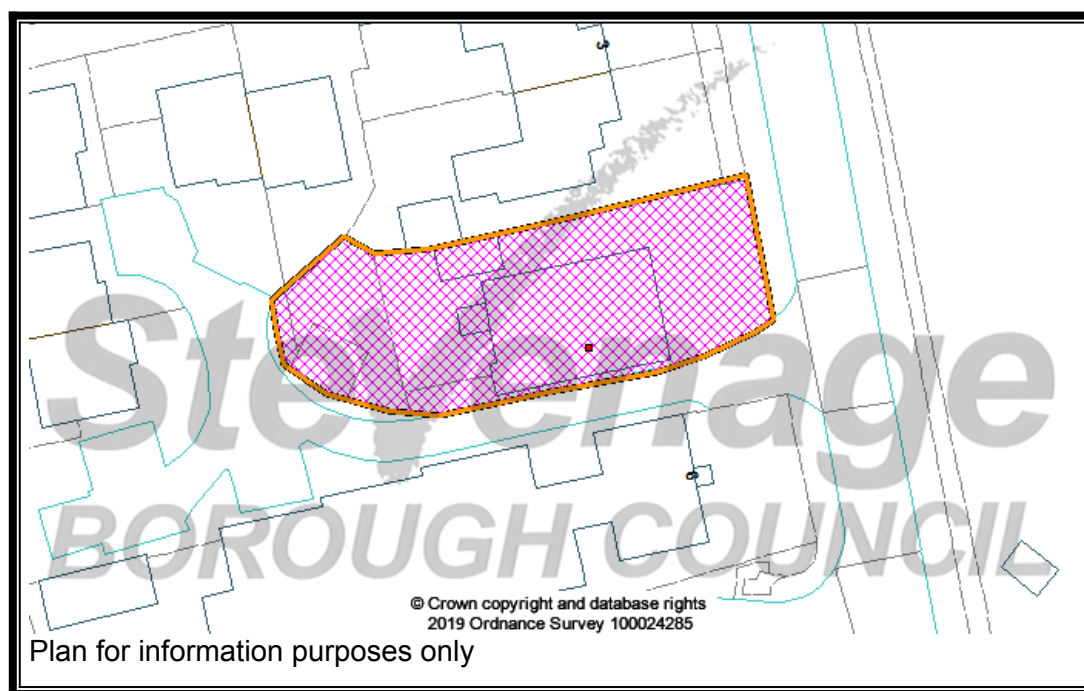


Meeting: Planning and Development Committee
Agenda Item:
Date: 30 May 2019
Author: Dave Rusling 01438 242270
Lead Officer: Chris Berry 01438 242257
Contact Officer: Dave Rusling 01438 242270

Application No:	19/00194/FP
Location:	5 Ditchmore Lane, Stevenage
Proposal:	Variation of condition 1 (Site Plan) attached to planning permission 18/00107/FP to amend access, parking and amenity area.
Drawing Nos.:	17047wd02 01RevJ
Applicant:	Stevenage Borough Council
Date Valid:	26 March 2019
Recommendation:	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site comprises No.5 Ditchmore Lane, which is an attractive unlisted, but nevertheless historic, building located within the southern end of the Old Town Conservation Area. This property is constructed of red brickwork under a slate roof and is currently vacant, having previously been occupied by Stevenage Haven. To the north, the site is adjoined by Nos. 3 and 4 which are a pair of semi-detached properties constructed of red facing brickwork

under a brown plain tiled roof. Although currently vacant, these properties were previously used as a residential property (No.3) and as a community mental health premises operated by Hertfordshire NHS foundation trust (No.4). These properties have planning permission to be converted into flats. Number 6 is the Stevenage Haven, which comprises a detached historic building at the front and a three storey flat roof modern extension to the rear which provides accommodation for the homeless. Finally, to the rear of the application site are 5 bungalows which are accessed via an access from Ditchmore Lane between Nos 5 and 6. This is now known as Fairlight Close and provides a landscaped area and parking facilities for these properties and The Haven.

