

The Meeting: Planning and Development Agenda Item:
Committee

Date: 05 June 2025

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Application Nos: 25/00277/FP

Location: Bus Interchange, Danesgate, Stevenage.

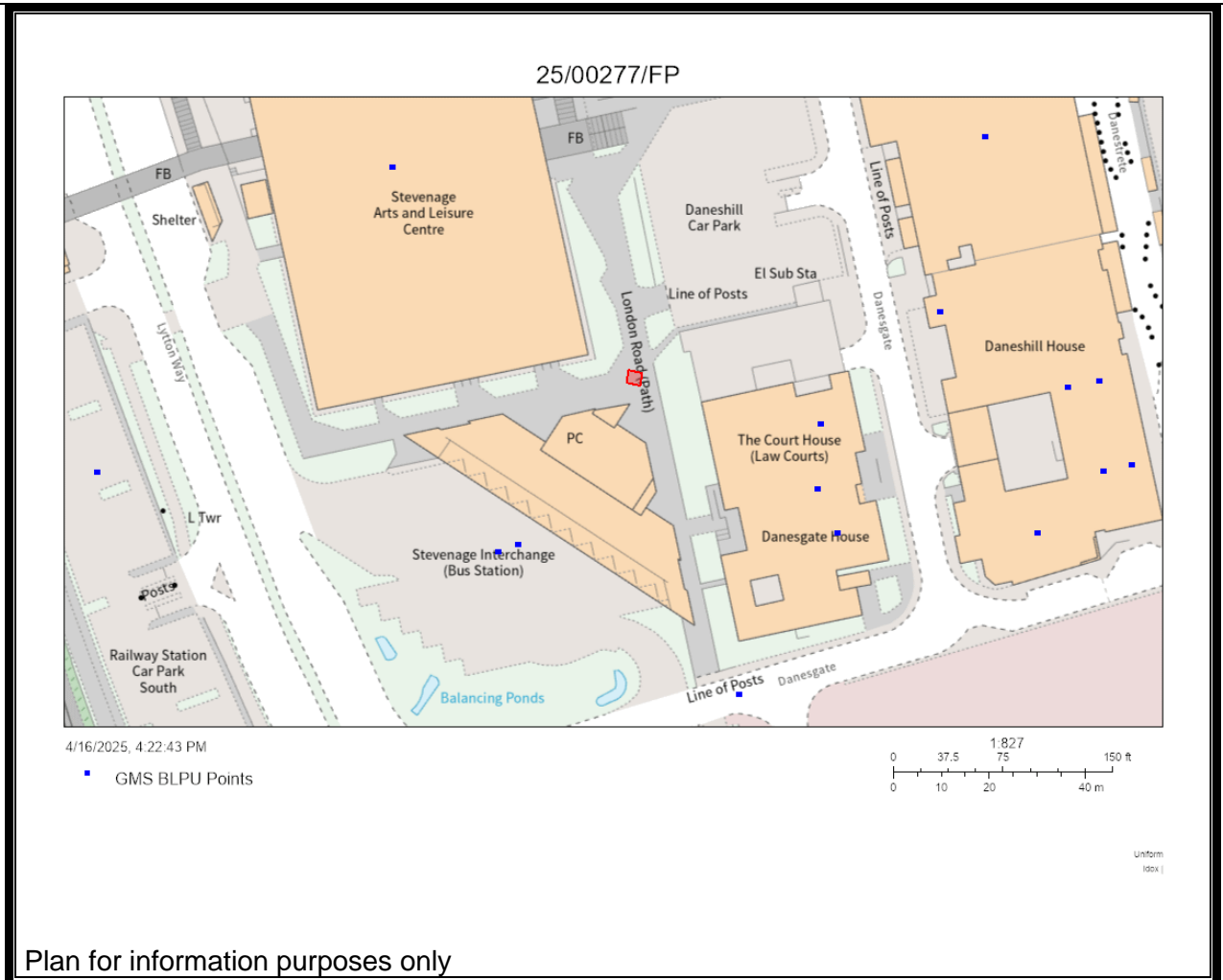
Proposal: Installation of Public Art outside main entrance to Bus Interchange.

Drawing Nos. Site Location Plan; HDM-311224_01 P5; STV-CON-Z0-ZZ-DR-985001 C7; STV-CON-Z1-ZZ-DR-D-985100 C4 .

