

Meeting: Planning and Development Committee

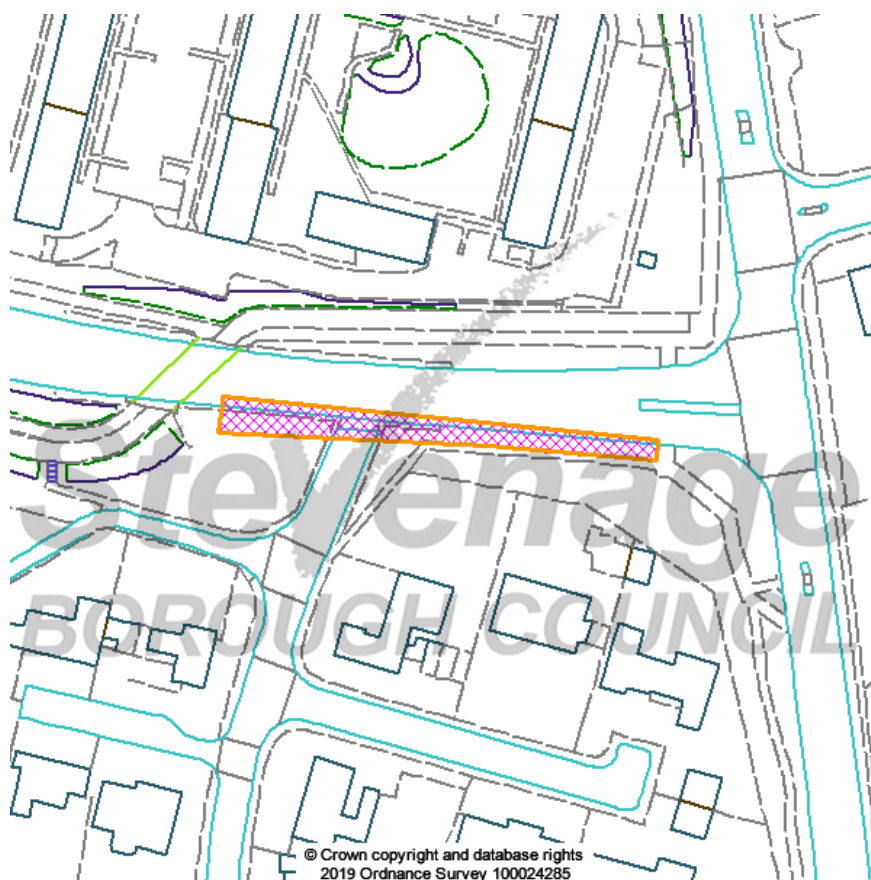
Date: 25 May 2023

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Application No:	23/00006/FP
Location:	Eastern end of Coreys Mill Lane, Stevenage
Proposal:	Conversion of 7 no. parking layby bays into 15 no. end on parking bays with additional footpaths and associated works.
Drawing Nos.:	R/163/1; R/163/2.
Applicant:	Stevenage Borough Council
Date Valid:	4 th January 2023
Recommendation:	GRANT PLANNING PERMISSION



Plan for information purposes only

1. SITE DESCRIPTION

- 1.1 The application site is located on the eastern side of Coreys Mill Lane in close proximity with the junction with North Road. The site comprises 7 no. pay and display layby parking bays, highway verge and public footpath. Bordering the site's boundary is an area of mature trees and vegetation which forms a buffer between Coreys Mill Lane and Whitney Drive. The surrounding area comprises Lister Hospital along with a mixture of residential properties which are of varying architectural styles.

2. RELEVANT PLANNING HISTORY

- 2.1 21/01239/FP - Conversion of 12 no. existing parking layby bays into 24 no. end on parking bays with additional footpaths and associated works – Application not proceeded with.

3. THE CURRENT APPLICATION

- 3.1 This current application seeks planning permission for the conversion of 7 no. pay and display layby bays into 15 no. end on parking bays. The proposal also comprises the provision of a new 2m wide footpath which would be positioned at the backend of the parking bays.
- 3.2 The parking bays are being provided in order to compensate for the bays which need to be removed on North Road. This is because the area these current bays are positioned will need to be utilised as part of Hertfordshire County Council Active Travel Funding (ATF) programme. This will potentially include a new separated two-way cycle route combined with the proposed re-configuration of the Coreys Mill Lane and North Road junction. This will also potentially include the provision of two new parallel crossings for pedestrians and cyclists.

