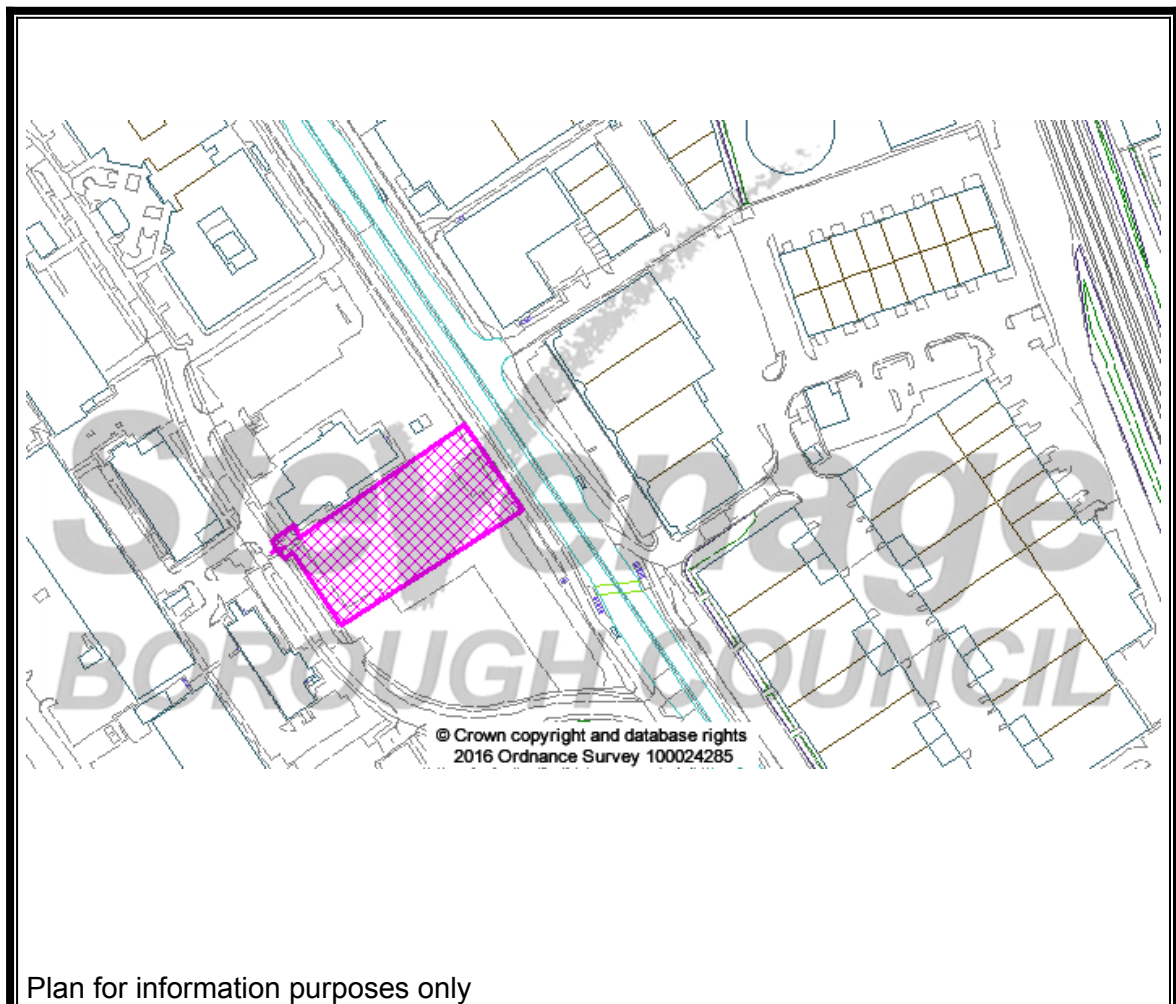


Meeting: Planning and Development Committee
Agenda Item:
Date: 02 March 2020
Author: James Chettleburgh 01438 242266
Lead Officer: Zayd Al-Jawad 01438 242257
Contact Officer: James Chettleburgh 01438 242266

