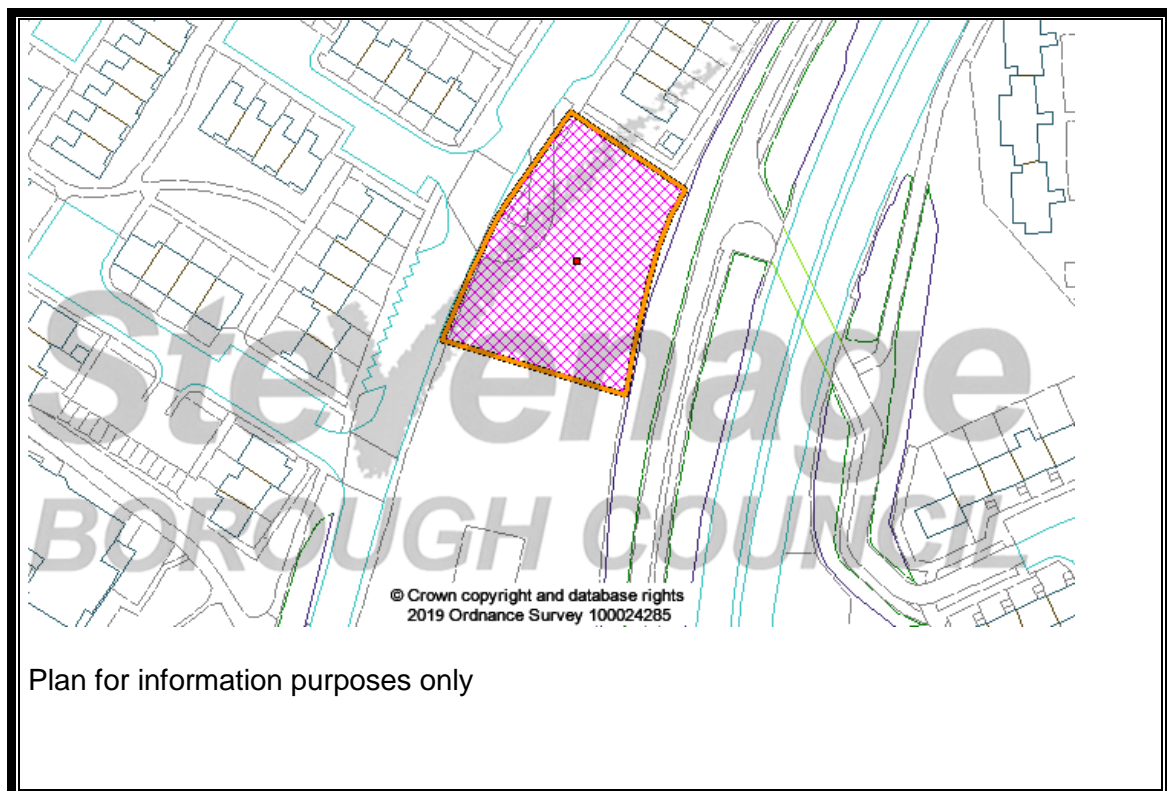


**Meeting:** Planning and Development Committee  
**Agenda Item:**  
**Date:** 10 February 2022  
**Author:** Rebecca Elliott 01438 242836  
**Lead Officer:** Zayd Al-Jawad 01438 242257  
**Contact Officer:** Rebecca Elliott 01438 242836

Application No:	21/01070/FPM
Location:	145 Scarborough Avenue, Stevenage
Proposal:	Variation of condition 1 (Approved Plans) attached to planning permission 19/00136/FPM to include Brise Soleil, alterations to and the positioning of windows/doors, and an increase in the height of the Mansard roof feature by 300mm.
Drawing Nos.:	13835-W-001-B; 13835-W-002-E; 13835-W-003-E; 13835-W-004-E; 13835-W-006-D; 13835-W-007-C; 7967-100-01; 7967-100-02; 7967-100-03; RT18013_100_PL6
Applicant:	Stevenage Borough Council
Date Valid:	29 September 2021
Recommendation:	GRANT PLANNING PERMISSION



