

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

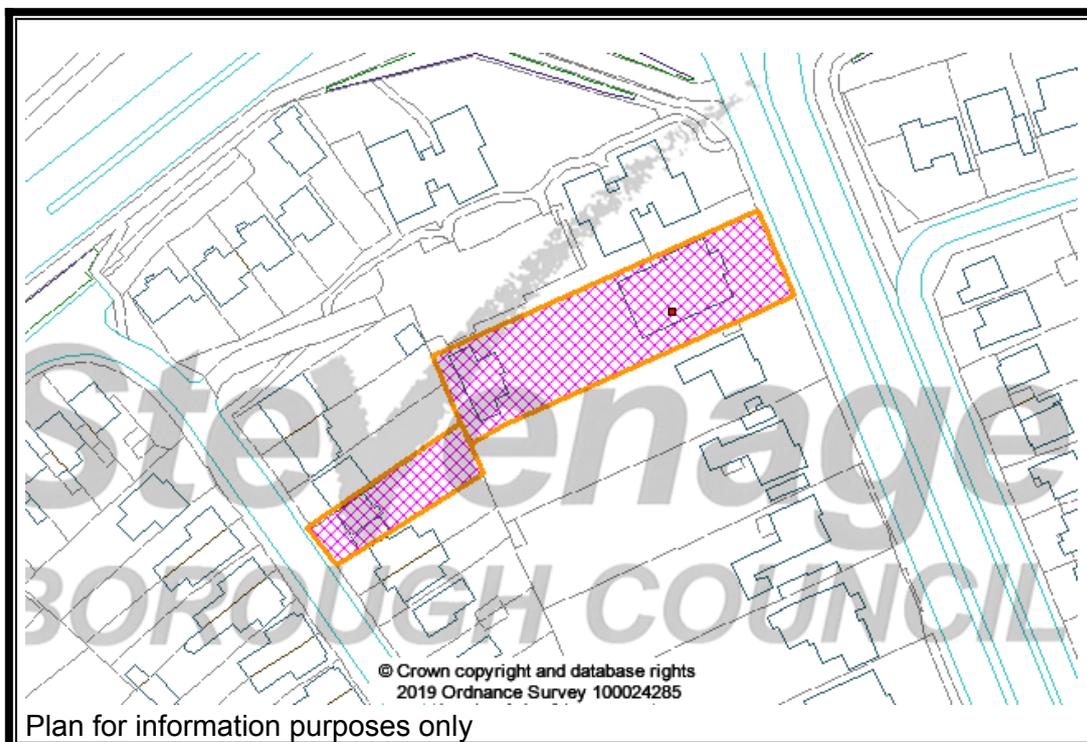
**Date:** 4 November 2020

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Application No:	20/00396/FP
Location:	The Abbington Hotel 23 Hitchin Road and 28 Essex Road, Stevenage
Proposal:	Change of use of the Abbington Hotel from Hotel (Use Class C1) to 23 Hitchin Road for use as a Rehabilitation Centre (Use Class C2 ) and 28 Essex Road for use as residential accommodation comprised of 2 x 1 bed flats (Use Class C3)..
Drawing Nos.:	4776 AP02; 4776 AP03B; 4776 AP04; 4776 AP05; 4776 AP07; 4776 AP09; 4776 AP10A; 4776 AP11; 4776 AP20; 4776 AP21; Site Location Plan; Site Plan.
Applicant:	Abbington 28 Ltd
Date Valid:	29 June 2020
Recommendation:	GRANT PLANNING PERMISSION



## **1. SITE DESCRIPTION**

- 1.1 23 Hitchin Road is a large Victorian era detached building on the western side of Hitchin Road, currently operating as the Abbington Hotel, which includes a single storey 'bungalow' building to the rear of the site providing additional bedrooms to the main building. Vehicular access is from the northern carriageway of Hitchin Road and operates using an in and out system with parking to the front and rear. 28 Essex Road is a semi-detached dwelling located on a residential road to the south west and rear of the main hotel site. The rear garden of No.28 adjoins the rear boundary of the hotel.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 None relevant

## **3. THE CURRENT APPLICATION**

- 3.1 The current application seeks planning permission for the change of use of the Abbington Hotel, 23 Hitchin Road from Use Class C1 to a Rehabilitation Centre under Use Class C2 and 28 Essex Road to residential accommodation comprised of 2 x 1 bed flats under Use Class C3. The works include new security fencing and CCTV, car parking alterations and creation of external amenity area.
- 3.2 The rehabilitation centre proposes to provide a premier residential rehabilitation centre delivering specialist rehabilitation and counselling for 20 residents ranging from 18-65 years old. This is supported by the provision of 20 bed spaces for residents in need of rehabilitation and detox therapy, with 2 bed spaces for public referrals from Hertfordshire County Council.
- 3.3 The application comes before committee because of the known contentious issues associated with rehabilitation type uses, and with agreement from the Chair.

