was considered acceptable in land use policy terms and the installation of the mezzanine floor and external storage compound were not considered to harm the visual amenities of the area or the amenities of neighbouring residential dwellings and businesses. It was accepted that the car parking provision was below the recommended standard as laid out in the Car Parking Provision SPD (2020), however the site was in a highly sustainable location and offered excellent opportunities of non-car modes of transport and so, on balance, it was considered acceptable in this instance to allow a shortfall in car parking provision.

In response to a question regarding cycle parking, the Planning Officer advised that

the car parking provision SPD stated that for this size of business, 5 cycle spaces should be provided. A condition had therefore been imposed requesting details of cycle storage prior to the occupation of the premises.

It was **RESOLVED**:

That planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:  
1980-01A; 1980-02; 1980-03A; 1980-04A; 1980-05A; 1980-06A; 1980-07;  
1980-08; 1980-09; 1980-10; 1980-11; 1980-12; 1980-13; 1980-14; 1980-15;  
1980-16; 1980-17; 1980-18; 1980-Location; 1980 Block 500;
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. No demolition or construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 08:00 and 18:00 on Mondays to Fridays and between the hours of 09:00 and 13:00 on Saturdays.
4. Prior to the first occupation of the development hereby permitted, details of secure cycle parking provision shall be submitted to and approved in writing by the Local Planning Authority. The secure cycle parking facility shall thereafter be implemented in accordance with the approved details.
5. The external storage compound hereby approved shall be constructed in accordance with the approved plans.
6. There shall be no open storage of refuse, goods or materials other than in compounds or areas specifically set aside for this purpose and shown on a plan submitted to and approved by the Local Planning Authority in writing.

### **Informative**

1. 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).

#### 4 **WESTON ROAD CEMETERY, STEVENAGE (20/00538/AD)**

The Committee considered an application for the erection of 1 no. 6m high flagpole.

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

The Planning Officer gave an introduction to the Committee. She advised that the application sought 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 40cm. The flag would read "Green Flag Award" and include the green flag symbol of two figures and a tree.

The Committee was advised that the signage proposed would not have an adverse effect on the visual amenity of Weston Road Cemetery, the St. Nicholas Conservation Area or the Green Belt, and would acceptably promote the fact that the cemetery had been awarded Green Flag status, nor would it compromise the Green Corridor. Additionally, the signage would not present a safety risk to members of the public.

In response to a question regarding what would happen to the flagpole if the green flag was no longer a current award, Officers advised that the flagpole consent was for five years only and conditions required that it should be maintained to a high standard. If the award was no longer relevant the pole and flag would be removed.

A member advised that the site for the flagpole had already been prepared prior to this permission having been granted. Officers advised that certain work could be carried out without permission but that this was at the applicant's own risk.

It was **RESOLVED**:

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'
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.

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.

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

The Committee considered an application for outline permission for the erection of 800 residential dwellings, creation of a new local centre, provision of a primary school, provision of landscaped communal amenity space including children's play space; creation of new public open space together with associated highways, landscaping, drainage and utilities works.

The Assistant Director (Planning and Regulatory) and the Development Manager gave an introduction to the Committee.

Officers advised that this application was originally considered by the Planning and Development Committee on 4<sup>th</sup> February 2020. The Committee resolved to grant Outline Planning Permission subject to the completion of a S.106 legal agreement. It was then referred to the Secretary of State who subsequently decided not to call in the application and remitted it back to the Council for determination. This meant that the legal agreement could not be completed before the 1<sup>st</sup> April 2020 which is when the Council adopted the Community Infrastructure Levy (CIL). Consequently, this application was being referred back to the Committee as the financial obligations to



be secured as part of the legal agreement had changed.

The Committee was also advised that since the last consideration of the application, developers for the Stevenage Rugby Club site, to the West of North Road and allocated for housing under Policy HO1/11, had come forward with development proposals. This had provided an opportunity to coordinate the access arrangements for both sites and the Applicants for this application, had amended their scheme to address this issue.

Officers reported that the main changes for consideration in the determination of this application were planning obligations and community infrastructure levy liability as well as an amendment to the access from North Road. All other matters remained materially the same as detailed in the previous report to Committee save for some minor revisions to the recommended conditions.

The Chair then invited Mr John Spiers, an objector to address the Committee. Mr Spiers' objections related to:

- The more recent ONS projections for increased housing in Stevenage, which had reduced in numbers should now be used and a review of the Stevenage Local Plan, which was drafted in 2016, undertaken to reflect this reduction.
- The long term impact of the coronavirus pandemic on working practices – The Local Plan was clear that new housing was primarily for those working in London. The pandemic had changed the way people were working and the need for this housing in Stevenage was reducing.
- In relation to air pollution, the officer report failed to inform the Council about major environmental factors. Most would use cars from this development leading to additional pollution.
- There were already 200 houses on sale in Stevenage in a similar price range.
- Permanent Loss of a valuable community asset with its physical and mental health benefits for residents.

The Chair then invited Jo Unsworth – Savills, on behalf of the applicant, Bellway Homes and Miller Homes to address the Committee. She advised that since the last meeting in February and the changes to the S106/CIL arrangements a different package of funding was required. She advised that the overall value of the CIL contributions was estimated at £2.5m which Members of the Committee would be able to allocate as they saw fit. The package of S106 contributions would address site specific projects. The applicant had worked with the Borough and County Council to come up with the maximum contributions that accorded with the regulations. She spoke about the new access arrangements. She advised that the development would result in a new community including a new school, country park, and promote the health and wellbeing of residents. There would be new footpaths cycleways and bus services which would connect to the surrounding area. A scheme of energy efficiency measures would be developed as part of the reserved matters application.

The Chair thanked Mr Spiers and Ms Unsworth for their contributions and invited contributions from the Members.

Concern was expressed regarding the current condition of the footpaths and rights of way over the land in respect of drainage and flooding making the land inaccessible to many people and the question was asked if this would be addressed in the proposed new development. Officers confirmed that a number of conditions would be imposed following a surface water drainage assessment and subject to a sensitivity study on the existing surface water flow. Members stressed the importance of the developers keeping to their proposal of a high quality country park allowing all people proper access to the land.

In relation to CIL and Section 106 payments, Officers clarified that the CIL was a non-negotiable charge and would be granted in accordance with the CIL charging schedule. With regards to how the CIL monies were spent, the ultimate decision lay with Stevenage Borough Council as the collection authority. In response to a question regarding the NHS, officers confirmed that despite being contacted on a number of occasions, the NHS had not provided a formula to demonstrate how they arrived at the financial contribution they sought which would be compliant with CIL Regulations and therefore the Council unfortunately could not require the developer to contribute in this regard. However the NHS would be able to submit bids for CIL monies in the future.

Kate Ma, Herts County Council Children's Service Department gave an update to Committee on the arrangements for the additional secondary provision that would be delivered as part of the proposed development.

In response to a question regarding sustainable transport and in particular bus services, officers advised that the existing bus service route would be extended and enhanced through the S106 contributions. There would also be new cycle and pedestrian connections all of which would be connected to the wider urban area.

Concern was expressed by several Members regarding traffic congestion. The HCC Highways officers advised that they had reviewed the proposal and were satisfied that the cumulative impact of traffic from the proposed development would not result in a severe impact on the local highway network. It was advised that the applicants would be required to enter into agreements with the Highway Authority to cover the design, construction, implementation and adoption of highways works within the existing public highway and adoptable highway works on land within the applicant's control.

In response to a question regarding potential air pollution, officers confirmed that there were no air quality issues across the Borough as levels were low enough not to cause any concern.

A Member asked about the protections for the Council if the development did not get fully built due to changes in market forces. Officers reported that there would be trigger points built into the contracts and a delivery programme agreed with conditions and legal agreements built in.

It was **RESOLVED**:

That planning permission be **GRANTED** subject to the applicant having first entered

into a S106 agreement to secure/provide contributions towards:-

- The provision of 30% affordable housing;
- The provision of a 2FE Primary School including nursery provision
- Sustainable Transport and Infrastructure contribution ;
- Travel Plan contribution and monitoring fee;
- Trees and plants from UK nurseries;
- the provision of the Country Park
- the provision and on-going maintenance of the play areas;
- the provision of a maintenance company for the development;
- Transfer of the land to SBC and provision of the Country Park;
- Landscape management Plan;
- Contribution towards GP Provision;
- Community use agreement of the school facilities
- Provision of fire hydrants
- Associated Section 278 Highway Works.

The detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor.

The proposal be subject to the following conditions, including a revised Condition 31:-

1. The development hereby permitted shall be carried out broadly in accordance with the following approved plans: UD01 Rev C, UD02 Rev O, UD03 Rev O, UD04 Rev N, UD05 Rev O, SK21 Rev K, SK28 Rev A, NPA 10651, 300, P02, NPA 10651 702 P03, NPA 10651 504 Rev P02.
2. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
3. Application for approval of the first reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission with all reserved matters to be submitted for approval within five years of the date of this permission.
4. Approval of the details of the layout, scale, appearance and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority, prior to the commencement of any part of the development.
5. No development, including site clearance, shall take place until a phasing plan, identifying the areas of the site to be developed under each phase for the delivery of housing, infrastructure, open space and the Country Park, have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the phasing plan.
6. No more than 300 properties shall be occupied until a housing and

infrastructure phasing plan has been submitted to and approved in writing by the Local Planning Authority and assessed in conjunction with the appropriate sewerage and water company to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

7. No development on any phase shall take place (including any demolition, ground works, site clearance but excluding work on the site access(es)) until a method statement for dealing with ecology at the site prepared in accordance with BS 42020:2013, D.2.2 has been submitted to and approved in writing by the Local Planning Authority. The content of the method statement shall include :-

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials e.g. species in planting schemes and species mixes for wildflower meadow, to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works and funding details;
- f) initial aftercare, long-term maintenance, monitoring and requirement for remedial action should management be judged to be failing;
- g) disposal of any wastes arising from works.
- h) Number, model and location of integrated bat and bird boxes in built environment.

The planting works shall be carried out strictly in accordance with the approved details in the first planting season relating to the agreed phasing after the approval of the method statement and shall be retained in that manner thereafter and other agreed ecology measures shall be carried out strictly in accordance with the approved method statement within the first suitably available season relating to the agreed phasing, unless otherwise agreed in writing by the Local Planning Authority.

8. No development on any phase shall take place (including demolition, ground works, vegetation clearance but excluding work on the site access(es)) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:-

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of biodiversity protection zones.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.

- e) The times during construction when specialist ecologists need to be present on site to oversee works.
  - f) Responsible persons and lines of communication.
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
  - h) Use of protective fences, exclusion barriers and warning signs.
- The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

9. No development on any phase shall take place, including demolition, ground works and vegetation clearance but excluding work on the site access(es), until a biodiversity monitoring strategy has been submitted to, and approved in writing by, the Local Planning Authority. The purpose of the strategy shall be to ensure the implementation and establishment of each of the phases of the proposed Country Park before phased adoption by the Local Planning Authority to encourage a net increase in biodiversity. The content of the Strategy shall include the following:-

- a) Aims and objectives of monitoring to match the stated purpose.
- b) Identification of adequate baseline conditions prior to the start of development.
- c) Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various conservation measures being monitored can be judged.
- d) Methods for data gathering and analysis.
- e) Location of monitoring.
- f) Timing and duration of monitoring.
- g) Responsible persons and lines of communication.
- h) Review, and where appropriate, publication of results and outcomes.

A report describing the results of monitoring shall be submitted to the local planning authority at intervals identified in the strategy. The report shall also set out (where the results from monitoring show that conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed with the local planning authority, and then implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The monitoring strategy will be implemented in accordance with the approved details.

10. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

11. Piling or any other foundation design using penetrative methods shall not be permitted within the development other than with the express consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant risk to groundwater. The development shall be carried out in accordance with the approved details.

12. A scheme for managing any borehole installed within the development 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 Residential Development Plot.
13. 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 a pre-works survey of the vegetation to be removed and surrounding vegetation, is undertaken immediately prior to removal by a suitable qualified Ornithologist, and approved confirmed by the Local Planning Authority.
14. Prior to the commencement of any phase of the development (including site clearance) a Construction Traffic Management Plan for the construction phases shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works of construction relating to that phase of the development shall only be carried out in accordance with the approved statement and Hertfordshire County Council's specifications. The Construction Management Plan shall address the following matters:-
  - (i) Details of construction phasing programme (including any pre-construction enabling works);
  - (ii) Hours of operations including times of deliveries and removal of waste which should avoid school pick up/drop off times;
  - (iii) Demolition and construction works between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 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) Construction and storage compounds (including areas designated for car parking);
  - (xi) Siting and details of wheel washing facilities;
  - (xii) Cleaning of site entrances, site tracks and the adjacent public highway;
  - (xiii) Control measures to manage noise and dust;

- (xiv) Disposal of surplus materials;
  - (xv) Post construction restoration/reinstatement of the working areas and access to the public highway.
  - (xvi) Details of the access and highways works from Fishers Green to accommodate construction traffic.
  - (xvii) Details of consultation and compliant management with local businesses and neighbours.
  - (xviii) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour;
  - (xix) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures;
  - (xx) 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.
15. The development hereby permitted shall not commence (except for works related to the construction of access(es) from North Road, ground works, and site clearance) until at least one access has been constructed from North Road to accommodate construction traffic to base course construction for the first 25 metres. The join to the existing carriageway shall be constructed in accordance with Hertfordshire County Council specification and the Local Planning Authority's satisfaction.
16. Prior to occupation of the first dwelling the southern access shall be provided, and prior to occupation of the 300th dwelling hereby permitted, the northern vehicular accesses shall be provided and thereafter retained at the position shown on the approved in principle drawing number General Arrangement drawing number BM1-OC-V1-ZZ-DR-C-0034 Rev PO6. The principal access road shall be provided 6.75 metres wide. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
17. Prior to the occupation of each phase of development full details (in the form of scaled plans and written specifications) shall be submitted to and approved in writing by the Local Planning Authority to illustrate the following:
- i) Roads, footways.
  - ii) Cycleways.
  - iii) Foul and surface water drainage.
  - iv) Visibility splays.
  - v) Access arrangements.
  - vi) Parking provision in accordance with adopted standard.
  - vii) Bus Stops.
  - viii) Turning areas.
18. Prior to the occupation of each phase of the development, the applicant shall

submit a Servicing and Delivery Plan. This plan is to be submitted and approved in writing by the Local Planning Authority. The Servicing and Delivery Plan shall contain the delivery and servicing requirements, waste collection points for the proposed use, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that will be used for loading and manoeuvring of delivery and servicing vehicles, and access to from the site for delivery and servicing vehicles. The details shall include waste vehicle circulation route and constructed in accordance with the approved details. Thereafter the route shall be maintained in accordance with those approved details.

19. Prior to occupation of any dwellings within the development for which full planning permission has been granted, the following transport infrastructure shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority in consultation with the Highway Authority:

The provision of an Improved Signalised junction at the Graveley Road/ North Road junction;

The introduction of two new Signalised junctions that includes a sustainable transport access to the southern end of the development that includes a bus gate;

Pegasus crossing across the carriageway of North Road to the south of the development;

Pegasus crossings for pedestrians and cyclists on the site access arm of each junction, linking in with a new continuous 3.5m wide shared footway/cycleway along the eastern side of North Road;

Improved footway and cycleway provision from the development to Coreys Mill Lane and:

A scheme of footway/cycleway signing to Stevenage Town Centre, Bus Station and Railway Station.

20. Prior to the completion of the primary road as identified on drawing ref: UD02 Rev O, the following passenger transport infrastructure shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority:-

The provision of road infrastructure both within the development site and on the wider routes that the proposed public transport services will travel to facilitate delivery of the strategy. This infrastructure shall comprise of but is not limited to the following:

Provide temporary bus stops along North Road during the first phase of the buildout of the development i.e. to serve the dwellings that are not more than 400 metres from the temporary bus stops.

High quality bus stop facilities along the bus service route within the development to include raised height kerbs and shelters that are within 400 metres of all residential areas, Real time information signs at key stops.

The future locations of all bus stops within the development should be determined prior to commencement of works and clearly marked on site during construction of the internal roads to ensure visibility for perspective purchasers.



21. Prior to the occupation of each phase of the development, full details shall be submitted to and approved in writing by the Local Planning Authority in relation to the proposed arrangements for the future management and maintenance of the proposed streets within the development. Following the provision of such streets, the streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established in accordance with the approved details.
22. Prior to the occupation of each phase of the development, the visibility splays to be provided shall be agreed with Hertfordshire County Council and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2.0 metres above the level of the adjacent highway carriageway.
23. Prior to the first occupation / use of the development hereby permitted any Traffic Regulation Orders (TROs), including extension to 30mph speed restriction and waiting/loading restrictions that are required as part of improving access and accessibility to the site must be secured in place and implemented.
24. Prior to commencement of each phase of the development, details of all materials to be used for hard surfaced areas within the site, including roads, drainage details, driveways and car parking areas shall be submitted to the Local Planning Authority for approval in writing.
25. Prior to the commencement of development a Written Scheme of Investigation detailing a programme of archaeological trial trench evaluation of the proposed development site shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.
26. No development shall commence in each phase of the development until an Archaeological Written Scheme of Investigation detailing a programme of archaeological mitigation, as appropriate given the results of the archaeological evaluations, has been submitted to and approved by the Local Planning Authority in writing.
27. The development in each phase shall take place in accordance with the Written Scheme of Investigation approved under condition 26.
28. The development of each phase shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 26 and the provision made for analysis and publication where appropriate.”
29. Prior to the occupation of each phase, details of Electric Vehicle Charging

Points in that phase to include provision for at least 20% 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.

30. Prior to the first occupation of the non-residential units, a scheme for the installation of any equipment to control the emission of fumes and smell from the premises including any air conditioning equipment shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be implemented prior to the first occupation of these units. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.
31. Notwithstanding the requirements of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that order) the non-residential units shall be used for Use Classes A1 /A2 /A3/ A4/ B1/ D1/ D2 only of the schedule to the Town and Country Planning (Use Classes) Order 1987 and for no other purposes, unless agreed in writing or approved by way of separate planning permission.
32. The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage assessment carried out by Flood and Drainage Technical Note, reference 70061701, dated 15 January 2020 and the following mitigation measures detailed within the FRA:
  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 23.7 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 20,750 m<sup>3</sup> (or such storage volume agreed with the LLFA) of total storage volume in swales, attenuation basin and deep-bore soakaway.
  3. Discharge of surface water from the private drain into the Anglian Water sewer network and 25 deep-bore soakaways.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.
33. No development shall take 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 the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not 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. Detailed drainage plan including location of SuDS measures, pipe runs and discharge point.
  2. 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.
  3. Detailed, updated post-development calculations/modelling in relation to surface water for all rainfall events up to and including the 1 in 100 year return period including a + 40% allowance for climate change.
  4. Exceedance flow paths for surface water for events greater than the 1 in 100 year including climate change allowance.
  5. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.
34. No development shall take place until a sensitivity study to determine how the existing surface water flow path in the east of the site can be managed has been submitted to and approved in writing by the local planning authority. The sensitivity study should demonstrate a viable method of managing the flow path during storm events up to and including the 1 in 30 year event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The study should consider:
1. Viable method of a positive discharge for the flow path and the proposed discharge rates.
  2. The required attenuation volumes for all return periods up to and including the 1 in 30 year event.
  3. Consultation with the LLFA and LPA regarding any proposals and the requirements they may have.
35. No development shall take place within the development parcels on the phasing plan to be submitted pursuant to condition 5, within which the proposed underground cable corridor runs as shown on the Illustrative Masterplan SK21 Rev K, until a scheme, including timetabling, for undergrounding the 132Kv overhead power lines and removal and replacement of pylons as shown on this drawing, has been implemented or unless otherwise agreed on writing by the local planning authority.

## **INFORMATIVES**

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

Any works taking place within and/or over the culvert or within 3m of the top of the bank of the ordinary watercourse will require prior written consent from Hertfordshire County Council regardless of any planning permission. Any works proposed to be carried out that may affect the flow within an ordinary watercourse will require the prior written consent from the Lead Local Flood Authority under Section 23 of the Land Drainage Act 1991. This includes any permanent and or temporary works regardless of any planning permission.

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

AN1. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN3. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN4. Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 38 and Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website noted below:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN5. Rights of Way

Before commencement of the proposed development, the applicant shall contact Hertfordshire County Council's Rights of Way Service <http://www.hertfordshire.gov.uk/services/envplan/countrysideaccess/row/> (Tel: 0300 123 4047, email at row@hertfordshire.gov.uk ) to obtain their requirements for the ongoing maintenance of the surface of the Public Right of Way that routes through the site along the proposed development.

Reason: To ensure the surface of the Public Right of Way does not deteriorate as a result of an increase in vehicle movements using the access, in the interests of pedestrian safety on a Public Right of Way.

The Public Right of Way should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works.

