

Public Document Pack



PLANNING AND DEVELOPMENT COMMITTEE

Date: Wednesday, 22 June 2022
Time: 6.30pm,
Location: Council Chamber
Contact: Lisa Jerome 01438 242203
committees@stevenage.gov.uk

Members: Councillors: M Downing (Chair), A Brown (Vice-Chair), M McKay, S Barr, T Callaghan, M Creasey, C Howells, G Lawrence CC, Mrs J Lloyd, A Mitchell CC, C Parris, G Snell and A Wells

AGENDA

PART 1

1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

2. MINUTES - 26 MAY 2022

To approve as a correct record the Minutes of the previous meeting held on Thursday 26 May 2022.

Pages 3 – 14

3. TERMS OF REFERENCE

To note the Terms of Reference for the Committee, as agreed by the Annual Council meeting on 25 May 2022.

Pages 15 – 16

4. PLANNING POLICY UPDATE (DESIGN SPD, ARTICLE 4 DIRECTIONS AND STATION GATEWAY AAP)

To receive a presentation and update on the Design SPD, Article 4 Directions and Station Gateway Area Action Plan (AAP).

5. 22/00307/ENF CAR PARK TO THE SIDE OF AINTREE WAY

To consider the unauthorised building work in allocated car parking space belonging to No.4 Aintree Way

Pages 17 – 20

6. 22/00423/FP STEVENAGE BUS STATION AND TOWN SQUARE

To consider the removal of the existing bus station and demolition of existing structures, temporary works to consist of a new public square comprising public realm, landscaping and its use as a temporary flexible multi-use space and a temporary performance kiosk in the Town Square.

Pages 21 – 40

7. INFORMATION REPORT - DELEGATED DECISIONS

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

Pages 41 – 56

8. INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS

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

Pages 57 – 58

9. URGENT PART I BUSINESS

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

10. EXCLUSION OF THE PRESS AND PUBLIC

To consider the following motions that:

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

11. URGENT PART II BUSINESS

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

STEVENAGE BOROUGH COUNCIL

PLANNING AND DEVELOPMENT COMMITTEE MINUTES

Date: Thursday, 26 May 2022

Time: 6.30pm

Place: Council Chamber

Present: Councillors: Michael Downing (Chair) (Chair), Adrian Brown (Vice Chair), Julie Ashley-Wren, Sandra Barr, Adrian Brown, Teresa Callaghan, Matt Creasey, Chris Howells, Graham Lawrence CC, Mrs Joan Lloyd, Maureen McKay, Adam Mitchell CC, Claire Parris, Graham Snell and Anne Wells

Start / End Start Time: 06:30 pm
Time: End Time: 07:15 pm

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

Election of Vice-Chair

It was moved by Councillor Michael Downing and seconded by Councillor Sandra Barr that Councillor Adrian Brown be appointed as Vice-Chair of the Committee for municipal year 2022/23. After being put to the meeting and a vote taken, the motion was declared carried.

There were no apologies for absence.

Councillor Chris Howells declared an interest on item 3 of the agenda. He did not take part in the debate and not voted on the item.

2 **MINUTES - 5 APRIL 2022**

It was **RESOLVED** that the minutes of the Planning and Development Committee meeting held on Tuesday 5 April 2022 be approved as a correct record and signed by the Chair.

21/00717/ENF - 134 MARYMEAD DRIVE, STEVENAGE

Application No:	21/00717/ENF
Location	134 Marymead Drive, Stevenage
Proposal	Unauthorised use of the property as a House of Multiple Occupation (HMO); unauthorised erection of bollards on SBC land; flytipping; unauthorised erection of outbuildings and front extensions.
Applicant:	N/A
Recommendation:	Serve an enforcement notice

The Planning Manager presented the application seeking permission to serve an enforcement notice to the owner of 134 Marymead Drive, Stevenage. During the presentation, he displayed a map, plans and photographs to demonstrate the location and character of the site. The enforcement site was located on the junction of Marymead Drive and Broadwater Crescent which forms part of the Broadwater Conservation Area. The site comprised a two-storey, end of terrace property with a gable-end roof.

The Development Manager explained that the site had a long history of enforcement investigation which had been undertaken by the Council. The site was being investigated for further potential breaches in planning control which related to the unauthorised use of HMO (House of Multiple Occupation), unauthorised erection of bollards on the Council land, fly tipping and unauthorised erection of outbuilding and front extension which was harmful to the Conservation Area. The Development Manager advised the committee that the two matters they were seeking enforcement action against was the outbuilding and conservation area. This is because the other matters investigated by officers, as set out in the Committee Report, had been identified that there was no breach in planning control.

The registered speaker, Mr John Kirbyshire, spoke in support of the application. He had advised the committee that he was not sure why he was at the Meeting. However, he explained to members that he utilised his property as an agricultural holding as well store his cars. In addition, he advised the Committee that he erected the outbuilding and extension to deal with anti-social activities within the property by his tenants i.e. to ensure they were conducted outside of the house, not hanging out of windows etc.

The key issues in the determination of the application were outlined in the officer report.

Members debated the application taking in to account the Development Manager presentation, the officer report and the statement from the registered speaker. Members agreed and supported the officer recommendation to serve an enforcement notice.

In response to a question by a Member, the Development Manager advised that

whilst the property was currently being used as a HMO, there was an ongoing investigated by the Council's Environmental Health Team as Mr Kirbyshire is on the Rogue Landlord Register. Furthermore, the enforcement notice outcome would be followed closely, and the Council may seek prosecution.

A motion was proposed and seconded that the enforcement notice period should be amended to three months instead of originally purposed six months. After being put to the meeting and a vote taken, the motion was declared and carried.

Members then voted on the amended motion, a vote was taken and the amended motion was declared carried.

It was **RESOLVED** that an enforcement notice be issued and served subject to conditions as per the recommendations set out below, and an amendment to the condition relating to the notice period as follows:

- An enforcement notice must be served within three months.

That an Enforcement Notice be issued and served by the Assistant Director of Planning and Regulation and subject to an appointed solicitor by the Council being satisfied as to the evidence requiring the removal of the existing structure in the rear garden and the front extension. The precise terms of the Enforcement Notice, including all time periods, to be delegated to the Assistant Director of Planning and Regulation.

1. 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.
2. 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.

REMEDY REQUIRED

Within three months of the date of any Enforcement Notice served, the entirety of the structure as built in the rear garden area with the land made good and the front extension to also be removed in its entirety with the elevation of the dwellinghouse the extension is attached to make good following its removal.

4 **21/01366/FPM - STAMFORD HOUSE, PRIMETT ROAD, STEVENAGE**

Application No:	21/01366/FPM
Location	Stamford House, Primett Road, Stevenage
Proposal	Extension to roof, with alterations to openings and materials, to facilitate conversion of existing office building to 11 residential apartments.

Applicant:	Mr Howell
Recommendation:	Grant planning permission

The Committee received an application seeking permission for conversion of existing office building to 11 residential apartments. During the presentation, the Principal Planning Officer displayed maps, plans and photographs to demonstrate the location and character of the site.

The Principal Planning Officer explained that the application site was irregularly-shaped, located between Primett Road and the High Street. The site was located within the Old Town High Street Conservation Area and Area of Archaeological Significance. He advised Members that an objection was received, and the plans were amended to add obscure glazed windows, however, after the amendment there were no other objections received by the Council.

Herts Fire and Rescue and Thames Water did not have any objections on the application.

The report addressed in detail all the key issues and Officer opinion was that:

- The main issues for Members to consider were the acceptability in land use policy terms. Affordable housing, the mix of dwelling sizes;
- The standard of the proposed accommodation were acceptable.
- The impact on heritage assets, design and other visual considerations, impact on the amenities of neighbours and the impact on highway safety and parking. These were all acceptable and neutral matters.
- The proposed development would provide 11 dwellings contributing to the aim of boosting housing supply through the redevelopment of sustainable brownfield sites.
- The proposed development was therefore considered to be in accordance with the development plan.

Officer recommendation was therefore that planning permission be granted for the reasons detailed within the Officer report.

Members debated the application, taking into account the Officer report and the Officer presentation. Members agreed and supported the officer recommendation to grant permission to the application.

In response to a question, the Principal Planning Officer clarified that originally the applicant proposed 12 flats but because of the size and design, it was reduced to 11 flats with 12 car parking spaces.

It was **RESOLVED** that planning permission be granted, subject to the conditions as per the recommendations set out below:

That planning permission be GRANTED subject to the following conditions and the transfer of

the signed S106 legal agreement which has secured and/or provides:

- Employment and Apprenticeship Opportunities

1. With delegated powers be given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee to negotiate and secure the obligation detailed above (including triggers where appropriate) as part of the Section 106 Agreement in order to mitigate the developments impact on infrastructure as well as secure the planning benefits which this scheme seeks to deliver. In addition, the imposition of suitable safeguarding conditions, with authority given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee, to amend or add to the suggested draft conditions set out in this report, prior to the decision notice being issued, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning Committee has resolved to approve.

Conditions

General

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 2132-001; 2132-004B; 2132-005B; 2132-006B; 2132-007B.

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 demolition, construction or maintenance activities audible at the boundary and no deliveries of construction and demolition materials shall be undertaken outside the hours 07:30 hours to 18:00 hours Mondays to Fridays, 08:00 hours to 13.00 hours on Saturdays and shall not operate on a Sunday or Bank Holiday, unless otherwise agreed in writing with the Local Planning Authority.

REASON:- To ensure the demolition of the existing buildings and the construction and maintenance of the development does not prejudice the amenities of occupiers of nearby premises due to noise pollution.

4. Any external lighting installed at the site shall be angled so as to avoid any spillage beyond the site boundaries unless otherwise agreed in writing by the local planning authority.

REASON:- In order to protect the amenities and operations of neighbouring

properties, to ensure any external lighting does not prejudice highway safety and in the interests of minimising light pollution.

5. 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 submitted to and approved in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the local planning authority.

REASON:- To ensure that the site does not pose any risk to human health and to ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or surface water by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is completed.

Prior to Commencement

6. No development shall take place (including site clearance) until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved plan. The construction management plan shall include details of the following:
 - a) Construction vehicle numbers, type, routing;
 - b) Access arrangements to site;
 - c) Traffic and pedestrian management requirements;
 - d) Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
 - e) Siting and details of wheel washing facilities;
 - f) Cleaning of site entrances, site tracks and the adjacent public highway;
 - g) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
 - h) Provision of sufficient on-site parking prior to commencement of construction activities;
 - i) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
 - j) Where works cannot be contained wholly within the site, a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
 - k) A Site Waste Management Plan including mechanisms to deal with environmental impacts such as air quality and dust control measures,

noise and vibration restriction measures, light and odour and predicted and latterly actual waste arisings and how this is to be managed and where it is sent to.

- l) Dust control measures during demolition and construction from plant and machinery, and vehicles.

REASON:- In order to protect highway safety and the amenity of other users of the public highway and rights of way, in the interests of amenities of neighbouring properties, to ensure suitable, safe and satisfactory planning and development, in order to reduce the level of waste generated during groundworks and construction phases of development and to recycle all waste materials where possible.