Application Nos:	20/00772/FPM
Location:	MBDA UK, Six Hills Way, Stevenage, Herts, SG1 2DA
Proposal:	Variation of condition 1 (Approved Plans) attached to planning permission 19/00253/FPM
Drawing Nos.	S170283-001 A; S170283-010 A; S170283-011 A; S170283-012 A; S170283-031 A; S170283-032 A.
Applicant:	Elliott Group Ltd
Date Valid:	18 December 2020
Recommendation:	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site is located on the western side of Gunnels Wood Road which falls within the Gunnels Wood Employment Area. The application site comprises a two-storey modular office building with associated plant and equipment. The building is enclosed by a 2.5m high security fence. The surrounding area comprises the MBDA UK complex which consists of two-storey warehousing and industrial units, modern three-storey office buildings, waste storage compound, portakabins and surface car parking. The warehouse and industrial buildings are generally uniform in design, constructed from profiled sheet metal cladding and windows which run horizontally within the elevations. The buildings also have industrial roller shutters on the western elevation. The office buildings are modular in form and constructed from either brick or steel frames with large areas of glazing. The MBDA site is currently accessed from Six Hills Way and Gunnels Wood Road.
- 1.2 The surrounding area is characterised by a mixture of office, light industrial and warehouse developments. To the south of the application site is the Ford car dealership showroom. The site comprises a two-storey showroom which is constructed from profiled steel cladding with a large glazed frontage. On the rear and eastern elevations are roller shutters for the service areas. To the west of the application site is the A1(M) motorway and to the east is Gunnels Wood Road. To the north of the site is Six Hills Way beyond which is the office complex (Farnham House) occupied by Hertfordshire County Council. This is a three storey brick built building with undercroft car parking. There is also Campus Six immediately adjacent to Farnham House which comprises a number of modern office buildings which are constructed from brick with large glazed areas on the facade.

2. RELEVANT PLANNING HISTORY

- 2.1 There have been numerous planning permissions in the past relating to new development at MBDA.
- 2.2 Planning application 18/00153/FPM for the erection of a two storey modular office building with associated boundary treatments, hard landscaping and services. This application was granted temporary two year permission in March 2018.
- 2.3 Planning application 19/00253/FPM sought planning permission for the erection of a two-storey modular office building with associated boundary treatments and landscaping. This application was granted planning permission in September 2019.
- 2.4 Advertisement consent application 19/00471/AD seeks consent for the erection of an internally illuminated MBDA signage and alterations to existing signage. Advertisement Consent was issued in October 2019.
- 2.5 Planning application 19/00539/FP sought permission to upgrade the existing security fencing and relocation of gatehouse barrier and turnstile access. This application was granted planning permission in October 2019.
- 2.6 Planning application 19/00660/FP sought permission for the erection of a date centre building with associated plant enclosures and hard landscaping. This application was granted planning permission in December 2019.
- 2.7 Non-material amendment application 19/00669/NMA sought an amendment to planning permission 19/00253/FPM to change the base materials of the modular building to profiled steel sheet cladding. Non-material amendment was agreed in November 2019.

- 2.8 Planning application 20/00072/FP sought planning permission to infill the courtyard to building 200 and additional lobby to provide additional internal office space with associated landscaping works. This application was granted planning permission in March 2020.
- 2.9 Discharge of condition application 20/00095/COND sought to discharge condition 7 (remediation scheme) attached to planning permission reference number 19/00660/FP. The condition was discharged in March 2020.
- 2.0 Planning application 20/00206/FP sought permission for 2 No. external shipping containers to house specialist mechanical plant. This application was granted planning permission in March 2020.
- 2.11 Planning application 20/00511/FP sought planning permission for a lobby extension to the existing multi-purpose building. This was granted planning permission in November 2020.

3. THE CURRENT APPLICATION

- 3.1 This current application seeks to vary condition 1 (Approved Drawings) attached to planning permission 19/00253/FPM. This condition stated the following:-

Condition 1 (Approved Drawings)

The development hereby permitted shall be carried out in accordance with the following approved plans: A010 P2; A011 P2; A012 P2; A013 P2; A014 P2; A015 P2; A016 P2; A017 P2; A018 P2.