The safety of the public using the route and any other routes to be used by construction traffic should be a paramount concern during works, safe passage past the site should be maintained at all times.

The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overflows of cement & concrete) should be made good by the applicant to the satisfaction of this Authority.

All materials should be removed at the end of the construction and not left on the Highway or Highway verges.

If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order would be required to close the affected route and divert users for any periods necessary to allow works to proceed. A fee would be payable to Hertfordshire County Council for such an order.

Reason: To ensure the surface of the Public Right of Way does not deteriorate as a result of an increase in vehicle movements using the access, in the interests of pedestrian safety on a Public Right of Way.

### **Arboricultural Impact**

Although the Arboricultural Impact Assessment mentions the need for an arboriculturalist if any large roots are encountered, it is suggested the whole section of the fence near the tree line should be supervised. Also, as this type of work could potentially weaken the root system and therefore, the trees stability, it is also suggested a Highways England inspector would want to be aware of this matter. This also applies to the aerial part of the tree as considerable amount of their crowns would have to be cut back to accommodate the installation of the high fence.

### **Cadent Gas**

#### **Affected Apparatus**

The apparatus that has been identified as being in the vicinity of your

proposed works is:

Low or Medium pressure (below 2 bar) gas pipes and associated equipment. (As a result it is highly likely that there are gas services and associated apparatus in the vicinity).

### **Requirements**

#### **BEFORE carrying out any work you must:**

Carefully read these requirements including the attached guidance documents and maps showing the location of apparatus.

Contact the landowner and ensure any proposed works in private land do not infringe Cadent and/or National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.

Ensure that all persons, including direct labour and contractors, working for you on or near Cadent and/or National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 – 'Avoiding Danger from Underground Services' and GS6 – 'Avoidance of danger from overhead electric power lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk>

In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken.

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

The Committee considered an application for the change of use from care home (C2) into 8 bedroom HMO (sui generis).

The application was before the Committee for determination as the application had been called in at the request of Councillor Loraine Rossati and due to the fact that the applicant was Stevenage Borough Council.

The Planning Officer gave an introduction to the Committee. She advised that the main determining issues related to the acceptability of the application in land use policy terms, the impact of the development on the character and appearance of the area, the impact on the amenities of neighbouring occupiers and the provision of appropriate parking to serve the property.

The Chair then invited Councillor Loraine Rossati, who had called the application in to address the Committee. Councillor Rossati's objections related to:

- Inadequate consultation with residents in the surrounding area;
- Insufficient provision for on-site parking which would lead to increased

- parking on the road;
- Increase in anti-social behaviour and concern over the safety of existing residents – why was there a need for 24 hour security?
- Increased noise and disturbance.

The Chair then invited Mr Roger Buckley, a local resident and objector to the application to address the Committee. Mr Buckley's concerns related to:

- The inadequacy of the planning notice and the consultation process including the very few number of properties and local residents which had been consulted on the application;
- There were too many bedrooms and inadequate shared living space for the proposed number of residents;
- Insufficient on-site parking;
- No account had been taken of the loss of a family home in the road.

The Chair then invited the Assistant Director (Housing Development) at Stevenage Borough Council and the applicant to address the Committee. He advised that the works were to create a much needed supported accommodation scheme for those in immediate need. The scheme would be managed by Stevenage Borough Council and would have on-going support from partner organisations with 24 hour staff to effectively manage the site.

The Planning Officer advised that the application had been publicised by way of a site notice and neighbour notification letter. Hertfordshire County Council as Highways Authority and SBC Environmental Health had raised no objections to the application.

Officers advised that the rooms and amenity space within the property were all of an acceptable size and that the 4 parking spaces were in accordance with the Council's Parking Provision SPD.

Members expressed concern regarding the perceived lack of consultation and engagement with local residents. A more comprehensive and direct consultation with those in the area would have allowed more of the residents affected to have been able to respond rather than having to rely on neighbours to tell neighbours. There was a discussion about potentially deferring the item and the Assistant Director Housing Development commented.

The Chair asked Members to consider the officer's recommendation which upon being put to the vote was refused with the majority of members abstaining. The Assistant Director Planning and Regulation through the Chair asked for clarification if those abstaining had wanted to defer. A vote was then held and it was **RESOLVED** that determination of the application be deferred to allow further extensive consultation to be undertaken within the neighbourhood and brought back to a future meeting of the Committee.

The Committee considered an application for the change of use from amenity and highway land to private residential land with hardstand for one vehicle and replacement communal parking bays.

The application was before the Committee for determination as the land was owned by Stevenage Borough Council and over five objections had been received.

The Planning Officer gave an introduction to the Committee. She advised that the main issues for consideration in the determination of the application were the impact of the loss of this piece of public and highway land, the impact on the character and appearance of the area and the impact on parking provision.

The Committee was advised that the change of use was considered acceptable in policy terms as it would not undermine the Council's policy to protect open spaces. The loss of a cherry tree was also considered acceptable due to the condition of the tree and the very close proximity to Martins Wood. The use of low level fencing would also reduce anti-social behaviour in the area due to the more open and overlooked aspect of the land.

It was **RESOLVED** that **PLANNING PERMISSION BE GRANTED** subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:  
Site Location Plan; Parking Layout
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. The proposed hardstanding shall be made of a porous material, or provision shall be made to direct surface water run-off water from the hardstanding to a permeable or porous area or surface within the curtilage of the dwellinghouse.
4. The area of land, shown red on the approved site location plan, located to the north-east of the dwelling of No. 189 Ascot Crescent shall be enclosed with timber fencing no higher than 1m high; the areas of land shown red and blue, to the east and south-east of the dwelling and rear garden shall at no time be enclosed unless otherwise agreed in writing by the Local Planning Authority.
5. The area of land, shown blue on the approved site location plan, located to the south-east of the application site shall not be used for the parking of vehicles and shall be kept clear at all times to facilitate access to the approved communal parking area.
6. No garage or other type of structure (including outbuildings) shall be erected on the land the subject of this application unless an application for planning permission is submitted to and approved in writing by the Local Planning Authority.
7. The parking bay hereby approved shall be provided, marked out and hard



surfaced in accordance with Condition 3 and made available for general public use prior to the first occupation of the land adjacent to No. 189 Ascot Crescent.

8 **56 AUSTEN PATHS, STEVENAGE (20/00559/FP)**

The Committee considered an application for the change of use from single dwelling house (Class C3) to 6-bedroom House of Multiple Occupation (HMO) Class 4, together with alterations to existing access to provide 3 off street parking spaces.

The application was before the Committee for determination as it had been called in at the request of Councillor Stephen Booth on the following grounds:

- Impact on neighbouring properties
- Impact on character of street scene
- Residential amenity
- Car parking
- Highway issues

The Planning Officer gave an introduction to the Committee. She advised that the main determining issues related to the acceptability of the application in land use policy terms, the impact of the development on the character and appearance of the area, the impact on the amenities of neighbouring occupiers and the provision of appropriate parking to serve the property.

The Committee was advised that the proposed change of use was considered to be acceptable in land use policy terms and would not harm the character and appearance of the area or the amenities of adjoining premises. Furthermore, the development would accord with the Council's adopted car parking standards and was considered to be acceptable in highway safety terms.

In response to a question regarding the parking situation, officers advised that the current property was a 4 bedroom dwelling and based on the Council's adopted parking standards would require 3 parking spaces to serve the unit. The conversion of the property into a 6 bed HMO would require 0.5 spaces per tenancy unit giving a total requirement of 3 spaces. Whilst the concerns of the objectors in respect of parking provision and access to the site were noted, the scheme was in accordance with the Council's adopted parking standards. Officers also informed the Committee that the access arrangements were considered to be acceptable by the County Council as highway authority who had raised no objections.

It was **RESOLVED**:

That planning permission be **GRANTED** subject to the following conditions:-

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

001; 003; AUS100; AUS120; AUS270

- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 3 The building works required to implement this permission shall be carried out only between the following times:

0730 to 1800 Mondays to Fridays  
0830 to 1300 Saturdays  
And not at all on Sundays and Bank Holidays.

The hours specified relate to activities which are audible at the site boundary.

4. The on-site parking spaces indicated on the approved drawing AUS120 shall be provided prior to the first use of the premises hereby permitted and permanently maintained thereafter.
5. The use of the premises shall be as a 6 bed House in Multiple Occupation only.

### **INFORMATIVES**

1. 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).

- 2 Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by

telephoning 0300 1234047.

- 3 Parking and Storage of materials: The applicant is advised that all areas for parking, storage, and delivery of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website:  
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.
  
- 4 Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

9 **INFORMATION REPORT - DELEGATED DECISIONS**

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

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

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

11 **URGENT PART I BUSINESS**

None.

12 **EXCLUSION OF THE PRESS AND PUBLIC**

Not required.

13 **URGENT PART II BUSINESS**

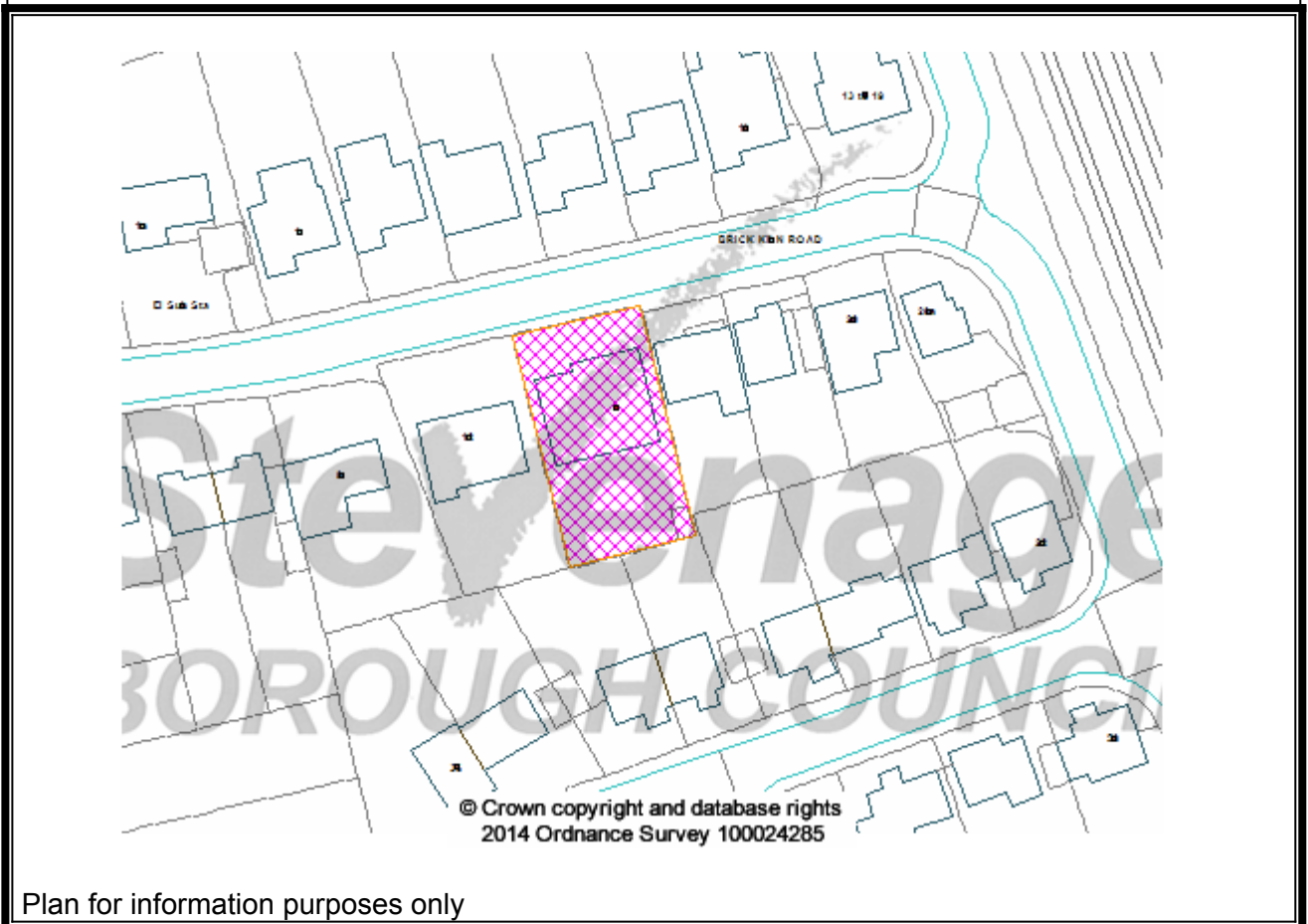
None.

**CHAIR**

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<b>Meeting:</b>	<b>Planning and Development Committee</b>	<b>Agenda Item:</b>
<b>Date:</b>	<b>6 January 2021</b>	
<b>Author:</b>	<b>Ailsa Davis</b>	01438 242747
<b>Lead Officer:</b>	<b>Zayd Al-Jawad</b>	01438 242257
<b>Contact Officer:</b>	<b>Ailsa Davis</b>	01438 242747

Application No:	20/00599/FP
Location:	14 Brick Kiln Road, Stevenage
Proposal:	Change of use from care home (C2) into 8 bedroom HMO (sui generis)
Drawing Nos.:	2020/32/01; 2020/32/02; 2020/32/03
Applicant:	Stevenage Borough Council
Date Valid:	16 October 2020
Recommendation:	GRANT PLANNING PERMISSION.



## 1. APPLICATION UPDATE

- 1.1 This application proposal was considered at planning committee on the 8 December 2020, where Members expressed concern regarding consultation and engagement

with local residents. Members felt a more comprehensive and direct consultation with residents in the area by the Council's Housing Development team would allow people to fully understand the proposals and make representations.,

- 1.2 Following consideration of the application, it was RESOLVED that determination of the application be deferred to allow further extensive consultation to be undertaken within the neighbourhood and brought back to a future meeting of the Committee.
- 1.3 Since the meeting on the 8 December 2020, the Council's Housing Development team (the applicant) has undertaken an additional consultation exercise with all properties on Brick Kiln Road. The consultation was carried out on Friday 17 December where officers from the Housing team visited every property on Brick Kiln Road and delivered a letter outlining the Councils' proposals for No.14, with a summary of the main objections received to date together with a response where appropriate. Local Members were sent a copy of the consultation letter in advance.
- 1.4 The information letter gave residents an opportunity to telephone, email or write to the Housing Development team with their views on the proposals. Opportunity was also given to talk to officers when the letters were hand delivered on the doorstep, whilst adhering to Covid safety measures. The letter allowed comments and questions to be submitted to the Housing Development team between the 17 December 2020 – 4 January 2021.
- 1.5 A summary of the comments and objections will be submitted as an addendum report to the meeting on the 6 January 2021, once they have been collated for consideration by Members.

## **2. CONCLUSIONS**

- 2.1 The additional consultation by the Council's Housing Development team (the applicant) was an opportunity for local residents living on Brick Kiln Road to find out more about the application proposal, in light of Members' concerns that the original consultation and information relating to the application was inadequate.
- 2.2 The proposed change of use is considered to be acceptable in land use policy terms and would not harm the character and appearance of the area or the amenities of adjoining premises. Furthermore, the development would accord with the Council's adopted car parking standards and is considered to be acceptable in highway safety terms. Accordingly, it is recommended that planning permission be granted.
- 2.2 As such, the proposed development is in accordance with the Policies specified in the adopted Local Plan (2019), the Council's Car Parking Standards SPD (2012), the NPPF (2019) and PPG (2014).

## **3. RECOMMENDATIONS**

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

2020/32/01; 2020/32/02; 2020/32/03

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

- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
**REASON:-** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- 3 The building works required to implement this permission shall be carried out only between the following times:  
  
0730 to 1800 Mondays to Fridays  
0830 to 1300 Saturdays  
And not at all on Sundays and Bank Holidays.  
  
The hours specified relate to activities which are audible at the site boundary.  
**REASON:-** To satisfactorily protect the residential amenities of nearby occupiers and the operation of adjoining businesses.
4. The on-site parking spaces indicated on the approved drawing 2020/32/01 shall be provided prior to the first use of the premises hereby permitted and permanently maintained thereafter.  
**REASON:-** To ensure that adequate parking provision is made to serve the proposed development in the interests of highway safety.
5. The use of the premises shall be as an 8 bed House in Multiple Occupation only.  
**REASON:-** To ensure that there is no intensification of the use of the premises leading to additional parking pressures in the locality to the detriment of pedestrian and highway safety.
- 6 Prior to the first occupation arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.  
**REASON:-** To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

## INFORMATIVES

1. 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).

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- 3 Parking and Storage of materials: The applicant is advised that all areas for parking, storage, and delivery of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.
- 4 You are advised to contact the Council's Environmental Health department on [env.health@stevenage.gov.uk](mailto:env.health@stevenage.gov.uk) or 01438 242908 / 242916 with regards to obtaining the relevant HMO licence.

#### **Pro-active statement**

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

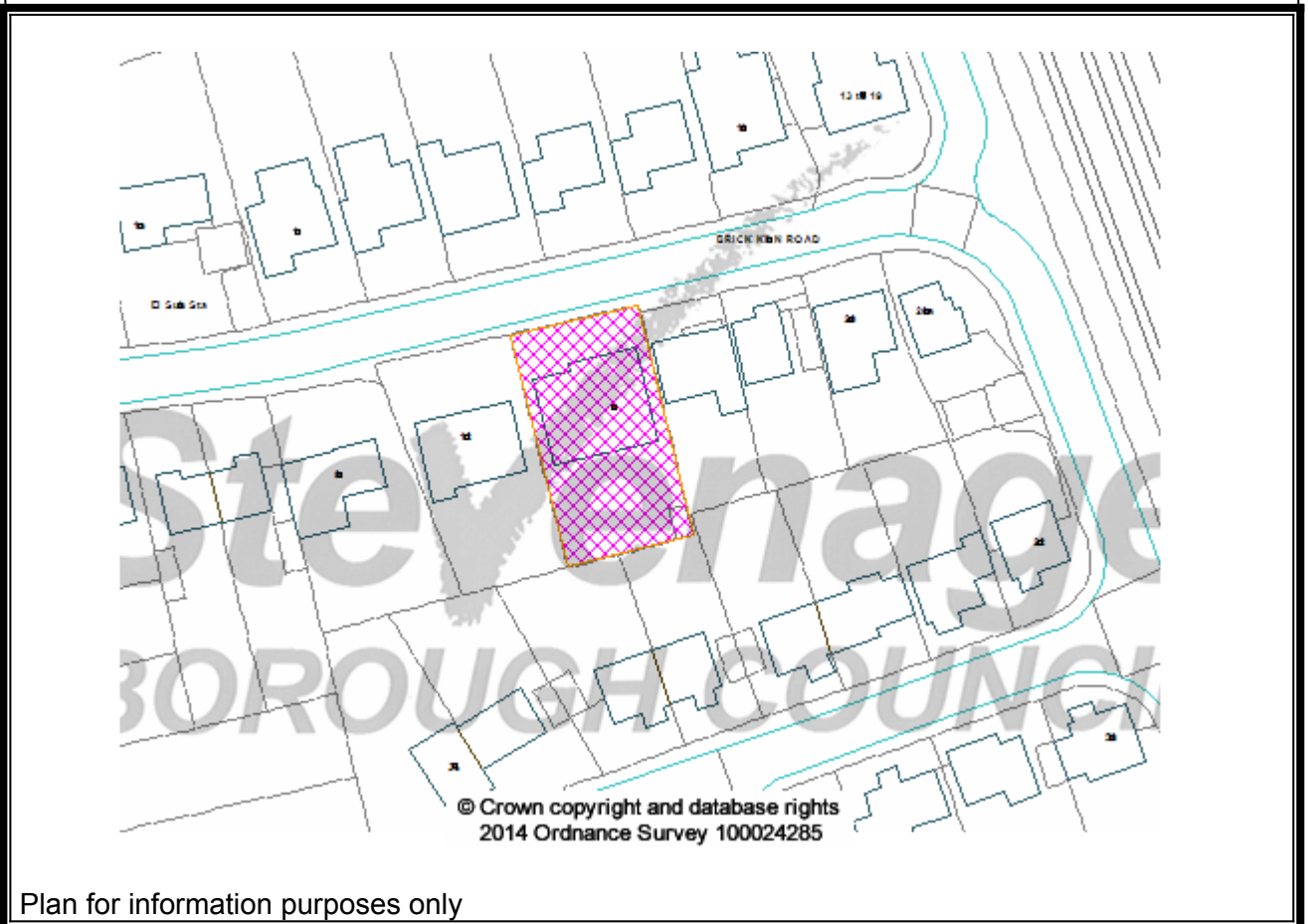
## **10. BACKGROUND DOCUMENTS**

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted October 2020.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework February 2019 and Planning Policy Guidance March 2014.