- 1.2 Opposite the property, located on the western side of Ditchmore Lane is Stevenage Cricket Club, whilst to the south of the site is the four-storey office block (Saffron Ground).

2. RELEVANT PLANNING HISTORY

- 2.1 Permission granted under ref 02/00094/FP in July 2002 for change of use of No.5 Ditchmore Lane from dwelling house to night shelter for the homeless and ground floor rear extension.
- 2.2 Permission granted under ref 04/00472/FP in November 2004 for retention of a rear conservatory at 5 Ditchmore Lane.
- 2.3 Planning permission granted under ref 12/00577/FPM in August 2013 for refurbishment of Nos. 3, 4 and 5 to provide 2no. five bed dwellings and 1no. one bed flat; erection of 4no. two bed and 1no. three bed bungalows; extension to No. 6 to provide homeless hostel for The Haven; change of use of No. 4 from office to residential; associated access, car parking and landscaping.
- 2.4 Conservation Area Consent granted under ref 12/00608/CA in August 2015 for demolition of existing outbuildings and extensions to the rear of 4, 5 and 6 Ditchmore Lane 15.08.2013
- 2.5 Permission granted under ref 13/00417/COND in November 2013 for discharge of conditions 4 (landscaping); 8 (Tree Protection) and 18 (noise protection) attached to planning permission 12/00577/FPM.
- 2.6 Permission granted under ref 13/00431/COND in November 2013 for discharge of Condition 14 (Wheel Washing) attached to planning permission reference number 12/00577/FPM.
- 2.7 Permission granted under ref 13/00554/COND in March 2015 for discharge of Conditions 16 (Travel Plan) and 22 (External Lighting) attached to planning permission reference number 12/00577/FPM.
- 2.8 Consent granted under ref 13/00570/NMA in March 2013 for non-material amendment to planning permission reference number 12/00577/FPM to alter the position of the vehicular access and amendments to specified trees.
- 2.9 Consent granted under ref 14/00575/NMA in November 2014 for non-material amendment to previously approved planning permission reference number 12/00577/FPM to amend bin store roof construction.
- 2.10 Consent granted under ref 15/00003/NMA in February 2015 for non-material amendment to previously approved planning permission reference number 12/00577/FPM to amend proposed road surface from block paving to tarmac.
- 2.11 Permission granted under ref 13/00391/COND in November 2013 for discharge of condition 5 (bat survey) and partial discharge of condition 3 (archaeological investigation) attached to planning permission 12/00608/CA.

- 2.12 Permission granted under ref 13/00392/COND in November 2013 for discharge of conditions 3 (materials); 10 (means of enclosure); 21 (bat survey report) and partial discharge of condition 9 (archaeological investigation) attached to planning permission 12/00577/FPM.
- 2.13 Consent granted under ref 13/00400/NMA in October 2013 for non-material amendment to previously approved planning permission reference number 12/00577/FPM for amended parking bays to No.5, vehicular access bellmouth northern kerbline repositioned, and brick wall to rear of Nos. 3 & 4 amended to close boarded fence.
- 2.14 Consent granted under ref 16/00230/NMA June 2016 in for Non-material amendment to previously approved planning permission 12/00577/FPM to amend landscaping proposals to create 2no. new parking spaces; widening of driveways; amendments to approved fenestrations and materials; and amendments to wall finishes.
- 2.15 Permission granted under ref 18/00107/FP in May 2018 at No.5 for demolition of existing rear extension and erection of a two storey rear extension to facilitate creation of 4no one bed flats.
- 2.16 Consent granted under ref 18/00759/COND in February 2019 for discharge of conditions 3 (external materials) and 6 (boundary treatments) attached to planning permission reference 18/00107/FP.
- 2.17 Non Material Amendment to planning permission 18/00107/FP agreed under reference 19/00160/NMA in April 2019 to relocate the steps and remove the wall between the lounge and kitchen in flat no.4 and replace the external kitchen doors with a window in flats no.1 and no.2 and omit a kitchen window in flat.