## **4. PUBLIC REPRESENTATIONS**

- 4.1 The application has been publicised by neighbour letters and the posting of three site notices, one opposite 28 Essex Road in Essex Road, one on the tree directly outside the Abbington Hotel and one on a lamp post on the down slope of the subway when heading north towards Longfields and John Henry Newman School. A total of 43 objections have been received from the following properties 2, 3, 4, 6, 10, 12, 14, 15, 16, 25, 26, 27, 29, 31 and 42 Essex Road; 15, 17 and 19 Hitchin Road; 12 and 14 Orchard Road; 4, 14 and 18 Dewpond Close; 1, 4, 12 and 20 Campion Court; 8, 19, 22A and 25 Julians Road; 30 Orchard Crescent; 51 Whitney Drive; and 40 Franklins Road. The objections raised in summary (copies of all comments are available in full on the Council's website) are –
- The area consists of elderly residents and families with young children. Converting the property in the middle of such a residential area will potentially impact the safety of those already living in the area;
  - Central and Local Government often report crime being related to people funding addiction. Placing such individuals in a residential area exposes residents to a potential increase in opportunistic crime;
  - Essex Road is used as a footway through for school children and for key workers at the hospital. Any change in usage or properties in Essex Road will have some impact on current foot traffic;
  - Ongoing issues with lack of parking in Essex Road;
  - Essex Road is a quiet road and the change of use will not enhance what is a secluded, pleasant road. Litter will increase, night time disturbance, safety issues will be inevitable;

- Wholly inappropriate as the property is close to two secondary schools and a large number of local pubs and so would be an unsuitable location for those looking to be rehabilitated from drugs and alcohol.
- Not suitable location being located in a dense residential area with children and vulnerable adults either living or passing through this location;
- Concern over security of residents and those members of the public;
- Whilst the rehabilitation and treatment for people with addictions is supported, this is not the appropriate location;
- Security arrangements discussed at the workshop and wide area that this clinic will serve do not instil confidence;
- Not a safe environment for children to be around;
- This kind of facility should be on neutral ground away from residential premises;
- Being so close to a very populated and social area of Stevenage, The Old Town, it will only encourage the occupants to socialise and be a 'tease' and therefore not assist their rehabilitation or success;
- Fear of insecurity that will be present and instilled within residents and children. The risk of needles and other drug/drink related waste that most certainly will be apparent after a short space of time;
- As a private centre there will be less emphasis on security, as it's just a money making exercise for those that own the properties;
- Other hotels along the road will most certainly have their income affected;
- Effect on the value of properties in the future;
- The very nature of the rehabilitation centre is for recovering addicts whether it be substance abuse drugs, alcohol addiction, mental health. It is therefore very demanding and challenging work. It is inappropriate to house recovering addicts alongside residents with families, especially children;
- Inconsistencies following meeting, with contradictions relating to if the client wanted to leave, how easily they could do so;
- Stevenage currently has an issue with drugs, and the Old Town with many pubs and options to buy alcohol;
- Lots of subways where drugs are dealt and taken below road level and making it uncomfortable for locals to walk through;
- Since the Haven and the helping of the homeless has shown that this has failed with the amount of people drunk and high in the old town;
- Worried that, with the best will in the world, the police, with limited resources will not be able to respond to any problems that arise;
- The proposal is a drastic intensification of use in becoming a rehabilitation centre from a previously sedate hotel;
- Whilst they have stated there will be no registered sex offenders there will still be sex addicts present alongside various other addictions;
- The plans state a 2m security fence around the perimeter, which proves there is a need to not only keep people in but also keep people out;
- Increased noise from the garden which is meters away from multiple gardens;
- Little confidence in the team behind the development. It is clear they are in this for the money. Therefore, any future running of the rehab centre is very unclear and extremely concerning. Leaving our community with changing hands and possibilities for this centre to cause all kinds of trouble;
- Poses great risk and danger to a friendly and safe neighbourhood;
- High volume traffic on Hitchin Road;
- The proposal to have one or two places available for local authorities has a very nasty taint of bribery;
- 1 / 2 members of night staff totally inappropriate for 20 potential clients;
- Insufficient evidence to demonstrate any local need for this service;
- Lack of integration of the proposed service with local pre-existing Local authority and NHS services;

- Unenforceable guarantees regarding the safety of local residents;
- Surely a centre on a busy main road, right next to another property which is a hotel, is hardly conducive to its proposed purpose;
- 2 car parking spaces for the conversion of 28 Essex road is likely to be insufficient;
- To further add to the traffic with emergency vehicles, additional visitors, extra staff and more waste collections would only cause more disruption on this very busy dual carriageway and therefore potentially create more noise, pollution and danger to pedestrians
- Is this a counselling centre for other residents? Will day visitors be in addition to the 20 staying residents?
- Significant increase in noise levels with more comings and goings throughout the day every day, outdoor exercise, outdoor workshops, distressed patients, visitors, deliveries, numerous members of staff, additional waste removal, additional catering provision etc.;
- Not in-keeping with the character of Essex Road and Hitchin Road, and would have social and environmental impact in the area, such as potential increase in crime and/or fear of crime;
- Policy HO10 – the new neighbourhoods to the north and west of Stevenage should include an element of accommodation in use class C2 as part of a comprehensive offer. There is provision for housing development, that are soon to be built, to provide C2 accommodation;
- Policy SP7 – the conversion of 28 Essex Road from a residential house to part of a business premises actually reduces housing provision;
- Policy SP1 – the proposal does not improve the social or economic condition of the area;
- Policy SP2 – the application will have a negative impact on crime, and the fear of crime;
- There is no mandate for such a facility in this area of town. The site falls outside any designated areas for such a facility. SP9 promotes the establishment of new healthcare facilities at the North of Stevenage, Stevenage West and the Town Centre;
- Fails to meet criteria (b) of Policy HC5 as the site is not appropriate in terms of its location and accessibility;
- The impacts of noise and disturbance, fear of crime, fear of insecurity, loss of privacy from the CCTV measures and intensification of the site, amount to the location being unsuitable for this use;
- Straying from the Organisation Management Plan would be difficult for the planning authority to enforce on such a frequent and detailed basis, given the measures and issues involved. The need for such measures in attempting to reduce adverse impacts upon this residential area, serves to demonstrate how sensitive the surrounding land use is, being primarily residential, and the resulting conflict and incompatibility there would be;
- The lack of available, affordable or otherwise unsuitable premises elsewhere, does not render this location suitable;
- Does not accord with Paragraph 127 of the NPPF;
- The increase in persons on site would lead to a general over-intensification of the site;
- Loss of privacy to neighbouring properties from the proposed CCTV measures;