Applicant: Junction 7 Creatives

Date Valid: 9th April 2025

Recommendation: GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site is located at the western edge of Stevenage Town Centre opposite the main entrance to the Bus Interchange (see Figure 1). The site itself comprises part of the pedestrianised highway (also referred to as the old London Road). To the north of site lies the existing Arts and Leisure Building and to the west lies the A602 Lytton Way which is a dual carriageway. Along the southern boundary is Danesgate which is a spur road off Lytton Way and to the east is the Magistrates Court and Registry Office.



Figure 1: Proposed location of the sculpture.

- 1.2 In terms of the surrounding area, beyond Lytton Way is Stevenage Train Station and associated parking. To the south-west lies Stevenage Police Station and to the south and south-east is additional surface parking and the Matalan Store. To the east beyond the Magistrates Court and Registry Building are the main Stevenage Borough Council Offices, the existing bus station as well as the main town centre. To the north beyond the Arts and Leisure building lies Tesco superstore and Skyline development.
- 1.3 The site is designated within the Local Plan (2019) as falling in the town centre. It is not located within nor adjacent to a Conservation Area. The site does not have any statutory designations relating to heritage. The Environment Agency's Flood Map indicates the site falls within Flood Zone 1 (low probability of fluvial flooding). There are no trees subject to Tree Preservation Orders on, or within close proximity.

2. RELEVANT PLANNING HISTORY

- 2.1 There have been numerous permissions granted in the past for advertisements, extensions and refurbishment works to the Arts and Leisure building. These are not particularly relevant to this planning application.
- 2.2 Planning application 07/00810/OP sought outline permission for a comprehensive redevelopment for a mix of uses to include a full range of retail uses (Class A1, A2, A3, A3 and A5), housing (Class C3), hotel (Class C1), leisure (Class D2), offices (Class B1), voluntary services (Class D1), magistrates court, replacement bus station, together with ancillary and associated developments, pedestrian and cycle circulation and open space, car parking, vehicular access, servicing facilities, highway works, plant and machinery, landscaping and enabling works. Demolition of existing buildings and structures, the closure and alteration of highways and cycleways and the internal

and external alteration of buildings being retained, engineering works and construction of new buildings and structures. This application has not been proceeded with.

- 2.3 Planning application 20/00135/FPM sought permission for the construction of a new bus interchange including covered bus waiting area, ancillary accommodation building which consists of a café retail unit, shop mobility store, waiting area and toilet facilities, Lytton Way bus shelters and coach stands, associated vehicle hardstanding, public realm improvements, associated highway works and external stores on London Road. This application was granted planning permission in June 2020.
- 2.4 Discharge of condition application 20/00425/COND sought to discharge conditions 10 (Piling) and 20 (Archaeology) and Partial discharge of condition 13 (Drainage) attached to planning permission reference 20/00135/FPM. The condition application was approved in November 2020.
- 2.5 Variation of condition application 20/00486/FPM sought to vary conditions 28 (Highway Boundaries) and 29 (Stopping Up Order) attached to planning permission reference 20/00135/FPM. This application was granted planning permission in December 2020.
- 2.6 Discharge of condition application 20/00543/COND sought to discharge condition 8 (construction traffic plan) attached to planning permission reference number 20/00135/FPM. The condition application was approved in October 2020.
- 2.7 Discharge of condition application 20/00603/COND sought to discharge condition 33 (Site Waste Management Plan) attached to planning permission 20/00135/FPM. The condition application was approved in November 2020.
- 2.8 Non-material amendment application 21/00058/NMA sought to amend planning permission reference number 20/00135/FPM to alter shelter design of coach stand in Lytton Way, landscaping details, roof lighting over concourse area, ancillary Building external appearance, location of PVs, location of opening vents, bus boarding screen height, amendment to bus boarding point doors, and levels and Ancillary building internal parapet wall material. This application was granted in March 2021.
- 2.9 Non-material amendment application 21/00950/NMA sought to amend planning permission reference number 20/00135/FPM and 20/00486/FPM to create additional planting adjacent to the bus stand to Lytton Way along with relocation of the trees to the East side of the exiting Leisure Centre and squaring off of the bus exit to the South. This application was granted in October 2021.