7. No development shall take place (excluding demolition and site clearance) until a detailed surface water drainage scheme for the site 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 infiltration tests conducted to BRE Digest 365 standards and geotechnical investigations to confirm the feasibility of discharge via infiltration and groundwater levels on site.
 - 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) Final post-development network calculations for all storm events up to and including the 1 in 100 year + 40% climate change event with half drain down times.
 - 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.

REASON:- To prevent the increased risk of flooding, both on and off site.

Prior to Work above Slab Level

8. No development shall take place above slab level until a schedule and samples of the materials to be used in the construction of the external surfaces and hard landscaping of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and permanently retained as such thereafter.

REASON:- To ensure the development has a high quality appearance.

9. No development shall take place above slab level until details of the refuse stores as shown on the approved plans have been submitted to and

approved in writing by the Local Planning Authority. The approved refuse stores shall then be installed in full prior to beneficial occupation of the development and permanently retained as such thereafter.

REASON:- To ensure the proper disposal of waste for the lifetime of the development

10. No development shall take place above slab level until details of the cycle parking stands as shown on the approved plans have been submitted to and approved in writing by the Local Planning Authority. The approved cycle stands shall then be installed in full prior to beneficial occupation of the development and permanently retained as such thereafter.

REASON:- To ensure adequate secure and covered cycle parking provision is available at all times to promote sustainable modes of transport.

11. No development shall take place above slab level until details of the specification and siting of the active electric vehicle charging points (EVCP) have been submitted to and approved in writing by the Local Planning Authority. The approved EVCPs shall be installed in full prior to beneficial occupation of the development and permanently retained as such thereafter.

REASON:- To ensure adequate provision of active EVCPs within in the development and for all types of drivers is available at all times to promote sustainable modes of transport.

12. No development shall take place above slab level until an addendum to the submitted noise assessment, taking into account the amendments to flat 11, has been submitted to and approved in writing by the local planning authority. Any recommended measures in the approved addendum shall then be implemented in full prior to beneficial occupation of the development and permanently maintained thereafter unless otherwise agreed in writing by the local planning authority.

REASON:- To ensure satisfactory living conditions for future occupants of the development.

Prior to Occupation/Completion

13. Prior to occupation of the development an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until implementation of the approved Travel Plan. Those parts of the approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

REASON:- To ensure that sustainable travel options associated with the development are promoted and maximised.

14. Prior to the first occupation of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved drawing number 18081_001 Rev A. The splay shall thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

REASON:- To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety.

15. Prior to the first occupation of the development hereby permitted the proposed access arrangements, on-site car and cycle parking, and turning areas shall be implemented in accordance with the approved plans and retained thereafter available for that specific use.

REASON:- To ensure construction of a satisfactory development and in the interests of highway safety.

16. Prior to the first occupation of the development, the noise mitigation measures detailed in Section 5.2 of “Stamford House, Primett Road, Planning Noise Assessment” Report Reference RK3174/20439/Rev1, Dated 10/12/2021 by Spectrum Acoustic Consultants shall be implemented in full. The measures shall be permanently maintained thereafter unless otherwise agreed in writing by the local planning authority.

REASON:- To ensure satisfactory living conditions for occupants of the development.

17. Prior to the first occupation of the development hereby permitted the proposed communal outdoor amenity space shall be implemented in accordance with the approved plans and retained thereafter available for that specific use.

REASON:- To ensure construction of a satisfactory development and in the interests of the living conditions of future occupants.

18. Upon completion of the drainage works for the site and in accordance with the timing/phasing arrangement, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

1. Provision of a complete set of as built drawings for site drainage.
2. Maintenance and operational activities.
3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

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

Informatives

1. 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 County Council website at:

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

or by telephoning 0300 1234047.

2. 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 County Council website at:

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

or by telephoning 0300 1234047.

3. It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. 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 and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

4. The proposed development should achieve Secured by Design (SBD) accreditation in order for it to comply with current Building Regulations. The Police Crime Prevention Design Advisor can be contracted by telephone on 01707 355227

5. Building Regulations

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at building.control@hertfordshirebc.co.uk or phoning us on 01438 879990.

To make a building regulations application please apply through our website portal at <https://www.hertfordshirebc.co.uk/contact-us/> payment can be made online or by phoning the above number after the application has been uploaded. Please phone Hertfordshire Building Control for fees guidance on 01438 879990.

Hertfordshire Building Control can also be contacted by post at Hertfordshire Building Control Ltd, 4th Floor, Campus West, Welwyn Garden City, Hertfordshire, AL8 6BX.

Once a building regulations application has been deposited with relevant drawings and fee building work may commence. You will be advised in their acknowledgement letter of the work stages we need to inspect but in most instances these are usually:

- Excavation for foundations
- Damp proof course
- Concrete oversite
- Insulation
- Drains (when laid or tested)
- Floor and Roof construction
- Work relating to fire safety
- Work affecting access and facilities for disabled people
- Completion

Please phone Hertfordshire Building Control on 01438 879990 before 10.00am to ensure a same day inspection (Mon - Fri).

6. 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 or by contacting the Council's CIL Team at CIL@Stevenage.gov.uk.

Pro-active Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 20

5 INFORMATION REPORT - DELEGATED DECISIONS

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

6 INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS

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

7 URGENT PART I BUSINESS

None.

8 EXCLUSION OF THE PRESS AND PUBLIC

Not required.

9 URGENT PART II BUSINESS

None.

CHAIR

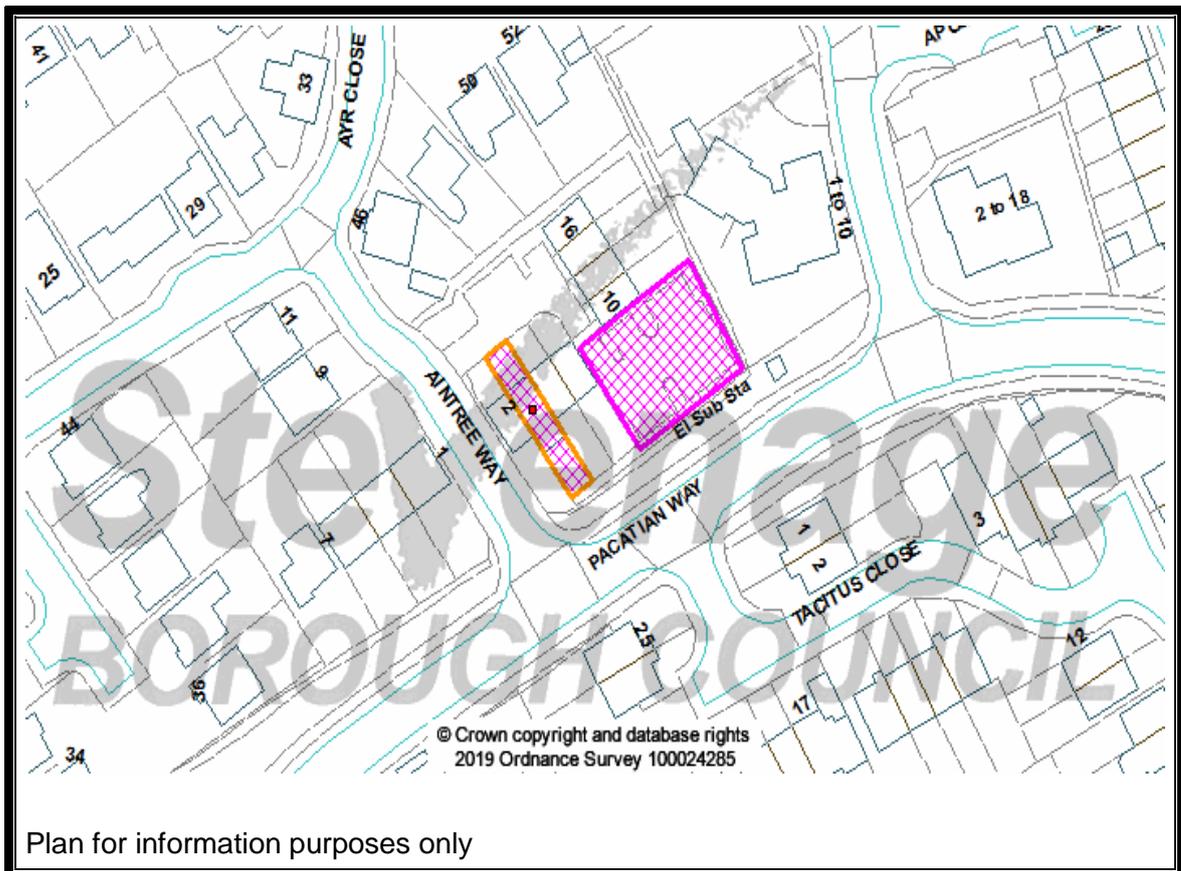
PLANNING AND DEVELOPMENT COMMITTEE

1. Membership – 14
2. Quorum - 4
3. Terms of Reference
 - 3.1 To advise the Executive on the following:
 - (i) Identification of consumer needs for services related to planning and development services and facilities functions of the Committee, and recommendations on the development of services and facilities to meet them, including:
 - Land use plans and policy, including local plans
 - Employment and economic development
 - Development management servicesand advising the Leader / Executive / Council accordingly;
 - (ii) Management and maintenance of planning and development related facilities and services in item (i), including employment and training facilities and services;
 - (iii) Monitoring and review of performance in relation to the provision and development of planning and development services and facilities, including employment and training facilities and services, whether provided by the Assistant Director Planning and Regulation, other Council Service Delivery Units, or outside contractors and advising the Leader/Executive/Council accordingly;
 - (iv) The promotion of the economic development of Stevenage, and of specific industrial/commercial land and premises within Stevenage, as to use and development and, where appropriate, about monitoring negotiations for development and redevelopment;
 - (v) Development and encouragement of local businesses, employment and training initiatives, with co-ordination and implementation by the Leader / Executive as appropriate.
 - (vi) The allocation and monitoring of grant aid and loans to local employment and training initiatives.
 - 3.2 Responsibility for Development Management, including Listed Building Control - determination of planning applications, and enforcement matters under planning regulations.

- 3.3 Responsibility for Building Control - determination of applications under the Building Regulations, and enforcement matters under planning and building legislation.
- 3.4 Responsibility for the determination of Countryside Management and Tree Preservation matters, including the making of Tree Preservation Orders and related matters, and including consultation with appropriate outside bodies.
- 3.5 Matters imposed or permitted by legislation in relation to the functions of the Committee.
- 3.6 Insofar as they are not already referred to in these terms of reference, those relevant powers set out in Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations as amended (see Table 2 of Part 3 of this Constitution); as clarified by regulations, subject to them being dealt with, as appropriate, by officers under delegated powers. This is to include the making of charges for any approval, licence or registration etc., in relation to the powers referred to.
- 3.7 Insofar as they are not already referred to in these terms of reference, those local choice functions set out at Table 3 of Part 3 of the Council's Constitution.
- 3.8 Any other appropriate matter referred.