Mark Lewis, Thomas Alleyne Academy Headteacher–

I have met with the organisation who has applied for permission. Whilst they did reassure me that the safeguarding of our students will also be a priority for them, I am writing to express concerns as both Headteacher and an Old Town resident about the centre opening. My primary concern is around the safety of students on their journey to and from school, particularly as we are implementing staggered start and finish times in response to government guidance about school reopening.

Stevenage Police Chief Inspector –

The Police have had a meeting with the proposed management company team at Abbington House, during which we discussed the working relationship between police and the facility. I now strongly believe that their plans will balance the interests of their clients, the residents in the surrounding neighbourhood, and the wider community of Stevenage as a whole. We are now in the process of setting up a Service Level Agreement based on mutually understood principles and therefore I am happy that the concerns that I expressed in my previous letter to you have been addressed.

## **5. CONSULTATIONS**

### **5.1 Police Crime Prevention Officer**

5.1.1 The Police Crime Prevention Officer (PCPO) made comment on the pre-application enquiry for the proposal and at the time voiced concerns regarding the location, apparent lack of private space and also showed concern regarding the possible company that would administer the site. Following numerous emails and several meetings with the project team I am pleased to say that, with the exception of the location, all my concerns have been addressed.

5.1.2 With regard to the location this has been partly mitigated by the way the centre is designed to operate. The concerns regarding lack of private space and vulnerability of service users have been addressed by the use of suitable gates and access control systems together with formal surveillance of the rehabilitation centre from all aspects. My concerns regarding the location have been mitigated by the physical measures being put in place and also by the explanation as to how the centre will operate. In light of this the Police Crime Prevention Design Service will not be objecting to this application as concerns regarding designing out crime have been addressed.

### **5.2 Hertfordshire County Council Highways**

5.2.1 The County Council as Highway Authority have assessed the application and, after initially objecting based on wait times for refuse vehicles waiting on Hitchin Road because of the distance of the bin store in the site, a revised plan has been provided, re-siting said bin store and the objection has been removed.

### **5.3 Environmental Health**

5.3.1 No objections are raised to the proposal.

## **6. RELEVANT PLANNING POLICIES**

### **6.1 Background to the Development Plan**

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

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

## **6.2 Central Government Advice**

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in February 2019. This largely reordered the policy substance of the earlier 2012 version of the NPPF albeit with some revisions to policy. The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up to date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up to date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up to date development plan, reflecting the requirements of section 38(6) of the 2004 Act. The NPPF and the PPG, with which Members are fully familiar, are both material considerations to be taken into account in determining this application.

## **6.3 Planning Practice Guidance**

- 6.3.1 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)**

SP1	Presumption in Favour of Sustainable Development
SP2	Sustainable Development in Stevenage
SP5	Infrastructure
SP7	High Quality Homes
SP8	Good Design
SP9	Healthy Communities
SP11	Climate Change, Flooding and Pollution
IT4	Transport Assessments and Travel Plans
IT5	Parking and Access
HO5	Windfall Housing
HO9	House Types and Sizes
HO10	Sheltered and Supported Housing
HC5	New Health, Social and Community Facilities
GD1	High Quality Design
FP2	Flood risk in Flood Zone 1

## **6.5 Supplementary Planning Documents**

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

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

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

# **7 APPRAISAL**

- 7.1 The main issues to consider in the determination of the change of use are the acceptability in land use policies; suitability of the location and impact on the character and appearance of the area; impact on the amenity of neighbouring properties; highways and parking.