3. THE CURRENT APPLICATION

- 3.1 The current application seeks planning permission to vary condition 1 (drawing numbers) attached to planning permission 18/00107/FP in order to amend the access, location of the parking spaces and alterations to the amenity space. The reasons for the amendments as stated by the applicant are:-
- Accessing the parking provision through the site rather than via Fairlight Close reduces conflict with vulnerable residents of the bungalows to the rear. There is no footpath along Fairlight Close, so residents of the both the bungalows and those accessing parking for 5 Ditchmore Lane would be vulnerable to other road users when using Fairlight Close on foot. Accessing the parking through the site reduces the number of vehicular and pedestrian movements along Fairlight Close.
 - Locating the bin store to the side of the property rather than front opens up the frontage, improving the street scene whilst enabling bins to be serviced easily from Ditchmore Lane.
 - Replacement of tandem parking to front with two demarked bays improves the usefulness of the parking provision to the front.
 - Parking bays to the rear of the property provide level access into the property. The current scheme with access via Fairlight Close does not. Parking space 3 (closest to the building) is to have an adjacent hardstanding to facilitate disabled parking if required.
 - Southern boundary treatment to be set in from the site boundary to allow a verge along Fairlight Close, opening up the access to properties to the rear and improving visibility for residents using this access.

- Removal of the dilapidated wall and serrated railings between the two properties opens up the site, improving general amenity.
 - Co-locating the Electrical Intakes at the rear of the site allows for easier installation and ongoing maintenance access.
- 3.2 The application comes before the planning committee for determination as the applicant and land owner is Stevenage Borough Council.

4. PUBLIC REPRESENTATIONS

- 4.1 The proposal has been publicised by way of letters to adjoining premises, press notice and a site notice was displayed to the front of the property. At the time of drafting this report no response had been received.

5. CONSULTATIONS

5.1 Hertfordshire County Council – Highways

- 5.1.1 There are no highway issues associated with this proposal and therefore the Highway Authority does not wish to restrict the grant of planning permission. However, as Parking Authority responsible for parking provision, no doubt you will satisfy yourselves that the parking provision for the site meets your requirements.

5.2 BEAMS (Council's Conservation Advisor)

- 5.2.1 The amended plans show the front boundary treatment and central access footpath to be retained but a proposed parking area for 2 cars in the front garden area has been put forward. Whilst it is unfortunate that parking is now being proposed to the frontage it is limited to only a part of the front garden area and will be part concealed by the retained front boundary/hedge. As such the proposal is considered to preserve the character and appearance of the Stevenage Old Town Conservation Area. Recommend approval.

5.3 Council's Arboriculturist

- 5.3.1 I have looked into this application and can confirm that I have no objection to the proposed variation.

6. RELEVANT PLANNING POLICIES

6.1 Background to the Development Plan

- 6.1.1 In the determination of planning applications development must be in accordance with the statutory development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014);
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007); and
- The Stevenage District Plan Second Review 2004.

The Council has now reached an advanced stage in the preparation of a new Stevenage Borough Local Plan 2011-2031. The Plan has been used as a material consideration in the determination of all planning applications registered on or after Wednesday 6 January 2016. The Plan has now been through the Examination process and the Inspector's Report was received in October 2017. This recommended approval of the Plan, subject to modifications

proposed. The Plan was previously subject to a holding direction placed upon it by the Ministry of Housing Communities and Local Government (MHCLG), which prevented its adoption. The holding direction on the Stevenage Borough Local Plan was lifted by MHCLG on 25 March 2019 and is now subject to formal adoption by Stevenage Borough Council.

- 6.1.2 The National Planning Policy Framework sets out that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the National Planning Policy Framework.
- 6.1.3 In considering the policy implications of any development proposal, the Local Planning Authority will assess each case on its individual merits, however, bearing in mind the positive Inspector's Report, significant weight will be afforded to policies within the emerging Local Plan.