<b>Meeting:</b>	<b>Planning and Development Committee</b>	<b>Agenda Item:</b>
<b>Date:</b>	<b>8 December 2020</b>	
<b>Author:</b>	<b>Ailsa Davis</b>	01438 242747
<b>Lead Officer:</b>	<b>Zayd Al-Jawad</b>	01438 242257
<b>Contact Officer:</b>	<b>Ailsa Davis</b>	01438 242747

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Location:	14 Brick Kiln Road, Stevenage
Proposal:	Change of use from care home (C2) into 8 bedroom HMO (sui generis)
Drawing Nos.:	2020/32/01; 2020/32/02; 2020/32/03
Applicant:	Stevenage Borough Council
Date Valid:	16 October 2020
Recommendation:	GRANT PLANNING PERMISSION.



## **1. SITE DESCRIPTION**

- 1.1 The application site comprises a detached property located on the south side of Brick Kiln Road. The neighbouring property, to the west, is 12 Brick Kiln Road and to the east lies 16 Brick Kiln Road. To the north, the property fronts onto and takes access from Brick Kiln Road via two crossovers. To the south, the rear garden directly abuts the rear gardens of nos. 30 and 32 Brick Kiln Road.
- 1.2 Brick Kiln Road is a residential cul-de-sac, lying between Fairview Road and the railway line. The oldest houses are to the west of the road and comprise detached and semi-detached properties, although the road has subsequently been extended with further residential properties constructed to the north and south, including some flats. The frontage of the property is hard surfaced, finished in block paving. Parking provision for 4 cars is available on this area served by the 2 dropped kerbs, each serving two spaces. A wall is located centrally to the front of the property between the two points of access.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 Planning permission granted under ref 2/0442/94 in January 1995 for change of use from dwellinghouse (Class C3) to residential home for the elderly (Class C2) and alterations to front elevation.
- 2.2 Planning permission granted under ref 10/00584/FP in February 2011 for single storey rear extension.
- 2.3 Planning permission granted under ref 13/00014/FP in March 2013 for change of use from elderly persons home (Use Class C2) to family dwelling (Use Class C3).
- 2.4 Planning permission refused under ref 13/00246/FP on 20 January 2014 for change of use from an existing care home into a ten bedroom HMO. The reason for refusal was:-

“The proposal would fail to make adequate provision for car parking as set out in the Parking Provision Supplementary Planning Document January 2012 and would, therefore, be likely to result in the worsening of on-street parking in the locality to the detriment of highway and pedestrian safety contrary to Policy T15 of the Stevenage District Plan Second Review 1991-2011.”

An appeal against the refusal of permission was lodged and subsequently dismissed in July 2014.

- 2.5 Planning permission granted under ref 14/00532/FP on 16 February 2015 for change of use from an existing care home into an 8 bedroom HMO. This permission was never implemented and has now expired.

## **3. THE CURRENT APPLICATION**

- 3.1 The property was granted planning permission for a change of use from C3 (dwellinghouse) to C2 (residential care home) in 1994. The premises ceased operating as a care home in 2012. The current application seeks the change of use of the property from a care home for the elderly, (use class C2), to a large house in

multiple occupation (HMO) for up to 8 people, which is classified as a sui generis use. The only external changes proposed to the premises comprise the following:

- New DDA compliant front door;
- Removal of front boundary wall to improve disabled access;
- Replace block paving on front driveway to form a ramped approach to front door to create level access;
- Two replacement side doors and new window at ground floor level;
- Replacement rear patio door;
- Rear garden to be cleared of vegetation and paving to be grouted where required.

3.2 The remainder of the alterations will be internal. The application drawings show a large, communal kitchen, a dining area and entrance hall with an office at the rear. Also on the ground floor will be three bedrooms and the conservatory allocated as a leisure area. Upstairs will be a further five bedrooms. There is also a basement area which is to remain as a leisure/storage area. All of the bedrooms have their own en-suite bathroom facilities, except bedrooms 2 and 3 on the ground floor which will share a bathroom.

3.3 To the front of the property the existing driveway provides 4 parking spaces, two either side of the wall (to be removed). The parking spaces are served by the existing dropped kerbs. A recycling / refuse storage area is identified to the side of the property. Finally, the existing shed in the rear garden would be refurbished to provide secure cycle storage facilities.

3.4 Stevenage Borough Council has bought the site to use as an HMO as part of the Council's Housing Service. The Housing Development team has provided the following background information:

*The works at 14 Brick Kiln Road are to create a supported accommodation scheme which will provide accommodation to those in immediate need and work with them to offer suitable permanent accommodation. The scheme will be utilised to meet our housing demands within SBC with a focus on the Council's 'Housing First' model, which offers safe and secure accommodation to applicants and works closely with the clients to help them integrate and thrive within the community. The scheme's implementation has been accelerated due to the great demand which covid-19 has placed on Council resources and will play a vital role in improving social cohesion, improving the lives of residents across the borough and reduce the risk of covid-19 exposure to those at risk. The scheme will be managed by Stevenage Borough Council and will have on-going support from partner organisations and have 24 hour staff to effectively manage the site.*

3.5 The application comes before Committee for consideration as it has been "called in" at the request of Councillor Loraine Rossati and due to the fact the applicant is Stevenage Borough Council.

## **4. PUBLIC REPRESENTATIONS**

4.1 This planning application has been publicised by way of a site notice and neighbour notification letter. Thirty two objections have been received from the occupiers of Nos. 1, 1A, 3, 5, 7, 8, 11, 16, 18, 20, 22, 26, 28, 30, 32, 34, 36, 37, 39, 43, 44, 50, 52, 54, 56, 58 and 60 Brick Kiln Road, 132 Bude Crescent and 12 Newlyn Close on the following grounds:

- Plans and application form are inaccurate, incomplete and fail to show sufficient detail;

- Inadequate consultation;
- Property has been used as a dwelling since the care home closed;
- Lack of information on how the property will be used;
- Insufficient provision for on-site car parking will lead to increased parking on road;
- 8 bedrooms is too many for this property;
- Not enough shared living space would lead to cramped conditions;
- Property too far from a supermarket and other amenities given most tenants will not own a car and the local bus service is infrequent;
- The front brick wall prevents all four parking spaces being used;
- Increased noise and disturbance;
- Increase in anti-social behaviour and concern over safety of existing residents;
- Concern over who will be living in the property;
- Work is being carried out before planning permission has been granted;
- Unsuitable use of property in a road comprising mainly families and older people;
- Why is 24 hour security required?
- Highway safety concerns, especially emergency vehicle access.
- Design not compliant with HMO Licensing Requirements;
- No details of fire safety measures
- Property not DDA compliant

## **5. CONSULTATIONS**

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

5.1.1 Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to a condition relating to surface water drainage.

### **5.2 SBC Environmental Health**

5.2.1 No objection, subject to informatives and advice on HMO licensing requirements.

## **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. The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning

applications. The NPPF provides that proposals which accord with an up to date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up to date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up to date development plan, reflecting the requirements of section 38(6) of the 2004 Act. The NPPF and the PPG, with which Members are fully familiar, are both material considerations to be taken into account in determining this application.

### **6.3 Adopted Local Plan**

Policy SP1: Presumption in favour of sustainable development;  
Policy SP2: Sustainable development in Stevenage;  
Policy SP6: Sustainable transport;  
Policy SP8: Good design;  
Policy IT5: Parking and access;  
Policy GD1: High quality design;  
Policy HO5: Windfall Sites  
Policy HO9: Housing Types and Sizes  
Policy HC4: Existing health, social and community facilities

### **6.4 Supplementary Planning Documents**

Parking Provision Supplementary Planning Document January 2020.

### **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. This proposal is CIL liable.

## **7. APPRAISAL**

7.1 The determining issues relate to the acceptability of the application in land use policy terms, the impact of the development on the character and appearance of the area, the impact on the amenities of neighbouring occupiers and the provision of appropriate parking to serve the property.

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

7.2.1 The principle of residential development within urban areas is set out in both national and local policy. Paragraph 61 of the National Planning Policy Framework (NPPF) 2019 requires that the planning system should deliver, inter alia, a mix of housing particularly in terms of tenure and price to support a wide variety of households in all areas.

7.2.2 Policy HO5 of the adopted Local Plan (2019) is for windfall housing sites and states that permission will be granted where: the site is on previously developed land or is a small, underused urban site; there is good access to local facilities; there will be no detrimental impact on the environment and the surrounding properties; proposals will not prejudice the Council's ability to deliver residential development on allocated sites; and, the proposed development would not overburden existing infrastructure.

7.2.3 The application property comprises previously developed land and therefore the principle of the change of use from a care home (last lawful use) to a large HMO (8 bedrooms) is considered acceptable. In regards to criterion (d) of Policy HO5, due to

the siting of the proposed development, it would not prejudice the delivery of residential development on allocated sites. In terms of criterion (e) of the aforementioned policy, due to the limited scale of the development, it would not overburden existing infrastructure. Additionally, the site has good access to the Old Town shops and services via Bridge Road to the north and Tesco Extra on the A602 roundabout to the south. There is also a local bus service on Fairview Road. Accordingly, the site is considered to have sufficient access to local facilities.

- 7.2.4 In respect to Policy HO9 (House types and sizes) of the adopted Local Plan (2019), as the proposed development seeks to deliver smaller accommodation, it would be in accordance with this policy as it would help to balance the structural imbalances in the existing housing stock, whereby there is a lack of smaller properties in the Borough. The proposal would accord with this by providing smaller units in the form of additional HMO tenancy units.
- 7.2.5 In relation to five year land supply of deliverable housing, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements, but the supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:-
- a) 5% to ensure choice and competition in the market; or
  - b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during the year; or
  - c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.
- 7.2.6 The most up to date housing supply figures indicate that the Council is able to meet its requirements to provide a 5 year land supply as defined in the adopted Local Plan. The fact that the Council can meet its 5 year land supply of housing is thus a material consideration in the assessment of this application.
- 7.2.7 Additionally, Policy SP7 of the adopted local plan identifies that there is a need to provide 7,600 new homes within Stevenage and this policy allocates 1,950 new homes to be provided elsewhere in the Borough. Taking this into consideration, the proposed development would support the Council's ambition in delivering a number of homes which fall outside the designated sites.
- 7.2.8 Policy HC4 of the Adopted Local Plan 2019 states that the retention of existing social and community facilities will be expected unless it can be demonstrated that there is no demand or need for the facility. The care home closed in early November 2012 and has not been in use as a care home ever since. Given this, it is considered that the scheme complies with policy HC4 as the closure of the care home in 2012 demonstrates a lack of demand or need for that facility.
- 7.2.9 Planning permission was granted in February 2015 (ref. 14/00532/FP) for a change of use from a care home into an 8 bedroom HMO. This permission was never implemented and has now expired. This is also a material consideration in the determination of this application. The principle of subdivision was established under the previous planning permission and the subdivision under this proposal continues to be considered acceptable in land use policy terms.
- 7.2.10 The fact the property will be used by Stevenage Borough Council as supported accommodation for those in immediate need, prior to offering suitable permanent accommodation as part of the Council's 'Housing First' model is not, however, a material planning consideration. The proposed use of the property falls within the

definition of a House of Multiple Occupation and therefore the application should be assessed on that basis.

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

7.3.1 In relation to the impact on the character and appearance of the area, only minor external changes are proposed to the property, with the main noticeable change amounting to the removal of the front boundary wall and replacement block paved driveway to facilitate level access to the front entrance. It is considered this change would not unduly impact on the character and appearance of the area and would improve the usability of the driveway for off street parking. The internal alterations would not be readily perceived and the car parking and access arrangements would remain similar to the existing arrangement. In view of this, it is not considered that the change of use of the property would have an adverse impact upon the character and appearance of the area.

### **7.4 Impact upon Neighbouring Amenities**

7.4.1 With regard to the impact on residential amenity, the last lawful use of the property was as a care home for the elderly. Therefore, the key is to assess if the use of the property as a large HMO would result in a significant detrimental impact on residential amenity over and above its previous lawful use. Given the previous use, it is not considered that the use of the property as an 8 bedroom HMO would be likely to worsen this.

7.4.2 In considering this issue, it is noted that Environmental Health has commented on the application and consider the property to be suitable to accommodate this number of bedrooms. Subject to appropriate licencing of the premises and fire protection measures being undertaken, Environmental Health are raising no objection to the use of the property as a large HMO. Furthermore, they have raised no concerns from a noise perspective. On assessment of this issue, it is not considered that there would be additional noise and disturbance over and above the previous use of the premises that would be sufficient to warrant a reason for refusal. Any noise attenuation required internally would be dealt with at the building regulations stage.

7.4.3 In relation to the appropriateness of the accommodation for future occupants, the rooms and accommodation are all of an acceptable size. With regard to amenity space, the property has a private rear garden area of approximately 180 sq.m, which is considered to be sufficient size for a property of this size. Under the Stevenage Design Guide (2009) a flatted development of eight units would require 80 sq.m of amenity space and thus the proposal exceeds that which would be required under the Supplementary Planning Document.

### **7.5 Access and Car Parking**

7.5.1 With regard to car parking, the applicant has provided a drawing which shows that four cars can be parked on the existing driveway to the front of the property, which would be served by two existing dropped kerbs. The Council's Parking Provision Supplementary Planning Document adopted October 2020 (SPD) sets out that houses in multiple occupation require 0.5 spaces per tenancy unit, resulting in a requirement for four spaces. However, as the site is in Accessibility Zone 2, the Council's standards allow for a relaxation to between 50% and 75% of the maximum, which means that the Council could consider a reduction of the number of spaces to between 2 and 3. However, the SPD also goes on to state that where it

can be demonstrated that parking problems exist within, or around, the proposed development site the zonal reductions may not apply and that this will be determined on a case by case basis.

- 7.5.2 Four existing off street parking spaces are available on site, therefore the proposal meets the Council's maximum adopted standards. Furthermore, the parking arrangement has been assessed by the County Council as highway authority who considers this to be acceptable and, similarly, is raising no objection on highway safety grounds. Following the demolition of the front boundary wall, additional space will be available for a fifth car to park on the driveway should that be required e.g. for Council staff.
- 7.5.3 Concerns have been raised by objectors to the application that given the size of some of the bedrooms, there is the potential for more than 8 people to live at the property. The HMO will also need to be licenced by Environmental Health, who would consider the maximum number of people who could occupy the premises. Under the 2015 application for an 8 bed HMO, Environmental Health advised the property was not suitable for more than 10 people, however they have not commented on this as part of this application.
- 7.5.4 Whilst Town Planning legislation is unable to control the number of occupants at the property, Environmental Health legislation can limit occupancy via the licence which will be required prior to occupation. The Council's Housing Development team has been advised of this. However, Town Planning legislation is able to control the number of bedrooms by the imposition of a condition attached to any grant of planning permission. With this condition in place, it would ensure that any increase in accommodation would need further planning permission and thus any implications for parking requirements would again come under the control by the Local Planning Authority.
- 7.5.5 Whilst the concerns of the objectors in respect of parking provision and access to the site are noted, it is clear from the above that the scheme is in accordance with the Council's adopted parking standards. Furthermore, the access arrangements are considered to be acceptable by the County Council as highway authority.
- 7.5.6 Secured and covered cycle parking is to be provided in the existing shed in the rear garden and is therefore considered acceptable in this regard.

## **7.6 Other Considerations**

- 7.6.1 Concerns have been raised that the development would be out of keeping and change the character of the area; lead to an increase in crime and result in anti-social behaviour. The need for the HMO and issues of anti-social behaviour are not matters that are controlled by the planning legislation, whilst the impact upon the character and appearance of the area are addressed elsewhere in this report. Finally, with regard to the issue of crime the rear garden of the property is enclosed and secured by fencing and replacement external doors are to be installed.
- 7.6.2 It is also worth noting that the property will be managed by Stevenage Borough Council, which has to meet regulations in terms of managing issues such as anti-social behaviour. Management of the HMO will be delivered by an existing 24 hour security provision that is currently in operation at various Council managed sites across the town, which will be expanded to cover this property. The office will be staffed to meet support requirements, rather than an ongoing 24 hour provision.



- 7.6.3 The existing arrangements for the storage and collection of waste and recycling as per the previous care home use will remain and therefore the proposal is acceptable in this regard. Refuse / recycling storage is shown at the side of the property.
- 7.6.4 In terms of neighbour consultation, a site notice was displayed opposite the site and all adjoining properties were sent a consultation letter in accordance with Article 15 of the Development Management Procedure Order (as amended). Therefore, the Council has met its statutory duty in terms of the level of consultation which has been undertaken.
- 7.6.5 With regards to the information submitted with the application, national validation requirements were met with the submission of the application form, site location plan, existing and proposed plans. Other required supporting information is at the discretion of the Local Planning Authority. In this instance, additional background information was sought from the Council's Housing Development team and published on the website.
- 7.6.6 The Planning Authority was made aware that works were taking place inside the property prior to the determination of the application. On investigation, it was established with the Housing Development team that the works did not constitute development requiring planning permission and as such, could be carried out without the consent of the Planning Authority. In terms of determination of the application, it is being considered by Members of the Planning Committee due to the fact the Council is the applicant. This is in accordance with The Town and Country Planning General Regulations 1992.

#### Community Infrastructure Levy

- 7.6.7 As indicated above, the Council adopted CIL on 1 April 2020 and the CIL Charging Schedule specifies a payment for new floor space 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>	

- 7.6.8 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.
- 7.6.9 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 with the application. This proposal would be CIL liable.

## 8. CONCLUSIONS

- 8.1 The proposed change of use is considered to be acceptable in land use policy terms and would not harm the character and appearance of the area or the amenities of adjoining premises. Furthermore, the development would accord with the Council's adopted car parking standards and is considered to be acceptable in highway safety terms. Accordingly, it is recommended that planning permission be granted.
- 8.2 As such, the proposed development is in accordance with the Policies specified in the adopted Local Plan (2019), the Council's Car Parking Standards SPD (2012), the NPPF (2019) and PPG (2014).

## 9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the following conditions:-
- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
- 2020/32/01; 2020/32/02; 2020/32/03
- REASON:-** For the avoidance of doubt and in the interests of proper planning.
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- REASON:-** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- 3 The building works required to implement this permission shall be carried out only between the following times:
- 0730 to 1800 Mondays to Fridays  
0830 to 1300 Saturdays  
And not at all on Sundays and Bank Holidays.
- The hours specified relate to activities which are audible at the site boundary.
- REASON:-** To satisfactorily protect the residential amenities of nearby occupiers and the operation of adjoining businesses.
4. The on-site parking spaces indicated on the approved drawing 2020/32/01 shall be provided prior to the first use of the premises hereby permitted and permanently maintained thereafter.
- REASON:-** To ensure that adequate parking provision is made to serve the proposed development in the interests of highway safety.
5. The use of the premises shall be as an 8 bed House in Multiple Occupation only.

**REASON:-** To ensure that there is no intensification of the use of the premises leading to additional parking pressures in the locality to the detriment of pedestrian and highway safety.

- 6 Prior to the first occupation arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

**REASON:-** To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

## INFORMATIVES

1. 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).

- 2 Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.
- 3 Parking and Storage of materials: The applicant is advised that all areas for parking, storage, and delivery of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.
- 4 You are advised to contact the Council's Environmental Health department on [env.health@stevenage.gov.uk](mailto:env.health@stevenage.gov.uk) or 01438 242908 / 242916 with regards to obtaining the relevant HMO licence.

### **Pro-active statement**

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

## **10. BACKGROUND DOCUMENTS**

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted October 2020.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Hertfordshire County Council’s Local Transport Plan 4 adopted May 2018.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework February 2019 and Planning Policy Guidance March 2014.

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**Meeting:** Planning and Development  
Committee

**Date:** 8 December 2020

## **ADDENDUM REPORT**

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

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

#### Application Publicity

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

#### Supporting Information

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

#### Suitability of property for 8 bed HMO

- 2.5 Planning permission was granted under ref 14/00532/FP on 16 February 2015 for the change of use from an existing care home into an 8 bedroom HMO. This permission was never implemented and has now expired. The property has since

been bought by Stevenage Borough Council, who has applied to renew this permission.

- 2.6 The fact planning permission was granted five years ago for the same proposal is a material planning consideration. The principle of subdivision was established under the previous planning permission and the subdivision under this proposal continues to be considered acceptable in planning policy terms.
- 2.7 The use of the property by the Council as supported accommodation for those in immediate need, prior to offering suitable permanent accommodation as part of the Council's 'Housing First' model is not, however, a material planning consideration. The proposed use of the property falls within the definition of a House of Multiple Occupation and therefore the application should be assessed on that basis.
- 2.8 Environmental Health has commented on the application and considers the proposed layout suitable to accommodate this number of bedrooms. Subject to appropriate licencing of the premises and fire protection measures being undertaken, Environmental Health are raising no objection to the use of the property as a large HMO.