Meeting:	Planning and Development Committee	Agenda Item:
Date:	22 June 2022	
Author:	Lewis McGann	07936 349276
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	Lewis McGann	07936 349276

Application No:	22/00307/ENF
Location:	Car park to the side of No.8 Aintree Way, Stevenage
Proposal:	Unauthorised building work in allocated car parking space belonging to No.4 Aintree Way
Recommendation:	SERVE AN ENFORCEMENT NOTICE



1.0 PURPOSE OF REPORT

- 1.1 To seek authorisation for the service of an Enforcement Notice in respect of the unauthorised erection of a structure in the communal parking area of Aintree Way.

2.0 BACKGROUND

- 2.1 The communal car park the subject of this report is located on the eastern side of No.8 Aintree Way, Stevenage. Access to the car park is gained via a private road on the eastern side of the Aintree Way, a short distance after its junction with Pacatian Way. The car park serves as a communal car park for the residents of the street with each property allocated two spaces. The two car parking spaces primarily subject to this proposed service of an Enforcement Notice belong to the owner of No.4 Aintree Way, a mid-terrace property just to the west of the communal car park.
- 2.2 It was brought to our attention on the 6th of April 2022 by another resident of Aintree Way that the owner of No.4 Aintree Way was in the process of erecting a permanent structure on one of his allocated parking spaces whilst a number of large bags of building materials had been deposited close to the entrance of the car park. A site visit of the car park was conducted on April 13th during which the Council's case officer met with the owner of No.4 Aintree Way, Mr Urbanowski, and took photos of the relevant car parking space where the works were being undertaken. A further correspondence from the complainant was then received the following day on April 14th to inform officers that a steel structure with a concrete foundation was being erected on the car parking space, with the build additionally taking up the whole of the public footpath access.
- 2.3 On the 11th of May 2022, the complainant was contacted again and asked to provide updated photos of the car parking space in question. A response was received on the 13th of May 2022 with the supplied photos showing the structure erected on the initial car parking space now largely completed with at least one tree adjacent to the space cut down, an area of grass beside the space now paved over with concrete paving slabs and at least one newly constructed storage area adjacent to the rear of the space. In erecting this structure, vehicles parked in adjacent parking spaces do not now have enough space to open their doors due to the solid wall in the way. In addition to this, photographs were submitted showing that the owner of No.4 was also parking his cars in other spaces that did belong to him, was undertaking repair works to his vehicles in these spaces, at times even leaving one of cars jacked up for multiple consecutive days creating a potential health and safety issue on the site and was frequently leaving the communal car park looking untidy and littered with car parts. Concerns were also raised that the owner of No.4 was also filling up other neighbour's bins with left over car parts and other debris.

3.0 ASSESSMENT OF BREACH

- 3.1 Taking the evidence submitted to the Council into account combined with the Council's case officers own investigations into the potential breach in planning control, despite the claims from Mr Urbanowski, that the structure he has built is only temporary and that he had consent from the majority of the other local residents that use the car park to undertake such works, it is Council officers opinion that the structure erected on one of his parking spaces in the communal car park breaches planning control and requires planning permission from the Council as Local Planning Authority. It is furthermore officer's opinion that the erected structure is unacceptable in that it is an incongruous form of development within the immediate surrounding area and is deemed to be having a detrimental impact on the visual amenities of this part of Aintree Way. As such, the structure which has been erected over the parking space is deemed to not be in accordance with Policies GD1 and SP8 of the adopted

Stevenage Borough Local Plan (2019 and paragraphs 126, 130 and 134 of the NPPF (2021)).

- 3.2 In addition to the above, whilst each application has to be assessed on its own merits, it is the Council's case officer's professional opinion that were Mr Urbanowski to apply for retrospective planning permission for the unauthorised works listed above, such an application would not receive a favourable recommendation due its incongruous visual form, detrimental impact on the visual amenities of the area and impact on the use of adjacent parking spaces. Consequently, officers are seeking authorisation from the Council's Planning and Development Committee to serve an enforcement notice on the alleged breach in planning control which has occurred to have this structure built around the car parking space of No.4 removed and for the spaces of the communal car park affected by the unauthorised works to be returned to their original state.
- 3.3 A letter has been issued to the owner of No.4 Aintree Way to inform them of the Council's intention to refer the case to the Council's Planning and Development Committee which is scheduled to take place on the 22nd June 2022, for its decision in terms of whether or not they authorise the issuing of an enforcement notice.

4.0 RECOMMENDATION

- 4.1 That an Enforcement Notice be issued and served by the Assistant Director of Planning and Regulation and subject to an appointed solicitor by the Council being satisfied as to the evidence requiring the removal of the structure built around the car parking space of No.4 Aintree Way and for the spaces of the communal car park affected by the unauthorised works to be returned to their original state. The precise terms of the Enforcement Notice, including all time periods, to be delegated to the Assistant Director of Planning and Regulation.
- 4.2 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.
- 4.3 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.

5.0 REMEDY REQUIRED

- 5.1 Within six months of the date of any Enforcement Notice served, the structure built around the car parking space of No.4 should be removed and any other spaces of the communal car park affected by the unauthorised works should be returned to their original state.

6.0 BACKGROUND

The application file, forms, plans and supporting documents having the reference number relating to this item.

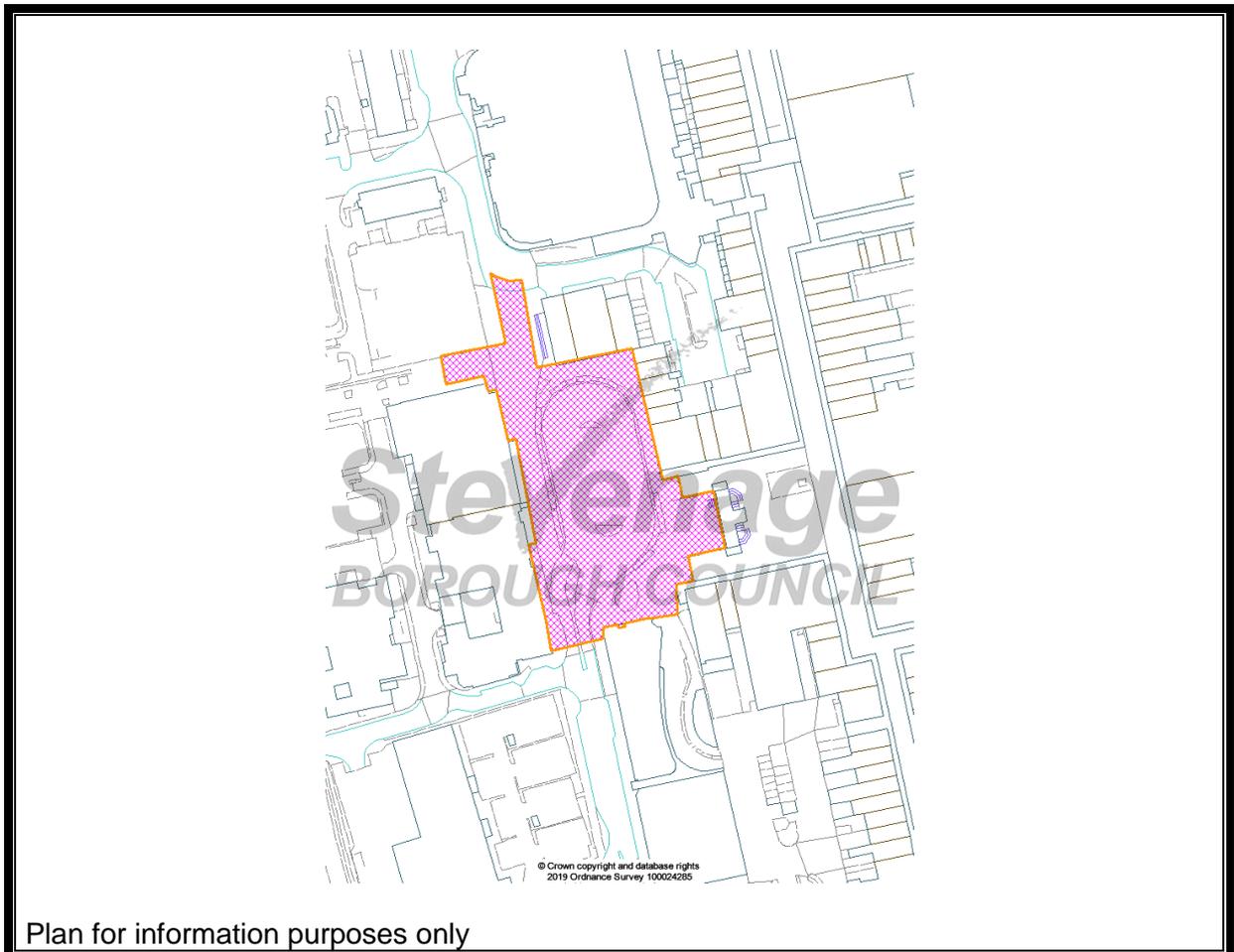
Stevenage Borough Local Plan 2011 – 2031 adopted 2019.

Stevenage Borough Council Supplementary Planning Documents – Stevenage Design Guide 2009.

Central Government advice contained in the National Planning Policy Framework (July 2021) and Planning Policy Guidance March 2014.

Meeting:	Planning and Development Committee	Agenda Item:
Date:	22 June 2022	
Author:	Ailsa Davis	07702 874529
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	Ailsa Davis	07702 874529

Application No:	22/00423/FP
Location:	Stevenage Bus Station And Town Square, Danestrete, Stevenage
Proposal:	Removal of the existing bus station and demolition of existing structures, temporary works to consist of a new public square comprising public realm, landscaping and its use as a temporary flexible multi-use space and a temporary performance kiosk in the Town Square
Drawing Nos.:	P2007555 (90) LP100; P2007555 (90) LP102; P2007555 (90) LP103; P2007555 (90) LP104 rev 2; P2007555 (90) LP105; P2007555 (91) LP001
Applicant:	Stevenage Borough Council
Date Valid:	6 May 2022
Recommendation:	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site comprises the existing bus station and the western part of the Town Square within Stevenage Town Centre. The bus station is a large area of hard standing (0.7 hectares) used to accommodate bus vehicle movements and parking. It is surrounded by pedestrian footways, separated from the hard standing by metal railings and bus shelters. There are twelve trees across the application site and some low level planting. There is controlled vehicle access and egress from the junction of Danesgate and Danestrete to the south and onto Danestrete/Westgate to the north. In terms of buildings, the site is adjoined by Stevenage Borough Council offices and Mecca Bingo to the west, the Town Square to the east, retail units to the north together with pedestrian access to the station and Tesco and The Plaza (formerly Weatherspoon's now vacant) and Danestrete to the south.
- 1.2 The existing bus station lies immediately to the west of the Town Square Conservation Area; however the eastern part of the application site which incorporates part of the Town Square up to the raised platform falls within it. Designated heritage assets are sited within the Town Square to the east, namely the Grade II listed Clock Tower and Raised Pool, Joy Ride sculpture and the recently grade II listed Baijo's tiled mural on the Primark building. The application site is also located within the designated Town Centre, Central Core Major Opportunity Area and Town Centre Shopping Area (Town Square part only). The site is in Flood Zone 1, the lowest risk of flooding.
- 1.3 The area currently occupied by the bus station will eventually be redeveloped to become a public services hub, residential development, and new Garden Square as part of the SG1 masterplan, which has a resolution to grant planning permission pending completion of the Legal Agreement. However, this area falls into Phase 2 of the plans and so will not be utilised for approximately 2 years, creating an opportunity to transform a significant empty open space into a town centre attraction until it is required for development.
- 1.4 The Council's Regeneration team (the applicant) are looking to provide a 'meanwhile use' on the site of the vacant bus station. It is anticipated that the proposed works would be in place for a period of approximately two to three years, following which Phase 2 of the SG1 development would commence. However, to provide sufficient flexibility the application for planning permission is for a maximum temporary period of up to 10 years. It is proposed to relocate the existing bus station to the new bus interchange adjacent to Lytton Way in June 2022.