3. THE CURRENT APPLICATION

- 3.1 The proposed development seeks permission to erect a public art sculpture located close to the main entrance of the Bus Interchange. The sculpture would feature three stacked stones which would be decorated in mosaics showing the history of Stevenage and the memories of current residents.
- 3.2 The sculpture would cover an area of 1.5m² with dimensions measuring 2.5m in height with a concrete plinth measuring 0.8m by 1m. The foundations would measure 1m by 1.2m with an overall depth of 0.5m. The proposal is part of a wider arts and heritage programme which is being promoted by Stevenage Borough Council.
- 3.3 This application comes before the Planning and Development Committee as the landowner is Stevenage Borough Council ('the Council') and the applicant has been procured on-behalf of the Council.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via letter and the erection of a site notice, comments have been received from the Bus Users Group. They have confirmed support for the application as they have been involved with the community consultation on the project and look forward to the unveiling of the sculpture.
- 4.2 Three objections, including an objection from Cycle UK Stevenage, have also been received which can be summarised as follows:
- The siting and position of the sculpture will have a negative impact on the safety and convenience of pedestrians and cyclists, especially as this is a busy area where multiple modes of transport intersect.
 - There is no assessment as part of the application submission which considers the impact of placing the sculpture in the current location in terms of safety of the public.
 - The applicant should consider alternative locations for the sculpture in a more visible, less obstructive location ensuring the safety and convenience of all users.
- 4.3 Verbatim copies of comments and representations received can be viewed on the Council's website.

5. CONSULTATIONS

5.1 Council's Engineering Services Section.

- 5.1.1 The Council's Engineering Service Section has undertaken assessment of the application with due consideration given to Local Transport Note 1/20 (LTN1/20). It has been identified that between the sculpture and the back edge of the footpath / highway verge which borders the Magistrates court the width of the shared surface area would be 4.6m (exceeding the 4m minimum width requirement). In terms of the width between the sculpture and the landscaped area to the north / adjacent to the Gordon Craig / Leisure Centre, the width would be 6.2m (See figure 1).

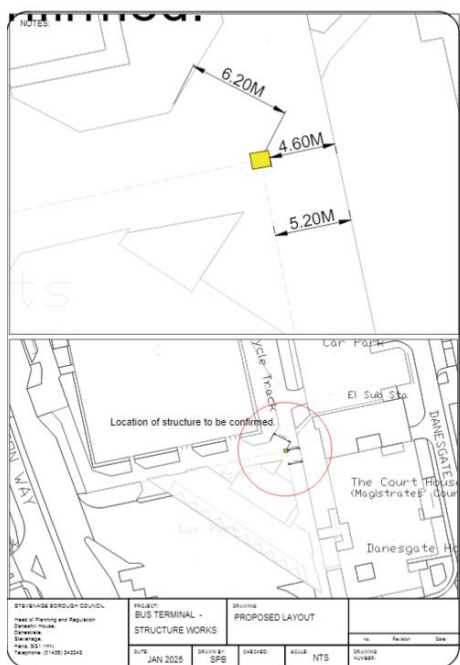


Figure 1: Extract of Proposed Layout Plan by SBC Engineers.

- 5.1.2 The proposed siting and position of the sculpture has therefore, been determined to be compliant with LTN 1/20.

5.2 Council's SDS Section.

- 5.2.1 No comments received.

5.3 Police Crime and Prevention Design Advisor.

- 5.3.1 No comments received.

5.4 Hertfordshire County Council as Highways Authority.

- 5.4.1 The planning proposal seeks highway views for the installation of public artwork near the main entrance to the bus interchange. The submitted location plan for the proposed artwork shows that the artwork will be put within the Bus Interchange, which is not public highway land and cannot be maintained by the roads. Therefore, the Highway Authority does not intend to comment on the development.

6. RELEVANT PLANNING POLICIES

6.1 National Planning Policy Framework

- 6.1.1 The latest revision of the NPPF was published in December 2024. The policies it contains are material considerations which will be taken into account in dealing with applications. Due weight will be given to development plan policies according to their degree of consistency with the NPPF.

6.2 Planning Practice Guidance

- 6.2.1 The Planning Practice Guidance ("PPG") is an online resource containing guidance supplementing the NPPF. The PPG is a material consideration which should be taken into account in determining planning applications.

6.3 National Design Guide

- 6.3.1 The National Design Guide 2019 is Government guidance on the characteristics of well-designed places and demonstrates what good design means in practice. It has the same status as the PPG and should similarly be taken into account when determining planning applications.

6.4 Background to the development plan

- 6.4.1 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 (Adopted 2019)
- 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).