## **1. SITE DESCRIPTION**

- 1.1 145 Scarborough Avenue is the site of the former 'Annexe' community centre on Scarborough Avenue, which has now been substantially built out under planning application reference 19/00136/FPM for the demolition of existing community centre and erection of 29no one, two and three bedroom flats over a semi-basement car park with associated landscape works. The site is located on the eastern side of Scarborough Avenue close to the local neighbourhood centre to the south east and Gunnels Wood Road which runs parallel to the east. To the south is a large green open space with children's play equipment. The north boundary abuts a footpath accessing the pedestrian and cycle routes along Gunnels Wood Road and towards Fairview Road. The eastern boundary abuts a large steep grass bank with multiple mature trees lining the boundary. The existing access is located centrally on the western boundary.
- 1.2 Scarborough Avenue is characterised by terraced dwellings within areas of open space, a large green area with play equipment to the south, and local neighbourhood services located to the south west within the Filey Close large neighbourhood centre, which has two storey flats above. The former community centre was single storey and occupied the eastern side of the plot.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 07/00417/FP – Planning permission for the erection of a new shed and associated hard stand. Permission granted on 12.10.2007.
- 2.2 17/00883/PADEMO – Prior approval for the demolition of existing community centre. Approval given on 15.01.2018.
- 2.3 19/00136/FPM - Demolition of existing community centre and erection of 29no one, two and three bedroom flats over a semi-basement car park with associated landscape works. Permission granted on 24.01.2020.
- 2.4 20/00550/COND - Discharge of conditions 4 (Bin Stores), 5 (Landscaping), 9 (Site Waste Management), 11 (Noise), 17 (Construction Management Plan) and 18 (Electric Vehicle Charging Points) attached to planning permission reference 19/00136/FPM. Pending consideration at time of drafting.

## **3. THE CURRENT APPLICATION**

- 3.1 The current application seeks to vary condition 1 (Approved plans) of planning permission 19/00136/FPM to include Brise Soleil on the south western elevation, alterations to and the positioning of windows/doors on the south western and north eastern elevations, and an increase in the height of the Mansard roof feature by 300mm to screen the solar PV panels.
- 3.2 The application comes before the Planning and Development Committee as Stevenage Borough Council is the applicant and the owner of the site. In addition, this application is also classed as a Major residential development and the proposed changes are considered material.

## 4. PUBLIC REPRESENTATIONS

- 4.1 The application has been publicised by neighbour letters, the posting of a site notice to the frontage of the site on North Road, and an advertisement has been placed in the local newspaper. No observations have been received.

## 5. CONSULTATIONS

### 5.1 Environmental Health

- 5.5.1 No change to our comments made in respect of the application 19/00136/FPM.

## 6. RELEVANT PLANNING POLICIES

### 6.1 Background to the Development Plan

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

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

### 6.2 Central Government Advice

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in July 2021. This largely reordered the policy substance of the earlier 2012 version of the NPPF albeit with some revisions to policy. The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up to date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up to date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up to date development plan, reflecting the requirements of section 38(6) of the 2004 Act.

- 6.2.2 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 73 of the NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development. The latest HDT results, published by the Ministry of Housing Communities and Local Government (MHCLG) (**now the Department for Levelling Up, Housing and Communities**) in January 2022, identifies that Stevenage delivered 79% of its housing requirement in 2021. This is above the 75% target, but still less than 85%. Consequently, Stevenage Borough Council must include the 20% buffer in its 5 year housing land supply calculations, which it already does.

- 6.2.3 The Council also has to prepare an Action Plan to show how it is responding to the challenge of ensuring more homes are delivered in the Borough. It will have to be prepared in accordance with Planning Practice Guidance and analyse the reasons for under-delivery of new homes against the Government's requirements. It also has to set out clear actions on how

to improve housing delivery. Consequently, Stevenage Borough Council is considering its position in relation to preparing an action plan to enhance housing supply on deliverable sites.