6.2 Central Government Advice

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in February 2019. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. Annex 1 of the NPPF provides guidance on how existing local plan policies which have been prepared prior to the publication of the NPPF should be treated. Paragraph 213 of the NPPF applies which states that due weight should be afforded to the relevant policies in the adopted local plan according to their degree of consistency with it.
- 6.2.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is itself a material consideration. Given that the advice that the weight to be given to relevant policies in the local plan will depend on their degree of consistency with the NPPF, it will be necessary in the determination of this application to assess the consistency of the relevant local plan policies with the NPPF. The NPPF applies a presumption in favour of sustainable development.
- 6.2.3 In addition to the NPPF, advice in Planning Practice Guidance must also be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 11 of the National Planning Policy Framework requires the application to be determined in accordance with the presumption in favour of sustainable development unless otherwise specified.

6.3 Adopted Local Plan

TW1 - Sustainable Development;
TW8 - Environmental Safeguards;
TW9 - Quality in Design;
EN13 - Trees in New Developments;
T15 Car Parking Strategy;

6.4 Stevenage Borough Local Plan 2011-2031 Publication Draft (Emerging Local Plan)

SP1 - Presumption for Sustainable Development;
SP2 - Sustainable Development in Stevenage;
SP7 - High Quality Homes;
SP8 - Good Design;
GD1 High Quality Design;
IT5 Parking and Access
NH5 Trees and Woodlands
NH10 - Conservation Areas

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document January 2012.
Stevenage Design Guide 2009.
Old Town Conservation Area Management Plan – July 2012.

7 APPRAISAL

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

7.2 The main issues for consideration in the determination of this application are the acceptability of the changes to the scheme in respect of the visual amenities of the area, highway safety and car parking provision, as permitted under the original grant of planning permission.

7.3 Impact upon the Character and Appearance of the Area

7.3.1 In terms of the character and appearance of the area, the site lies at the southern end of the Old Town Conservation Area. The Conservation Area Management Plan (CAMP) for this part of the Old Town conservation Area identifies one of the strengths being No's 1 to 6 Ditchmore Lane which are considered as being structures of importance and which have retained a number of their original features. The CAMP also makes reference to the application site and states that development on the site could make more efficient use of these low density plots given their highly sustainable location. However, it also states that the need to retain the original buildings in an appropriate setting should form an essential part of any future scheme.

7.3.2 As set out in section 2 above, this site has been developed out in part under the planning permission granted in 2013, with the Haven being relocated to No.6 Ditchmore Lane which has been significantly extended to the rear to provide new accommodation. Similarly, 5 bungalows have been erected to the rear of Nos 3-6, along with a new access road and associated landscaping and car parking. No.5 was originally intended to be retained as part of the Haven, however, the permission to extend and alter this was never implemented and the property remained vacant until the permission to convert to dwellings was granted in 2018 and works have subsequently commenced.

7.3.3 In terms of the current proposals for No.5, the main changes are to the access and parking to enable the rear of the site to be accessed solely from Ditchmore Lane. The present arrangement allows access to the parking at the front of the site from Ditchmore Lane, whilst the rear parking is accessed from Fairlight Close. This alteration to the access would result in a shared access to serve both 4 and 5. The changes would result in the parking to be re-arranged with 2 spaces now provided to the front of No.5 and two to the rear. It is also proposed to reconfigure the amenity area serving the flats. However, the changes would result in the loss of the remaining Sycamore trees to the rear of the site.

7.3.4 A parking space is still identified to the rear of the development which would be accessed from Fairlight Close for the use of the occupants/staff of The Haven. The alterations would also involve the relocation of the bin and cycle stores and allow additional soft landscaping either side of the new access road, between Nos 4 and 5. A new retaining wall would be located to the front of the site and replacement tree planting and landscaping would be added.