- 6.4.2 The Stevenage Borough Local Plan 2011-2031 was adopted in 2019. The council concluded a full review of the plan in 2024, as required by regulation 10A of the Town

and Country Planning (Local Planning) (England) Regulations 2012 (as amended). In response to the review, the council is carrying out a partial update of the Local Plan. Weight will be given to emerging policies according to:

- a) The stage of preparation of the emerging plan;
- b) The extent to which there are unresolved objections to the policies; and
- c) The degree of consistency between the policies and the most recent revision of the NPPF.

- 6.4.3 Where there are emerging policies which are relevant to the application, these will be highlighted in the main body of this report. The policies set out below are most relevant in the determination of this application:

Policy SP1: Presumption in favour of sustainable development.

Policy SP2: Sustainable Development in Stevenage.

Policy SP8: Good Design.

Policy TC1: Town Centre.

Policy TC4: Station Gateway Major Opportunity Area.

Policy TC5: Central Core Major Opportunity Area.

Policy GD1: High Quality Design.

Policy IT4: Transport assessments and travel plans.

6.5 Supplementary Planning Documents

- 6.5.1 The following supplementary planning documents are relevant to determining the application:

Stevenage Design Guide Supplementary Planning Document February 2025.

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.

APPRAISAL

- 7.1 The main issues for consideration in the determination of the application are its acceptability in land use policy terms, impact on visual amenity, impact on residential amenity, highway safety and biodiversity net gain.

7.2 Policy Considerations

- 7.2.1 Policy SP2 of the Local Plan provides that planning permission will be granted where proposals demonstrate, how amongst other matters they will:

- Regenerate areas of the town that are under performing;
- Make good use of land and maximise opportunities for brownfield redevelopment in the town;
- Improve quality of life and make sure that residents share in the benefits of regeneration;
- Promote journeys by bus;
- Make high quality buildings and spaces that respect and improve their surroundings; and
- Support facilities that encourage people to live, work and spend leisure time in Stevenage.

- 7.2.2 Looking at the site itself in terms of its allocation in the Local Plan, this is located in Stevenage Town Centre as identified under Policy TC1 in the Stevenage Borough Local Plan 2011-2031 (adopted 2019) and Local Plan Partial Review (2024). More specifically, the site is designated as falling within the Station Gateway Major Opportunity Area (MOA) under Policy TC4 and Central Core MOA under Policy TC5. Dealing firstly with Policy TC4, this policy focuses on the wider regeneration of the station gateway area including the creation of a high-quality gateway and arrival experience.
- 7.2.3 In relation to Policy TC5, part (i) of this policy states that applications should address the principle of a replacement bus station closer to the train station (this aspect of the policy has been delivered). Employment Policy EC1/5 of the adopted Local Plan (2019) identifies Stevenage Central, in which this application site forms part of, as an area to provide 35,000m² of B1(a) Office floorspace (now Class E(g)(i) as defined under the Local Partial Review 2024).
- 7.2.4 The proposed development could be classed as a visitor attraction whereby it seeks to represent the history and culture of the town and its people. It also contributes to the wider public realm works which have been delivered as part of the Bus Interchange development. In addition, it also complements the Council's aspirations of regenerating the station gateway and delivering an enhanced arrival experience as you enter into the town centre.
- 7.2.5 Given the above, the principle of the sculpture sited in this location is considered acceptable given its intrinsic value as part of the regeneration of Stevenage Town Centre. It would accord with the core planning principles outlined in the NPPF (2024) as well as the policies contained in the Local Plan (2019) and Local Plan Partial Review (2024).

7.3 Impact on Visual Amenity

- 7.3.1 In terms of design, Policy SP8 of the Local Plan requires new development to achieve the highest standards of design and sustainability. Policy GD1: High quality design 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.
- 7.3.2 The Council's Design Guide SPD (2025) sets out good design is inclusive and accessible for everyone, has a positive impact on the environment, integrated into its immediate and wider surroundings with respect to public spaces, the quality of these spaces between buildings is as important as the buildings themselves. They are streets, squares and other spaces that are open to all.
- 7.3.3 Paragraph 131 of the National Planning Policy Framework (NPPF) 2024 requires the creation of high quality and sustainable buildings and places as they are deemed fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live, work and helps make development acceptable to communities.
- 7.3.4 The National Design Guide (2019) which was published by National Government is a material consideration in the determination of planning applications. It sets out that Buildings are an important component of places and proposals for built development are a focus of the development management system.