#### Determination of application

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

#### Car Parking

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

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

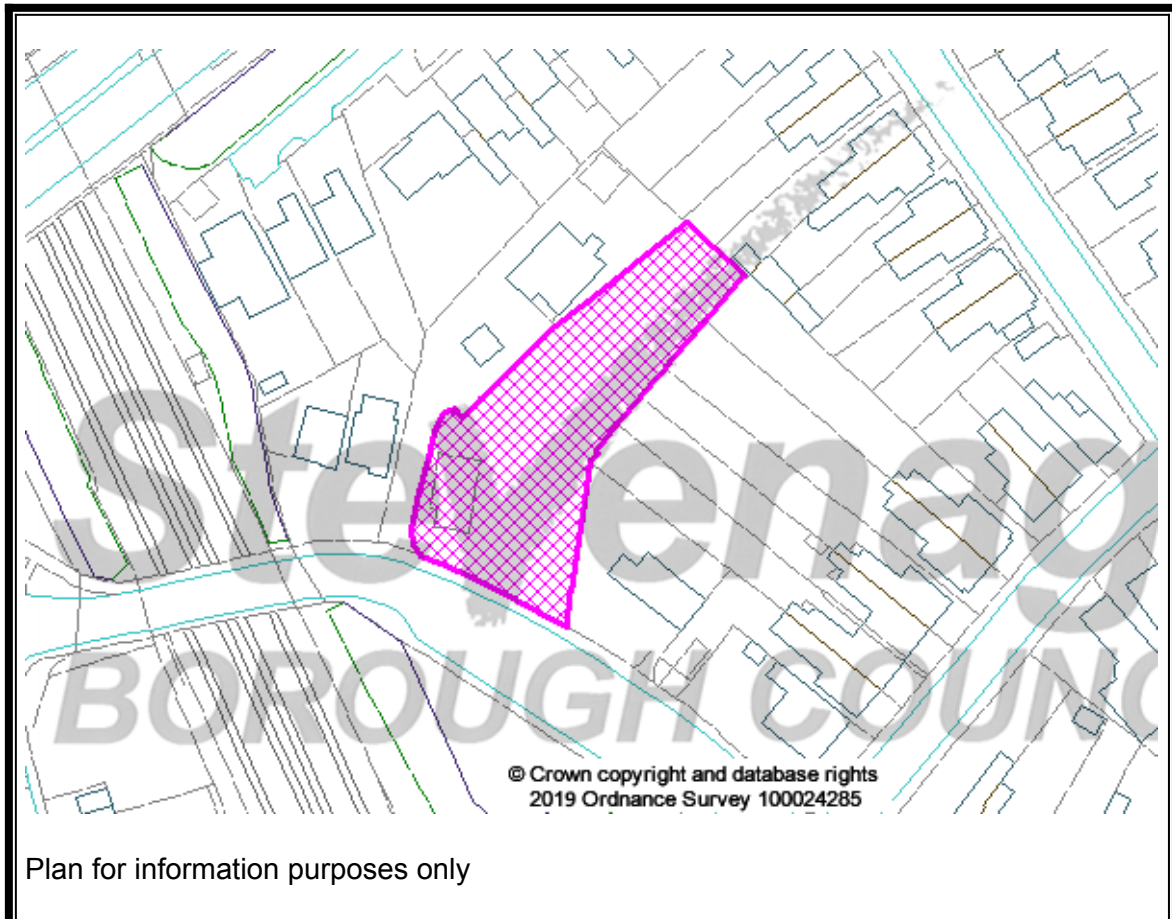
**Date:** 6 January 2021

**Author:** Rebecca Elliott 01438 242836

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

**Contact Officer:** Rebecca Elliott 01438 242836

Application No:	20/00608/FP & 20/00775/ENF
Location:	Plot 1, 24 Julians Road, Stevenage
Proposal:	Variation to planning permission reference number 16/00608/FP to convert the integral garage.
Drawing Nos.:	1858/10A; 1858/11; 1858/25
Applicant:	Mr Lloyd Houghton
Date Valid:	09 November 2020
Recommendation:	REFUSE PLANNING PERMISSION AND SERVE AN ENFORCEMENT NOTICE.



## **1. SITE DESCRIPTION**

- 1.1 The site is the former curtilage of 24 Julians Road located to the north of Julians Road close to the railway bridge to the west. The property known as 24 Julians Road has been demolished and the erection of 3no. four bed dwellings is under construction following approval of application reference 16/00608/FP.
- 1.2 The dwellings are nearly complete and are already being marketed. Plot 1, the subject of this application, is located to the west of the site facing Julians Road. The four bedroom dwelling was approved with an integral single garage and a two car driveway.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 Planning application 16/00608/FP sought planning permission for the demolition of the existing dwelling to facilitate the erection of 3 no. four bedroom detached dwellings. This application was granted planning permission in February 2017.
- 2.2 Discharge of condition application 17/00277/COND sought to discharge conditions 9 (Materials), 10 (Boundary Treatment) and 11 (Landscaping Scheme) attached to planning permission 16/00608/FP. The conditions were discharged in July 2017.
- 2.3 Discharge of condition application 17/00531/COND sought to discharge conditions 15 (tree protection) and 17 (Demolition and Construction Method Statement) attached to planning permission 16/00608/FP. The conditions were discharged in July 2017.

## **3. THE CURRENT APPLICATION**

- 3.1 The application seeks a variation of condition 1 of approval 16/00608/FP to allow for the conversion.
- 3.2 The conversion did not involve the removal of the approved garage door, with access here to an external store. The dining room is sited behind the store with a new ground floor window on the respective side elevation of the dwelling.

## **4. PUBLIC REPRESENTATIONS**

- 4.1 Following notification of the application via letter to neighbouring properties, three objections were received from the following:-
  - 41 and 43 Julians Road; and
  - 22A Julians Road.
- 4.2 A summary of the representations which have been received are as follows:-
  - The garage has been constructed without a garage and now comprises a store and dining room and being marketed as such;
  - There is not sufficient space on-site to accommodate additional parking;
  - The proposal could result in the loss of landscaping on-site to accommodate additional parking;



- The proposal could lead to vehicles parking on the footpath which could prejudice highway safety;
- The proposal would put added pressure on the heavily used parking lay-by on Julians Road;
- The proposal will result in on-street parking;
- Will generate additional congestion on local roads;
- The lleylandii should be reduced to reduce the impact of overshadow as well as improve sunlight and daylight;
- Will result in higher property prices at a cost to the local community in terms of losing limited shared parking space;
- The development site is in a poor and untidy condition.

## **5 CONSULTATIONS**

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

5.1.1 It is unclear if a parking space has been removed as part of the reconfiguration or if the space is retained but reduced in size. Therefore, HCC Highways are unable to extend the grant of planning permission until the information has been clarified.

## **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. The policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up to date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up to date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up to date development plan, reflecting the requirements of section 38(6) of the 2004 Act. The NPPF with which Members are fully familiar, is a material consideration to be taken into account in determining this application.

### **6.3 Planning Practice Guidance**

The PPG contains guidance supplementing the NPPF and with which Members are fully familiar. The PPG is a material consideration to be taken into account together with the National Design Guide (2019) which has the same status as the PPG.

### **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 SP8: Good Design  
Policy GD1: High quality design  
Policy IT5: Parking and access

### **6.5 Supplementary Planning Documents**

Parking Provision Supplementary Planning Document October 2020.  
Stevenage Design Guide Supplementary Planning Document 2009.

### **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 issues for consideration are impact on visual amenity as well as parking and highway implications.

### **7.2 Impact on visual amenity**

- 7.2.1 The conversion does not comprise the removal of the approved garage door, with access being retained to an external store. The dining room, once the development is completed, will be sited behind the store with a new ground floor window on the respective side elevation of the dwelling. Therefore the proposal has had no impact on the visual appearance of the dwelling or the street scene.

### **7.3 Parking and Highway implications**

- 7.3.1 Turning then to the impact on the parking provision of plot 1, the property is a 4 bedroom dwelling and, in accordance with the current Council's adopted parking standards, should provide three parking spaces. This is the same level of parking as in the now superseded 2012 parking standards SPD and required when the original application was assessed.
- 7.3.2 The development now being carried out results in the loss of the integral garage and therefore one parking space within the curtilage of Plot 1. The submitted plans make no suggestion of a replacement space being provided on site, and given the confinement of the site, it is not considered this would be possible without losing a significant portion of the rear garden, which would then make the proposal unacceptable on amenity grounds.

- 7.3.3 Consequently, the provision of a 4 bedroom dwelling in this location with only two parking spaces is unacceptable and fails to meet Policies GD1 and IT5 of the Local plan, as well as the guidance contained in the Parking Standards SPD (2020).

## **8 CONCLUSION**

- 8.1 In summary, the conversion of the approved integral garage of the dwelling shown as plot 1 results in the loss of a parking space at this four bedroom dwelling. The resultant provision of only two parking spaces at this property results in substandard parking provision, detrimental to the wider area and therefore fails to accord with Policies GD1 and IT5 of the Stevenage Borough Local Plan 2011-2031 (2019) and the Council's Parking Provision and Sustainable Transport SPD (2020). The under provision is unacceptable and could result in cars parking on the nearby highway to the detriment of highway safety

## **9 RECOMMENDATIONS**

- 9.1 That planning permission be REFUSED subject to the following reason:-
1. The conversion of the approved integral garage of the dwelling shown as plot 1 results in the loss of a parking space at this four bedroom dwelling. The resultant provision of only two parking spaces at this property therefore fails to accord with Policies GD1 and IT5 of the Stevenage Borough Local Plan 2011-2031 (2019) and the Council's Parking Provision and Sustainable Transport SPD (2020). The under provision is unacceptable and could result in cars parking on the nearby highway to the detriment of highway safety.

## **10 FURTHER CONSIDERATIONS**

- 10.1 Having recommended refusal of the retrospective planning application, a decision needs to be made as to whether the Council should undertake enforcement action against the breach of planning control which has occurred in this instance.
- 10.2 As set out previously in this report, it is considered that the conversion of the garage to habitable accommodation is unacceptable as it results in the loss of parking space which would serve the approved dwellinghouse contrary to the Council's adopted Parking Standards SPD and Policy IT5 of the adopted Local Plan (2019).
- 10.3 Given the aforementioned comments, should the Committee agree with the recommendations set out in section 9 of this report to refuse planning permission, authorisation is sought to take enforcement action to require the development to be carried out in accordance with the plans approved under 16/00608/FP and to reinstate the garage for parking of motor-vehicles only. It is considered that a period of two months to comply with any Notice is deemed reasonable in line with the Government's Planning Practice Guidance (2014).

## **11 FURTHER RECOMMENDATION**

- 11.1 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 unauthorised works within plot 1, namely the provision of a separate dining room and store be removed and the space converted to the approved garage under permission 16/00608/FP. The precise terms of the Enforcement Notice, including all time periods, to be delegated to the Assistant Director of Planning and Regulation in conjunction with Council's appointed solicitor.
- 11.2 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.
- 11.3 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.

## **12 REMEDY REQUIRED**

- 12.1 Within two months of the date of any Enforcement Notice served, the works required to provide the integral garage in accordance with the approved plans of permission 16/00608/FP.

### **Pro-active statement**

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted pro-actively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

## **13 BACKGROUND DOCUMENTS**

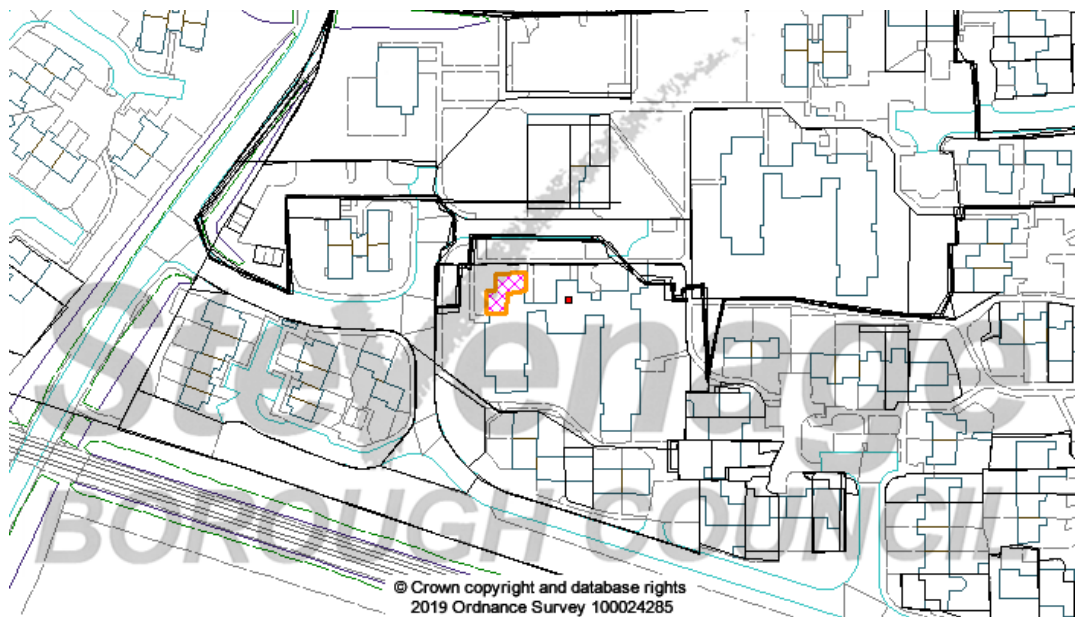
1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2020.
3. Stevenage Borough Local Plan 2011-2031 adopted May 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.

6. Central Government advice contained in the National Planning Policy Framework February 2019 and Planning Policy Guidance March 2014.

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<b>Meeting:</b>	<b>Planning and Development Committee</b>	<b>Agenda Item:</b>
<b>Date:</b>	<b>6 January 2021</b>	
<b>Author:</b>	<b>Ailsa Davis</b>	01438 242747
<b>Lead Officer:</b>	<b>Zayd Al-Jawad</b>	01438 242257
<b>Contact Officer:</b>	<b>Ailsa Davis</b>	01438 242747

Application No:	20/00620/FP
Location:	Flat 23 And 24 Walpole Court, Blenheim Way, Stevenage
Proposal:	Change of use from Residential Flats (use class C3) to Physiotherapy Clinic (use class D1) at 23 & 24 Walpole Court to facilitate the continued provision of the service while redevelopment of the main site granted under reference 18/00398/FPM takes place.
Drawing Nos.:	Site Location Plan; Block Plan; H/17381; TBC-02
Applicant:	Stevenage Borough Council
Date Valid:	26 October 2020
Recommendation:	GRANT PLANNING PERMISSION.



Plan for information purposes only

## 1. SITE DESCRIPTION

- 1.1 Walpole Court is a sheltered housing development owned and managed by Stevenage Borough Council. The site comprises a two storey building subdivided into flats constructed from a mixture of buff multi-stock brick with parts of the first floor level clad in timber. The roof of the sheltered accommodation is clad in bold roll concrete inter-locking tiles with timber soffits with black uPVC gutters and

downpipes. The Walpole Court site also comprises six bungalows which form a staggered terrace with hipped roofs. These properties are constructed from red and buff brick with a band of grey bricks. The roofs of the bungalows are clad in concrete inter-locking tiles.

- 1.2 The application site is adjoined to the north by the Kenilworth Close neighbourhood centre, which comprises two single-storey buildings and a surface car park. The main building, which fronts onto the surface car park which is accessed off of Hertford Road, consists of 4 no. retail units. Immediately to the west of the small parade of shops is the detached single-storey community centre. The application site is adjoined to the south, west and east by additional sheltered housing accommodation.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 Planning permission was granted on the 28 October 2019 (ref. 18/00398/FPM) for the demolition of the existing Bragbury End community centre, Asquith Court and various residential dwellings and the construction of a mixed use development with 169 no. dwellings (Including independent living) and 4no. retail units across various blocks on land adjoining the application site to the north. This is Phase 1.
- 2.2 Planning permission was also granted on the 28 October 2019 (ref. 18/00399/FPM) for the demolition of the existing Walpole Court sheltered scheme and associated parking and the construction of 51no. apartments and 9no. houses along Blenheim Way. This is Phase 2.

## **3. THE CURRENT APPLICATION**

- 3.1 Planning permission is sought to use two vacant flats (Nos. 23 and 24) within the Walpole Court sheltered housing block as a physiotherapy clinic. The planning application form states the change of use has already occurred and the flats have been used as a physiotherapy clinic since April 2020. The clinic previously operated from No. 3a Kenilworth Close, approximately 50m across Kenilworth Close to the north. The current arrangements will enable the clinic to continue to operate, while the redevelopment of the Bragbury Centre site granted planning permission under reference 18/00398/FPM takes place under phase 1 of the development proposals. No external alterations are proposed, other than a new ramped access and entrance door to facilitate disabled access.
- 3.2 The change of use is temporary for approximately 2 years until the new building is constructed adjacent to Walpole Court as part of Phase 1 of the development (application ref. 18/00398/FPM). Once the new retail/treatment facility is constructed, the physiotherapy clinic will be able to bid for a tenancy there and the Council will rehouse the current residents of Walpole Court into the new building, to enable its demolition and the delivery of Phase 2 of the development proposal (application ref. 18/00399/FPM).
- 3.3 The application comes before Committee for consideration as the applicant is Stevenage Borough Council.

## **4. PUBLIC REPRESENTATIONS**

- 4.1 This planning application has been publicised by way of a site notice and neighbour notification letter. No representations have been received.



## **5. CONSULTATIONS**

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

5.1.1 Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

### **5.2 SBC Environmental Health**

5.2.1 No comments received to date.

## **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. The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up to date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up to date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up to date development plan, reflecting the requirements of section 38(6) of the 2004 Act. The NPPF and the PPG, with which Members are fully familiar, are both material considerations to be taken into account in determining this application.

### **6.3 Adopted Local Plan**

Policy SP1: Presumption in favour of sustainable development;  
Policy SP2: Sustainable development in Stevenage;  
Policy SP6: Sustainable transport;  
Policy IT5: Parking and access;  
Policy HO6: Redevelopment of existing homes

### **6.4 Supplementary Planning Documents**

Parking Provision Supplementary Planning Document January 2020.

## **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. This proposal is not CIL liable.

## **7. APPRAISAL**

- 7.1 The determining issues relate to the acceptability of the application in land use policy terms, the impact of the development on the character and appearance of the area, the impact on the amenities of neighbouring occupiers and the provision of appropriate parking to serve the clinic.

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

- 7.2.1 Policy HO6 of the adopted Local Plan (2019) covers the loss of existing housing, whether through redevelopment or change of use. The policy states planning permission for schemes resulting in the change of use or redevelopment of existing homes for non-residential purposes will be granted where:

- a) It would provide a small-scale social, health, community or leisure facility or a small scale extension to an existing business use in the same building;
- b) It would not adversely affect the surrounding or adjoining properties; and
- c) A suitable, alternative non-residential site is not available for the proposed use.

- 7.2.2 The physiotherapy clinic is a small scale health facility and is in accordance with criterion (a) of policy HO6. Its use would not adversely affect the surrounding or adjoining properties, as it is considered the clinic will not generate unwanted noise or disturbance to existing residents of Walpole Court in accordance with criterion (b). Finally, due to the planned redevelopment of the application site and the Bragbury Centre site to the north where new dwellings, shops, services and community facilities will be re-provided, a suitable, alternative non-residential site is not currently available due to the wider development proposals for the area. The application can therefore be concluded to comply with criterion (c).

- 7.2.3 On this basis, it is considered the temporary use of two vacant flats within Walpole Court as a physiotherapy clinic is acceptable in land use policy terms, as the proposal complies with the requirements of Local Plan Policy HO6. The flats will be re-provided as part of the development proposals at the Bragbury Centre (Phase 1) and Walpole Court (Phase 2) granted planning permission on 28 October 2019 under refs. 18/00398/FPM and 18/00399/FPM and the physiotherapy clinic will be able to bid to occupy a unit in the new development.

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

- 7.3.1 The application proposal involves no external alterations, other than a new access ramp and front entrance door to facilitate disabled access into the clinic. It is considered this alteration is minor and will not harm the character and appearance of the area.

## **7.4 Impact upon Neighbouring Amenities**

- 7.4.1 With regard to residential amenity, the main issue to consider is whether a physiotherapy clinic (Use Class E) would create a greater level of noise and disturbance compared to the current lawful use of the application properties as two dwellings (Use Class C3). The proposed floor plan indicates that there are two treatment rooms, with ancillary facilities and a reception area. This suggests there are unlikely to be more than two patients at any time, plus staff and others waiting in reception.
- 7.4.2 The nature of physiotherapy is physical and does not usually generate noise. As such, given the small number of people likely to be using the clinic at any given time and the quiet, calm nature of the proposed use it is not considered that the change of use would raise any additional amenity issues for adjoining residents compared to the current lawful use as two dwellings. The proposal is therefore considered acceptable in this regard.

