

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

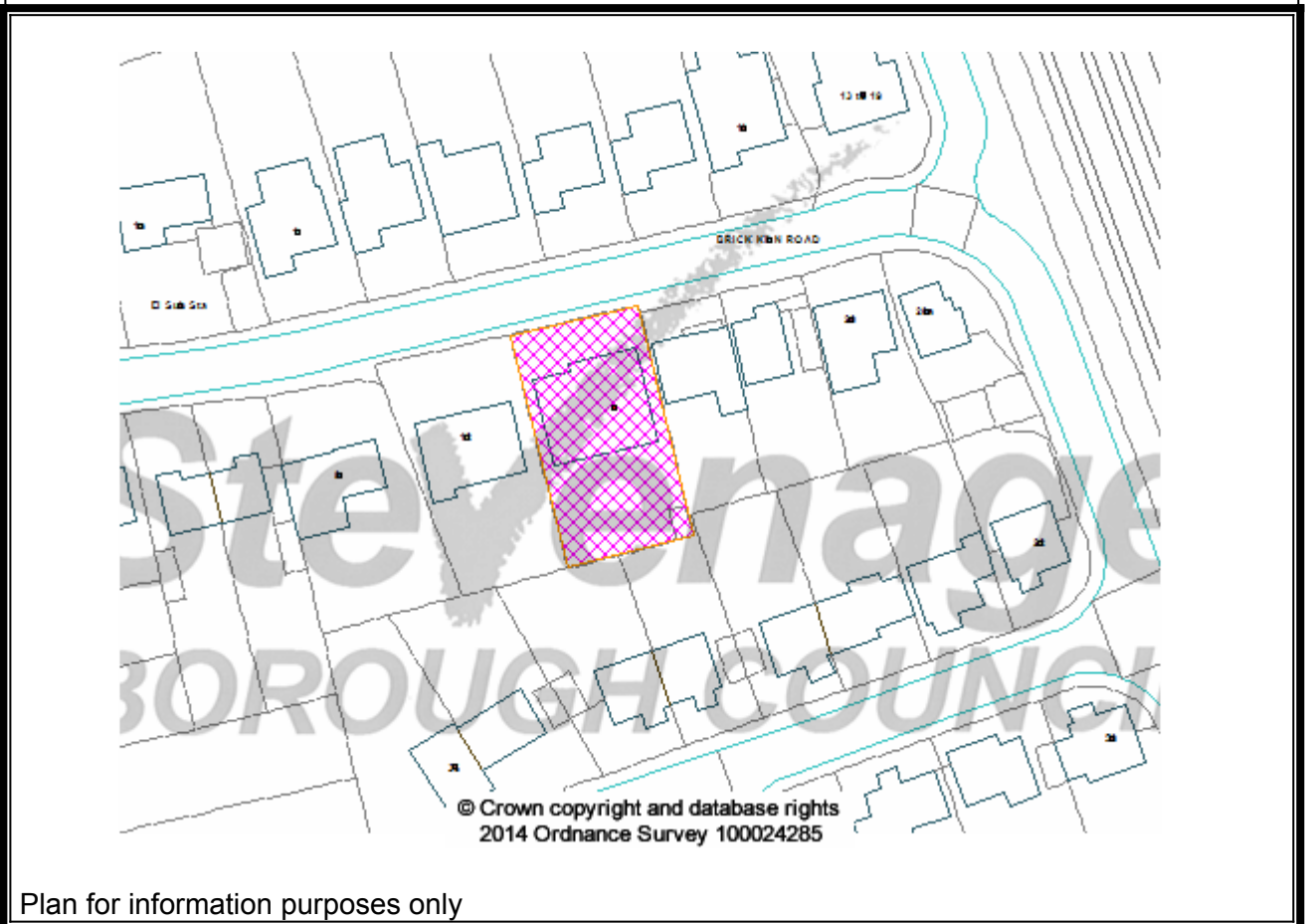
**Date:** 6 January 2021

**Author:** Ailsa Davis      01438 242747

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

**Contact Officer:** Ailsa Davis      01438 242747

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



## 1. APPLICATION UPDATE

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

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

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

## **2. CONCLUSIONS**

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

## **3. RECOMMENDATIONS**

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

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

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

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

## INFORMATIVES

1. Community Infrastructure Levy

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

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

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

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

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

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

## **10. BACKGROUND DOCUMENTS**

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