2. RELEVANT PLANNING HISTORY

- 2.1 In 2019 a hybrid planning application (ref: 19/00743/FPM) was submitted for the redevelopment of a series of buildings within Stevenage Town Centre, known as SG1, which are located west and south of Queensway. They include the existing bus station site, but not the Town Square. Full details were submitted for Blocks A and K (on the northwest and southeast plots respectively), and outline details for the remaining plots (Plots B to J).
- 2.2 The proposals are for:
- Demolition of existing buildings across the redevelopment site
 - Mixed use development, including
 - New retail & food & beverage uses
 - Leisure
 - Office
 - Community
 - Residential
 - Public services hub
 - Primary school
 - Servicing, new vehicle & pedestrian accesses & circulation

- New public amenity space
- New & amended car parking
- New landscaping & public realm & associated works.

2.3 The SG1 application was approved by Stevenage's planning committee in October 2020. Shortly thereafter the Secretary of State issued a holding direction whilst they considered whether they would call in the planning application for their own determination. However, on 19 January 2021 they withdrew the direction and confirmed that the Council could make the final decision. The scheme therefore has resolution to grant with formal grant of planning permission pending the completion of the Section 106 Agreement.

2.4 The bus station will be replaced by a new building at Plot B, a 'garden square' and the new Public Services Hub, along with associated new landscaping, highways and pedestrian routes. It will therefore remain at the heart of Stevenage town centre with the new garden square connecting to the retained town square around the Joy Ride sculpture and Clock Tower.

3. THE APPLICATION

3.1 This application seeks temporary planning permission (maximum 10 years) for the removal of the existing bus station and demolition of existing structures, temporary works to consist of a new public square comprising public realm, landscaping and its use as a temporary flexible multi-use space and a temporary performance kiosk in the Town Square.

3.2 The temporary works would comprise the removal of the existing bus station infrastructure including railings, shelters, signage and road markings and the installation of temporary public realm and landscape components including a large irregular shaped grassed mound. The Town Square space would be occupied by the provision of a performance / events structure known as 'The Box' and temporary landscape improvements. The new space would be able to host a variety of events and activities including:

- Temporary structures
- A performance stage
- Concerts and performances
- Urban beach, play areas and equipment
- Maze and similar installations
- Fairground rides and associated entertainment
- Ice rink, roller skating (and associated changing facilities, reception areas and mechanical plant)
- Community art/craft workshops
- Fitness classes and sports events
- Display of public art and temporary installations
- Market stalls including food and drink
- Moveable seating and tables

3.3 This application comes before the Council's Planning and Development Committee as the applicant is Stevenage Borough Council.

4. PUBLIC REPRESENTATIONS

4.1 This planning application has been publicised by way of two site notices and neighbouring properties have been notified about the application via a letter. The application was also

published in the local press. One objection was received from the occupier of No.359 Canterbury Way, Stevenage with the following comments:

- Proposal fails to respect the heritage of the town centre;
- Do not agree with the inclusion of wavy thermoplastic lines for their environmental impact;
- Use of vibrant pink is garish. The Mondrian primary colours would be more appropriate, and we would suggest the blue and yellow of SuperBus would be more appropriate, with the greenscape to include some SuperBus flowers in the planting scheme;
- We would seek application for a Red Wheel heritage plaque for the site, to acknowledge the old bus station as the place where the country's First SuperBus network was launched and also the site's contribution in film;
- We would also remind the Council of its promise to allow bus preservation enthusiasts to hold a final day of use for heritage buses and their drivers upon the occasion of the transition of services from the old station to the new interchange. A date of 14th August has been proposed and now appears feasible.

4.2 Public Consultation and Participation

4.2.1 Public consultation was carried out by the Council's Regeneration team earlier this year to establish residents' views on the temporary use of the vacant bus station site. Further details of this are set out within the submitted Design and Access Statement. The feedback from this consultation exercise was used to develop the proposals subject to the planning application.

5. CONSULTATIONS

5.1 Hertfordshire County Council Highways

5.5.1 Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission, subject to a condition requiring the submission of a construction management plan prior to commencement.

5.2 SBC Environmental Health

5.2.1 No objection, subject to conditions relating to contaminated land, dust emissions, construction hours, a noise management plan and an artificial light management plan.

5.3 Hertfordshire Fire and Rescue Service

5.3.1 A colleague of mine has previously commented on the proposal. I believe that it has been confirmed that the existing fire lane, referred to as the 'yellow brick road', will be maintained. With reference to the tracking plan provided, I note that the vehicle dimensions used for calculation purposes require adjustment; in particular, vehicle width reference as 2.55m versus 2.92m. I have included dimensions for the aerial appliance based at Stevenage station below. I have also attached a document giving further information regarding turning circle requirements (appendix 1), note that this was last updated in December 2020. I feel that it would be helpful to revisit the tracking plan with amended vehicle details.

5.3.2 An amended plan has been provided taking into account the correct vehicle width and HFRS consulted. Any comments received will be provided by way of an addendum.

5.4 SBC Built Heritage Consultant (BEAMS)

- 5.4.1 The existing bus station on Danestrete is soon to be redundant following the erection of a new bus interchange in the town centre. The bus station was built as part of Stevenage's new town centre in the 1950s, so is of local historic interest however the original bus shelters / signs are all gone so its interest is lessened. The bus station site is immediately to the west of the Town Square Conservation Area and its core (town square, a focal point) which incorporates the listed structures of the Clock Tower, Joyride sculpture and Baijo's tiled mural. The setting of these designated heritage assets is not considered to be adversely impacted through the current proposals.
- 5.4.2 The use of the site as a public square with temporary performance kiosk is supported in principle and the addition of planting, seating welcomed. However, BEAMS recommends that the sustainability of some of the proposed materials / equipment used is further explored with use of timber / recycled materials favoured and the re-use of materials / features forming part of the temporary scheme re-used within future schemes for Stevenage (rather than being thrown away after the site is redeveloped). It is recommended a heritage interpretation board is incorporated within the former bus station site, detailing the history of the former bus station with historic photos.

5.5 SBC Engineering Services

- 5.5.1 Already working with SBC Regeneration to deliver scheme, so do not wish to comment.

5.6 SBC Town Centre Manager

- 5.6.1 The project is very exciting and will be of great benefit for the town with a lot of open space and green areas. It would fit the Town Centre as a social gathering space objective, hopefully attracting more people to spend more time here. During the process I would like to ensure that while the hoarding is up the communication, signage and messaging has to be very clear. I envisage that traders will be affected by the building - noise, disruption, blocked off pavements etc.

5.7 SBC Arboriculture and Conservation Manager

- 5.7.1 No comments to date. Any comments received will be provided by way of an addendum.

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 July 2021. 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.

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 SP5: Infrastructure;
Policy SP6: Sustainable transport;
Policy SP8: Good design;
Policy SP9: Healthy communities;
Policy SP11: Climate change, flooding and pollution;
Policy SP12: Green infrastructure and the natural environment;
Policy TC1: Town Centre;
Policy TC8: Town Centre Shopping Area;
Policy TC5: Central Core Major Opportunity Area;
Policy IT5: Parking and access;
Policy GD1: High quality design;
Policy FP1: Climate change;
Policy FP2: Flood risk in Flood Zone 1;
Policy FP5: Contaminated land;
Policy FP7: Pollution
Policy NH5: Trees and woodland;
Policy NH10: Conservation Areas

6.5 Supplementary Planning Documents

Parking Provision and Sustainable Travel SPD (2020)
Stevenage Design Guide SPD (2009)
The Impact of Development on Biodiversity SPD (2021)
Town Square Conservation Area Management Plan SPD (2012)

6.6 Community Infrastructure Levy Charging Schedule

6.6.1 Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floorspace of a development. This proposal would not be CIL liable.

7. APPRAISAL

7.1 The main issues for consideration in the determination of this application are its acceptability in land use policy terms, its design, layout and landscaping, impact on the character and appearance of the Town Square Conservation Area and listed heritage assets, biodiversity

ecology, flood risk and drainage, residential/neighbouring amenities and means of access/parking/servicing arrangements.

7.2 Land Use Policy Considerations

7.2.1 The application site is already subject to long term development proposals under the SG1 masterplan, which would see the bus station replaced with a new building at Plot B, a 'garden square' and the new Public Services Hub, along with associated new landscaping, highways and pedestrian routes. The application proposal under consideration here is for a temporary use of the site for 2 to 3 years (maximum 10 years) for a flexible multi-use space and performance kiosk together with public realm and landscaping features.

7.2.2 Whilst the SG1 masterplan has received a resolution to grant permission and therefore Members have considered that it would be in accordance with the Town Centre policies within the Local Plan, consideration needs to be given as to whether the proposed temporary use of the bus station area also complies specifically with Policy TC5 'Central Core Major Opportunity Area' of the Local Plan.

7.2.3 The application site falls within the Central Core Major Opportunity Area, where planning permission will be granted for residential, commercial, service and business uses (Class E), multi-storey carpark and signature public spaces. Relevant to this application, the policy states applications should address the following design and land use principles:

- Continuation of the east – west pedestrian route linking Town Square with the train station;
- Preservation and enhancement of the Town Square Conservation Area;
- New green space within enlarged Town Square.

7.2.4 The impact of the proposal on the significance of the Conservation Area and the setting of the listed heritage assets will be assessed separately in this report, however it is considered the proposed temporary use of the bus station site and western side of the Town Square as a flexible multi-use space (Use Class E, F1, F2 and *sui generis* uses) and performance kiosk with public realm and landscaping features would be broadly consistent with the aims of Policy TC5. Policy TC5 seeks to extend Town Square into a radically enlarged space with a strong green element to allow a better physical transition from the pedestrianised retail streets and the Town Square Conservation Area into the new developments in Station Gateway and at Centre West. It is also considered the proposed temporary use and the resultant increased footfall to the area would support the vitality and viability of the Town Centre, bringing with it clear economic benefits. As such, the proposal would not undermine the Town Centre retail policies of the Local Plan.

7.2.5 The Local Plan (2019) confirms that the regeneration of the Town Centre is a top priority and it should help stimulate interest in Stevenage as an attractive place to live, work, visit and invest. The Plan supports the relocation of the bus station and the potential for the central area to provide new green space and a variety of new town centre uses. Local Plan Policy SP3 'A strong, competitive economy' recognises the important role played by the town's retail, health and other non-E Class land uses in providing employment. Policy SP9 'Healthy Communities' also supports the provision of leisure and cultural facilities to reflect the distribution of the existing and future population, by protecting and enhancing existing facilities and helping to deliver new facilities.