## **7.5 Access and Car Parking**

- 7.5.1 In terms of access and car parking, Hertfordshire County Council as Highway Authority has made the following comments:

*The main concern for Hertfordshire County Council is that of parking associated with the proposed change of use. It could be considered that the effect of the proposed use would attract additional parking demand and any required parking will be accommodated on-street. The Physiotherapy Clinic may generate additional trips with staff with their own vehicle would be parking long term with customers parking for a short duration and this short term parking is more likely to occur on site or as close to the facility as possible and may occur on-street along other parts of Kenilworth Close.*

*The occurrence of any additional on-street parking if in large numbers would be detrimental to the safety and efficiency of the adjacent highway network. Nevertheless the proposed change of use is of a small scale operation and there is no evidence available to show that the addition of this facility at this location would result in short term on-street parking that would cause congestion close to the site.*

*Under these circumstances, unless details can be substantiated that the use of the proposed change of use is likely to result in short term parking along Kenilworth Close that would lead to the proposal being detrimental to the safety and efficiency of the public highway, the proposal cannot be considered that the amount of additional on-street parking generated would be significant. Consequently it is unlikely a highway reason for refusal could be substantiated.*

*As a consequence Hertfordshire County Council as highway authority has no issues with the proposal and does not wish to restrict the grant of planning permission highway grounds.*

- 7.5.2 The Council's Parking Provision SPD (2020) requires 3 spaces per consulting room plus 1 space per employee other than consulting doctors/dentists/vets for clinics. On the basis that the physiotherapy clinic has two treatment rooms, the standards require 6 off street parking spaces plus 1 space per employee. The application proposal does not provide any off street parking and therefore does not meet the requirements of the SPD. However, since its occupation of the flats from April 2020, the clinic has been successfully operating without causing on street parking problems for the local area.

7.5.3 However, whilst no off street parking is available next to flats 23 and 24 at Walpole Court, there is unrestricted on street parking available along Blenheim Way to the south and within parking areas connected with the Walpole Court sheltered housing close by. Given that the relocation of the clinic is temporary to allow the redevelopment of the area to the north (Phase 1) and the business is small in nature, not likely to generate large numbers of cars, it is considered that the amount of on street parking generated would be insignificant and not adversely affect the safety and efficiency of the public highway. On this basis and the fact the Highway Authority has not objected, it is considered the proposal is acceptable in this regard.

## 7.6 Other Considerations

### Community Infrastructure Levy

7.6.1 As indicated above, the Council adopted CIL on 1 April 2020 and the CIL Charging Schedule specifies a payment for new floor space 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>	

7.6.2 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.

7.6.3 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 with the application. This proposal would not be CIL liable.

## 8. CONCLUSIONS

8.1 The proposed change of use is considered to be acceptable in land use policy terms, would not harm the character and appearance of the area, the amenities of adjoining dwellings or the safety and efficiency of the public highway. Furthermore, as the proposal is for the temporary relocation of the physiotherapy clinic only, whilst phase 1 of the Bragbury Centre redevelopment is carried out, the clinic and Walpole Court flats will all be re-provided as part of the wider development proposals for the area granted planning permission in 2019. This application is for an interim arrangement only, prior to the long term development of the site. Accordingly, it is recommended that planning permission be granted.

- 8.2 It is concluded the proposed development is in accordance with the Policies specified in the adopted Local Plan (2019), the Council's Car Parking Standards SPD (2012), the NPPF (2019) and PPG (2014).

## **9. RECOMMENDATIONS**

- 9.1 That planning permission be GRANTED subject to the following conditions:-

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

Site Location Plan; Block Plan; H/17381; TBC-02

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

- 2 This permission is for a limited period only expiring two years after the date of the planning permission; and the use hereby permitted shall be discontinued on or before that date.

**REASON:-** To enable the Local Planning Authority to reconsider the appropriateness of the use at the expiration of the limited period.

### **INFORMATIVES**

1. 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).

### **Pro-active statement**

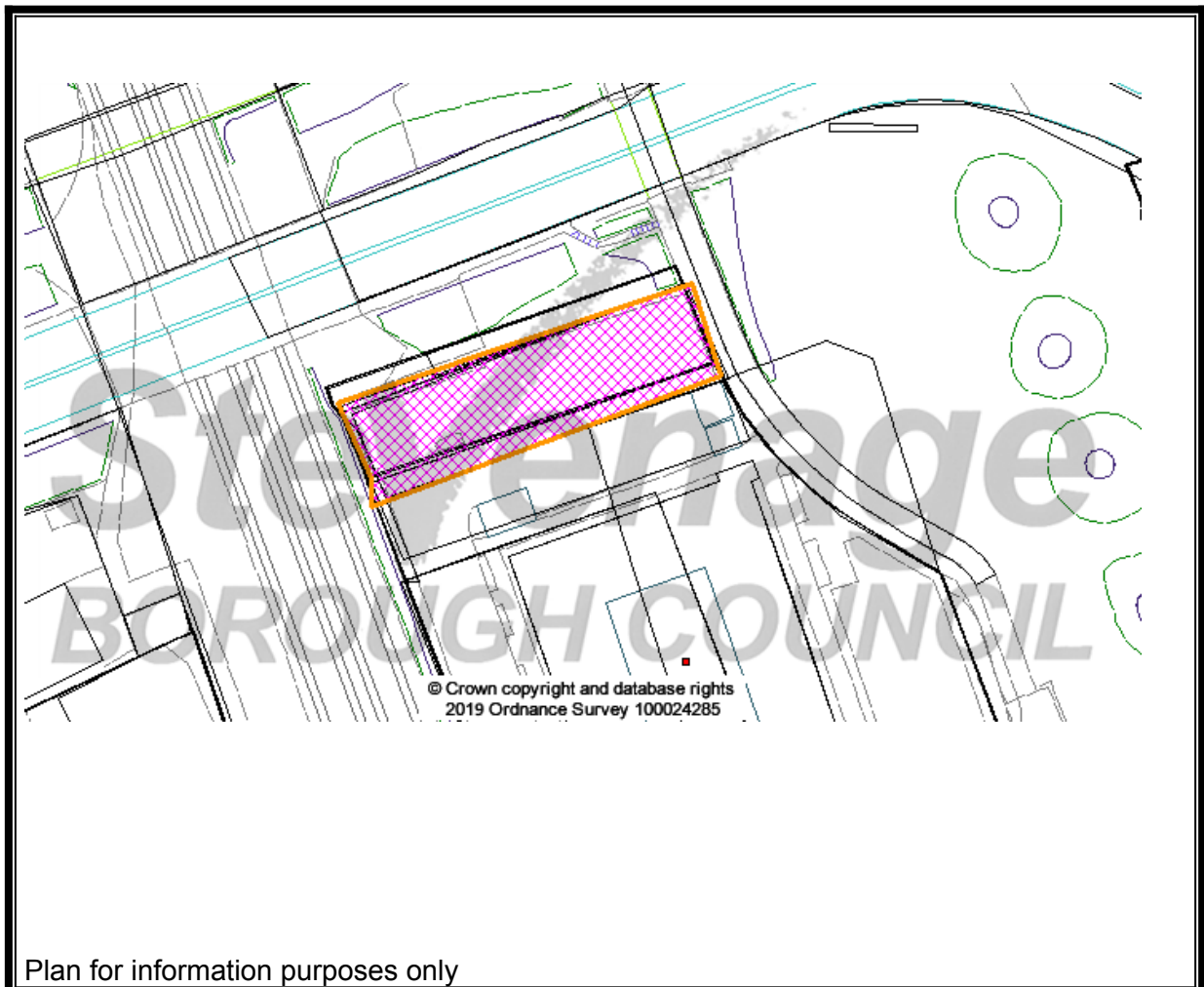
1. Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance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

## **10. BACKGROUND DOCUMENTS**

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted October 2020.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Hertfordshire County Council’s Local Transport Plan 4 adopted May 2018.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework February 2019 and Planning Policy Guidance March 2014.

<b>Meeting:</b>	<b>Planning and Development Committee</b>	<b>Agenda Item:</b>
<b>Date:</b>	<b>6 January 2021</b>	
<b>Author:</b>	<b>James Chettleburgh</b>	01438 242266
<b>Lead Officer:</b>	<b>Zayd Al-Jawad</b>	01438 242257
<b>Contact Officer:</b>	<b>James Chettleburgh</b>	01438 242266

Application No:	20/00624/FPM
Location:	Land at Six Hills House, London Road, Stevenage.
Proposal:	Variation of condition 1 (Approved Drawings) and 6 (Car Parking) attached to planning permission 16/00482/FPM.
Drawing Nos.:	1233-P-13 A; 1233-P-14 A; 1255-P-15 A; 1233-P-16 A; 1233-P-17; 1233-P-21; 1233-P-22; 1233-P-23; 1233-P-24; 1233-P-25 A; 1233-P-26 A; 1233-P-31; 1233-P-32; 119-3EX-00; 119-3GA-01
Applicant:	Westgold Developments Ltd
Date Valid:	26 October 2020
Recommendation:	GRANT PLANNING PERMISSION



## **1. SITE DESCRIPTION**

- 1.1 The application site is located at the northern end of the Six Hills House site and is currently occupied by surface car parking. To the south of the application site is Six Hills House which is an existing part four storey, part eight storey building being converted into residential apartments. The plant rooms associated with the old office building are also being converted to residential accommodation. The external elevations of the building have been finished in white coloured render and strategically placed colour panels utilising a simple palette of materials in order to provide a contemporary design. Additionally, well-proportioned windows and door openings have been installed on the main building in order to maximise natural light. There are also Juliette balconies which are finished in either timber or tinted glass balustrades. The roof areas have been finished with single ply painted copper effect roof membrane with a décor profile. The existing building is surrounded by surface car parking which is punctuated by trees with new cycle and bin stores being erected.
- 1.2 To the north of the application site is Six Hills Way, beyond which is Stevenage Police Station. To the east of the application site is the Six Hills Common which is an established Wildlife Site and comprises the Six Hills Mounds which is classed as a Scheduled Ancient Monument. Beyond the common is Asda supermarket and the North Hertfordshire College Campus. To the south of the application site is Kings Court which is a five storey office building with residential properties to the east of this office block which front London Road. To the west of the application site is the East Coast railway line with Gunnels Wood Employment Area beyond.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 Planning application reference 2/0131/80 sought permission for an office development. Permission was granted in June 1980.
- 2.2 Planning application reference 2/0342/80 sought permission for car parking and landscaping ancillary to the office development. Permission was granted in November 1980.
- 2.3 Planning application reference 2/0099/85 sought permission for 36 additional car parking spaces. Permission was granted in May 1985.
- 2.4 Prior approval application reference 14/00328/CPA sought approval for change of use of office building (Use Class B1(a)) to Residential Dwellings (Use Class C3) comprising 52 no. one bedroom and 80 no. two bedroom flats. This application was granted in August 2014.
- 2.5 Planning application reference 14/00639/FPM sought permission for the construction of 17no. three bed and 1no. two bed duplex units on roof area of floors 3 and 8, including external alterations to existing building and construction of refuse and cycle storage, pumping housing and new sub-station. The proposal also comprised of alterations to existing car parking layout incorporating additional landscaping and a new footpath/cycleway. This application was withdrawn in August 2016.
- 2.6 Planning application reference 15/00078/FP sought permission for the erection of 4no. bin and bicycle stores, 1 no. sub-station and 1 no. pumping station. This application was granted in April 2015.
- 2.7 Prior approval application reference 15/00225/CPA sought approval for the change of use of commercial roof top plant enclosures (Class B1) to 15no. residential apartments (Class C3). This application was granted planning permission in June 2015.



- 2.8 Planning application reference 15/00293/FP sought permission for the erection of a 4 storey lift enclosure alongside existing stair tower and external alterations to existing building. This application was granted planning permission in July 2015.
- 2.9 Prior approval application reference 15/00483/CPA sought prior approval for the change of use of the office building (Use Class B1(a)) to Residential dwellings (Use Class C3) comprising 128 no. one, two and three bedroom apartments. This application was granted planning permission in October 2015.
- 2.10 Discharge of condition application 15/00708/COND sought partial discharge of condition 3 (Archaeology) attached to planning permission reference 15/00078/FP. The application was discharged in March 2016.
- 2.11 Application 16/00250/NMA sought a non-material amendment to planning permission 15/00078/FP to relocate and increase the size of substation, amend the size and adjust positions of the bin store, increase in size and relocation of pumping station and amendment to the cycle canopy design. The Non-material amendment was agreed in May 2016.
- 2.12 Discharge of condition application 16/00252/COND sought to discharge condition 7 (Tree protection) attached to planning permission reference 15/00078/FP. A response to the discharge of condition was issued in June 2016.
- 2.12 Planning application 16/00482/FPM sought permission for the erection of an 8 storey residential building comprising of No. 17 one bedroom residential units, No. 34 two bedroom units, No. 13 three bedroom units and associated access. This application was granted planning permission in December 2017.
- 2.13 Section 106 Deed of Variation application 18/00515/S106 to vary "Contribution Trigger Event" under Section 1 and additional mortgagee clause imposed to Section 2 of the S.106 Agreement (dated 6 December 2017) approved under planning application 16/00482/FPM. The S.106 Deed of Variation was granted and issued in May 2019.
- 2.14 Discharge of condition application 20/00359/COND sought to discharge condition 3 (Samples of Materials) and 4 (Hard and Soft Landscaping) attached to planning permission reference 16/00482/FPM. The conditions were discharged in August 2020.
- 2.15 Application 20/00627/NMA sought a non-material amendment to planning approval 16/00482/FPM to increase the overall height of the building by 682mm. The Non-material amendment was agreed in November 2020.
- 2.16 Planning application reference 20/00625/FP seeks planning permission for the Installation of new fire escape route to be created from one of the two stair cores of the adjacent development approved under planning application 16/00482/FPM. The escape route is necessary as the stair core cannot discharge directly into the proposed car park. This application is pending consideration.

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

- 3.1 This application seeks to vary conditions 1 (Approved Drawings) and 6 (Car Parking). For reference, these conditions state the following:-

#### Condition 1 (Approved Drawings)

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

1233-P-12; 1233-P-13 A; 1233-P-14 A; 1255-P-15 A; 1233-P-16 A; 1233-P-17; 1233-P-21; 1233-P-22; 1233-P-23; 1233-P-24; 1233-P-31; 1233-P-32;

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

#### Condition 6 (Car Parking)

Prior to the first occupation of the dwellings hereby permitted the approved car parking area shall be marked, surfaced and constructed in accordance with the details identified on drawing 1233-P-12 and shall be permanently retained in that form.

**REASON:-** To ensure sufficient parking provision in accordance with the Council's adopted standards is maintained for all dwellings on site in perpetuity.

- 3.2 The proposal seeks to reduce the number of parking spaces from 32 to 25, resulting in the removal of seven spaces. The main reason for reducing the parking is, following the drawing up of the detailed design, there was not sufficient space for all of the associated plant and equipment which are required to service the development.
- 3.3 In terms of timeframes for implementing the planning permission, this would have expired in December 2020. However, under the provisions of the Business and Planning Act 1990 which was introduced due to the Coronavirus, an amendment to the Town and Country Planning Act 1990 (As amended) was made by Central Government. This amendment set out that where permission was to lapse between 19 August 2020 and 31 December 2020, these permissions are extended to 1 May 2021. Consequently, the applicant will have until the 1 May 2021 to commence works on-site as part of the original planning permission.
- 3.4 This current application before the Council has been referred to the Planning and Development Committee for its decision. This is because the level of parking of the approved development under planning permission 16/00482/FPM is proposed to be amended from that which was previously determined by the Committee.

## **4. PUBLIC REPRESENTATIONS**

- 4.1 This planning application has been publicised by way of a site notice and neighbouring properties have been notified about the application via a letter. The application was also published in the local press as it is a major application. Three objections have been received from 505 West Terrace, Six Hills House; Laurels, London Road and Flat 4, Six Hills House. A summary of the objections are as follows:-
- An unacceptable reduction in off-street parking;
  - Potential impact of reduced parking on existing residents parking serving Six Hills House;
  - It will exacerbate parking problems on London Road;
  - Concerns over the potential safety implications of the construction phase of development;
  - Concerns over the location of contractor parking and the impact this will have on local residents.
- 4.2 The aforementioned is not a verbatim copy of the comments which have been received. A full copy of these comments can be found on the Council's website.

## **5. CONSULTATIONS**

### **5.1 Hertfordshire County Council Highways**

- 5.1.1 Hertfordshire County Council as Highways Authority do not consider the proposed condition variations are unlikely to result in a significant material increase or change in character of traffic in the vicinity of the site. Therefore, they raise no objection to the proposed variation to the conditions.

## **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. The policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up to date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up to date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up to date development plan, reflecting the requirements of section 38(6) of the 2004 Act. The NPPF with which Members are fully familiar, is a material consideration to be taken into account in determining this application.

### **6.3 Planning Practice Guidance**

The PPG contains guidance supplementing the NPPF and with which Members are fully familiar. The PPG is a material consideration to be taken into account together with the National Design Guide (2019) which has the same status as the PPG.

### **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 SP6: Sustainable Transport  
Policy IT5: Transport assessments and travel plans;  
Policy IT5: Parking and Access;  
Policy IT7: New and improved links for pedestrians and cyclists.

### **6.5 Supplementary Planning Documents**

Parking Provision Supplementary Planning Document October 2020.  
Stevenage Design Guide Supplementary Planning Document 2009.

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

- 7.2 The main issues for consideration of this application are, therefore, the acceptability of the proposed changes to the scheme in respect of affordable housing and Section 106 obligations, impact on the appearance of the area and impact on parking.

### **7.2 Affordable housing and developer contributions**

- 7.2.1 Policy HO7 of the adopted Local Plan (2019) stipulates that planning permission will be granted for residential developments that maximise affordable housing provision. For developments on previously developed sites, 25% of the dwelling units should be affordable. In regards to the proposed development, this would equate to 5.5 units (rounded up to 6). Policy HO7 continues that “planning permission will be refused where these targets are not at least achieved unless:

a) Developers robustly demonstrate that the target cannot be achieved due to site-specific constraints resulting in higher than normal costs, which affect its viability; or

b) Meeting the requirements would demonstrably and significantly compromise other policy objectives.”

- 7.2.2 The applicant, under the original planning permission, had provided a detailed financial viability assessment which demonstrated that the development proposal was unable to provide the policy compliant position of 25% affordable housing. This appraisal had been independently assessed by the Council’s own viability consultants who had confirmed that the application is unable to provide the full amount of affordable housing provision. However, whilst the full amount could not be provided, as an alternative a financial contribution in lieu of on-site affordable housing of £62,290.05 had been negotiated with the applicant, which would equate to approximately 1% of the affordable housing. Whilst the contribution was considered very low at the time, it would be in accordance with the NPPF as it has been clearly demonstrated that the scheme would not be viable with the usual full requirement of affordable housing provision. Consequently, the financial contribution was considered to be acceptable when the application was original determined by the Council.

- 7.2.3 In addition to affordable housing, financial contributions are also required in accordance with the Hertfordshire County Council tool kit and contributions to Stevenage Borough Council for commuted payments towards the improvement of nearby outdoor sports

facilities/open space and children’s play space. These financial contributions are set out in the table below:-

<b>Stevenage Borough Council</b>	<b>Financial Obligation</b>
Open outdoor sport/open space	£3,082.24
Children’s play space	£2,782.71
<b>Total</b>	<b>£5,864.95</b>
<b>Hertfordshire County Council</b>	
Primary Education	£46,845.00
<b>Overall total</b>	<b>£52,709.95</b>

7.2.4 Taking the above financial obligations into consideration, if Members were minded to grant this planning application, then there would be a requirement for the applicant to enter into a Deed of Variation (DoV) to the original S.106 agreement. This DoV to the original S.106 would bind the applicant to the above obligations which were originally secured by the Council. It can be confirmed that the applicant has agreed to enter into a DoV with the Council on the S.106 agreement. It is important to note that all financial contributions would be index linked as per the original agreement as well. The applicant has agreed to enter into the DoV which will require the financial obligations to be paid Prior to the Commencement of development.

7.2.5 It is important to note that we cannot re-consider any S.106 obligations (including Affordable Housing) under this planning application which is before the Council. This is because this application does not seek to alter the number of approved dwellings or change the overall approved housing mix either.

### **7.3 Impact on the appearance of the area**

7.3.1 This application does not seek to extend or alter the external appearance of the approved building. The only changes to the development relate to the reconfiguration of the surface car park which would serve the development. Therefore, the proposal would not have a detrimental impact on the character and appearance of the development or the visual amenities of the wider street scene.

### **7.4 Parking**

#### Car parking

7.4.1 Policy IT5 of the adopted Local Plan (2019) states that planning permission will be granted where proposals comply with the parking standards set out in the plan. When the Council originally determined the 2016 planning application (Planning reference:- 16/00482/FPM), this application was determined against the Car Parking Standards SPD (2012). However, in October 2020, the 2012 standards had been superseded by the Council adopted the Car Parking Standards SPD (2020).

7.4.2 The aforementioned new standards introduced new parking standard requirements for flatted developments as well as an amendment to the residential accessibility zones. Where a site falls within a particular accessibility zone, the standard allowed for a reduction in the maximum number of parking spaces required to serve the development. The table below shows the differences between the previous 2012 standards against the recently adopted 2020 standards.