- 6.2.4 In terms of 5 year land supply, the Council recently published the Five Year Land Supply Update (August 2021) which reveals that Stevenage has a 5.85 year supply of housing. A copy of the statement is found on:  
<https://www.stevenage.gov.uk/documents/planning-policy/monitoring/five-year-housing-land-supply-position-statement-august-2021.pdf>
- 6.2.5 However, since the Land West of Lytton Way (APP/K1935/W/20/3255692) appeal decision has been quashed by a High Court Consent Order, the Council will need to prepare an updated 5 year land supply report. This is because the Council can now only demonstrate a 5.24 year supply of housing following the quashing of the appeal decision.
- 6.2.6 The Council will also be commencing preliminary work into a potential review of its Local Plan, last adopted in May 2019. This is to ensure the policies within the Local Plan are up to date in accordance with the NPPF as well as ensuring the Council is delivering a sufficient supply of housing and employment.

### **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**

SP1 Presumption in Favour of Sustainable Development  
SP2 Sustainable Development in Stevenage  
SP5 Infrastructure  
SP6 Sustainable Transport  
SP7 High Quality Homes  
SP8 Good Design  
SP11 Climate Change, Flooding and Pollution  
IT5 Parking and Access  
HO1 Housing Allocations  
HO5 Windfall Sites  
HO7 Affordable Housing Targets  
HO8 Affordable Housing Tenure, Mix and Density  
HO9 House Types and Sizes  
HO11 Accessible and Adaptable Housing  
GD1 High Quality Design  
FP1 Climate Change  
FP2 Flood Risk in Flood Zone 1  
NH5 Trees and Woodland  
NH7 Open Space Standards  
HC4 Existing Health, Social and Community Facilities

## **7 APPRAISAL**

- 7.1 As the proposals seek only to amend the approved plans for relatively small but nevertheless material changes, the main issues relating to land use acceptability, affordable housing provision and S106 contributions, design, scale and the impact of the building on the character and appearance of the area; landscaping and trees; access and parking; waste; noise; drainage and climate change have not changed since the approval in 2020 and as such will

not be expanded on in this report, with the original committee report attached as an addendum for reference.

7.2 The main issues for consideration in this case are the design and visual impact of the 300mm roof height increase on the Mansard element, visual and amenity impact on the revised window/door positions and designs, and the visual and practical impact of the Brise Soleil installed.

### **7.3 Raising of the Roof**

7.3.1 The larger southern element of the building is three storeys in height, with the second floor partially constructed within a Mansard roof form. The proposed amended plans seek to relocate solar PV panels approved on the Mansard elevation to the flat roof and to raise the top lip of the Mansard by 300mm to provide a safety edge protection to the solar PV panels to be installed on the flat roof.

7.3.2 The small increase of 300mm would bring the Mansard roof element flush in height with the flat roof brick element of the three storey building on the western side of this south block. The additional height is considered minimal and would not adversely impact the appearance of the building or its setting within the wider area.

### **7.4 Window / Door Opening Alterations**

#### **7.4.1 South Western Elevation**

7.4.1.1 The placement of three of the sets of window/door openings on the western side of the south western elevation are being changed to create a better internal living environment and layout for future occupiers. This alteration removes the previously approved stagger of the openings between each floor, resulting in a more straightforward finish to the exterior of the building.

7.4.1.2 The proposed changes on this elevation do not impact on amenity levels of any neighbouring properties as they overlook the open space. The proposals are therefore considered acceptable.

#### **7.4.2 North Western Elevation**

7.4.2.1 The placement of three sets of window/door openings on the southern side of the north western elevation are being moved, similar to the south western elevation above, to remove the approved stagger and form a linear appearance within the elevation. Also, the new positioning of the windows would make the internal living environment and layout of the rooms better for the future occupiers, creating increased wall space for furniture, and a better relationship with the room doorway.

7.4.2.2 The approved plans showed the plant room louvre on the ground floor of this elevation. This is to be removed and replaced with a set of matching window/doors, which would fit with the grain of fenestration on the elevation, and with the changes noted in 7.4.2.1 above would not detrimentally impact the visual appearance of the building or wider area.