7.2.6 For the above reasons it is considered the proposal is acceptable in land use policy terms subject to satisfying design, historic environment, environmental and highways policies.

7.3 Design, Layout and Landscaping

7.3.1 Paragraph 126 of the NPPF states that “The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve”. It goes on to state that “good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

7.3.2 Paragraph 130 of the NPPF sets out a number of requirements for new development, including that development:

- will function well and add to the overall quality of an area;
- is visually attractive as a result of good architecture; layout and appropriate and effective landscaping;
- is sympathetic to local character and history;
- establishes or maintains a strong sense of place;
- optimises the potential of the site to accommodate and sustain an appropriate amount and mix of development;
- creates places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

7.3.3 Paragraph 131 of the NPPF places great importance on the role of trees in helping to shape quality, well designed places “Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change”.

7.3.4 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.

7.3.5 The Council’s Design Guide SPD (2009) generally reflects the aforementioned policies requiring development to respect surrounding buildings in terms of scale, massing, height and design. As such, it encourages good design as it can enhance the appearance of places.

7.3.6 The National Design Guide (2019) is also a material consideration in the determination of planning applications. Paragraph 40 states that well-designed places are:

- Based on a sound understanding of the features of the site and the surrounding context, using baseline studies as a starting point for design;
- Integrated into their surroundings so they relate well to them;
- Influenced by and influence their context positively; and
- Responsive to local history, culture and heritage.

7.3.7 The application proposal has been assessed against the key policy criteria on good design, as well as how the scheme meets the four key objectives in the National Design Guide on what is considered as a well-designed place. The design and layout approach has split the space into five areas – arrival, spill out, spine, activities and green space. The arrival space located at the northern and southern pedestrian entrances from Danestrete would establish a connective transition space linking to the events area and town centre. These would then lead into the spine, a zone in front of the Council offices and Mecca Bingo to establish a

connection between arrival zones and allow access for pedestrian, cyclist and emergency vehicles.

- 7.3.8 There would be two activity spaces, one in the northern section of the bus station and the other in the Town Square adjacent to the raised platform. The bus station activity space would be flexible in its use and could accommodate a stage, market or ice rink and the Town Square space would accommodate the performance / events stand known as 'The Box'. The Box has been designed to be an Iconic Object for Stevenage, a simple box that opens up and can be used flexibly as a multi-use space for a stage, an information point or a community box. The Box can be closed and secured using roller shutters and can be opened on 1, 2, 3, or all 4 sides - whichever is best fit for purpose. It is also a structure that could be re-located at the end of this project and therefore act as a legacy for the town centre regeneration. The Box has been designed to incorporate the pink 'Stevenage Better' logo and branding.
- 7.3.9 Spill out zones would be sited at the northern and southern end of the site to create an accessible movement link along the retail frontages and would provide modular seating components for retail frontage activation. Finally, the central feature of the space would be a mounded green space comprising lawn and wildflower areas for general amenity, 'picnic pockets' of social seating and sculptural and play components. The existing trees on the site would be at the heart of the landscaping strategy to ensure their contribution to the visual amenity of the area would be maximised.
- 7.3.10 In terms of proposed materials and hard / soft landscaping, the central part of the site would be surfaced in white thermoplastic lines over an asphalt wearing course to add interest and variety. The lines would draw users into the space to follow and create desire lines to pass through and around the space. The green space would be planted with meadow turf and lawn with an accessible footpath with inlaid self-glow chippings around the existing trees, which would become the central soft landscaping feature. Play components such as concrete manhole ring sculptural features and an in-ground trampoline would be interspersed across the space, along with a play hut with climbing wall and framed net, timber play stumps, balancing beam with rope rail and concrete seating blocks creating a fun, family friendly amenity space within the heart of the town centre. The remainder of the site would be hard surfaced space, with evergreen low-growing/groundcover planting under existing trees, pallet seating, parasols and semi-evergreen combination of shrub and perennial planting.
- 7.3.11 Taking the aforementioned into consideration, it is considered that the design and layout of the proposed flexible multi-use space and performance kiosk has been well thought through to maximise the use of what would otherwise be a vacant space, once the bus station has relocated. The proposed mounded green space would provide an attractive amenity area within the town centre and the play components within it would provide a welcome destination for families. The location of the two activity spaces, including 'The Box' are appropriately sited to provide space for both to function concurrently and would also offer opportunities to bring people into the town centre. The landscaping design approach for the site has been carefully considered to benefit the users of the space and to create an attractive, high quality setting. The application proposal is therefore considered acceptable in terms of its design, layout and landscaping in accordance with the policies on design in the adopted Local Plan (2019), the Design Guide SPD (2009), the NPPF (2021) and PPG.

7.4 Impact on Designated Heritage Assets

- 7.4.1 Whilst only the performance / events stand 'The Box' is sited within the Town Square Conservation Area, the remainder of the site lies within its setting and that of the listed heritage assets, namely the Grade II listed Clock Tower and Raised Pool, the bronze 'Joyride' sculpture by Franta Belsky and the recently grade II listed Baijo's tiled mural on the Primark building. The Design and Access Statement advises the range of temporary

landscape, public realm improvements and structures have been sensitively designed to respect the wider heritage context and the town centre's character. The Design and Access Statement goes on to assert that they would enhance the setting of these heritage assets by removing the bus station, which currently detracts from the setting of the area, utilising high quality design and by promoting the health, vibrancy and economic activity of the town centre.

7.4.2 The Planning (Listed Buildings and Conservation Areas) Act 1990 contains 'statutory duties' that apply to this application:

S.66: The decision maker shall have special regard to the desirability of preserving the setting of listed structures (relates to the indirect impact on the statutory listed clock tower, the bronze 'Joyride' sculpture by Franta Belsky and Baijo's tiled mural).

S.72: The decision maker shall pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area (this relates to the direct impact on the conservation area. This section of the 1990 Act does not relate to the setting of conservation areas).

7.4.3 Case Law has determined that in this context 'preserve' is taken to mean 'to do no harm'. The NPPF requires 'great weight' to be given to conserving the significance of designated heritage assets (para 199). This is regardless of whether any harm may be 'substantial harm' or 'less than substantial harm' (para 199). Any harm should require 'clear and convincing' justification (para 200). If a development proposal would lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal (para 201).

7.4.4 In undertaking that balancing, Case Law has confirmed that the presumption to preserve in the 1990 Act is a strong one and must be given 'considerable importance and weight'. For instance, less than substantial harm is not a less than substantial planning issue. However, that presumption is not irrefutable and can be outweighed by circumstances important enough to justify it. A decision maker that has followed the processes set out in the NPPF can be considered to have discharged their duties under the 1990 Act. The balancing, however, is not 'equal' and the presumption to preserve must come first.

7.4.5 Local Plan Policy SP13 'The Historic Environment' outlines that the Council will preserve and enhance the most important areas and characteristics of Stevenage. In respect of this proposal, advice has been sought from the Planning Authority's heritage consultant who considers the setting of the designated heritage assets would not be adversely impacted by the temporary proposals. The use of the site as a public square with temporary performance kiosk is supported in principle and the addition of planting and seating welcomed. However, whilst the consultant acknowledges the local historic interest of the bus station has been lessened due to the loss of the original bus shelters / signs, a heritage interpretation board within the former bus station site, detailing the history of the former bus station with historic photos is recommended.

7.4.6 The applicant has advised details on the history of the bus station are already exhibited at Stevenage Museum. Considering that the entire town centre regeneration programme is due to continue over the next 10-20 years, a heritage board may have to be relocated multiple times due to construction works. The applicant therefore believes that the Museum is a better place to showcase this for the time being. Then, following the construction of the Hub, where the museum will eventually move to, and the Garden Square, the applicant has agreed to look at the potential for a heritage board. This would allow for the bus station history to be fully designed into the eventual permanent plans, where it can be placed in closer proximity to the original site.

7.4.7 It is acknowledged care has been taken to ensure that the design and layout are sensitive to the Conservation Area and setting of the listed structures and the space would appear in keeping with the core character of Stevenage town centre. On this basis it is considered the proposal would preserve the significance of the designated heritage assets, namely the Town Square Conservation Area, Grade II listed clock tower, statue and mural and would be in accordance with Local Plan Policy NH10 'Conservation Areas', the Town Square Conservation Management Plan SPD (2012) and the NPPF.

7.5 Parking, Access and Servicing

7.5.1 Section 9 of the NPPF seeks to promote sustainable travel. Policy IT5 of the Local Plan seeks to encourage development proposals to accord with the Council's Parking Standards and for applications, where relevant, to be accompanied by Transport Assessments and Travel Plans promoting sustainable travel and reducing the need to travel by car. Hertfordshire County Council as Highway Authority has also been consulted as a statutory consultee.

Access

7.5.2 The application site would continue to restrict access to vehicles allowing only those required for servicing, emergency access vehicles and loading only when permitted by the Council. The Highway Authority note that the current bus station and the roads that serve it are not a part of the adopted public highway and as such are under the control of Stevenage Borough Council. The Highway Authority considers the proposed use of the space is suitable for a town centre location and is easily accessible for trips by sustainable modes. The proposed use as a multi-functional space which can accommodate a number of community and commercial uses is therefore supported.

7.5.3 Given the high pedestrian footfall in the area, the Highway Authority recommend that a planning condition requiring a Construction Management Plan is applied as part of any planning permission. The careful management of pedestrian flows whilst the construction work is taking place will be important. The Highway Authority also notes the presence of bollards which would protect this area of new public space. They advise the applicant should liaise with the relevant emergency service authorities and clarify how the bollards would work operationally.

7.5.4 The Highway Authority notes the submission of drawing number P2007555-90-LP103 Rev R1 TRO Signage Plan. It is noted that since the public have access to the area, an application for a Traffic Regulation Order is necessary and should be applied for via the relevant process. In summary, the Highway Authority does not wish to restrict the grant of planning permission subject to the aforementioned planning condition requiring a construction management plan.

7.5.5 The applicant has clarified that the bollards would be removable bollards with fire brigade padlocks, rather than electric bollards. Fire Brigade padlocks are a set of standard locks and keys that are often used by public organisations to secure communal areas. All emergency services carry these keys enabling them access quickly and easily. Therefore, the proposed controlled access arrangements are considered acceptable.

7.5.6 Hertfordshire Fire and Rescue Service have also been consulted on the Fire Engine Tracking Plan ref. P2007555 (90) LP104 and sought an updated version taking into account the correct fire engine width and turning circle requirements. At the time of writing this

report, an amended plan has been provided and HFRS re-consulted. Any further comments received will be provided by way of an addendum.

Car parking

- 7.5.7 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. The Council's Parking Provision and Sustainable Transport SPD (2020) requires that for non-residential sites within the town centre, the maximum standards provided within the SPD need not be followed and parking provision for such developments should be calculated on a site by site basis. It has been acknowledged by the Highway Authority that the proposed use of the space is suitable for a town centre location and is easily accessible for trips by sustainable modes. As such, zero on-site public parking provision as proposed is considered acceptable.
- 7.5.8 In terms of disabled parking, existing spaces are available at the Westgate multi-storey car park approximately 60m to the north of the site. On the site itself, asphalt would layer over the existing hard surface and fill up to metal edge to avoid any trip hazards and create a step free environment.