Parking Standards SPD 2012		Parking Standards SPD 2020	
Maximum Parking Requirement	94 spaces	Maximum Parking Requirement	88 spaces
Accessibility Zone 1 – 25% to 50%	24 to 47 spaces	Town Centre Accessibility zone – 0% to 25%	0 to 22 spaces
Accessibility Zone 2 – 50% to 75%	47 to 71 spaces	Accessibility Zone 2 – 50% to 75%	44 to 66 spaces
<b>Planning Permission 16/00482/FPM</b>		<b>Proposed Development</b>	
Spaces Proposed	32 spaces	Spaces Proposed	25 spaces

- 7.4.3 As you will see from the above table, reference has been made to two distinct accessibility zones. This is because the application site fell on the boundary of two different residential accessibility zones. Under the old 2012 Parking SPD, in accessibility zone 1, there was a requirement to provide between 25% to 50% of the maximum number of car parking spaces. This would equate to a requirement of between 23.5 (rounded up to 24) to 47 car parking spaces. In relation to accessibility zone 2, there was a requirement to provide between 50 to 75% of the maximum number of space. This equates to between 47 spaces to 70.5 (rounded up to 71).
- 7.4.4 The 2016 planning permission approved 32 parking spaces which equated to 45% of the maximum number of parking spaces required under the former 2012 SPD. As such, it was considered that, despite the proposed development being below the 50% to 75% range for zone 2 development, it would have fallen well within the 25% to 50% parking requirement as set out in the former SPD for zone 1 development. Consequently, the development was considered to be acceptable by the Council as the Local Planning Authority.
- 7.4.5 The recently adopted Car Parking SPD (2020),, the proposed development would now require 87.5 spaces (rounded up to 88) as a maximum. In the Town Centre accessibility zone, there is a requirement to provide between 0% to 25% of the maximum number of car parking spaces. This equates to a requirement of between 0 to 22 parking spaces. In relation to accessibility zone 2, there is a requirement to provide between 50% to 75% of the maximum number of spaces required. This equates to a requirement of between 44 spaces to 66 spaces.
- 7.4.6 The development as now proposed comprises the provision of 25 spaces. This equates to 28% of the maximum parking requirement for the development. Consequently, the proposal is well below the 50% to 75% parking requirement for Zone 2 development. However, due to the site also falling in part in the Town Centre accessibility zone, which has a lower requirement, the level of parking provided would be acceptable. This is because it would exceed the 22 spaces required for development which falls in the Town Centre accessibility zone, using the same methodology as previously.
- 7.4.7 Further to the above, despite the shortfall based on zone 2 requirements, the application site is in a highly sustainable location as it is located in close proximity to a number of local services and amenities (including Post Office, health care facilities and convenience stores) located within Stevenage Town Centre along with the Asda Superstore and the Leisure Park. The site is also highly accessible via public footpath and cycle path connection which are located immediately adjacent to the eastern boundary of the site. The site is also in close proximity to a number of bus services and within walking distance to Stevenage Train Station. Moreover, it is located only 1.1km from Broom Barns Primary School and within 2km of Thomas Alleynes and Barclays Secondary School, which have large catchment areas. In addition to this, the site is within walking distance to the established employment

area of Gunnels Wood Road. Furthermore, there are parking restrictions along London Road and Kings Road with double yellow lines, so vehicles would be unable to park on the local highway which would have affected highway safety if these were not in place. Consequently, the overall level of parking being provided on-site is acceptable due to the site's highly sustainable location.

- 7.4.8 Turning to the existing development at Six Hills House, the proposal does result in the loss of 42 car parking spaces. However, there would still be, following the implementation of the development, 114 car parking spaces to serve the Six Hills House which would exceed the requirement of a maximum of 90 spaces to serve the existing development in line with the Council's Car Parking Standards. Furthermore, these spaces were never made available to the occupiers of Six Hills House as the original landowner, when they got planning permission for the 2016 permission, enclosed the application site so the parking spaces could not be used by residents when they started to move into Six Hills House. This is due to the land being re-developed in line with the 2016 planning permission.

#### Cycle parking

- 7.4.9 The Council's Parking Standards (2020) stipulates the following requirements for cycle parking:-

- 1 space per 1-bed unit;
- 2 spaces per 2-bed unit; and
- 3 spaces per 3 bed unit.

- 7.4.10 Given the aforementioned, the overall level of cycle parking requirements has increased over the previously adopted standard in 2009 which was a ratio of 1 space per 1 dwelling unit (ratio of 1:1). Consequently, under the new standards, there would now be a requirement to provide 124 spaces. This is an increase of 52 spaces from that which was previously approved by the Council. Given updated cycle parking details have not been provided based on the new standards, it is recommended a condition is imposed to any permission issued (there is sufficient space on ground and first floor levels to accommodate this additional provision). This condition will ensure the necessary level of cycle parking in line with the recently adopted standards is provided prior to the development first being occupied.

#### Electric Vehicle Charging

- 7.4.11 The adopted Parking Standards SPD (2020) stipulates that for all new development, car parking should be designed to fulfil a Passive Electrical Vehicle (EV) Charging Point standard. This means the underlying infrastructure is provided for connection to the electricity network but will need to be activated through the installation of a charge point to be used in the future as technologies evolve and uptake increases. In addition, a minimum of 20% of new parking on the site should have access to an active EV charging point.

- 7.4.12 The requirement to provide electric vehicle charging was introduced by Hertfordshire County Council under Local Transport 4 which was published in 2019 and more recently been formally adopted by the Council in the Car Parking SPD (2020). Turning to the original 2016 permission, this was determined by the Council before the aforementioned were published. As such, there was no requirement to provide electric vehicle charging provision at the time.

- 7.4.13 Turning to the current application which is before the Council, the applicant has not submitted any electric vehicle charging points details within this application. However, it is recommended a condition is imposed requiring the applicant to provide further details of EV charge points which are to be installed as part of the development. The condition will also

require the applicant to install these EV charging points in accordance with the relevant details before the development is occupied.

#### Disabled Parking

- 7.4.14 With respect to disabled parking, the Council's Parking Standards SPD (2020) recommends the provision of a minimum of 5% of the total number of spaces to be designated for use by people with mobility issues. This equates to a requirement of 1.25 spaces (rounded up to 2). Whilst the applicant has not provided specific details for this parking, there is sufficient space within the development to accommodate two dedicated 2 spaces.. As such, this requirement can be secured by condition.
- 7.4.15 In summary, and subject to conditions, the proposed development would have sufficient off-street parking, cycle parking, disabled parking and electric vehicle charging facilities. Therefore, the proposal would accord with the policies set out in the adopted Local Plan (2019), the Council's Car Parking Standards SPD (2020), the NPPF (2019) and PPG (2014).

### **7.5 Other matters**

#### Community Infrastructure Levy

- 7.5.1 The proposed amendments to the approved development does not seek to increase the approved level of floorspace to that already approved. Therefore, this development would not be subject to any CIL liability in this instance.

#### Highways impact

- 7.5.2 This application does not seek to extend or alter any existing vehicular or pedestrian access points or routes beyond what has already been approved by the Council. In addition, the amendments sought under this application will not impact on the level of traffic generation which has been established to be acceptable under the 16/00482/FPM permission. Therefore, Hertfordshire County Council as Highways Authority considers the proposed changes to the aforementioned scheme under this application to be acceptable.

## **8. CONCLUSIONS**

- 8.1 In summary, and subject to conditions, the principle of the proposed amendments sought under this Section 73 application are acceptable. In addition, these changes would not have a detrimental impact on the character and appearance of the development or the visual amenities of the wider street scene. Furthermore, they would not impact on the amenities of neighbouring properties and there would be sufficient off-street parking, cycle parking and electric vehicle parking facilities as well.
- 8.2 Given the aforementioned, the proposed development under this Section 73 application is considered to be acceptable in line with the Council adopted Local Plan, Planning and Design Guide SPD (2009), the Council's Car Parking Standards SPD (2020), the NPPF (2019) and NPPG (2014).

## **9. RECOMMENDATIONS**

- 9.1 That Planning permission be GRANTED subject to the applicant having first entered into and completed a deed of variation to the original S106 agreement which was secured under planning permission 16/00395/FPM. This is in order to bind this planning permission to the obligations set out in the original S.106 agreement. The detail of the deed of variation of the



S106 agreement to be delegated to the Assistant Director of Planning and Regulation in conjunction with the Council's appointed solicitor and subject to the following conditions/reasons:

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

1233-P-13 A; 1233-P-14 A; 1255-P-15 A; 1233-P-16 A; 1233-P-17; 1233-P-21; 1233-P-22; 1233-P-23; 1233-P-24; 1233-P-25 A; 1233-P-26 A; 1233-P-31; 1233-P-32; 119-3EX-00; 119-3GA-01

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

- 2 The development hereby permitted shall be begun before 1 May 2021.

**REASON:-** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 17 of the Business and Planning Act 2020).

- 3 The external surfaces of the development hereby permitted shall be completed in accordance with the approved materials specified under discharge of condition application 20/00359/COND.

**REASON:-** To ensure the development has an acceptable appearance and to protect the visual amenities of the area.

- 4 The hard and soft landscaping of the development hereby permitted shall be implemented in accordance with the approved hard and soft landscaping details specified under discharge of condition 20/00359/COND.

**REASON:-** To ensure the development has an acceptable appearance and to protect the visual amenities of the area. Furthermore, to ensure the landscaping scheme does not affect the operation of the adjoining railway network.

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

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

- 6 Prior to the first occupation of the dwellings hereby permitted the approved car parking area shall be marked, including the provision of two disabled bays in accordance with Manual for Street standards, shall be surfaced and constructed in accordance with the details identified on drawing 119-3GA-01 and shall be permanently retained in that form.

**REASON:-** To ensure sufficient parking provision in accordance with the Council's adopted standards is maintained for all dwellings on site in perpetuity.

- 7 Prior to the first occupation of the dwellings hereby permitted, details of the secure cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking facilities shall be provided in accordance with the approved details prior to first occupation of the development hereby permitted.

**REASON:-** To ensure that there is sufficient cycle parking provision in accordance with the Council's adopted standards is maintained for all dwellings on site in perpetuity.

- 8 No construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0900 and 1300 on Saturdays.

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

9 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 of the occupiers of Six Hills and to not prejudice the safety and operation of the adjacent highway and railway network.

10 An Armco or similar barrier should be located in positions where vehicles maybe in a position to drive into or roll onto the railway or damage the lineside fencing. Network Rail's existing fencing/wall must not be removed or damaged. The barrier would need to be installed at each turning area, roadway and car parking area which is located adjacent to the railway.

**REASON:-** In order to protect infrastructure associated with the railway line managed by Network Rail.

11 No development shall take place until a construction method statement and Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved statement and plan shall be adhered to throughout the construction period. The statement shall provide for:

- Parking of vehicles of site operatives and visitors;
- Routes for construction traffic;
- Hours of operation;
- Method of wheel cleaning to reduce the transfer of mud onto the highway;
- Pedestrian and cycle protection;
- The proposed methods of construction (including details of any excavation/buildings/piling/scaffolding which are located within 10m of the railway line and/or in close proximity to Thames Water assets);
- Risk assessment in relation to the railway;
- Arrangement and siting and construction compounds;
- Details on the screening or enclosure of plant and machinery;
- Details of dust control measures;
- Details of any vibro-compaction machinery which is to be used in development

**REASON:-** To safeguard the amenities of neighbouring properties, to protect the safety and operation of the highway network and the adjoining railway network.

12 In line with the Phase 1 Environmental Assessment (Document reference: 016/1462 Rev 01, prepared by EAME dated July 2016) a watching brief should be adopted during the initial preparation works to identify any potentially contaminated materials e.g. hydrocarbon staining due to the previous use of the site of the car park. Where identified, materials should be segregated, sampled, analysed, categorised and disposed of off-site in accordance with current legislative requirements.

**REASON:-** To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in The National Planning Policy Framework.

13 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 14, which is subject to the approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 15.

**REASON:-** To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in The National Planning Policy Framework.

- 14 In the event contamination is found, the 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 and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, 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 prevent harm to human health and pollution of the water environment in accordance with Government policy set out in The National Planning Policy Framework.

- 15 The approved remediation scheme as required under condition 14 if contamination is found must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

**REASON:-** To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in The National Planning Policy Framework.

- 16 No waste materials generated as a result of the proposed demolition and /or construction operations shall be burned on site. All such refuse shall be disposed of by alternative methods.

**REASON:-** To protect the amenities of adjoining land users.

- 17 The development hereby permitted shall be constructed in accordance with the Noise Impact Assessment Report (Report reference 13395.NIA.01, prepared by KP Acoustics Ltd, dated 01/07/2016).

**REASON:-** To ensure that the amenities of future owner/occupiers of the development are protected from the noise generated from the adjacent railway line and nearby highway network.

- 18 No development shall take place until a detailed Site Waste Management Plan (SWMP) to detail how waste materials generated as a result of the proposed demolition and/or construction methods shall be disposed of, and detail the level and type of soil to be imported to site as part of the development has been submitted to and approved in writing by the Local Planning Authority.

**REASON:-** In order to reduce the level of waste generated during the construction of the development and to recycle all waste where possible.

- 19 Prior to the first occupation of the development hereby permitted, the applicant shall provide details of the Electric Vehicle Charging Points and Passive Infrastructure which shall be submitted and approved in writing by the Local Planning Authority. The Electric Vehicle Charging Points and Passive infrastructure shall be implemented in accordance with the approved details prior to first occupation of the development.

**REASON:-** To ensure there is sufficient electric vehicle charging facilities provided for future residents in accordance with the Council's adopted standards.

### **Pro-active Statement**

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

and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

## **Informatives**

### **Police Crime Prevention**

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 by telephone on 01707 355227 or email [mark.montgomery@herts.pnn.police.uk](mailto:mark.montgomery@herts.pnn.police.uk)

### **Thames Water**

Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater 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 would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality)

Through the centre of the proposed development there are easements and wayleaves. These are Thames Water Assets. The company will seek assurances that it will not be affected by the proposed development.

### **Network Rail**

#### Fail Safe Use of Crane and Plant

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

#### Excavations/Earthworks

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rails infrastructure or railway land.

#### Security of Mutual Boundary

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

#### OPE

Once planning permission has been granted and at least six weeks prior to works commencing on site the Asset Protection Project Manager (OPE) MUST be contacted, contact details as below.

The OPE will require to see any method statements/drawings relating to any excavation, drainage, demolition, lighting and building work or any works to be carried out on site that may affect the safety, operation, integrity and access to the railway.

#### Cranes

With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following. Crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by the Asset Protection Project Manager prior to implementation

#### Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

#### Encroachment

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (**s55 British Transport Commission Act 1949**). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

#### Trees/Shrubs/Landscaping

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:

##### **Acceptable:**

Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees – Pines (Pinus), Hawthorne (Cretaeagus), Mountain Ash – Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata "Zebrina"

##### **Not Acceptable:**

Acer (Acer pseudoplatanus), Aspen – Poplar (Populus), Small-leaved Lime (Tilia Cordata), Sycamore – Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), Ash (Fraxinus excelsior), Black poplar (Populus nigra var, betulifolia), Lombardy Poplar (Populus nigra var, italica), Large-leaved lime (Tilia platyphyllos), Common lime (Tilia x europea)

A comprehensive list of permitted tree species is available upon request to Network Rail.

## Access to Railway

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development. Network Rail is required to recover all reasonable costs associated with facilitating these works.

The construction method statement would need to be agreed with the Asset Protection Project Manager, Network Rail (London North Eastern), Floor 3B, George Stephenson House, Toft Green, York, YO1 6JT or email [assetprotectionneem@networkrail.co.uk](mailto:assetprotectionneem@networkrail.co.uk)

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

Works to be undertaken on the adjoining Highway will require the applicant to enter a Section 278 Agreement with the Highway Authority.

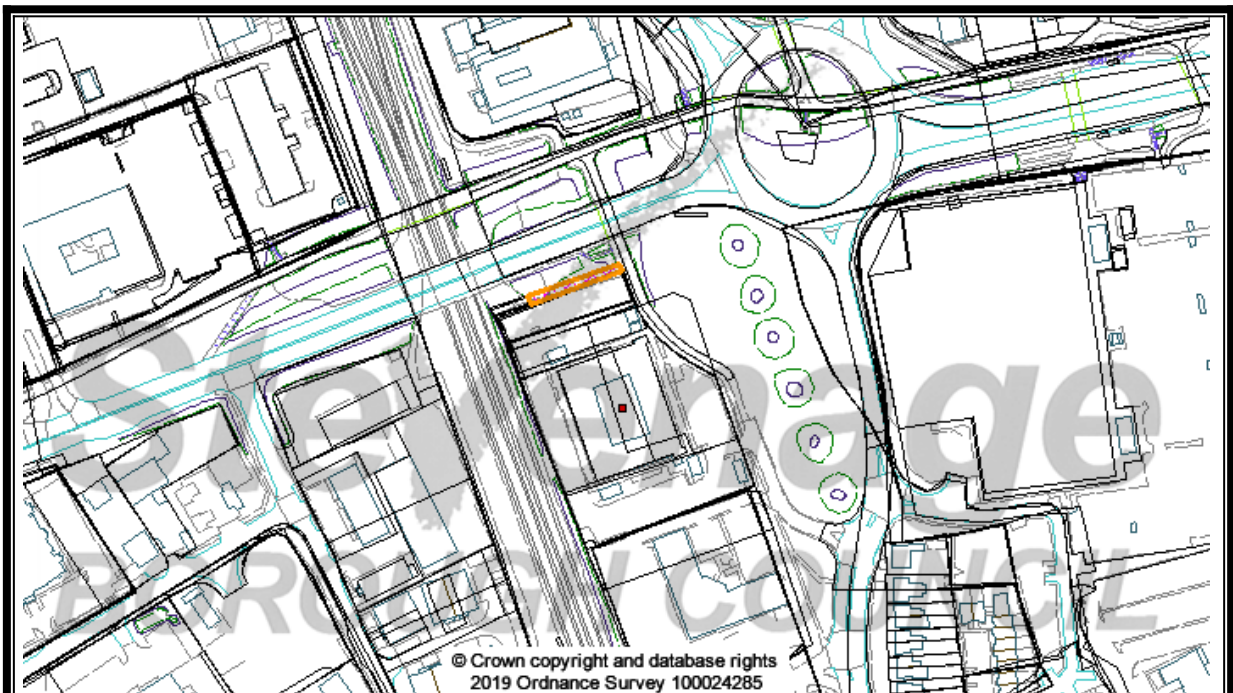
The Highway Authority requires the alterations to or the construction of the vehicle crossover to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. The applicant will need to contact HCC HIGHWAYS either via the Website <http://www.hertsdirect.org/services/transtreets/highways/> or ring (Telephone 0300 1234047) to arrange this.

## **10. BACKGROUND DOCUMENTS**

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

<b>Meeting:</b>	<b>Planning and Development Committee</b>	<b>Agenda Item:</b>
<b>Date:</b>	<b>6 January 2021</b>	
<b>Author:</b>	<b>James Chettleburgh</b>	01438 242266
<b>Lead Officer:</b>	<b>Zayd Al-Jawad</b>	01438 242257
<b>Contact Officer:</b>	<b>James Chettleburgh</b>	01438 242266

Application No:	20/00625/FP
Location:	Part of Highways Embankment, corner of Six Hills Way and London Road, Stevenage.
Proposal:	Installation of fire new escape route has to be created from one of the two stair cores of the adjacent development approved under planning application 16/00482/FPM. The escape route is necessary as the stair core cannot discharge directly into the proposed car park..
Drawing Nos.:	119-3EX-01; 119-3GA-12
Applicant:	Westgold Developments Ltd
Date Valid:	26 October 2020
Recommendation:	GRANT PLANNING PERMISSION



Plan for information purposes only

## **1. SITE DESCRIPTION**

- 1.1 The application site is located at the northern end of the Six Hills House site just outside its boundary and forms part of a highway verge. To the south of the application site is Six Hills House which is an existing part four storey, part eight storey building being converted into residential apartments. The plant rooms associated with the old office building have also been converted to residential accommodation. The external elevations of the building have been finished in white coloured render and strategically placed colour panels utilising a simple palette of materials in order to provide a contemporary design. Additionally, well-proportioned windows and door openings have been installed on the main building in order to maximise natural light. There are also Juliette balconies which are finished in either timber or tinted glass balustrades. The roof areas have been finished with single ply painted copper effect roof membrane with a décor profile. The existing building is surrounded by surface car parking which is punctuated by trees with new cycle and bin stores being erected.
- 1.2 To the north of the application site is Six Hills Way, beyond which is Stevenage Police Station. To the east of the application site is the Six Hills Common which is an established Wildlife Site and comprises the Six Hills Mounds which is classed as a Scheduled Ancient Monument. Beyond the common is Asda supermarket and the North Herfordshire College Campus. To the south of the application site is Kings Court which is a five storey office building with residential properties to the east of this office block which front London Road. To the west of the application site is the East Coast railway line with Gunnels Wood Employment Area beyond

## **2. RELEVANT PLANNING HISTORY**

- 2.1 Planning application reference 2/0131/80 sought permission for an office development. Permission was granted in June 1980.
- 2.2 Planning application reference 2/0342/80 sought permission for car parking and landscaping ancillary to the office development. Permission was granted in November 1980.
- 2.3 Planning application reference 2/0099/85 sought permission for 36 additional car parking spaces. Permission was granted in May 1985.
- 2.4 Prior approval application reference 14/00328/CPA sought approval for change of use of office building (Use Class B1(a)) to Residential Dwellings (Use Class C3) comprising 52 no. one bedroom and 80 no. two bedroom flats. This application was granted in August 2014.
- 2.5 Planning application reference 14/00639/FPM sought permission for the construction of 17no. three bed and 1no. two bed duplex units on roof area of floors 3 and 8, including external alterations to existing building and construction of refuse and cycle storage, pumping housing and new sub-station. The proposal also comprised of alterations to existing car parking layout incorporating additional landscaping and a new footpath/cycleway. This application was withdrawn in August 2016.
- 2.6 Planning application reference 15/00078/FP sought permission for the erection of 4no. bin and bicycle stores, 1 no. sub-station and 1 no. pumping station. This application was granted in April 2015.
- 2.7 Prior approval application reference 15/00225/CPA sought approval for the change of use of commercial roof top plant enclosures (Class B1) to 15no. residential apartments (Class C3). This application was granted in June 2015.