#### **7.4.3 North Eastern Elevation**

7.4.3.1 The proposed changes to window/door openings on this elevation entail the removal of door openings and Juliet style railings and replacement with window and openings and panels to match those to the east. The changes relate to three windows running vertically, so one per floor. This change has been proposed to allow greater internal wall space for future occupiers allowing for better furniture placement within the flats affected. The changes are in-keeping with approved window openings on this elevation and would not detrimentally impact the building appearance or that of the wider area.

## **7.5 Brise Soleil**

- 7.5.1 The approved application was conditioned to require mitigation measures against noise and thermals within the proposed flats. Details pertaining to this still require formal discharge and will be imposed on the current application if approved. However, the proposed external alterations include the introduction of Brise Soleil shields/canopies on the south western elevation, above the approved (and proposed) openings. Brise Soleil are projecting structures, like a canopy, that sit above window or door openings on an elevation and provide a level of shadowing to be created within the room served by the respective opening. The proposed Brise Soleil would be wooden, with a slatted form, projecting approximately 1m off the elevation.
- 7.5.2 The introduction of this type of structure on the side elevation of the building, being highly visible from the open space and surrounding street scene, is considered to be acceptable and would not harm the appearance of the building or the character and amenity of the area. The design and materials are considered to compliment the approved building design and form.

## **7.6 Other matters**

- 7.6.1 The proposed plans do show two other areas of note that were included on the original approved application but were not correctly shown on the plans submitted and later approved. This has been picked up and included on this application to ensure the plans all tally up correctly. The two areas include the external staircase to the rear and south eastern elevation of the northern wing of the building, leading from the ground floor in to the external amenity space associated with the development to the north of the site. The second area is the projecting gable on the 'front' north western elevation which was not shown on the side elevation and has been added for the avoidance of doubt. This does not introduce a new gable projection, which was clearly shown on the forward facing elevation view, it simply clarifies the building appearance from the side view, for the avoidance of doubt.

## **8 CONCLUSIONS**

- 8.1 It is considered that the proposed minor changes, albeit material, do not adversely impact on the visual appearance of the building or the wider area. The changes have no impact on the amenities of neighbouring properties as no new openings are being formed. The internal living conditions for future occupiers are also being improved. The Brise Soleil would help mitigate the thermals of the south facing units, and their design and projection off the building would not be of detriment to the scheme. The imposition of the same conditions as ref 19/00136/FPM is proposed, unless the wording can be altered to take account of details already discharged as part of this approval.

## **9 RECOMMENDATION**

- 9.1 That planning permission be GRANTED subject to the following conditions and the transfer of the signed S106 legal agreement which has secured and/or provides:-
- Primary and Secondary Education;
  - Sustainable transport improvement;
  - The improvement of Children's play space and outdoor sports provision
  - Affordable Housing

With delegated powers given to the Assistant Director of Planning and Regulation to agree any changes to the proposed imposed conditions.

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 13835-W-001-B; 13835-W-002-E; 13835-W-003-E; 13835-W-004-E; 13835-W-006-D; 13835-W-007-C; 7967-100-01; 7967-100-02; 7967-100-03; RT18013\_100\_PL6  
**REASON:-** For the avoidance of doubt and in the interests of proper planning
2. The development hereby permitted shall be constructed in accordance with the materials and finishes as set out for the approved building in the application.  
**REASON:-** To ensure the development has an acceptable appearance and is of a high standard finish.
3. No development shall take place until details of the approved bin store have been submitted to and approved in writing by the Local Planning Authority.  
**REASON:-** To ensure a satisfactory standard of development in the interests of amenity and that it has an acceptable appearance.
4. No development shall take place above slab level 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, and boundary treatments.  
**REASON:-** To ensure a satisfactory appearance for the development.
5. 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.
6. 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.
7. 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.
8. The development hereby approved shall be carried out and completed in accordance with the Site Waste Management Plan (SWMP) agreed under planning application reference 20/00550/COND.  
**REASON:-** In order to reduce the level of waste generated during the demolition and construction phases of development and to recycle all waste materials where possible.
9. 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 0830 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority. These times apply to work which is audible at the site boundary.  
**REASON:-** To safeguard the amenities of the occupiers of neighbouring properties.
10. No development shall take place until a scheme for protecting the proposed dwellings from noise from road traffic has been submitted to and approved in writing by the local planning authority. None of the dwellings shall be occupied until such a scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