Cycle parking

- 7.5.9 The application site has 23 cycle stands (46 spaces), which would be re-provided as part of the proposals. Given the temporary nature of the proposal, like for like re-provision is considered acceptable.

Servicing, Maintenance and Security

- 7.5.10 In terms of servicing arrangements, an articulated lorry tracking plan ref. P2007555 (90) LP105 has been provided to show large servicing vehicles would be able to access the site, manoeuvre and exit in forward gear from the southern entrance onto Danestrete. The Design and Access Statement advises all site access and parking for events would be managed by the Council. In terms of security, this site would be added onto the current contract in the town centre and CCTV is in place in multiple locations covering the area. The Events officer / town centre manager would be responsible for operating The Box stage and provide the setup of sound and lighting equipment. In terms of waste collection, cleaning and maintenance the Council would be responsible for grounds maintenance, street cleaning, emptying of bins, cleaning of tables, chairs and street furniture using its current arrangements.

7.6 Flood Risk and Drainage

- 7.6.1 Drainage details have been submitted with the application. The site is located within Flood Zone 1 where flood risk from all sources is low. The development of the site as proposed is therefore appropriate as set out by the 'flood risk vulnerability classification' contained within the Planning Practice Guidance.
- 7.6.2 With regards to surface water drainage, the site levels would predominantly stay the same. All drainage runs and gullies would be lifted to be flush with surface levels. The site drainage and levels would work with the existing arrangements. The mounded green space would be constructed with imported free draining granular fill and topsoil, retained by metal edging and seat units. Drainage of the grassed mound would be facilitated by puncturing through the existing concrete below.
- 7.6.3 It is considered the proposed drainage arrangements would comply with Local Plan Policy FP2 'Flood Risk in Zone 1'. The proposals have maximised the use of SuDS as far as

possible given this is a temporary development through the use of free draining granular fill and topsoil in the grassed mound enabling infiltration of rainwater, as well as numerous ground and raised planters across the site. These measures would reduce the risk of flooding by easing the pressure on the storm water drainage network and are considered acceptable.

7.7 Biodiversity and Ecology

7.7.1 The NPPF and accompanying Planning Practice Guidance requires the Council to achieve measurable net gains in biodiversity at development sites and across the Borough. To achieve a biodiversity net gain, a development must deliver a minimum of 10% net gain post development, when compared with the pre-development baseline. The Council's recently adopted Biodiversity SPD (2021) requires all major and minor applications other than the following exemptions currently suggested by the Government to demonstrate a net gain in biodiversity:

- i. Permitted development;
- ii. Householder development, including extensions;
- iii. Nationally significant infrastructure, which falls within scope of the Planning Act 2008;
- iv. Some brownfield sites with marginal viability and substantial constraints. It is expected that full details to be set out in secondary legislation, but considerations are likely to include where sites contain a high proportion of derelict land and buildings and only a small percentage of the site is undeveloped, land values are significantly lower than average, and the site does not contain any protected habitats; and
- v. Developments that would not result in measurable loss or degradation of habitat, for instance change of use of or alterations to building

7.7.2 As the application site comprises a hard surfaced area, it is considered it would meet exception criteria iv and v above as 100% of the site is currently developed and does not contain any protected habitats. On this basis, there would be no requirement to achieve a 10% biodiversity net gain on the site. Notwithstanding this, the application proposal is being supported by a high quality landscaping strategy which, in itself, would enhance the ecological and amenity value of the site.

7.8 Climate Change Mitigation

7.8.1 As this is a temporary 'meanwhile' scheme, the components would be sourced and designed to allow them to be easily reused in other areas in the town centre or in the future hub Garden which would be in part of this space. This would provide a sustainable solution and a legacy for this project. Components to be reused could include new trees and planting, topsoil, free draining hardcore (separated by geotextile), play items, umbrella canopies, concrete seating components, pallet seating arrangements, stage box, metal edging, lighting including all luminaires and projectors, play items and sculptural items.

7.8.2 On this basis, given the high potential for reuse of key components of the site it is considered the proposal would comply with the aims of Local Plan Policy FP1 'Climate Change'.

7.9 Impact on Residential Amenity

7.9.1 In terms of closest residential properties, there are two flats above Paddy Power betting shop at No.1 Town Square, which fronts directly onto the application site on the northern boundary both of which have been consulted on the proposals. Otherwise, the closest properties are above Phone Touch No.33 Queensway (100m to the south east as the crow

flies) or Pinetree Court 145m to the south. Noise and artificial light pollution are likely to be the biggest factors to consider when assessing impact on the living environment of the flats above No.1 Town Square. Given the distance of the other properties from the application site, it is not considered the scheme would raise any amenity issues for them.

- 7.9.2 The Council's Environmental Health team were consulted and have suggested conditions are added to any planning permission relating to noise and artificial light. The conditions would require a noise management plan to be devised for the operation of the area as an event space, in which a pre-determined specification is developed that would not negatively impact the neighbouring properties through noise. They recommend a background noise survey should also be undertaken to inform the noise management plan. The noise management plan would be agreed by the Council's Environmental Health Officer. Environmental Health also recommended a similar condition be imposed requiring an artificial light management plan be devised for the area as an event space, in which a pre-determined specification is developed that would not negatively impact the neighbouring properties from artificial light sources also to be agreed by the Council's Environmental Health Officer.
- 7.9.3 The applicant has also agreed to a condition restricting the hours of use to 07.00 to midnight Monday to Saturday and 09.00 to 22.00 Sunday. Further restrictions over timings of specific activities e.g. events, food trading and alcohol consumption could be controlled by the relevant licensing regulations. For information the proposed breakdown of activities has been submitted as follows:

Events/street trading /activities/workshops

- Monday to Saturday 07:00 – 00:00
- Sunday 11:00 – 22:00

Food trading

- Monday to Saturday 07:00 – 00:00
- Sunday 09:00 – 22:00

Alcohol

- Monday to Saturday 11:00 – 00:00
- Sunday 11:00 – 22:00

- 7.9.4 It is considered the imposition of such conditions would meet the tests set out in 'The use of planning conditions' NPPG and would ensure the noise and light emitted from the use of the site would be controlled to safeguard the amenity of the occupiers of the flats above No.1 Town Square and would enable the proposal to be considered in compliance with Local Plan Policy FP7 'Pollution' and GD1 'High Quality Design'.

7.10 Construction Impacts

- 7.10.1 The Highway Authority have requested a condition be imposed requiring the submission of a construction management plan given the high pedestrian use of the area. This would ensure all construction traffic is carefully managed and routed through the town centre appropriately. The Council's Environmental Health Officer has also recommended a condition restricting hours of construction to 07.30 – 18.00 weekdays and 08.00 – 13.00 Saturdays only to safeguard the amenity of nearby residential occupiers. Whilst there is likely to be some disruption to the area during construction, the use of the above conditions would keep this to a minimum.

7.11 Other Matters

Community Infrastructure Levy

7.11.1 This development proposal would not be subject to any CIL liability.

Red Wheel Heritage Plaque

7.11.2 The applicant has advised whilst the recommendation of a Red Wheel heritage plaque is welcomed, history of the bus station is already exhibited at Stevenage Museum. The town centre regeneration programme is due to continue over the next 10-20 years, so a plaque would likely have to be relocated multiple times due to construction works. The applicant considers that the Museum is a better place to showcase this for the time being. Then, following the construction of the Hub, where the museum would eventually move to, this would allow for the bus station history to be in closer proximity to the original site. The applicant has agreed to look at the potential for the setting of a plaque in the final permanent designs for the Garden Square.

Bus Preservation Enthusiasts' Day

7.11.3 The applicant has checked with the Council Events Officer and Town Centre Management team and no events are booked on the 14th August 2022. Any event for heritage buses and drivers to celebrate the transition between the old bus station and the new Stevenage Bus Interchange should be organised by following the event notification procedure outlined on the Council's website.

Equality and Human Rights Considerations

7.11.4 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention. It is not considered that the decision would result in a violation of any person's rights under the Convention.

7.11.5 When considering proposals placed before the Council as Local Planning Authority, it is important that it is fully aware of and has themselves rigorously considered the equalities implications of the decision that they are taking. Therefore, rigorous consideration has been undertaken by the Council as the Local Planning Authority to ensure that proper appreciation of any potential impact of the proposed development on the Council's obligations under the Public Sector Equalities Duty. Asphalt infill would be used to level out the existing carriageway with existing kerbs to create a step free environment accessible to all.

7.11.6 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.

7.11.7 It is considered that the decision has had regard to this duty. The development would not conflict with either Stevenage Borough Council's Equality Policy or the commitments set out in our Equality Objectives, and would support the Council in meeting its statutory equality responsibilities.

8. CONCLUSIONS

- 8.1 In summary, the removal of the existing bus station and demolition of existing structures and the creation of a new temporary public square comprising public realm, landscaping and its use as a flexible multi-use space and performance kiosk in the Town Square is considered acceptable, subject to conditions. The proposal, with high quality design and landscaping features, would comply with the relevant land use policies for this area of the town centre and would not prejudice the future development of the site under the SG1 masterplan proposals. Furthermore, it would preserve the significance of the nearby designated heritage assets, would not impact on the amenities of neighbouring properties (with the use of conditions) and would not be in conflict with any environmental or highways policies.
- 8.2 Given the aforementioned, the proposed development under this application is considered to be acceptable in line with the Council's adopted Local Plan (2019), Parking Provision and Sustainable Travel SPD (2020), Stevenage Design Guide SPD (2009), The Impact of Development on Biodiversity SPD (2021), Town Square Conservation Area Management Plan SPD (2012), the NPPF (2021) 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:

P2007555 (90) LP100; P2007555 (90) LP102; P2007555 (90) LP103; P2007555 (90) LP104 rev 2; P2007555 (90) LP105; P2007555 (91) LP001

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 This permission shall be for a limited period only expiring on 22 June 2032 and on or before that date the use hereby permitted shall be discontinued and the building(s) and works carried out under this permission shall be removed and the land restored to its former condition, or to a condition otherwise agreed in writing by the Local Planning Authority.

REASON:- To enable the Local Planning Authority to reconsider the continued need for and appropriateness of the building and use at the expiration of the limited period.

- 4 No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Traffic management requirements
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;

- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.
- k. Management of pedestrian movements around the site.

REASON:- In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

- 5 No redevelopment activities that relate to this permission shall be carried out on any Sunday or Bank Holiday, nor before 07.30 hours or after 18.00 hours on any weekdays, nor on any Saturday before 08.00 hours or after 13.00 hours. These times apply to work which is audible at the site boundary.

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

- 6 The external surfaces of the development hereby permitted shall be completed in accordance with the approved materials specified under general arrangement plan reference P2007555 (90) LP100.