4. PUBLIC REPRESENTATIONS

- 4.1 The proposal has been publicised by way of letters to nearby properties and a site notice was displayed on a nearby lamp post. At the time of drafting this report, no comments or representations have been received.

5. CONSULTATIONS

5.1 Hertfordshire County Council Highways

- 5.1.1 The principle of the proposal is acceptable and no recommended condition. If approved, when the applicant comes to implement the scheme under the Agency Agreement, they should submit the plans and some explanatory notes to Hertfordshire County Councils' Safety team.

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. 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 May 2019)

GD1 High Quality Design.
NH6 General Protection for Open Space.
SP8 Good Design.
IT5 Parking and Access.
IT8 Public Parking Provision.

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document October 2020
Stevenage Design Guide 2023.

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 The main issues for consideration in the determination of this application are the impact of the loss of this piece of amenity land on the character and appearance of the area, the impact on neighbour amenity and the acceptability of the new parking in highway safety terms.

- 7.1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 Impact upon the Character and Appearance of the Area

- 7.2.1 The application site forms land in the ownership of the Hertfordshire County Council (HCC) and constitutes a small area of landscaped open space i.e. the highway verge as defined by policy NH6 of the Stevenage Borough Local Plan (2019). Policy NH6 for general protection of open space states that the loss of unallocated open space should have regard to the quality

and accessibility of the open space, whether the open space is serving its function and purpose, and whether alternate space(s) would remain available for community use.

- 7.2.2 Policy SP8 of the Local Plan requires new development to achieve the highest standards of design and sustainability. Policy GD1 generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.
- 7.2.3 It is considered that the proposed development, whilst it reduces the overall size of the highway verge within Coreys Mills Lane, it only relates to a small parcel of land whereby the larger area of open space just to the south of the application site would not be affected by the proposed works. In addition to this, due to the limited size of the parcel of land affected by the proposal combined with the fact it is bordered on three sides by hardsurfacing, it would not be considered suitable as recreational open space.
- 7.2.4 In view of the points raised, it is not considered that the loss of this small area of open land / highway verge would harm the character and appearance of the area but would, in fact, be facilitating the provision of replacement pay and display parking which are to be removed along North Road. This is in order to allow HCC to deliver its Active Travel programme along this stretch of North Road as set out in paragraph 3.2 of this report. Furthermore, as the land is currently not used for any particular purpose, it is considered that the proposal would not harm the form or function of the open space, nor that it needs to be re-provided.

7.3 Impact on Amenity

- 7.3.1 The properties most affected by the proposed parking area would be Nos. 86 to 90 Whitney Drive as well as no. 109 Whitney Drive, which lie to the south of the application site. However, it is not considered that the conversion of the parking area to cater for 8 additional spaces would significantly worsen the noise and disturbance generated to an unacceptable level. This is because firstly, the parking area lies adjacent to the existing surface road of Coreys Mill Lane which already generates an element of noise. Secondly, the residential properties most affected by the proposal are positioned between 9m and 20m from the parking area, which is a reasonable separation distance. Consequently, it is not considered the development would generate a level of noise harmful to the amenities of residential properties over and above existing background noise levels.

7.4 Highway Safety implications

- 7.4.1 With regard to access and highway safety, the proposal involves only modest works to HCC owned land. All of the parking bays have been designed to meet the standards which are set out in the Department for Transport (DfT) Manual for Streets and HCC Highways Design Guidance. Therefore, they would be of a sufficient size to accommodate a standard car. In addition, the parking bays have been designed to ensure there is the necessary vehicle-to-vehicle visibility splays to ensure vehicles can safely manoeuvre into and out of the spaces without prejudicing highway safety.
- 7.4.2 Following consultation with the County Council as Highway Authority, they have raised no objection to the proposal in terms of highway safety. This is because the parking bays meet all the necessary highways standards given there would be a 6m turning area in the carriageway. In addition, the parking area would be located on a local access road with the capacity to accommodate the parking area as well. In terms of traffic generation, HCC has not raised any concerns as the development proposed would not result in a significant increase in vehicle movements along Coreys Mill Lane to significantly impact upon the local highway network. This is especially given the fact the proposal is merely replacing the pay and display bays which are to be lost on North Road.