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

- 3.2 The proposal seeks only to alter the approved design of the horizontal Brise Soleil ('sun breaker') external screening system attached to the modular office building. The proposal does not seek to increase the approved level of office floorspace or create any additional employment.
- 3.3 This current application before the Council has been referred to the Planning and Development Committee for its decision. This is because the proposal seeks to amend the approved design of the Brise Soleil which was previously determined by the Committee.

4. PUBLIC REPRESENTATIONS

- 4.1 As a major planning application, the proposal has been publicised by way of letters to adjoining premises, site notices and a press notice. At the time of drafting this report no responses have been received.

5. CONSULTATIONS

- 5.1 No relevant consultees.

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 Borough Local Plan 2011-2031 (2019) (Adopted Local Plan).

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.

6.2 Central Government Advice

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

6.3 Planning Practice Guidance

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

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

SP1: Presumption in favour of sustainable development;
SP2: Sustainable development in Stevenage;
SP3: A strong, competitive economy;
SP8: Good design;
EC1: Allocated sites for employment development;
EC2: Gunnels Wood Employment Area and Edge-of-Centre Zone;
EC4: Remainder of Gunnels Wood;
EC5: Active frontages and gateways.

6.5 Supplementary Planning Documents

Stevenage Design Guide Supplementary Planning Document 2009.

6.6 Community Infrastructure Levy Charging Schedule

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

7. APPRAISAL

- 7.1.1 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.

- 7.1.2 The main issues for consideration of this application are, therefore, the impact on the visual amenity of the area.

7.2 Impact on visual amenity

- 7.2.1 Paragraph 127 of the NPPF 2019 stipulates that planning decisions should ensure development function well and adds to the overall quality of the area, not just in the short term but over the lifetime of the development. It also sets out that development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping is sympathetic to local character and history, including the surrounding built environment and landscape setting. In addition, the NPPF sets out that developments should establish or maintain a strong sense of place, using arrangements of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit. It also stipulates that development should optimise the potential of the site to accommodate and sustain an appropriate mix of development and finally, create places that are safe, inclusive and accessible.

- 7.2.2 Paragraph 130 of the NPPF states that “permission should be refused for development of poor design that fail to make available opportunities for improving the character and quality of an area and the way it functions”.

- 7.2.3 Policy GD1 of the Local Plan (2019) generally reflects the above policy. Turning to Gunnels Wood Road specifically, Policy EC5: Active frontages and gateways of the Local Plan states that planning permission for the (re-) development of sites with a frontage along, in this case Gunnels Wood Road, will be granted where:-

a. Proposals face directly onto the identified road and provide active frontages and natural surveillance;

b. Buildings are not set back significantly from the identified road;

c. Car parking and service areas are located away from the street frontage of the identified road;

d. On corner plots, where the roads intersect, schemes incorporate landmark architecture and gateway features wherever this would be compatible with the proposed use(s).

- 7.2.4 The application site is located on land which is owned and operated by MBDA. The application site currently consists of an existing two-storey modular office building which was implemented as part of planning permissions 18/00153/FPM and 19/00253/FPM. The site itself is currently enclosed by a 2.5m high security fence and is bordered by a modern three-storey office building and mature landscaping which runs parallel with Gunnels Wood Road and an internal road. To the west and south-west of the application site are three-storey office buildings, business and industrial units and surface car parking.
- 7.2.5 The existing warehouse and industrial buildings are generally uniform in design, constructed from profiled sheet metal cladding and windows which run horizontally within the elevations. The buildings also have roller shutters on the western elevation. The existing offices within the MBDA campus are generally modern in design and articulated in built form, constructed from either brick or steel cladding, with large areas of glazing and full height glazed entrance features.
- 7.2.6 The development site is located in close proximity to modern three-storey office buildings which form part of the MBDA site and approximately 41m from the cycle track which runs along the edge of Gunnels Wood Road. The original development proposal under planning permission 19/00253/FPM, in order to improve the visual appearance of the modular offices, incorporated the installation of brise soleil louvres (finished in grey, silver, green and yellow) screening system at first floor level. The screening system would wrap around the southern, eastern and western elevations along with new external cladding to the building. The proposal before the Council seeks to extend the brise soleil around the northern elevation of the building (which was not originally included in the 2019 permission). This is in order to further help enhance the buildings visual appearance as viewed from within the MBDA campus.
- 7.2.7 The utilisation of an extended brise soleil combined with the textured cladding to the building would significantly improve its visual appearance. This is because it would give the building a contemporary modern appearance and would help to break up visual mass. In addition, the use of the contrasting colours of the brise soleil louvres also helps to add variety and interest into the visual appearance of the building. In addition, the colours adopted for the Brise Soleil give the building a softer appearance.
- 7.2.8 Given the aforementioned assessment, it is considered that the proposed development would not have a detrimental impact on the character and appearance of the site or the visual amenities of the area. Therefore, it would be in accordance with Policies SP8, GD1 and EC5 of the adopted Local Plan (2019), the Council's Design Guide SPD (2009), the NPPF (2019) and PPG (2014).