## **7.2 Acceptability in Land Use Policy Terms**

- 7.2.1 The application site does not have a designated site allocation in the adopted Local Plan. Considered white land in this respect the proposal should be considered in land use terms with regard the loss of the hotel use and the acceptability of the proposed rehabilitation use. The provision of residential flats at 28 Essex Road would be considered in its own right in accordance with the Council's Windfall Housing policy.
- 7.2.2 The Local Plan does not have a specific policy relating to the loss of C1 (Hotel) uses, nor the employment element of such a use in this location. The proposed C2 (Rehabilitation Centre) use can be assessed against Policy HC5 New Health, Social and Community Facilities of the Local Plan (2019). The Policy states that planning permission for new facilities on an unallocated site will be granted where:
- a) A need for the facility has been determined;
  - b) The site is appropriate in terms of its location and accessibility, and;
  - c) The facility is integrated with existing health, social or community facilities where appropriate.
- 7.2.3 Paragraph 91 of the National Planning Policy Framework (NPPF) (2019) states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which; promote social interaction; are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion; and enable and support healthy lifestyles, especially where this would address identified local health and well-being needs.
- 7.2.4 The provision of a range of health, social and community facilities can be an important element in creating sustainable communities and improving the quality of life for existing and new residents. Where a need can be identified it is important that these facilities are easily accessible for all. The proposals would provide a private residential rehabilitation and counselling centre with services for adults with drug and alcohol addiction. Therapy services will be provided for 20 clients in total comprised of 18 private spaces and 2 socially referable bed spaces for Hertfordshire County Council. Clients will range from 18-65 years old and will stay for an initial one month rehabilitation period.
- 7.2.5 The Planning Statement submitted in support of the application provides detail outlining a need for such rehabilitation facilities at both a national and local level. Looking specifically at the local level, the Stevenage Health Profile (2017) and Hertfordshire Alcohol and Drugs Misuse Joint Strategic Needs Assessment (JSNA) (2017) assess such needs.
- 7.2.6 The JSNA states that Stevenage, along with Watford, are the two Hertfordshire areas that have the highest claimants of benefits due to alcoholism, being statistically significantly worse than the rest of Herts. Whilst in 2015 Hertfordshire had a statistically significantly better proportion of successful completion of alcohol treatment (42.7%) compared to England as a whole (38.4%), the JSNA clearly outlines that Stevenage is a targeted area for intervention, in particular for alcohol related substance abuse.
- 7.2.7 It is of note that the Stevenage and North Hertfordshire Strategic Housing Market Assessment (SHMA) includes a projection that there will be increasing demand for supported housing needs during the Local Plan period. The SHMA uses the Homes and Communities Agency Vulnerable and Older People Needs Estimation Toolkit to estimate an increased need between 2011 and 2031 for people with: alcohol misuse, learning disabilities, mental health problems, offenders, moderate physical/sensory disabilities, serious physical/sensory disabilities, refugees, rough sleepers and single homeless with support needs totalling 190 dwellings over the plan period. The Local Plan evidence base has therefore identified that there will be an increasing demand for accommodation for issues such as alcohol misuse.

- 7.2.7 Given the commentary on substance abuse in Hertfordshire, and in some cases Stevenage specifically, officers consider the information submitted by the applicant to demonstrate that there is a need for a rehabilitation facility in the area. Furthermore, the provision of two HCC referred beds for clients is considered advantageous for the local area.. Significant weight is given to the fact the facility will provide for an identified need in the local area.
- 7.2.8 Looking at the suitability of the location in the next section of this report specifically, it is considered that the proposed change of use of the hotel and bungalow in land use policy terms is acceptable. Turning then to the conversion of 28 Essex Road, the applicant has provided support from the current owners that this property has been in use as part of the hotel since 2006. This is further established when viewing online review pages. Certainly the Local Planning Authority are not disputing this claim and as such the proposed conversion of 28 Essex Road to 2no. one bedroom flats must be assessed on the acceptability of returning the property to residential use.
- 7.2.9 Preceding submission of this application the applicant had considered using No.28 as part of the rehabilitation centre facilities. This has also been noted in the numerous objections raised as part of the consultation process. Officers raised concerns over this at pre-application stage and the current proposal states that this was taken in to consideration and thus No.28 is to be converted back in to residential use, separate from the rehabilitation facility. The existing rear gated entrance between both sites is to be closed off and the property known as 28 Essex Road converted to 2no.1 bed flats with 2no. parking spaces and use of the garden areas.
- 7.2.10 Paragraph 61 of the NPPF 2019 requires that the planning system should deliver, inter alia, a mix of housing particularly in terms of tenure and price to support a wide variety of households in all areas. Paragraph 68 of the NPPF sets out that small and medium sites can make an important contribution to meeting housing requirements in an area, and this includes supporting the development of windfall sites.
- 7.2.11 Paragraph 67 of the NPPF (2019) states that planning policies should identify a supply of specific deliverable sites for years one to five of the plan period, and specific deliverable sites or broad locations for growth, for years 6 to 10 and where possible, for years 11 to 15. Paragraph 73 of the same document states that "Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies".
- 7.2.12 Paragraph 117 of the NPPF stipulates that planning policies and decisions should promote the effective use of land in meeting the need for homes such as through the use of brownfield sites (previously developed land) and the development of underutilised land.
- 7.2.13 Turning to the adopted Local Plan (2019), as the site is not designated for residential development it would be classed as a windfall site. Taking this into consideration, Policy SP7 (High quality homes) states that the Council needs to provide 7600 new homes over the local plan period of which 1,950 homes would be provided through windfall sites. Turning to the specific policy on windfall development sites, (Policy HO5 of the Local Plan), this outlines a set of criteria that must be met for a development to be considered acceptable. These criteria state that permission will be granted where: the site is on previously developed land or is a small, underused urban site; there is good access to local facilities; there will be no detrimental impact on the environment and the surrounding properties; proposals will not prejudice the Council's ability to deliver residential development on allocated sites; and, the proposed development would not overburden existing infrastructure.
- 7.2.14 On the basis that the proposal is for the conversion of a former semi-detached dwelling, it is on previously developed land and therefore acceptable as a windfall site. The site is well connected and in close proximity to the Old Town and some small amenities off Fishers Green. The proposal would not have a detrimental impact on the environment and surrounding

properties given the residential nature of Essex Road; it would not prejudice the delivery of strategic sites and would not overburden existing infrastructure. The conversion of No.28 into 2no. one bed flats is therefore considered acceptable in principle.