- 2.8 Planning application reference 15/00293/FP sought permission for the erection of a 4 storey lift enclosure alongside existing stair tower and external alterations to existing building. This application was granted planning permission in July 2015.
- 2.9 Prior approval application reference 15/00483/CPA sought prior approval for the change of use of the office building (Use Class B1(a)) to Residential dwellings (Use Class C3) comprising 128 no. one, two and three bedroom apartments. This application was granted in October 2015.
- 2.10 Discharge of condition application 15/00708/COND sought partial discharge of condition 3 (Archaeology) attached to planning permission reference 15/00078/FP. The application was partially discharged in January 2016.
- 2.11 Non-material amendment application 16/00250/NMA sought a non-material amendment to planning permission 15/00078/FP to relocate and increase the size of substation, amend the size and adjust positions of the bin store, increase in size and relocation of pumping station and amendment to the cycle canopy design. The Non-material amendment was agreed in May 2016.
- 2.12 Discharge of condition application 16/00252/COND sought to discharge condition 7 (Tree protection) attached to planning permission reference 15/00078/FP. A response to the discharge of condition was issued in June 2016.
- 2.12 Planning application 16/00482/FPM sought permission for the erection of an 8 storey residential building comprising of No. 17 one bedroom residential units, No. 34 two bedroom units, No. 13 three bedroom units and associated access. This application was granted planning permission in December 2017.
- 2.13 Section 106 Deed of Variation application 18/00515/S106 to vary "Contribution Trigger Event" under Section 1 and additional mortgagee clause imposed to Section 2 of the S.106 Agreement (dated 6 December 2017) approved under planning application 16/00482/FPM. The S.106 Deed of Variation was granted and issued in May 2019.
- 2.14 Discharge of condition application 20/00359/COND sought to discharge condition 3 (Samples of Materials) and 4 (Hard and Soft Landscaping) attached to planning permission reference 16/00482/FPM. The conditions were discharged in August 2020.
- 2.15 Non-material amendment application 20/00627/NMA sought a non-material amendment to planning approval 16/00482/FPM to increase the overall height of the building by 682mm. The Non-material amendment was agreed in November 2011.
- 2.16 Planning application reference 20/00626/FPM seeks a variation of condition 1 (Approved Drawings) and condition 6 (Car Parking) attached to planning permission 16/00482/FPM. This application is pending consideration.

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

- 3.1 This application seeks planning permission for the creation of an emergency fire escape route. This is to serve the approved eight storey residential development which is to be located on the northern car park of Six Hills House (Planning Reference:- 16/00482/FPM). This will be in order for the development to meet Building Regulations and Fire Safety requirements.

3.2 This application has been referred to the planning committee as it is inter-related to planning application 20/00626/FPM which is also before the Committee. In addition, there have been a number of objections from local residents on this application. As such, this was also a ground for which this application should also be referred to the Committee for its decision.

#### **4. PUBLIC REPRESENTATIONS**

4.1 Following notification of the application via letter and the erection of a site notice, 15 objections have been received from the following:-

- Numbers 110, 203, 215, 305 East Terrace, Six Hills House;
- Numbers 110, 202, 204, 304, 309, 402, 505, 701, 710, 803 West Terrace, Six Hills House; and
- Flat 4, Six Hills House.

4.2 A summary of the objections raised are as follows:-

- Poor on the Council to send consultation letters on fire escapes for a development that does not exist, whilst the existing building is no closer to having the unsafe cladding removed;
- Unacceptable provision of additional flats;
- The Council has a duty of care to existing residents;
- Existing leaseholders are struggling to sell their flats due to the presence of non-compliant materials following Grenfell;
- Insufficient parking available for existing residents;
- The construction traffic will detrimentally impact upon the condition of the existing car park which is already poor quality;
- Development will impact emergency service access;
- The development will devalue existing properties;
- The proposal is overdevelopment of the site;
- Development will cause significant disturbance to local residents;
- The development would generate unacceptable traffic;
- There should be no site access into the existing car park or build a road on the protected Six Hills House;
- The area is already overpopulated;
- The fire escape appears like an afterthought due to changes in fire safety regulations, why was this not considered 5 years ago;
- Substantial loss of visibility;
- The Council should object to this application and application 20/00624/FPM to prevent this development;
- This development should only be agreed once fire safety issues have been resolved for the existing Six Hills House;
- Residents are facing unacceptable bills to remove and replace cladding and should be funded by the Government;
- The site should be an overflow car park for existing residents;
- The development is not in line with Government fire safety requirements.

4.3 The aforementioned is not a verbatim copy of the comments which have been received. A full copy of these comments can be found on the Council's website.

## **5. CONSULTATIONS**

### **5.1 Hertfordshire County Council Highways**

5.1.1 Hertfordshire County Council as Highway Authority considers that the development is unlikely to result in a significant material increase or change in character of traffic in the vicinity of the site and therefore has no objection to the development.

### **5.2 Council's Arboricultural Manager**

5.2.1 Cutting through major tree roots, particularly within a metre from the tree trunk could pose substantial stability issues for the remaining tree. Therefore I suggest an Arboriculturalist is consulted for the best way to construct such path with minimal impact on the tree roots.

5.2.2 I would be minded therefore to grant such permission, despite some inevitable encroachment within the Root Protection Area with the condition that an Arboriculturalist oversees the work and any substantial intrusion within the RPA is mitigated with appropriate crown reductions.

## **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. The policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up to date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up to date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up to date development plan, reflecting the requirements of section 38(6) of the 2004 Act. The NPPF with which Members are fully familiar, is a material consideration to be taken into account in determining this application.

### **6.3 Planning Practice Guidance**

The PPG contains guidance supplementing the NPPF and with which Members are fully familiar. The PPG is a material consideration to be taken into account together with the National Design Guide (2019) which has the same status as the PPG.

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

SP8 - Good Design ;  
GD1 - High Quality Design ;

## **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.

## **7. APPRAISAL**

- 7.1 The main issues for consideration of this application are the impact on the visual amenities of the area, impact on trees and highway implications.

### **7.2 Impact on the visual amenities of the area**

- 7.2.1 Paragraph 127 of the NPPF 2019 stipulates that planning decisions should ensure developments function well and add to the overall quality of the area, not just in 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 developments 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.
- 7.2.2 Paragraph 130 of the NPPF states that “permission should be refused for development of poor design that fail to make available opportunities available for improving the character and quality of an area and the way it functions”. Policy SP8 of the adopted Local Plan (2019) requires new development to achieve the highest standards of design and sustainability which can deliver substantial improvements to the image and quality of the town’s built fabric. Policy GD1 of the Local Plan generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.
- 7.2.3 The proposed works (including associated engineering works) seeks to create a new emergency fire access to the north of the approved residential development. The access route would measure 44m in length and span 1.37m in width and constructed from hardsurfacing. In addition, due to the proposal’s position on the highway verge which slopes up towards Six Hills Way, it would also require the construction of a low level retaining wall.
- 7.2.4 The development, due to its location, would be well screened from public vantage points as it is located between the sloped highway verge and the new residential development when it is completed. Furthermore, the existing trees are to be retained and being set against the proposals background, would also soften the appearance of the development works in question. Moreover, the proposal would connect into an existing footpath network so its overall design is not out of keeping.
- 7.2.5 Given the aforementioned, the development would not have a detrimental impact on the visual amenities of the area. As such, it would be in accordance with the policies set out in the Local Plan (2019), the Council’s Design Guidance (2009), the NPPF (2019) and PPG (2014).

### **7.3 Trees**

- 7.3.1 Policy NH5 of the adopted Local Plan (2019) states that development proposals will be expected to protect and retain individual trees within the development site and should include new planting where appropriate.
- 7.3.2 The proposed development, whilst not involving the removal of any trees, will result in works being undertaken in the root protection area of the trees in question. As these trees provide a high level of amenity value, it is important these trees are protected from any potential damage which may be caused by the development. Therefore, following consultation with the Council's Arboricultural Manager, they recommend an arboriculturalist is consulted for the best way to construct the footpath with minimal impact on the tree roots. As such, it has been recommended a condition is imposed to any permission issued requiring an arborist to oversee the works and to ensure any substantial intrusion to the root protection areas are mitigated against with appropriate crown reductions.

### **7.4 Highway implications**

- 7.4.1 The proposed development would be located on a highway verge and would connect into the existing footpath network which is managed by Hertfordshire County Council as Highways Authority. Therefore, any final detailed design of the fire access as well connections into the existing footpath network would be dealt with under a S.278 agreement with Hertfordshire County Council (HCC) as Highways Authority. In terms of the proposal itself, whilst it would tie into the approved residential development, it does not alter vehicle access or result in any changes to the approved dwelling numbers. Therefore, HCC Highways do not consider the proposal would prejudice highway safety.

### **7.5 Other matters**

#### Community Infrastructure Levy

- 7.5.1 The proposed development would not be liable for CIL.

#### Objections to planning permission 16/00482/FPM

- 7.5.2 A number of objections raised to this planning application relate to the approved residential development under planning permission 16/00483/FPM. Therefore, they cannot be considered material in the determination of this planning application. This is because the proposal is only for the creation of a fire escape route for the already approved development.
- 7.5.3 In terms of the requirement for the fire escape route, this is likely to have been an issue which was flagged up in light of current fire regulations at detailed design stage. Therefore, the fire escape route is being provided to ensure future residents of the approved development can safely evacuate the building in the event of a fire.

#### External cladding on the existing building (Six Hills House)

- 7.5.4 The Council fully appreciates and understands the substantive concerns of residents associated with cladding on the existing building since the tragic events occurred at Grenfell in June 2017. However, this planning application does not relate to the existing residential development at Six Hills House. Furthermore, the matter regarding replacement cladding is between the residents of Six Hills House and the owners of the building. As such, the Council has no control with respect to the removal and replacement of any cladding where the building is privately owned.

### Property Values

- 7.5.5 This is not considered to be a material planning consideration as established by planning case law.

### Construction Traffic

- 7.5.6 Whilst this does not form part of this application, it is understood the applicant is in negotiation with Hertfordshire County Council as Highways Authority via a S.278 Agreement of the Highways Act 1980 to look at an alternative route outside of the site. This will potentially involve using the existing cycle track with the creation of a temporary cycle and footpath diversion until development is completed. This is to ensure construction traffic does not travel through the car park which currently serves the residents in Six Hills House.

## **8. CONCLUSIONS**

- 8.1 In summary, the proposed development would not have a detrimental impact on the visual amenities of the area. Furthermore, the proposal would not prejudice the safety and operation of the highway network. Moreover, the proposal, subject to conditions, would not result in having a detrimental impact on the existing trees which are to be retained. Therefore, the proposal would comply with the policies set out in the adopted Local Plan (2019), the NPPF (2019) and PPG (2014). Therefore, it is recommended that planning permission be granted.

## **9. RECOMMENDATIONS**

- 9.1 That Planning permission be GRANTED subject to the following conditions/reasons:

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

119-3EX-01; 119-3GA-12

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

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

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

- 3 Prior to the commencement of development, a scheme of supervision for the arboricultural protection measures as well as details of the construction methodology in order to mitigate the impact on the retained trees shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and scheme of supervision for the arboricultural protection measures.

**REASON:-** In order to reduce the impact on the root protection areas of the retained trees which provide a high level of amenity value to the area.

## **Pro-active Statement**

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

## **10. BACKGROUND DOCUMENTS**

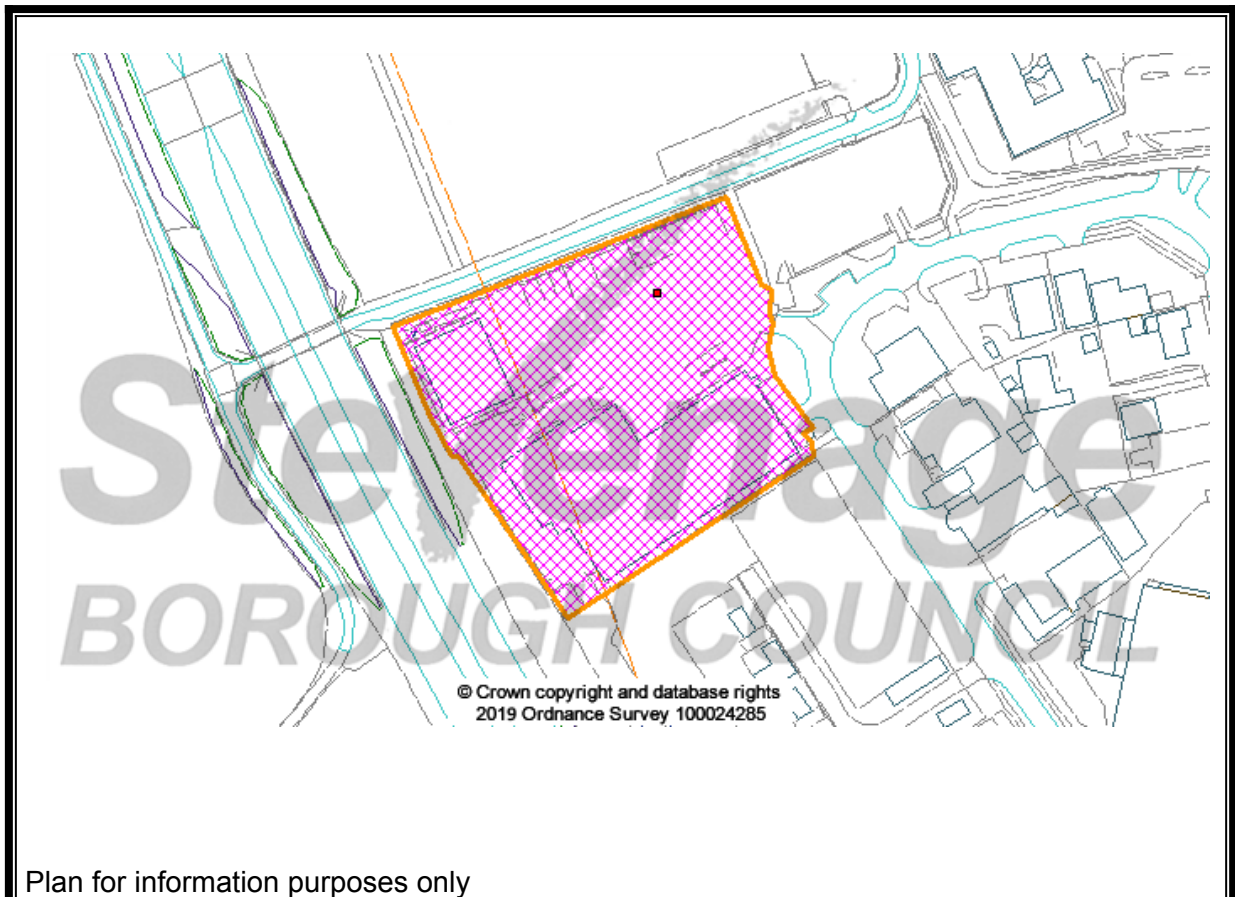
1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted October 2020 and Design Guide SPD (2009).
3. Stevenage Borough Local Plan 2011-2031 adopted May 2019.
4. Hertfordshire County Council’s Local Transport Plan 4 adopted May 2018.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework February 2019 and Planning Policy Guidance March 2014.

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<b>Meeting:</b>	<b>Planning and Development Committee</b>	<b>Agenda Item:</b>
<b>Date:</b>	<b>6 January 2021</b>	
<b>Author:</b>	<b>James Chettleburgh</b>	01438 242266
<b>Lead Officer:</b>	<b>Zayd Al-Jawad</b>	01438 242257
<b>Contact Officer:</b>	<b>James Chettleburgh</b>	01438 242266

Application No:	20/00692/FP
Location:	Stevenage Borough Council Depot, Cavendish Road, Stevenage.
Proposal:	Reconfiguration of existing waste transfer bays including replacement transfer bay enclosures and the creation of 1 no. additional transfer bay with associated enclosure.
Drawing Nos.:	133A-C-008 100; 133A-C-008 120; 133A-C-008 130; 133A-C-008 140; 133A-C-008 150.
Applicant:	Stevenage Borough Council
Date Valid:	18 November 2020
Recommendation:	GRANT PLANNING PERMISSION



## **1. SITE DESCRIPTION**

- 1.1 The application site is located on the northern side of Cavendish Road which forms part of the Gunnels Wood Road Employment Area. The site itself comprises the Borough Council Waste Depot which includes the two-storey, utilitarian office building with maintenance and cleansing area, a "Dutch barn" style storage building along with the waste transfer bays with timber enclosures. The eastern end of the site consists of the staff car park which serves the waste depot. The site is generally enclosed by 2.5m high palisade fencing. The northern boundary of the site which borders Meadway consists of mature conifer trees with palisade fencing up to 3m in height.
- 1.2 To the north of the site lies the Meadway Playing Fields and to the west is the A1(M) Motorway which beyond this is undulating agricultural land. To the south of the site is an electricity substation and gas engines which serve the electricity grid. To the south-east is the wider employment area of Cavendish Road and Crompton Road. This area comprises a mixture industrial, commercial and warehouses premises.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 Under planning application 05/00103/FP permission was sought for the change of use of the site to Council Depot involving provision of facilities for domestic waste collections and recycling, environmental cleansing, ground and building maintenance with associated parking; refurbishment of and roof alterations to an existing part two storey and part single storey building and erection of a "Dutch barn" for covered storage. This application was Granted Planning Permission in May 2005.
- 2.2 Prior Approval application 08/00138/PATELE sought permission for the installation of 2no. antennae, and 2no. dishes, 1no. metre cabinet, on an existing 15m telecommunications mast. This application was granted as Prior Approval was Not Required in March 2008.

## **3. THE CURRENT APPLICATION**

- 3.1 This application seeks permission for the reconfiguration of the existing waste transfer bay enclosures. This would incorporate the removal of the existing timber enclosures and to erect 4m high concrete enclosure with a steel support system. There would also be the creation of a new transfer bay. These bays would manage timber, glass, wood chippings, hard core, Mechanical sweepings, General Waste WEEE (Waste Electrical and Electronic Equipment Recycling) fridge scraps and General Waste Bulk. Each bay would be approximately 6.2m in width apart from the General Waste Bulk which would be 15m in width. The transfer bays with associated concrete wall enclosures would also generally by 11m in depth.
- 3.2 This application has been referred to the Planning and Development Committee for its decision. This is because the applicant and landowner is Stevenage Borough Council.

## **4. PUBLIC REPRESENTATIONS**

- 4.1 This planning application has been publicised by way of a site notice and neighbouring properties have been notified about the application via a letter. No comments or representations have been received.

## **5. CONSULTATIONS**

### **5.1 Hertfordshire County Council Highways**

5.1.1 It has been considered that the proposed development is of a small scale and does not consequently have a significant impact on the safety and operation of the adjoining highway.

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

5.2.1 It is understood that the existing bays (made from timber and steel) will be replaced with concrete bays and one additional bay is to be created. Whilst this is a relatively minor development and will not generate significant quantities of waste, the Waste Planning Authority would like to ask that the waste which arises from the reconfiguration, be appropriately managed and recycled in line with the requirements of Waste Local Plan Policy 12: Sustainable Design, Construction and Demolition. Policy 12 requires that new and existing development, including waste management facilities, must contribute to resource efficiency, the reduction of carbon emissions and the effective management of climate risk.