7.3 Other matters

Community Infrastructure Levy

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

Human Rights and Equalities

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

- 7.3.3 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking.
- 7.3.4 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.
- 7.3.5 It is not considered that the proposal detailed in this application would have an impact on persons who fall under the specified protected characteristics of the Equality Act.

8 CONCLUSIONS

- 8.1 In summary, the principle of the proposed amendments sought under this Section 73 application are acceptable. This is because the proposed amendments to the approved scheme would not have a detrimental impact on the visual amenities of the wider street scene.
- 8.2 Given the above, the proposed development accords with the Policies contained within the adopted Local Plan (2019), the Council's Supplementary Planning Documents, the NPPF (2019) and PPG (2014).

9 RECOMMENDATIONS

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

S170283-001 A; S170283-010 A; S170283-011 A; S170283-012 A; S170283-031 A; S170283-032 A.

REASON:- For the avoidance of doubt and in the interests of proper planning.
 2. The materials to be used in the construction of the development hereby permitted shall be in accordance with the details as specified in the application submission unless otherwise agreed in writing by the Local Planning Authority.
REASON:- To ensure the temporary developments visual impact on the street scene of Gunnels Wood Road is minimalised.
 3. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, the approved remediation scheme must be carried out in accordance with its terms prior to the re-commencement of any development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

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

4. No demolition or construction works relating to this permission shall be carried out on any Sunday or Bank Holiday, nor before 07.30 hours or after 18.00 hours on any weekdays, nor on any Saturday before 09.00 hours or after 13.00 hours. The hours specified relate to works which are audible at the site boundary.

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

5. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy Statement, prepared by AVIE Consulting Ltd dated 20.04.18, Rev No. A, and the following mitigation measures:

1. Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + 30% for climate change event.
2. Implement drainage strategy based on restricted surface water discharge at 1.9l/s and an attenuation tank as indicated on the Proposed Drainage Layout, Drawing No. P2484-01-01, Rev C.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

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

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

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

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

7. The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken.

REASON:- In order to protect groundwater from potential contamination which may be present in the application site.

8. If contamination is found on or nearby the site, the disposal of surface water via infiltration is not recommended.

REASON:- In order to protect groundwater from potential contamination which may be present in the application site.

9. Any work involving excavations below the chalk groundwater table (for example piling or the implementation of a geothermal open/closed loop system) should be avoided. If these are necessary, a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the chalk aquifer.
REASON:- In order to protect groundwater from potential contamination which may be present in the application site.
10. Excavations are also likely to generate turbidity in the chalk aquifer, which could travel to the public water abstraction point and cause disruption to the service. Mitigation measures should be secured by way of condition to minimise the risk. The applicant would need to give Affinity Water 15 days prior notification in advance of any such work, in order to intensify Affinity Waters monitoring and plan potential interruption of the service.
REASON:- In order to protect groundwater from potential contamination which may be present in the application site.
11. Prior to the first occupation of the development hereby permitted, a scheme of soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all existing trees on the land and details showing all trees to be removed (if any) together with details of all new planting to take place including species, size and method of planting. All planting, seeding or turfing comprised in the approved details of landscaping scheme shall be carried out in the first planting and seeding seasons following the completion of the development.
REASON: - To ensure a satisfactory appearance for the development.
12. Any trees or plants 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.

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 Design Guide adopted October 2009.
- 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.