- 7.4.3 In terms of the proposed footpath arrangement which forms part of the development scheme, this has been designed in consultation with HCC. This is to ensure that the proposal appropriately connects with the Active Travel works which are due to take place along North Road and at the junction of Corey's Mills Lane. For reference, these Active Travel works which are to be undertaken by Hertfordshire County Council comprise new pedestrian and cycle routes along North Road and at the junction of Corey's Mill Lane in order to encourage a modal shift away from the private car. The footpath has also been designed so people can safely move along the back edge of the parking bays as well as providing pedestrian access into Whitney Drive.
- 7.4.4 Given the aforementioned assessment, the County Council concludes that the development would not prejudice the safety and operation of the highway network subject to a condition on the car parking area access points. Whilst they have not suggested any conditions, it is recommended a condition on the materials to be used in the construction of the parking area is secured as part of any permission. This is to prevent any loose material being deposited on to the highway which could pose a threat to highway safety. The new spaces would be provided and maintained by the Council's Engineering Services Section.

7.5 Equality, Diversity and Human Rights

- 7.5.1 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.
- 7.5.2 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.
- 7.5.3 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 7.5.4 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.
- 7.5.5 It is considered that the decision has had regard to this duty. The development would not conflict with either Stevenage Borough Council's Equality Policy or the commitments set out in our Equality Objectives, and would support the Council in meeting its statutory equality responsibilities. This is because the proposal does not comprise the alteration or removal of parking bays which are utilised by persons who are disabled. In addition, the footpath has been designed to meet current standards to ensure people who are using for example a wheelchair can safely travel along this stretch of Coreys Mill Lane without hinderance.

8 CONCLUSIONS

- 8.1 The proposed creation of the additional parking facilities on Coreys Mill Lane to compensate for those being lost on North Road is not considered to harm the form and function of the structural open space or be detrimental to the character and appearance of the area. Furthermore, the works would not harm the amenities of the occupiers of adjoining premises

or cause any detriment to highway safety. It is, therefore, recommended that planning permission be granted.

9 RECOMMENDATIONS

9.1 That planning permission be GRANTED subject to the conditions below with authority given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee, to amend or add to the suggested draft conditions set out in this report, prior to the decision notice being issued, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning Committee has resolved to approve. The suggested conditions are as follows:-

1. The development hereby permitted shall be carried out in accordance with the following approved plans: R/163/1; R/163/2.
REASON:- For the avoidance of doubt and in the interest 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. 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 0800 and 1330 on Saturdays. These hours relate to noise which is audible at the site boundary.
REASON:- To safeguard the amenities of the occupiers of neighbouring properties.
4. The development hereby permitted shall not be brought into use until the proposed parking spaces and public footway have been constructed as identified on drawing R/163/1; R/163/2 and the carriageway has been reinstated to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.
REASON:- To ensure suitable, safe and satisfactory planning and development of the site.
5. The new parking area shall be constructed in a hard surfacing material as identified on drawing number R/163/1; R/163/2 in accordance with Policy 5 of Hertfordshire's Local Transport Plan 4 (adopted 2018).
REASON:- To prevent loose material from passing onto the public highway which may be detrimental to highway safety.

INFORMATIVE

Public Information on Planning Applications

Warning: all information provided on your planning application is now publicly available. Individuals and organisations offering their services may contact you. The Council does not endorse or approve any builders, surveyors, trades persons or other supplier, and advises householders to obtain quotes/references, and check the legitimacy of any contractor who contacts them before making payment.

Building Regulations

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at building.control@hertfordshirebc.co.uk or phoning us on 01438 879990.

To make a building regulations application please apply through our website portal at <https://www.hertfordshirebc.co.uk/contact-us/> payment can be made online or by phoning the above

number after the application has been uploaded. Please phone Hertfordshire Building Control for fees guidance on 01438 879990.

Hertfordshire Building Control can also be contacted by post at Hertfordshire Building Control Ltd, 4th Floor, Campus West, Welwyn Garden City, Hertfordshire, AL8 6BX.

Once a building regulations application has been deposited with relevant drawings and fee building work may commence. You will be advised in their acknowledgement letter of the work stages we need to inspect but in most instances these are usually:

- Excavation for foundations
- Damp proof course
- Concrete oversite
- Insulation
- Drains (when laid or tested)
- Floor and Roof construction
- Work relating to fire safety
- Work affecting access and facilities for disabled people
- Completion

Please phone Hertfordshire Building Control on 01438 879990 before 10.00am to ensure a same day inspection (Mon - Fri).

Hertfordshire County Council as Highways Authority

Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary under the Agency Agreement to submit plans to Hertfordshire County Council's Highway Safety Team. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website:-

<https://www.hertfordshire.gov.uk/services/transtreets/highways/>

or by telephoning 0300 1234047.

Pro-active Statement

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, Stevenage Design Guide adopted January 2023.
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 July 2021 and Planning Policy Guidance.