- REASON:** To protect the amenity and ensure a suitable internal and external acoustic environment for future occupiers of the development.
11. Before the accesses are first brought into use vehicle to vehicle visibility splays of 2.4 metres by 43 metres in a both directions shall be provided and permanently maintained, within which there shall be no obstruction to visibility between 600 mm and 2.0 metres above the footway level. These measurements shall be taken from the intersection of the centre line of the permitted access with the edge of the carriageway of the highway respectively into the application site and from the intersection point along the edge of the carriageway.  
**REASON:-** To ensure construction of a satisfactory development and in the interests of highway safety.
12. Prior to the first use of the development hereby permitted 0.65 metre x 0.65 metre pedestrian visibility splays shall be provided and permanently maintained each side of the access. They shall be measured from the point where the edges of the access way cross the highway boundary, 0.65 metres into the site and 0.65 metres along the highway boundary therefore forming a triangular visibility splay. Within which, there shall be no obstruction to visibility between 0.6 metres and 2.0 metres above the carriageway.  
**REASON:-** To ensure construction of a satisfactory development and in the interests of highway pedestrian safety
13. The gradient of the main access shall not be steeper than 1 in 10 from the back edge of the footway.  
**REASON:-** To ensure a vehicle is approximately level before being driven off and on to the highway.
14. Prior to the first occupation of the development hereby permitted the car parking spaces as detailed on drawing number 13835-W-001-B shall be surfaced and marked out in accordance with the approved plan and shall be made of porous material, or provision shall be made to direct surface water run-off from the hardstanding to a permeable or porous area or surface within the curtilage of the site. They shall be retained in that form and kept available for the sole use of parking for the development hereby permitted.  
**REASON:-** To ensure that adequate parking and servicing facilities are available within the site, that there is no detriment to the safety of adjoining highways, in the interest of visual amenity and to ensure the development is sustainable.
15. The development hereby approved shall be carried out and completed in accordance with the Construction Management Plan as approved under planning application reference 20/00550/COND.  
**REASON:-** In order to protect highway safety and the amenity of other users of the public highway and rights of way.
16. The development hereby approved shall be carried out and completed in accordance with the Electric Vehicle Charging Points details as approved under planning application reference 20/00550/COND, and shall thereafter be permanently retained.  
**REASON:-** In order to provide facilities to charge electric vehicles and to help reduce the impact of vehicle emissions on the local environment.
17. Prior to occupation details of measures to address adaptation to climate change and energy efficiency shall be submitted to and approved in writing by the Local Planning Authority. These measures shall then be implemented and permanently maintained in accordance with the approved details.  
**REASON:-** To ensure the development is adaptable to climate change through provision of energy and water efficiency measures.



## **Informatives**

Works to be undertaken on the adjoining highway shall be constructed to the satisfaction of the Highway Authority and in accordance with Hertfordshire County Council publication Roads in Hertfordshire Highway Design Guide. Before proceeding with the proposed development, the applicant shall use the HCC website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or call on 0300 1234 047 to obtain the requirements for a section 278 agreement for the associated road works as part of the development. This should be carried out prior to any development work is carried out.

**REASON:-** To ensure that work undertaken on the highway is constructed to the current Highway Authority's specification, to an appropriate standard and by a contractor who is authorised to work in the Public Highway.

Prior to commencement of the development the applicant is advised to contact the 0300 1234 047 to arrange a site visit to agree a condition survey of the approach of the highway leading to the development likely to be used for delivery vehicles to the development. Under the provisions of Section 59 of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of traffic associated with the development. Herts County Council may require an Officer presence during movements of larger loads, or videoing of the movements may be considered.

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

## **Pro-active Statement**

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

## **10. BACKGROUND DOCUMENTS**

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Emerging Stevenage Local Plan 2011-2031.
4. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted September 2020.
5. Hertfordshire County Council Local Transport Plan LTP4 2018-2031
6. Central Government advice contained in the National Planning Policy Framework February 2021 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.