#### **7.4 Suitability of the Location and Impact on the Character and Appearance of the Area**

##### The Abbington Hotel

- 7.4.1 The hotel site is located on the western side of Hitchin Road, a two lane, dual-carriageway road. The site is accessed from the western carriageway which heads north towards the Gunnels Wood Road and Martins Way. To the east and on the eastern side of the southern carriageway residential properties are located off Franklins Road and Dewpond Close. To the north the site abuts Campion Court a flatted development accessed off Essex Road. To the south large detached properties of a similar architectural style to No.23 are a mixture of private dwellinghouses and hotel/B&B accommodation. Further north past the roundabout is the Longfields Fire Training Depot and the John Henry Newman Secondary School. To the south of this stretch of Hitchin Road is the gyratory system for the Old Town and High Street with No.6 Julians Road providing supported living for those with learning difficulties.
- 7.4.2 The Hitchin Road site is therefore within a mixed use area, with residential use predominantly being to the rear / west and on the opposite side of the four lane dual carriageway to the east. The application has been supported by a site assessment similar to a sequential test outlining the needs of the facility and available buildings that may support this role. The factors taken into consideration to establish whether the location is appropriate includes characteristics of the site; suitability for use as a rehabilitation centre; development proposals (change of use); deliverability; affordability; and planning requirements. The document is considered to provide a robust methodology for eliminating other available sites within the County based on the needs of the proposed use.
- 7.4.3 Whilst this has been provided, the suitability of the preferred Abbington Hotel site must also be considered acceptable. The NPPF acknowledges that new development should aim to prevent crime and disorder, or the fear of crime undermining quality of life. The level of objections raised highlight that there is a perception that the presence of addicts will bring with them crime, from drug and alcohol use. Case law advises that these concerns should not be rejected but the Local Planning Authority must take an informed approach and weigh the need and management of the facility against the fear of crime which will inevitably come from a social issue that is commonly stigmatised and mis-understood. Whilst crime levels may be associated with factors relating to drink and drugs, the provision of a private facility denotes people who want to receive help in some form and if the facility is well managed then the fears mentioned should be abated.
- 7.4.4 The fear of potentially passing a resident in the street (given they would never be without a member of staff) would surely be difficult to distinguish from any persons walking in public within the surrounding area. The Local Planning Authority whilst seeking to deliver a safe and accessible environment for people to live in, must also address the needs of those living in society including those unfortunate enough to experience addiction. Furthermore, Planning Inspectors have taken the view that, given appropriate management, the occupants of these properties should not cause significantly greater impact than normal homes (Development Control Practice Online) especially given in this case that residents would only be occupying the facility for temporary periods of time (approximately one to two months) with no contact from visitors for the first 14 days. Given the robust safety and operational measures proposed, and the support of the Local Police (as identified in the response from the Stevenage Police Chief Inspector), it is the LPA's consideration that the need for the facility and the robust justification for this location, in an accessible and mixed area outweighs the fear of crime, when this cannot be reasonably demonstrated.

- 7.4.5 The proposed change of use does not include any external changes to the building, with operational development occurring to the rear with the creation of an amenity area in part of the existing car park, and the installation of bow-hooped railings/fencing at 2m in height (which could also be erected without planning permission under permitted development), much like that seen at schools and parks, a vehicular gate to the side of the building (typical of residential and commercial premises), and the provision of building mounted and pole mounted CCTV, for the safety and security of residents of the facility more so than neighbouring properties.
- 7.4.6 It is considered acceptable and reasonable given the level of objection to seek further details on the pole mounted CCTV in particular in terms of final positions, height of the poles and positioning of the cameras to protect existing privacy levels of properties. However, given the proximity of the cameras shown on the site plan with the boundaries of the site, angled down, it is unlikely they will see anything more than the amenity areas of the site. However, it is suggested details be conditioned. The addition of these external factors would not in the LPA's opinion harm the character and appearance of the site, nor the wider area.
- 7.4.7 Therefore, on balance the proposed location is considered acceptable and the proposed change of use to a rehabilitation facility would not cause a detrimental impact to the character and appearance of the area such that a refusal would be warranted.

#### 28 Essex Road

- 7.4.8 Located in a quiet residential road, the proposed change of use of the property from part of the hotel use to residential use in the form of 2no. One bed flats is considered a more sympathetic use than existing. No external alterations are proposed and the proposed use would not be harmful, being in-keeping with the residential character of the area. Furthermore, the specific provision of flats in the property, in comparison to the majority of single family homes in the area is not considered a reason for refusal, as the proposal would help provide small sized housing in accordance with the Council's policies. Furthermore, externally there would be no telling factors that the property was not a single family home. The LPA also consider the use of the property for the provision of flats to be more appropriate for the area than the existing hotel use.

### **7.5 Centre Operations and Management**

- 7.5.1 The property will operate with a maximum of twenty bedrooms, 15 in the main building and 5 in the bungalow. These will provide safe over-night accommodation which is considered essential to successful long-term rehabilitation. The use of the established 12 Step Therapy treatment process is proposed. This process is a well-established and common approach to rehabilitation. The supporting documentation provided as part of the application states that the centre will deliver structured therapy programmes unique to client requirements with the overriding goal to improve quality of life and support long-term recovery.
- 7.5.2 The centre will be staffed and managed by qualified staff with specific and expert training 24 hours a day. A copy of the proposed Organisation Management Plan and Safeguarding Vulnerable Adults Policy have been submitted in support of the application and considered robust additions in showing how the facility is to be managed, with independent regulation by the Care Quality Commission (CQC) who have to ensure facilities are managed to the fundamental standards and quality of safety required by the CQC.
- 7.5.3 The robustness of the operation and management of the centre has been diligently assessed by both the Police Crime Prevention Officer and the Stevenage Police Chief Inspector who have found the documents presented and proposed details to be completely satisfactory for a rehabilitation use. Concerns raised about the number of staff on site overnight are noted. However, the staffing operations of the site have to be in accordance with CQC regulations which ensure appropriate numbers are in place at all times.