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

- 7 Prior to first use, a noise management plan shall be prepared for the operation of the area as an event space, in which a pre-determined specification is developed that will not negatively impact the neighbouring properties through noise. The plan should be undertaken by a competent, experienced noise consultant (a member of the Institute of Acoustics and/or the Association of Noise Consultants). A background noise survey should be undertaken by a competent, experienced noise consultant (a member of the Institute of Acoustics and/or the Association of Noise Consultants) to inform the noise management plan. The noise management plan shall be submitted to and agreed by the Planning Authority in consultation with the Council's Environmental Health Officer.

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

- 8 Prior to first use, an artificial light management plan shall be prepared for the area as an event space, in which a pre-determined specification is developed that will not negatively impact the neighbouring properties from artificial light sources. The Institution of Lighting Professionals can provide guidance in this matter. The artificial light management plan shall be submitted to and agreed by the Planning Authority in consultation with the Council's Environmental Health Officer.

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

- 9 If during the course of development any contamination is found or suspected, works shall cease and the local planning authority shall be informed immediately. The local planning authority may request the nature and extent of any contamination to be investigated in order that a suitable remediation strategy can be proposed. The development shall not continue until any required remediation as agreed in writing by the local planning authority has been undertaken, and the local planning authority has confirmed it has been undertaken to its satisfaction.

REASON:- To prevent harm to human health and pollution of the water environment.

- 10 Unless otherwise agreed in writing by the Local Planning Authority, the use of the land for the purposes hereby permitted shall operate only between the hours of 07.00 and midnight Monday to Saturday and 09.00 to 22.00 on Sunday, including Public or Bank Holidays.

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

- 11 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of the development whichever is the sooner.
REASON:- To ensure a satisfactory appearance for the development.
- 12 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.
- 13 No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
REASON:- To ensure the protection of those trees which should be retained in the interests of visual amenity.

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 or by contacting the Council's CIL Team at CIL@Stevenage.gov.uk.

2 **Hertfordshire County Council as Highways Authority**

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.

- 3 Hertfordshire County Council as Highway Authority notes the submission of drawing number P2007555-90-LP103 Rev R1 TRO Signage Plan. It is advised since the public have access to the area, an application for a Traffic Regulation Order is necessary and should be applied for via the relevant process.

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 and Sustainable Travel SPD (2020), Stevenage Design Guide SPD (2009), The Impact of Development on Biodiversity SPD (2021) and Town Square Conservation Area Management Plan SPD (2012).
3. Stevenage Borough Local Plan (2019).
4. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
5. Central Government advice contained in the National Planning Policy Framework (2021) and National Planning Policy Guidance (2014).

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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 – James Chettleburgh 01438 242266

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 : 21/01160/FPH
Date Received : 26.10.21
Location : 2 Haddon Close Stevenage Herts SG2 8SU
Proposal : Retention of air source heat pump and enclosure
Date of Decision : 31.05.22
Decision : **Planning Permission is GRANTED**

2. Application No : 21/01317/FP
Date Received : 13.12.21
Location : 356 - 366 Grace Way Stevenage Herts SG1 5AP
Proposal : Removal of existing vertical timber cladding and concrete hung tile cladding to parts of first floor external walls and replacement with new fire rated fibre cement weatherboarding

Removal of existing uPVC communal entrance doors and windows and replacement with new aluminium entrance doors and curtain walling system.

Removal of existing roof tiles and replacement with new flat concrete tiles to match existing colour.
Date of Decision : 01.06.22
Decision : **Planning Permission is GRANTED**

3. Application No : 22/00080/FPH
Date Received : 01.02.22
Location : 25 Brimstone Drive Stevenage Herts SG1 4FX
Proposal : Garage conversion to home office
Date of Decision : 31.05.22
Decision : **Planning Permission is GRANTED**
4. Application No : 22/00127/CLPD
Date Received : 17.02.22
Location : 306 York Road Stevenage Herts SG1 4HN
Proposal : Certificate of Lawfulness for single storey rear extension
Date of Decision : 24.05.22
Decision : **Certificate of Lawfulness is APPROVED**
5. Application No : 22/00154/FP
Date Received : 25.02.22
Location : 185 Jessop Road Stevenage Herts SG1 5LR
Proposal : Change of use from Use Class C3 (dwelling house) to Use Class C4 (house in multiple occupation)
Date of Decision : 08.06.22
Decision : **Planning Permission is GRANTED**
6. Application No : 22/00158/FPH
Date Received : 26.02.22
Location : 49 Lincoln Road Stevenage Herts SG1 4PJ
Proposal : Two-storey side and rear extension to create 1 bedroom annex
Date of Decision : 01.06.22
Decision : **Planning Permission is GRANTED**

7. Application No : 22/00211/FPH
Date Received : 12.03.22
Location : 11 Six Bells Lane Stevenage Herts SG2 9SF
Proposal : Proposed single storey rear extension and installation of 2 no. rear dormer windows and 3 no. roof lights
Date of Decision : 24.05.22
Decision : **Planning Permission is GRANTED**
8. Application No : 22/00216/FPH
Date Received : 15.03.22
Location : 7 Wetherby Close Stevenage Herts SG1 5RX
Proposal : Single storey rear extension
Date of Decision : 08.06.22
Decision : **Planning Permission is GRANTED**
9. Application No : 22/00227/FP
Date Received : 16.03.22
Location : 171 York Road Stevenage Herts SG1 4EZ
Proposal : Change of use from amenity land adjacent to property to provide hardstanding parking for 1 car.
Date of Decision : 07.06.22
Decision : **Planning Permission is GRANTED**
10. Application No : 22/00232/TPCA
Date Received : 18.03.22
Location : 301 Broadwater Crescent Stevenage Herts SG2 8EU
Proposal : Removal of 1No: Fir tree
Date of Decision : 20.05.22
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**

11. Application No : 22/00243/FPH
Date Received : 22.03.22
Location : 7 Burymead Stevenage Herts SG1 4AX
Proposal : Single storey side extension to create 1 bedroom annexe.
Date of Decision : 17.05.22
Decision : **Planning Permission is REFUSED**

For the following reason(s);

By virtue of the size and scale of the proposed extension and the visual prominence of the site, the proposed development would not be in keeping with the scale of the original property and so harm the open feel of this part of the street scene and would be at significant variance to the established open character of Burymead. Moreover, the largely blank rear elevation of the proposal would represent poor design, would be visually unappealing and would appear out of keeping with and harmful to the street scene. The proposed development would therefore erode the openness of this part of Burymead and would have a detrimental impact upon the character and appearance of the area. The development is therefore contrary to Policies GD1 and SP8 of the Stevenage Borough Local Plan 2011 - 2031 (2019), the Council's Design Guide Supplementary Planning Document (2009), the National Planning Policy Framework (2021) and the National Planning Practice Guidance (2014).

By virtue of its proximity to the flank elevation of No. 9 Burymead, the proposed dwelling would fail to meet the required minimum back to flank separation distance specified in Chapter 5 of the Council's Adopted Design Guide (2009) and would result in an unacceptable outlook for the occupiers of this property, with a harmful, overbearing and dominating impact upon the habitable room windows of this dwelling. The proposed development is therefore contrary to Policies GD1 and SP8 of the Stevenage Borough Local Plan 2011 - 2031 (2019), the Council's Design Guide Supplementary Planning Document (2009), the National Planning Policy Framework (2021) and the National Planning Practice Guidance (2014).

12. Application No : 22/00252/FP
Date Received : 23.03.22
Location : 125 Chertsey Rise Stevenage Herts SG2 9JQ
Proposal : Change of use of public amenity land to private residential land to provide hardstanding parking for 2 cars
Date of Decision : 18.05.22
Decision : **Planning Permission is REFUSED**
- For the following reason(s);
- The applicant has failed to provide sufficient information to suitably demonstrate that the site can be used for its intended purpose in accordance with the Council's standards set out in the Parking Provision and Sustainable Transport Supplementary Planning Document (2020). Therefore it has not been satisfactorily demonstrated that the site can be used for intended purpose without posing a risk to highway safety contrary to policy IT5 of the Stevenage Borough Local Plan 2011 to 2031 (adopted 2019) and the Council's Parking Provision and Sustainable Transport SPD (2020).
13. Application No : 22/00264/AD
Date Received : 25.03.22
Location : Marks And Spencer's , Unit 5 Roaring Meg Retail Park London Road Stevenage
Proposal : Erection of 1no. internally illuminated box sign and 4no. internally illuminated totem signs
Date of Decision : 20.05.22
Decision : **Advertisement Consent is GRANTED**
14. Application No : 22/00270/FP
Date Received : 28.03.22
Location : 24-36 Meredith Road Stevenage Herts SG1 5QS
Proposal : Replacement of roof covering, fire stopping between dwellings, replacing the external cladding and balustrades to the external access stairs
Date of Decision : 17.05.22
Decision : **Planning Permission is GRANTED**

15. Application No : 22/00271/FP
Date Received : 28.03.22
Location : 94-106 Meredith Road Stevenage Herts SG1 5QT
Proposal : Replacement of roof covering, fire stopping between dwellings, replacement of external cladding, balustrades and handrails to the external access stairs
Date of Decision : 17.05.22
Decision : **Planning Permission is GRANTED**
16. Application No : 22/00272/FP
Date Received : 28.03.22
Location : 114-126 Meredith Road Stevenage Herts SG1 5QT
Proposal : Replacement of roof covering, external cladding, handrail and balustrade to the external access stair
Date of Decision : 18.05.22
Decision : **Planning Permission is GRANTED**
17. Application No : 22/00278/FPH
Date Received : 30.03.22
Location : 155 Collenswood Road Stevenage Herts SG2 9HB
Proposal : Single storey front extension
Date of Decision : 19.05.22
Decision : **Planning Permission is GRANTED**
18. Application No : 22/00284/FPH
Date Received : 31.03.22
Location : 1 Four Acres Stevenage Herts SG1 3PL
Proposal : Single storey side extension
Date of Decision : 25.05.22
Decision : **Planning Permission is GRANTED**

19. Application No : 22/00288/FPH
Date Received : 01.04.22
Location : 16 Bowcock Walk Stevenage Herts SG1 1SZ
Proposal : Single storey front and rear extensions and detached single storey garage
Date of Decision : 25.05.22
Decision : **Planning Permission is GRANTED**
20. Application No : 22/00299/CPAS
Date Received : 04.04.22
Location : Gates Of Stevenage Arlington Business Park Gunnels Wood Road Stevenage
Proposal : Installation of a roof mounted 79.8kW solar PV system comprising of 210 x canadian solar panels reducing Co2 emissions approximately by 25.7 tonnes per annum
Date of Decision : 18.05.22
Decision : **Prior Approval is NOT REQUIRED**
21. Application No : 22/00303/FP
Date Received : 06.04.22
Location : Electricity Substation Stevenage Herts SG1 1QS
Proposal : Variation of conditions 1 (Approved plans) and 3 (Materials) attached to planning permission reference number 21/00494/FP
Date of Decision : 30.05.22
Decision : **Planning Permission is GRANTED**
22. Application No : 22/00306/COND
Date Received : 06.04.22
Location : Station Car Park North Lytton Way Stevenage Herts
Proposal : Discharge of condition 3 (Construction Management Plan) attached to planning permission reference number 21/01264/FPM
Date of Decision : 20.05.22
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