### **5.3 Environment Agency**

5.3.1 It is advised that the site disposes of the waste produced from the construction of the development is sent to an appropriately permitted facility under the relevant duty of care notes. Waste classification and assessment should be carried out to determine the correct European Waste Catalogue (EWC) code.

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

5.4.1 There are no comments from the Environmental Health Commercial team.

### **5.5 Thames Water**

5.5.1 No comment.

### **5.6 Affinity Water**

5.6.1 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. The policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up to date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up to date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up to date development plan, reflecting the requirements of section 38(6) of the 2004 Act. The NPPF with which Members are fully familiar, is a material consideration to be taken into account in determining this application.

## **6.3 Planning Practice Guidance**

The PPG contains guidance supplementing the NPPF and with which Members are fully familiar. The PPG is a material consideration to be taken into account together with the National Design Guide (2019) which has the same status as the PPG.

## **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 SP8: Good Design;  
Policy SP11: Climate change, flooding and pollution;  
Policy EC2a: Gunnels Wood Employment Area;  
Policy EC3: Gunnels Wood industrial Zone;  
Policy GD1: High quality design;  
Policy FP7: Pollution.

## **6.5 Supplementary Planning Documents**

Parking Provision Supplementary Planning Document October 2020.  
Stevenage Design Guide Supplementary Planning Document 2009.

## **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 issues for consideration in the determination of the application are its acceptability in land use policy terms, impact on visual amenity, impact on amenities, parking and highway implications and impact on the environment.

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

- 7.2.1 The application site is located within the Gunnels Wood Employment Area as defined under Policy EC2a of the Stevenage Borough Local Plan 2011 to 2031, adopted May 2019. Given this, Policy EC3 of the Local Plan is relevant as the site falls specifically within the Gunnels Wood Industrial Zone on Crompton Road. In these areas, the Policy states that planning

permission will be granted where a development is for use classes B1(c) light industry, B2 general industry and / or B8 storage and distribution and, in addition, any new unit or building is of an appropriate size and does not generally exceed 500m<sup>2</sup> within Crompton Road industrial area. This policy further iterates that planning permission will only be granted as an exception to the aforementioned criteria where the development is ancillary, or essential to the continued operation of an established B-class.

7.2.2 The proposed development, as set out in paragraph 3.1 of this report, is for the reconfiguration and replacement of enclosures to the waste transfer bays as well as the creation of one new waste transfer bays. Given the Council's Waste Depot is an established use in this part of the employment site and these bays are fundamental to the operation of the site, the proposed development is in accordance with the Council's employment policies set in the adopted Local Plan (2019).

### **7.3 Impact on the appearance of the area**

7.3.1 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.

7.3.2 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". The National Design Guide (2019) which was published by National Government is a material consideration in the determination of planning applications. It sets out that Buildings are an important component of places and proposals for built development are a focus of the development management system.

7.3.3 In terms of design policies in the adopted Local Plan (2019), Policy SP8 requires new development to achieve the highest standards of design and sustainability. Policy GD1: High quality design generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design. The Council's Design Guide SPD (2009) sets out that a high quality environment is essential for providing a good quality of life for residents. A well-designed and managed space not only provides a visually attractive environment, but can also help to ensure that a place is easy to move around and within, is safe and secure, and is useful for all members of the community.

7.3.4 The proposed development would comprise the removal of the existing timber enclosures and to erect 4m high concrete enclosures with a steel frame support system. There would also be the creation of a new transfer bay. Each bay would be approximately 6.2m in width apart from the General Waste Bulk which would be 15m in width. The transfer bays would also generally be 11m in depth. The bays are being replaced due to their declining condition and following the recommendations of a fire safety audit at the Waste Depot.

7.3.5 Whilst these bays and associated enclosures are much larger than the existing, they are located in a similar position which is towards the rear of the site. As such, they would be

located over 95m from the nearest public vantage point on Cavendish Road. Therefore, due to the presence of existing boundary treatment, location of buildings, these enclosures would only be visible at very acute viewing angles from Cavendish Road i.e. the site entrance. In terms of public vantage points from the Meadway, the existing trees are to be retained in order to continue to provide a natural screen. As such, you would only catch glimpses of the proposed enclosures. In terms of their design, they are utilitarian and reflect the operational design requirements for the waste transfer element of the depot which is also industrial in nature. As such, the proposal is not out of character in this established employment area.

- 7.3.6 Given the aforementioned assessment, the proposal would not have a detrimental impact on the character and appearance of the site. In addition, the proposal would not harm the visual amenities of the wider street scene. Therefore, it accords with the design policies in the adopted Local Plan (2019), the Council's Design Guide SPD (2009), the NPPF (2019) and NPPG (2014) (including the National Design Guide).

#### **7.4 Impact upon amenities**

- 7.4.1 In terms of impact on residential amenities, the nearest residential properties are located 195m from the application site, the closest being Benoni, Symonds Green Lane. Due to the significant separation distance combined with the site already being in operation, it is not considered the proposal would harm the amenities of the nearest residential properties. In terms of impact on the surrounding area, the site does fall within an industrial which already has a large amount of background noise. Therefore, the proposal would not harm amenities more generally.

#### **7.5 Parking and Highway Implications**

- 7.5.1 The proposed development does not seek to increase the number of staff already employed at the Waste Depot. In addition, the proposal would not have an impact on existing parking which is already being provided on site. With respect to the impact on the highway network, the application site already benefits from an existing vehicle access offset from Cavendish Road which is designated as a local access road with a speed restriction of 30mph. The proposal does not seek to alter or create any new access points onto the established highway network.
- 7.5.2 The existing access itself is integrated into an industrial design carriageway that includes a combined verge and footway. This offers a wide envelope of visibility that provides an acceptable level of vehicle-to-vehicle inter-visibility and pedestrian visibility in accordance with Manual for Streets. The proposal, as it does not result in the creation of additional staff or alter the existing parking provision, would not generate any additional vehicle traffic. The applicant has also provided tracking data to clearly demonstrate that vehicles can also safely manoeuvre within the site and exit onto the highway in a forward gear.
- 7.5.3 Given the aforementioned assessment, Hertfordshire County Council as Highways Authority does not consider the proposed development would have a detrimental impact on the safety and operation of the highway network.

#### **7.6 Impact on the Environment**

- 7.6.1 The existing development site already operates as a waste depot on behalf of the Borough Council, so the scheme would not create any additional environmental impacts over and above the current situation. In terms of the construction of the development, if planning permission were to be granted, the Environment Agency advises that any waste following construction should be carefully managed in accordance with EU regulations. In addition,

Hertfordshire County Council, as Minerals and Waste Authority, advise that waste generated as part of the development, including demolition of the existing transfer bays, must be appropriately managed and recycle. Given these are matters which fall outside of planning's control, it is the applicants responsibility to ensure they manage any relevant waste from the development in accordance with adopted regulations and policies.

## 7.7 Other matters

### CIL Liability

7.7.1 Due to the nature of the proposed development, there is no CIL liability.

## 8. CONCLUSIONS

8.1 In summary, the principle of the proposed development is acceptable as it would support the on-going operation of the Waste Depot. Furthermore, the proposed development would not have a detrimental impact on the character and appearance of the site and the visual amenities of the street scene. The proposal would not harm the amenities of the nearest residential properties nor prejudice the safety and operation of the highway network. Moreover, the proposal would not generate any additional harm to the wider environment over and above the existing situation.

8.2 Given the aforementioned, the proposed development is considered to be acceptable in line with the Council adopted Local Plan, Planning and Design Guide SPD (2009), the Council's Car Parking Standards SPD (2020), the NPPF (2019) and NPPG (2014).

## 9. RECOMMENDATIONS

9.1 That Planning permission be GRANTED subject to the following conditions/reasons:

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

133A-C-008 100; 133A-C-008 120; 133A-C-008 130; 133A-C-008 140; 133A-C-008 150.

**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 construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0900 and 1300 on Saturdays.

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

## **Pro-active Statement**

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

## **10. BACKGROUND DOCUMENTS**

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2020.
3. Stevenage Borough Local Plan 2011-2031 adopted May 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework February 2019 and Planning Policy Guidance March 2014.



**Meeting:** Planning and Development  
Committee

**Agenda Item:**

**Date:**

## **IMPORTANT INFORMATION - DELEGATED DECISIONS**

Author – Technical Support 01438 242838

Lead Officer – Zayd Al-Jawad 01438 242257

Contact Officer – Gemma Fitzpatrick 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 : 18/00423/COND  
Date Received : 16.07.18  
Location : Stevenage Borough Football Club Broadhall Way Stevenage Herts  
Proposal : Discharge of Conditions 4 (Construction Traffic Management Plan), 5 (Material/Samples), 6 (Code of Construction Practice), 9 (Travel Plan) , 11 (Surface Water Drainage Strategy) and 12 (Phase One Investigation Desk Top Study) attached to planning permission reference number 15/00236/FPM  
Date of Decision : 01.12.20  
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.

The case officer's letter is attached providing further information.

2. Application No : 19/00726/FP  
Date Received : 13.12.19  
Location : Co-op 3 Filey Close Stevenage Herts  
Proposal : External alterations to shop front, new ATM machine, re-location of plant equipment internally and extension of sales area.  
Date of Decision : 09.12.20  
Decision : **Planning Permission is GRANTED**
3. Application No : 20/00481/FPH  
Date Received : 27.08.20  
Location : 1 Wetherby Close Stevenage Herts SG1 5RX  
Proposal : Two storey side and single storey rear extension  
Date of Decision : 16.12.20  
Decision : **Planning Permission is GRANTED**
4. Application No : 20/00514/FPH  
Date Received : 14.09.20  
Location : 112 St. Margarets Stevenage Herts SG2 8RE  
Proposal : Variation of condition 1 (approved plans) attached to planning permission reference number 16/00329/FPH for the retention of amended size and design of the approved garage.  
Date of Decision : 15.12.20  
Decision : **Planning Permission is GRANTED**
5. Application No : 20/00515/HPA  
Date Received : 14.09.20  
Location : 2 Ashleigh Stevenage Herts SG2 9UW  
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 6 metres, for which the maximum height will be 3.50 metres and the height of the eaves will be 2.25 metres  
Date of Decision : 03.12.20  
Decision : **Prior Approval is NOT REQUIRED**

6. Application No : 20/00544/FPH  
Date Received : 29.09.20  
Location : 12 Keats Close Stevenage Herts SG2 0JD  
Proposal : Single storey rear and side extension and alterations to garage  
Date of Decision : 03.12.20  
Decision : **Planning Permission is GRANTED**
7. Application No : 20/00563/TPTPO  
Date Received : 06.10.20  
Location : Campion Court Stevenage Herts  
Proposal : Fell to ground 1no. Copper Beech (T14) protected by TPO 80  
Date of Decision : 01.12.20  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
8. Application No : 20/00565/FPH  
Date Received : 07.10.20  
Location : Theydon Rectory Lane Stevenage Herts  
Proposal : Erection of single storey side extension following demolition of existing with link to main house. Increase in roof height to incorporate rear dormer windows for loft conversion  
Date of Decision : 17.12.20  
Decision : **Planning Permission is REFUSED**
- For the following reason(s);
- The proposed roof alterations will completely change the design and character of the dwellinghouse adversely affecting the character and appearance of the Conservation Area. This would be contrary to Policies SP13 and NH10 of the Stevenage Borough Local Plan 2011 to 2031 (adopted 2019) and the St Nicholas/Rectory Lane Conservation Area Management Plan SPD (2012).

9. Application No : 20/00566/FP  
Date Received : 07.10.20  
Location : 7- 10 Inns Close Stevenage Herts SG1 3JG  
Proposal : Creation of new parking area to allow emergency access  
Date of Decision : 26.11.20  
Decision : **Planning Permission is GRANTED**
10. Application No : 20/00570/FPH  
Date Received : 09.10.20  
Location : 18 Shirley Close Stevenage Herts SG2 0JP  
Proposal : Partial demolition of existing attached garage to facilitate a single storey front extension and a first floor, part two storey side and rear extension and alterations to fenestration  
Date of Decision : 08.12.20  
Decision : **Planning Permission is GRANTED**
11. Application No : 20/00573/FPH  
Date Received : 12.10.20  
Location : 7 Burghley Close Stevenage Herts SG2 8SX  
Proposal : Single storey side and rear extension and alterations to fenestration  
Date of Decision : 07.12.20  
Decision : **Planning Permission is GRANTED**
12. Application No : 20/00574/CLPD  
Date Received : 12.10.20  
Location : 7 Burghley Close Stevenage Herts SG2 8SX  
Proposal : Certificate of lawfulness for a rear facing dormer with 3no. front facing roof lights to facilitate loft conversion  
Date of Decision : 07.12.20  
Decision : **Certificate of Lawfulness is APPROVED**

13. Application No : 20/00576/COND  
Date Received : 12.10.20  
Location : The Bragbury Centre Kenilworth Close Stevenage Herts  
Proposal : Discharge of condition 14 (construction management) and 16 (waste management) attached to planning permission reference number 18/00398/FPM  
Date of Decision : 01.12.20  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
14. Application No : 20/00578/FP  
Date Received : 12.10.20  
Location : 32 Shephall View Stevenage Herts SG1 1RL  
Proposal : Proposed one bedroom annex and change of use of land from amenity to residential  
Date of Decision : 02.12.20  
Decision : **Planning Permission is GRANTED**
15. Application No : 20/00582/COND  
Date Received : 12.10.20  
Location : Land To West Of A1(M) And South Of Stevenage Road Todds Green Stevenage Herts  
Proposal : Discharge of Condition 15 (Construction Management plan) attached to planning permission reference number 19/00123/FPM  
Date of Decision : 07.12.20  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

16. Application No : 20/00609/CLPD  
Date Received : 19.10.20  
Location : 237 Wisden Road Stevenage Herts SG1 5NP  
Proposal : Certificate of lawfulness for proposed single storey rear extension  
Date of Decision : 01.12.20  
Decision : **Certificate of Lawfulness is REFUSED**  
  
For the following reason(s);  
  
The proposed single storey rear extension would extend beyond a wall forming a side elevation of the original dwellinghouse and would have a width greater than half the width of the original dwellinghouse. Therefore, the proposed development would fail to accord with Schedule 2, Part 1, Class A (j) (iii) of the Town and Country Planning (General Permitted Development) (England) Order 2015 and therefore, requires planning permission.
17. Application No : 20/00619/FPH  
Date Received : 25.10.20  
Location : 30 Fishers Green Stevenage Herts SG1 2JA  
Proposal : New roof to facilitate loft conversion  
Date of Decision : 15.12.20  
Decision : **Planning Permission is GRANTED**
18. Application No : 20/00626/FPH  
Date Received : 27.10.20  
Location : 18 Parishes Mead Stevenage Herts SG2 9QD  
Proposal : Installation of Rear facing dormer window to facilitate loft conversion  
Date of Decision : 18.12.20  
Decision : **Planning Permission is GRANTED**

19. Application No : 20/00630/FPH  
Date Received : 28.10.20  
Location : 123 Collenswood Road Stevenage Herts SG2 9HA  
Proposal : Single storey rear extension  
Date of Decision : 09.12.20  
Decision : **Planning Permission is GRANTED**
20. Application No : 20/00632/FPH  
Date Received : 28.10.20  
Location : 21 Dunn Close Stevenage Herts SG1 1SB  
Proposal : Single storey rear and side extensions  
Date of Decision : 10.12.20  
Decision : **Planning Permission is GRANTED**
21. Application No : 20/00633/FPH  
Date Received : 29.10.20  
Location : 6 Rookwood Drive Stevenage Herts SG2 8PJ  
Proposal : Single storey side and rear extension  
Date of Decision : 14.12.20  
Decision : **Planning Permission is GRANTED**
22. Application No : 20/00637/FPH  
Date Received : 30.10.20  
Location : 19 Cholwell Road Stevenage Herts SG2 9JY  
Proposal : Single storey rear extension  
Date of Decision : 15.12.20  
Decision : **Planning Permission is GRANTED**

23. Application No : 20/00642/TPCA  
Date Received : 02.11.20  
Location : 8 Orchard Road Stevenage Herts SG1 3HD  
Proposal : Reduction in height of 2no. Fir trees and reducing the weight of the trunk of 1no. Oak tree  
Date of Decision : 10.12.20  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
24. Application No : 20/00651/FPH  
Date Received : 03.11.20  
Location : 13 Melne Road Stevenage Herts SG2 8LL  
Proposal : Single storey front extension  
Date of Decision : 16.12.20  
Decision : **Planning Permission is GRANTED**
25. Application No : 20/00655/CLPD  
Date Received : 05.11.20  
Location : 17 Cavell Walk Stevenage Herts SG2 0QD  
Proposal : Certificate of lawfulness for proposed Loft conversion  
Date of Decision : 15.12.20  
Decision : **Certificate of Lawfulness is APPROVED**
26. Application No : 20/00657/FPH  
Date Received : 05.11.20  
Location : 108 Chancellors Road Stevenage Herts SG1 4TZ  
Proposal : Two storey rear extension  
Date of Decision : 17.12.20  
Decision : **Planning Permission is GRANTED**



27. Application No : 20/00664/AD  
Date Received : 06.11.20  
Location : 85 - 103 Queensway Town Centre Stevenage Herts  
Proposal : Installation of 3no. non-illuminated fascia signs and 3no. internally illuminated fascia signs  
Date of Decision : 11.12.20  
Decision : **Advertisement Consent is GRANTED**
28. Application No : 20/00665/NMA  
Date Received : 06.11.20  
Location : Sycamore House Leyden Road Stevenage Herts  
Proposal : Non material amendment to planning permission reference number 19/00720/FP for alterations to external appearance of the building, roof plant enclosure alterations, cycle enclosure alterations and front entrance alterations  
Date of Decision : 01.12.20  
Decision : **Non Material Amendment AGREED**
29. Application No : 20/00670/CLPD  
Date Received : 10.11.20  
Location : 12 Kilner Close Stevenage Herts SG1 5AZ  
Proposal : Certificate of lawfulness for proposed Loft Conversion rear dormer and three velux windows to principle elevation .  
Date of Decision : 16.12.20  
Decision : **Certificate of Lawfulness is APPROVED**
30. Application No : 20/00674/TPCA  
Date Received : 11.11.20  
Location : Rooks Nest House Weston Road Stevenage Herts  
Proposal : Felling of 4no. Cypress trees  
Date of Decision : 16.12.20  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**

31. Application No : 20/00677/NMA  
Date Received : 12.11.20  
Location : Glaxo SmithKline Research And Development Ltd Gunnels Wood Road Stevenage Herts  
Proposal : Non material amendment requiring variation to conditions 1 (Approved Plans), 3 (Landscaping) and 7 (Access and Parking) attached to planning permission 17/00676/FP  
Date of Decision : 08.12.20  
Decision : **Non Material Amendment AGREED**
32. Application No : 20/00689/HPA  
Date Received : 16.11.20  
Location : 43 Furzedown Stevenage Herts SG2 9EL  
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 4.5 metres, for which the maximum height will be 3.43 metres and the height of the eaves will be 2.54 metres  
Date of Decision : 15.12.20  
Decision : **Prior Approval is NOT REQUIRED**
33. Application No : 20/00708/NMA  
Date Received : 23.11.20  
Location : Land Bordered By Ashdown Road, Malvern Close And Hertford Road Stevenage Herts SG2 8BG  
Proposal : Non material amendment to planning permission reference number 18/00401/FP to allow for the site boundary change  
Date of Decision : 11.12.20  
Decision : **Non Material Amendment AGREED**

34. Application No : 20/00720/NMA  
Date Received : 26.11.20  
Location : 103 Chalkdown Stevenage Herts SG2 7BN  
Proposal : Non material amendment to planning permission reference number 20/00551/FPH to amend roof construction and width of conservatory  
Date of Decision : 14.12.20  
Decision : **Non Material Amendment AGREED**

## **BACKGROUND PAPERS**

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 2020.
3. Stevenage Borough Local Plan 2011-2031 adopted May 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework February 2019 and Planning Policy Guidance March 2014.

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**Meeting:** Planning and Development  
Committee

**Agenda Item:**

**Date:** Wednesday 6 January 2021

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

Author – Linda Sparrow 01438 242837

Lead Officer – Zayd Al-Jawad 01438 242257

Contact Officer – Gemma Fitzpatrick 01438 242270

### **1. APPEALS RECEIVED**

- 1.1 20/00228/FPH, 30 Orchard Crescent. Appeal against refusal of permission for two storey front, side and rear extensions.

### **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.

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.

- 2.2 19/00529/FPH. 2 Whitney Drive. Appeal against refusal of permission for a part two storey, part first floor side extension.
- 2.3 20/00175/FPH, 86 Marlborough Road. Appeal against refusal of permission for the construction of a garage to the front of the property.
- 2.4 20/00269/FPH. 1 The Noke. Appeal against refusal of permission for a two storey side and rear extension.

### **3. DECISIONS RECEIVED**

- 3.1 None.

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