## **7.6 Impact on Neighbour Amenity**

### The Abbington Hotel

- 7.6.1 The proposal comprises minor operational development, and the change of use from a hotel to a rehabilitation centre. The LPA does not consider that the change of use would intensify the site's use above and beyond the current use as a hotel. Objections have suggested that because the current hotel attracts little trade and persons are typically only present for evenings and sleeping, that use of the building during daytime hours, including the proposed amenity area would be over-intensification and therefore unacceptable. In considering the current operations of the hotel, having been noted as very quick turnover, with business persons and motorists stopping for single night or short stays, with early and late starts and finishes, the LPA disagrees with the over-intensification argument. There is an argument that the very nature of the current business is that it has a rapid turnover of guests which would not be the case with the proposed use. In any event, a different hotel operator with a different business model, could change and intensify the operation of the hotel business without the need for any further planning approvals. In considering this application weight has to be given to the full extent of the current use in assessing the 'intensification' of the proposed use.
- 7.6.2 Both uses provide a form of living accommodation, and given the earlier considerations that residents of the proposed facility would be temporarily staying for one to two months seems less intensive than the current operation of the hotel. Furthermore, it can be considered that as the location of the site is near the Old Town high street and adjacent to a busy road and thoroughfare where there is already a high level of activity, that there would not be so significant harm to the living conditions of local residents. In addition the Council's Environmental Health Officer has raised no concerns in respect of noise nuisance from the proposed use. It is therefore considered that the proposed use would not cause a detrimental impact on the amenity of neighbouring properties.

### 28 Essex Road

- 7.6.3 Currently No.28 Essex Road is linked to the hotel use by an access gate in the rear garden boundary and guests using No.28 would access the main building for all other facilities apart from sleeping, i.e. meals, the bar, etc. The current proposal includes the closure of the rear boundary access and the return of the property to residential use only, separate from the proposed rehabilitation use. This is not considered to adversely affect the amenity of the adjoining properties.

## **7.7 Amenity of Future Occupiers**

### The Abbington Hotel

- 7.7.1 It is established that to aid successful rehabilitation a good level of external amenity space must be provided. This was particularly highlighted by the Police Crime Prevention Officer in pre application discussions. This ensures that the proposed residents of the facility equally benefit from being outside whilst following their therapy programme. The proposed landscaping and external amenity plan shows an area of seating and hardstand for outside use to the front of the bungalow, in what is currently part of the car park. The provision of an external garden / amenity area is a benefit in that it removes a large area of hardstand which is unattractive, whilst providing additional planting and greenery, which is considered to improve the biodiversity offering at the site.
- 7.7.2 The details provided are not specific and it is considered reasonable therefore to impose a condition relating to landscaping details on any approval.

### 28 Essex Road

- 7.7.3 The Council's adopted Local Plan stipulates the required levels of amenity space, both internal and external for residential dwellings. Looking firstly at internal standards, these are taken from the nationally described space standards which look at overall Gross Internal Area (GIA) and also bedroom sizes. This is to ensure the living standards of the proposed occupier(s) are acceptable.
- 7.7.4 Both units, at approximately 46 and 40 square metres for the ground and first floor flats respectively, would meet the minimum standards for a 1 bed 1 person unit. However, both bedrooms measure over 11.5 square metres and thus would be considered double bedrooms in accordance with the guidance, thus being 1 bed 2 person units. The minimum requirement for this size of unit would be 50 square metres which both units fall shy of.
- 7.7.5 However, notwithstanding this, each case is based on its merits and it is the LPA's opinion that in this case significant weight should be given to the overall proposals and the benefits in returning this property to residential use separate from the use of the main hotel building. As such, with both units meeting the overall minimum standard for a 1 bed 1 person unit it is considered in this case that an on balance judgement should allow the proposed unit sizes.
- 7.7.6 For residential units the Council's standards for external spaces differ from dwellinghouse to flats. Either way, the existing rear garden space provides ample external amenity space for the ground floor flat with the front garden at use to the first floor flat along with nearby public open spaces.

## **7.8 Highways and Parking**

### The Abbington Hotel

- 7.8.1 Hertfordshire County Council as the Local Highway Authority has assessed the application and gave an initial objection, based on the impact of waste collection and waiting times for waste operatives on Hitchin Road. An amended plan has been provided re-siting the bin store, such that the distance from collection to kerbside is acceptable and wait times would be no worse than those of the existing hotel use.
- 7.8.2 In considering the existing hotel use, the proposed C2 use is not considered to significantly alter or intensify the level of transport movements to and from site, especially given residents would not have their own cars, and shift patterns of staff are unlikely to follow typical business hours, much like a hotel doesn't. Both facilities would require transport movements for linen collections, catering and other deliveries, and staff commuting. Visitors are only allowed after the first 14 days and on weekends only. These visits are also appointment only and thus car movements can again be managed by the facility in this respect. The site is also well connected in terms of public transport and non-car modes of transport.
- 7.8.3 The use of and layout of parking for staff and visitors should be carefully considered, including access to the proposed secured rear parking area. Furthermore, the type and number of deliveries should be considered should access be required to the rear of the building in terms of sufficient clearance space from the highway for any large vehicles. This would also be true of waste collection.
- 7.8.4 Since submission of the application earlier this year the Council's parking standards have changed with the new SPD being adopted in October 2020. These continue to outline the level of parking deemed appropriate for different use classes and take account of the sustainability and accessibility of a site in designating residential and non-residential parking zones. Whilst in close proximity of the Old Town the site does not now fall within a non-residential parking zone and thus full provision based on the standards is expected unless robustly argued for lower or greater numbers of spaces.