23. Application No : 22/00308/FP
Date Received : 07.04.22
Location : Car Park Monkswood Retail Park Elder Way Stevenage
Proposal : Erection of electric vehicle charging hub and associated infrastructure
Date of Decision : 20.05.22
Decision : **Planning Permission is GRANTED**
24. Application No : 22/00318/CLPD
Date Received : 08.04.22
Location : 40 Jackdaw Close Stevenage Herts SG2 9DB
Proposal : Certificate of Lawfulness (Proposed) for hip-to-gable extension, installation of rear dormer window and 1 no. front roof light.
Date of Decision : 20.05.22
Decision : **Certificate of Lawfulness is APPROVED**
25. Application No : 22/00319/FPH
Date Received : 08.04.22
Location : 110 Chalkdown Stevenage Herts SG2 7BN
Proposal : Single storey side, single storey rear and partial garage conversion.
Date of Decision : 31.05.22
Decision : **Planning Permission is GRANTED**
26. Application No : 22/00327/FPH
Date Received : 11.04.22
Location : 48 Dryden Crescent Stevenage Herts SG2 0JG
Proposal : Proposed single storey side and rear extension
Date of Decision : 30.05.22
Decision : **Planning Permission is GRANTED**

27. Application No : 22/00339/COND
Date Received : 12.04.22
Location : Station Car Park North Lytton Way Stevenage Herts
Proposal : Discharge of condition 18 (Landscaping) attached to planning permission reference 21/01264/FPM
Date of Decision : 19.05.22
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
28. Application No : 22/00342/CLED
Date Received : 13.04.22
Location : 10 Rudd Close Stevenage Herts SG2 9SP
Proposal : Certificate of lawfulness for an existing development of a single storey front and rear extension
Date of Decision : 06.06.22
Decision : **Certificate of Lawfulness is APPROVED**
29. Application No : 22/00345/FPH
Date Received : 14.04.22
Location : 87 Drakes Drive Stevenage Herts SG2 0EZ
Proposal : Single Storey Front Extension
Date of Decision : 20.05.22
Decision : **Planning Permission is GRANTED**
30. Application No : 22/00346/FP
Date Received : 14.04.22
Location : 42-56 Wisden Road Stevenage Herts SG1 5JA
Proposal : External refurbishment works comprising replacement roof tiles, rain water piping, external communal doors / windows and installation of external cladding.
Date of Decision : 17.05.22
Decision : **Planning Permission is GRANTED**

31. Application No : 22/00347/FP
Date Received : 14.04.22
Location : 388 - 402 Wisden Road Stevenage Herts SG1 5JH
Proposal : External refurbishment works comprising replacement roof tiles, rain water piping, external communal doors / windows and installation of external cladding.
Date of Decision : 30.05.22
Decision : **Planning Permission is GRANTED**
32. Application No : 22/00348/FP
Date Received : 14.04.22
Location : 83 - 97 Wisden Road Stevenage Herts SG1 5NL
Proposal : External refurbishment works comprising replacement roof tiles, rain water piping, external communal doors / windows and installation of external cladding.
Date of Decision : 30.05.22
Decision : **Planning Permission is GRANTED**
33. Application No : 22/00349/FP
Date Received : 14.04.22
Location : 344-358 Wisden Road Stevenage Herts SG1 5JH
Proposal : External refurbishment works comprising replacement roof tiles, rain water piping, external communal doors / windows and installation of external cladding.
Date of Decision : 19.05.22
Decision : **Planning Permission is GRANTED**

34. Application No : 22/00350/FP
Date Received : 14.04.22
Location : 86 - 100 Wisden Road Stevenage Herts SG1 5JA
Proposal : External refurbishment works comprising replacement roof tiles, rain water piping, external communal doors / windows and installation of external cladding.
Date of Decision : 30.05.22
Decision : **Planning Permission is GRANTED**
35. Application No : 22/00351/FP
Date Received : 14.04.22
Location : 288 - 302 Wisden Road Stevenage Herts SG1 5JE
Proposal : External refurbishment works comprising replacement roof tiles, rain water piping, external communal doors / windows and installation of external cladding.
Date of Decision : 20.05.22
Decision : **Planning Permission is GRANTED**
36. Application No : 22/00352/FP
Date Received : 14.04.22
Location : 181- 195 Wisden Road Stevenage Herts SG1 5NP
Proposal : External refurbishment works comprising replacement roof tiles, rain water piping, external communal doors / windows and installation of external cladding.
Date of Decision : 17.05.22
Decision : **Planning Permission is GRANTED**
37. Application No : 22/00353/FP
Date Received : 14.04.22
Location : 261 -275 Wisden Road Stevenage Herts SG1 5NR
Proposal : External refurbishment works comprising replacement roof tiles, rain water piping, external communal doors / windows and installation of external cladding.
Date of Decision : 20.05.22
Decision : **Planning Permission is GRANTED**

38. Application No : 22/00354/FP
Date Received : 14.04.22
Location : 221-235 Wisden Road Stevenage Herts SG1 5NP
Proposal : External refurbishment works comprising replacement roof tiles, rain water piping, external communal doors / windows and installation of external cladding.
Date of Decision : 06.06.22
Decision : **Planning Permission is GRANTED**
39. Application No : 22/00355/FP
Date Received : 14.04.22
Location : 9 - 23 Trumper Road Stevenage Herts SG1 5JZ
Proposal : External refurbishment works comprising replacement roof tiles, rain water piping, external communal doors / windows and installation of external cladding.
Date of Decision : 20.05.22
Decision : **Planning Permission is GRANTED**
40. Application No : 22/00356/FP
Date Received : 14.04.22
Location : 41 - 55 Trumper Road Stevenage Herts SG1 5JZ
Proposal : External refurbishment works comprising replacement roof tiles, rain water piping, external communal doors / windows and installation of external cladding.
Date of Decision : 06.06.22
Decision : **Planning Permission is GRANTED**

41. Application No : 22/00357/FP
Date Received : 14.04.22
Location : 39-53 Wisden Road Stevenage Herts SG1 5NJ
Proposal : External refurbishment works comprising replacement roof tiles, rain water piping, external communal doors / windows and installation of external cladding.
Date of Decision : 06.06.22
Decision : **Planning Permission is GRANTED**
42. Application No : 22/00368/FPH
Date Received : 20.04.22
Location : 51 Angotts Mead Stevenage Herts SG1 2NJ
Proposal : Single storey rear extension
Date of Decision : 16.05.22
Decision : **Planning Permission is GRANTED**
43. Application No : 22/00372/TPCA
Date Received : 20.04.22
Location : 13 Orchard Road Stevenage Herts SG1 3HD
Proposal : Fell to ground level 1No: Conifer Tree - T1
Date of Decision : 25.05.22
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
44. Application No : 22/00375/HPA
Date Received : 20.04.22
Location : 5 Dovedale Stevenage Herts SG2 9EJ
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 6m, for which the maximum height will be 2.8m and the height of the eaves will be 2.8m
Date of Decision : 17.05.22
Decision : **Prior Approval is REQUIRED and GIVEN**

45. Application No : 22/00380/COND
Date Received : 21.04.22
Location : Land West Of North Road Stevenage Herts SG1 4AH
Proposal : Discharge of conditions 27 (unexpected contamination) 28 (unexpected contamination - remediation scheme) attached to planning permission reference number 21/00529/FPM
Date of Decision : 23.05.22
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
46. Application No : 22/00402/COND
Date Received : 27.04.22
Location : MBDA UK Six Hills Way Stevenage Herts
Proposal : Discharge of condition 8 (remediation scheme works) attached to planning permission reference number 19/00660/FP
Date of Decision : 26.05.22
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
47. Application No : 22/00409/TPCA
Date Received : 28.04.22
Location : 13 Orchard Road Stevenage Herts SG1 3HD
Proposal : Fell 1no. - Maple Tree
Date of Decision : 08.06.22
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
48. Application No : 22/00446/PADEMO
Date Received : 12.05.22
Location : Courtlands Riding Stables Todds Green Stevenage Herts
Proposal : Prior approval for the demolition of existing riding stables, paddocks and outbuildings, including foundations and ground slabs
Date of Decision : 01.06.22
Decision : **Prior Approval is NOT REQUIRED**

49. Application No : 22/00451/COND
Date Received : 13.05.22
Location : Stevenage Railway Station Lytton Way Stevenage Herts
Proposal : Discharge of condition 7 (Technical Approval of Highway Structures) attached to planning application reference number 21/01264/FPM
Date of Decision : 20.05.22
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
50. Application No : 22/00452/CLPD
Date Received : 13.05.22
Location : 30 Orchard Crescent Stevenage Herts SG1 3EN
Proposal : Certificate of lawfulness for a single storey side extension, front porch, rear dormer window and 3 no. front roof lights
Date of Decision : 30.05.22
Decision : **Certificate of Lawfulness is APPROVED**
51. Application No : 22/00456/NMA
Date Received : 16.05.22
Location : 20 Aldock Road Stevenage Herts SG1 3SJ
Proposal : Non material amendment to planning application reference number 21/00881/FPH to provide 2 no. roof lights on extension roof.
Date of Decision : 08.06.22
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.

Meeting: Planning and Development
Committee

Agenda Item:

Date: Wednesday 22 June 2022

INFORMATION REPORT - APPEALS / CALLED IN APPLICATIONS

Author – Linda Sparrow 01438 242837

Lead Officer – Zayd Al-Jawad 01438 242257

Contact Officer – James Chettleburgh 01438 242266

1. APPEALS RECEIVED

1.1 None.

2. DECISIONS AWAITED

2.1 19/000474/FPM, Land West of Lytton Way. Appeal against refusal of planning permission for the demolition of existing office building (Use Class B1) and structures, and the construction of seven apartment buildings comprising 576 dwellings (Use Class C3) together with internal roads, parking, public open space, landscaping, drainage and associated infrastructure works.

2.2 21/00681/AD, McDonalds, Monkswood Retail Park, Elder Way. Appeal against refusal of advertisement consent for 1no. internally illuminated totem sign.

2.3 21/01154/FPH, 40 Knights Templars Green. Appeal against refusal of planning permission for the construction of a rear dormer window and raising the ridge height.

2.4 21/00809/FP. 168 Fairview Road. Appeal against refusal of planning permission for the erection on 1no. two bedroom detached dwellings with parking and access.

2.5 21/01152/ENF. 68 Basils Road. Appeal against the serving of an enforcement notice to remove the first floor of the two storey rear extension which was refused under planning permission reference number 21/01256/FPH.

2.6 21/01256/FPH. 68 Basils Road. Appeal against the refusal of planning permission for the retention of a part two storey, part single storey rear extension.

2.7 21/01126/FP. 56 Austen Paths. Appeal against the refusal of planning permission for the change of use from a 6-bedroom House of Multiple Occupation (HMO) Class C4, to a 7-bedroom HMO (Sui Generis), 3 x car parking spaces; 8-bicycle parking spaces, and location of 7-bin storage facilities to the rear driveway

3. DECISIONS RECEIVED

3.1 None.

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