- 7.3.5 The aforementioned changes are not considered to harm the character and appearance of the area generally and would preserve the character and appearance of the Stevenage Old Town Conservation Area. With regard to the loss of the Sycamore trees, this is unfortunate as they represent some of the remaining trees which formed the original part of the rear of 3-6 Ditchmore Lane. The loss of the trees has been assessed by the Council's Arboriculturist who has commented that in recent years, these trees have suffered from a root system view point and, in order to maintain future stability, a further, substantial crown reduction will be needed to the whole group. However, it is considered that the crown reduction would diminish the group's amenity value, making it visible to just a very few nearby properties. With this in mind and the fact that the fast growing Sycamore trees are likely to cause increasing inconvenience to surrounding development in the future, he, therefore, considers that the removal of the Sycamore trees now and replacement with appropriate new planting would be acceptable. The proposals for both this site and the adjoining site (No's 3 and 4) identify the introduction of additional landscaping and new trees to the front of these properties. The precise details of these can be covered by a condition.
- 7.3.6 Having assessed the proposed alterations, the changes are considered to be acceptable and would not harm the character and appearance of the area.

7.4 Highway Safety Implications

- 7.4.1 With regard to access and highway safety, the proposal involves alterations to the access to the site from Ditchmore Lane which would be used to access car parking to the front of no's 4 and 5 and would extend the driveway to the rear of the property between no's 4 and 5. The access is a private access road which has a junction with Ditchmore Lane which is classified as a local access road. The highway authority has assessed the changes and is raising no objection in terms of proposed traffic generation created from the new development or highway safety.

7.5 Car Parking

- 7.5.1 With regard to car parking provision, when the original scheme to re-develop the whole of 3-6 Ditchmore Lane was granted, parking provision for vehicles was provided within the site. In total 26 spaces were approved, 16 for the residential units and 10 for the Haven. These were considered to be acceptable in this highly sustainable location (zone 1).
- 7.5.2 With regard to number 5, as part of a subsequent application to convert the property to flats, this identified a total of 7 parking spaces, 2 tandem spaces accessed from the front and a further 5 spaces to the rear, 3 of which were to serve the flats with 2 to be available for The Haven. The rear spaces were to be accessed via the newly created access leading to the rear of The Haven, known as Fairlight Close. The current scheme has re-arranged the parking to provide 4 spaces wholly within the site to serve the flats and a further space to the rear for use by The Haven or occupiers in Fairlight Close.
- 7.5.3 Based on the Council's adopted car parking standards for 1 bed flats, each unit would require 1 space and, therefore, 4 spaces would be required. However, given the sustainable location, location (zone 1) the requirement can be reduced to between 25% and 50% below the minimum. Consequently, between 1 and 2 spaces would be required. In view of this, whilst 4 spaces could be deemed an overprovision, it is accepted that realistically each property would require at least 1 space for the occupants. In view of this, the re-arranged parking to serve No.5 is considered to be acceptable. Furthermore, the reduction of the communal spaces to the rear from 2 to 1 would accord with the Council's policies in respect of encouraging sustainable development.
- 7.5.4 In terms of cycling provision, a cycle store for 4 cycles is provided within the site which also meets with the Council's adopted standards. Similarly, bin storage facilities are provided within

the application site to serve the flats. The revised location of both of these is considered to be acceptable.

- 7.5.5 Taking into account the above assessment, the proposed parking is considered to be acceptable.

8 CONCLUSIONS

- 8.1 It is considered that the proposal would have an acceptable impact on the character and appearance of the area and the Old Town Conservation Area within which the site lies. Additionally, the proposed scheme would not adversely affect the operation or safety of the local highway network and would provide a sufficient level of car parking. Furthermore, it is proposed to introduce replacement planting to offset the loss of the Sycamore trees at the site. Accordingly, it is recommended that planning permission be granted.