- 7.8.5 For C2 Institutions/homes with care staff on premises at all times the proposal would create the need for 16-18 spaces based on number of resident's beds and full time equivalent staff numbers. Currently the site provides 23 spaces with the proposals reducing this to 16, including 3 disabled spaces. This is considered acceptable and in accordance with the Council's guidance.
- 7.8.6 Cycle parking is proposed with 3 staff cycle spaces and 1 client cycle parking space, to be provided within a secure cycle locker. Details of this can be appropriately conditioned to ensure they meet current standards. It is noted that it would not be appropriate to have resident's cycling to and from the site or during their stay. However, the standards do not break down C2 uses so specifically. Given the change in adopted standards since submission, the new standards would require 6 long term cycle spaces and 2 short term spaces. This could be easily accommodated and given the proposed secure cycle storage is to be conditioned to provide details, it is considered reasonable to ensure these details provide for the correct level of provision.

### 28 Essex Road

- 7.8.7 The proposed residential use of Essex Road has been assessed against the residential standards in the 2020 SPD. For residential the standards are much the same, and the site is not located in a residential parking zone and thus 100% provision is required. The provision of 2no. One bed flats would require one space per dwelling. Typically in residential situations the LPA would consider the net gain of the proposal above that of the existing use.
- 7.8.8 On the basis that the existing use of No.28 is related to the hotel, it is difficult to establish what the current parking at No.28 would be. However, taking a pragmatic approach, as a three bedroom dwelling the property would be required to have two parking spaces, the same as for the proposed use. The proposed parking arrangements for No.28 are therefore considered acceptable.
- 7.8.9 In terms of cycle parking arrangements each flat should provide 1 secure and covered space. This could easily be provided in the retained garage for both flats, as it is accessed independently of both units. This will be secured by imposition of a condition.

## **7.9 Waste**

- 7.9.1 The proposed rehabilitation centre has appropriate waste storage shown on the proposed site plan, re-sited following consultation with the local highway authority. Given the required amendments to make the scheme acceptable in highway safety terms it is considered necessary and reasonable to impose a condition that the bin storage be provided prior to occupation and at no time moved without express permission from the LPA. This is to ensure it is not moved an unacceptable distance from the highway for the purposes of refuse collection and to prevent waiting vehicles on the highway to the prejudice of highway safety.
- 7.9.2 In terms of the provision at 28 Essex Road, this would not be different from normal residential refuse collections. The retained garage could also accommodate bins for both flats to prevent them from being left in the garden, and to ensure both flats have suitable ground floor and front access.

## **7.10 Other Matters**

- 7.10.1 Matters raised in the objections received relating to devaluation of nearby properties and incomes of nearby businesses are not a material planning consideration.

## 8 CONCLUSIONS

- 8.1 It is considered that the change of use of the Abbington Hotel to a rehabilitation centre is acceptable and accords with both local and national policy. The proposed operation and management of the facility has been robustly justified, as has the suitability of the location. Case law and national guidance states that, whilst acknowledging crime and fear of crime, LPA'S should not place significant emphasis on the stigmatising of vulnerable people in need in our society. The need of the facility has been clearly shown.
- 8.2 The proposed use of No.28 Essex Road as residential is welcomed and is not considered to harm the character and amenity of the area. The introduction of flats is considered acceptable, and in terms of the GIA and bedroom sizes in this case an argument is accepted for the proposed provision of each flat.
- 8.3 The proposed car and cycle parking for both planning units is acceptable, along with bin storage, external amenity space and landscaping. Access and impacts on the highway network are considered acceptable in accordance with the local highway authority and the Council's newly adopted Parking Provision and Sustainable Transport SPD.

## 9 RECOMMENDATION

- 9.1 That planning permission be GRANTED subject to the imposition of conditions as set out in section 9.2.
- 9.2 The proposal be subject to the following conditions:-
1. The development hereby permitted shall be carried out in accordance with the following approved plans: 4776 AP02; 4776 AP03B; 4776 AP04; 4776 AP05; 4776 AP07; 4776 AP09; 4776 AP10A; 4776 AP11; 4776 AP20; 4776 AP21; Site Location Plan; Site Plan.  
**REASON:-** For the avoidance of doubt and in the interests of proper planning.
  2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
**REASON:-** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
  3. The use of 23 Hitchin Road and the associated 'bungalow' shall be for the provision of a rehabilitation centre (Use Class C2) only and shall operate in full accordance with the Organisation Management Plan submitted on 26 June 2020 as part of the application hereby approved, by Abbington 28 Ltd.  
**REASON:-** To ensure the centre is run in accordance with those details fully assessed by the Local Planning Authority and statutory and non-statutory consultees and in the interests of protecting the amenities of neighbouring properties.
  4. At no time shall the use of 23 Hitchin Road and the associated 'bungalow' be occupied by more than the specified 20 bedrooms / residents.  
**REASON:-** To ensure the Local Planning Authority can fully consider the impacts of greater numbers and the intensification of the approved use on highways impacts, car parking and the amenities of neighbouring properties.
  5. Prior to occupation of the rehabilitation centre full details of the proposed CCTV shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the type of cameras, locations of cameras, positioning/angles of the cameras, and heights of all pole mounted cameras. The scheme shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority for the perpetuity of the approved use.