9 RECOMMENDATIONS

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

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 17047wd2.01J, 17047wd2.02B, 17047wd2.03C, 17047wd2.05, 17047su1.01A, 17047su1.02, 17047su1.03, 17047su1.04A.
REASON: - For the avoidance of doubt and in the interest of proper planning.
2. The materials to be used in the construction of the development hereby permitted shall be as previously agreed under ref 18/00759/COND.
REASON:- To ensure the development has an acceptable appearance and to safeguard the appearance of the Old Town Conservation Area.
3. Prior to the first occupation of the dwellings hereby permitted the parking spaces and turning facilities identified on drawing 17047wd2.01J shall be constructed, hardsurfaced and made ready for use to serve the occupants of those properties unless otherwise agreed in writing by the Local Planning Authority. The spaces shall be permanently retained in that form thereafter.
REASON:- To ensure that adequate parking facilities are available within the site and that there is no detriment to the safety of adjoining highways
4. No construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0900 and 1330 on Saturdays.
REASON: - To safeguard the amenities of the occupiers of neighbouring properties.
5. Notwithstanding the details shown in this application, prior to the occupation of the dwellings hereby permitted, the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments shall be completed before the use hereby permitted is commenced or before the buildings are first occupied and thereafter permanently retained.
REASON:- To ensure a satisfactory standard of development in the interests of amenity.
6. All areas for parking, delivery and storage areas associated with the construction of the development must be provided on land which is not public highway and the use of such areas must not interfere with the use of the public highway.
REASON:- In the interests of highway safety, amenity and free and safe flow of traffic in accordance with the advice contained in the National Planning policy Framework.

7. The development hereby permitted shall not be occupied until details of the bin and cycle stores as identified on drawing 17047wd2.01J have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and these facilities shall be provided prior to the first occupation of the dwellings.

REASON:- To ensure the development has an acceptable appearance and to promote the use of sustainable transport modes and reduce reliance on the private car in accordance with Government advice contained in the National Planning Policy Framework.

8. The first floor window proposed in the north elevation of flat 4 serving the kitchen/dining area (nearest to the lounge) shall be fitted with obscure glazing and shall be fixed so as to be incapable of being opened below a height of 1.7 metres above finished floor level and shall be retained in that form thereafter.

REASON:- To safeguard the privacy of the occupiers of flat 3.

9. On completion, the dwellings shall meet the following criteria, either:

- i. with windows open for ventilation or
- ii. with windows closed and with mechanical purge and background ventilation, sufficient to comply with the current Building Regulations.

		Noise Level (dB)
Daytime Noise (07:00 - 23:00)	Inside living areas	< 35 LAeq (16 hours)
Night-time Noise (23:00 - 07:00)	Inside bedrooms	< 30 LAeq (8 hours) < 45 L _{Amax} ,Fast

Where mechanical purge ventilation is required to achieve the above standards with windows closed, this shall be designed so as to ensure that the ventilation system itself does not produce unacceptable levels of noise within each dwelling. All schemes for ventilation shall comply with the current edition of Approved Document F to the Building Regulations.

10. The development hereby permitted shall not be occupied until there has been submitted to and approved by the Local Planning Authority a scheme of soft and hard landscaping and details of the treatment of all hard surfaces. The scheme shall include details of all existing trees and hedgerows on the land and details showing all trees to be removed, or retained, together with details of all new planting to take place including species, size and method of planting.

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

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. All hard surfacing comprised in the approved details of landscaping shall be carried out prior to the first occupation of the building or the completion of the development, whichever is the sooner.
REASON:- To ensure a satisfactory appearance for the development.
13. 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.
14. 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.
15. No removal of trees, scrubs or hedges shall be carried out on site between 1st March and 31st August inclusive in any year, unless searched before by a suitably qualified ornithologist.
REASON:- Nesting birds are protected from disturbance under the Wildlife and Countryside Act 1981 (As amended).

Pro-active Statement

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

10 BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage District Plan Second Review 1991-2011.
3. Emerging Stevenage Local Plan 2011-2031.
4. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012.
5. Hertfordshire County Council Local Transport Plan LTP4 2018-2031
6. Central Government advice contained in the National Planning Policy Framework February 2019 and the National Planning Policy Guidance 2014, as amended.
7. Responses to consultations with statutory undertakers and other interested parties referred to in this report.