- REASON:-** In the interests of visual amenity and to protect the amenities of neighbouring properties.
6. Notwithstanding the details submitted, prior to the approved use coming in to operation full details of a scheme of soft and hard landscaping and details of the treatment of all hard surfaces shall be submitted to and approved in writing by the Local Planning Authority. Details 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. In particular in respect of all proposed planting along the boundaries of the site.  
**REASON:-** To ensure a satisfactory appearance for the development.
  7. 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 23 Hitchin Road or the 'bungalow' or the completion of the development whichever is the sooner.  
**REASON:-** To ensure a satisfactory appearance for the development.
  8. All hard surfacing comprised in the approved details of landscaping shall be carried out within two months of the first occupation of 23 Hitchin Road of the 'bungalow' or the completion of the development, whichever is the sooner.  
**REASON:-** To ensure a satisfactory appearance for the development.
  9. 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.
  10. The boundary treatments of the site shall be installed in accordance with Drawing No. 4776 AP10A and retained in this form unless otherwise agreed in writing by the Local Planning Authority.  
**REASON:-** In the interests of visual amenity.
  11. Prior to the approved use coming in to operation, details of the proposed security gate shown to the side of 23 Hitchin Road on Drawing No. 4776 AP03B shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.  
**REASON:-** In the interests of visual amenity.
  12. The proposed waste storage area shall be provided in accordance with the location shown on Drawing No. 4776 AP03B prior to occupation of 23 Hitchin Road or the 'bungalow' and shall at no time be moved unless agreed in writing by the Local Planning Authority.  
**REASON:-** To ensure waste collection is carried out in accordance with current standards and to prevent refuse vehicles waiting excessively on the public highway.
  13. The parking, turning and servicing areas shown on Drawing No. 4776 AP03B shall be provided, marked out and hard surfaced ready for use prior to the first occupation of 23 Hitchin Road or the 'bungalow' and shall be retained in that form and kept available for those purposes thereafter.  
**REASON:-** To ensure that adequate parking and servicing facilities are available within the site and that there is no detriment to the safety of adjoining highways.
  14. Notwithstanding the details provided, prior to the approved use coming in to operation, full details of covered and secure cycle parking for a minimum of 8 cycles shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided on site prior to occupation of 23 Hitchin Road or the 'bungalow' and maintained in accordance with the approved details.

- REASON:-** To ensure an acceptable level of cycle parking is provided on site in accordance with the Council's adopted Parking Standards and Sustainable Transport SPD (2020).
15. Prior to the approved use coming in to operation, details of the provision of Electric Vehicle Charging Points for at least 20% of the proposed car parking spaces shall be submitted to and approved in writing by the Local Planning Authority. The EV charge points shall be made available for use prior to occupation of 23 Hitchin Road or the 'bungalow'.  
**REASON:-** To promote sustainable methods of car use and in accordance with the Council's adopted Parking Standards and Sustainable Transport SPD (2020).
16. Prior to the occupation of 28 Essex Road as residential flats the rear access point between 23 Hitchin Road and 28 Essex Road shall be closed and access ceased in accordance with Drawing No. 4776 AP03B.  
**REASON:-** To ensure the security of both sites and their occupants and in the interests of the amenity of neighbouring properties.
17. The use of 28 Essex Road as residential accommodation shall at no time be used as accommodation associated with the approved rehabilitation use at 23 Hitchin Road or the 'bungalow'.  
**REASON:-** To ensure the approved rehabilitation use does not overspill and in the interests of the amenity of neighbouring properties.
18. Prior to the approved use of 28 Essex Road coming in to operation, full details of the provision of cycle and bin storage shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.  
**REASON:-** To ensure an acceptable level of cycle parking and bin storage is provided on site, accessible by both flats and in the interests of visual amenity.
19. No access shall be provided to the roof of the single storey flat roof side extension/garage at 28 Essex Road by way of windows, doors or staircases and the roof of the single storey flat roof side extension/garage shall not be used as a balcony or sitting out area.  
**REASON:-** To protect the amenities and privacy of the occupiers of adjoining properties.

## INFORMATIVES

Community Infrastructure Levy –

Stevenage Borough Council adopted a Community Infrastructure Levy (CIL) Charging Schedule at Full Council on 27 January 2020 and started implementing CIL on 01 April 2020.

This application may be liable for CIL payments and you are advised to contact the CIL Team for clarification with regard to this. If your development is CIL liable, even if you are granted an exemption from the levy, please be advised that it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (as amended) that CIL Form 6 (Commencement Notice) must be completed, returned and acknowledged by Stevenage Borough Council before building works start. Failure to do so will mean you risk losing the right to payment by instalments and a surcharge will be imposed. NB, please note that a Commencement Notice is not required for residential extensions if relief has been granted.

Stevenage's adopted CIL Charging Schedule and further details of CIL can be found on the Council's webpages at [www.stevenage.gov.uk/CIL](http://www.stevenage.gov.uk/CIL) or by contacting the Council's CIL Team at [CIL@Stevenage.gov.uk](mailto:CIL@Stevenage.gov.uk) .

**The Council has acted Pro-Actively for the following reason:-**

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 led 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 2015.

**BACKGROUND DOCUMENTS**

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Local Plan 2011-2031.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012; Stevenage Design Guide 2009.
4. Hertfordshire County Council Local Transport Plan LTP4 2018-2031
5. Central Government advice contained in the National Planning Policy Framework February 2019 and the National Planning Practice Guidance 2014, as amended.
6. Responses to consultations with statutory undertakers referred to in this report.
7. Responses to third party consultations referred to in this report.