7.3.5 The proposed design of the sculpture is deemed to be of high quality and would complement the contemporary modern architecture of the bus interchange and that of the wider public open space. In addition, its limited size and scale in combination with its overall siting and position would also limit its visual impact as viewed from the wider street scene. Further to this, the sculpture would also widen the public's interaction with and understanding of the town's heritage along with creating a key gateway feature into the town centre.

7.3.18 Given the aforementioned assessment, it is considered that the proposal would complement the bus interchange and wider public open space along with the wider regeneration aspirations of Stevenage Town Centre. With that in mind, the scheme is regarded as being in accordance with Policies SP8 and GD1 of the Local Plan (2019) and Local Plan Partial Review (2024) as well as the Council's Design Guide SPD (2025) and Section 12 of the NPPF (2024).

7.4 Impact on Residential Amenity

7.4.1 Paragraph 96 of the NPPF (2024) requires planning decisions to achieve healthy, inclusive and safe places. Policy GD1 of the Local Plan and Local Plan Partial Review requires proposals not to adversely affect the amenity of neighbouring uses or the surrounding area. This requirement is also reflected in the Council's Design Guide SPD (2025).

7.4.2 Whilst there are residential properties which lie near the application site, it is not considered the proposal would result in any significant adverse impacts on residential amenity in accordance with the NPPF (2024), Policy GD1 of the Local Plan (2019) and Local Plan Partial Review (2024) as well as the Council's Design Guide SPD (2025).

7.5 Highway Safety

7.5.1 Policy IT5 of the Local Plan Partial Review (2024) stipulates that planning permission will be granted where:

a. Development would not have an unacceptable impact upon highway safety....

7.5.2 The proposed sculpture would be located within the existing public realm area surrounding the bus interchange. It has been positioned so persons using wheelchairs and pushchairs for example would remain unhindered when entering and exiting the bus interchange. In addition, they would also be able to freely pass and re-pass through the wider public open space.

7.5.3 With regards to the operation of the wider highway network, the sculpture can only be accessed by foot and is positioned away from the trafficked highway of Lytton Way and Danesgate. Moreover, the sculpture would also be well screened from view by the existing bus interchange building. Given this, the sculpture would not act as a form of distraction to users of the trafficked highway and thus, would not prejudice the safe operation of the highway network. Hertfordshire County Council as Highway Authority has raised no objections.

7.6 Biodiversity Net Gain

7.6.1 The Environment Act received royal ascent in 2021. Within the legislation is the requirement for proposals to bring about a positive net gain in biodiversity. The regulations make a 10% net gain a statutory requirement (with a standard condition). The requirement and the ways in which this gain is measured apply to planning applications for minor development submitted after the regulations came into force on 12 February 2024.

- 7.6.2 The NPPF and accompanying PPG require the Council to achieve measurable net gains in biodiversity at development sites across the Borough unless they are exempt. Policy SP12 of the Local Plan requires the protection of assets of ecological and biodiversity value. This policy has not been amended by the Local Plan Review and carries significant weight.
- 7.6.3 Notwithstanding the above, the regulations do set out a number of exemptions with respect to the net gain condition. In this regard where a development does not impact a priority habitat and impacts less than:
- 25 square metres of on-site habitat;
 - 5 metres of on-site linear habitats such as hedgerows.
- 7.6.4 As the proposal would not impact upon any priority habitat or any habitats which fall within the above criteria due to the site being made up of hard surfacing, biodiversity net gain does not apply to this development.

7.7 Equalities impact

- 7.7.1 Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:-
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 7.7.2 Officers have taken this into account in the assessment of this application and the Committee must be mindful of this duty *inter alia* when determining all applications. The consultation process has served to notify all relevant adjoining parties likely to be impacted by the development. However, additional regard has been given to any potential impact upon the protected characteristics outlined in the Equalities Act 2010 Section 149 and the provisions contained therein. It is considered that due regard has been given to the impact of the scheme on all groups with the protected characteristics schedule.
- 7.7.3 There are no known equality implications arising from this development.
- 7.7.4 This decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and the Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

8 CONCLUSIONS

- 8.1 The proposed development is considered to be compliant with the relevant national and local policy as it is an appropriate design and scale, would not have an adverse impact upon the character and appearance of the area, would not have a significant adverse impact upon the amenity of neighbours or the safety and operation of the highway network.

- 8.2 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission be granted.

9 RECOMMENDATIONS

- 9.1 That this application be Granted Planning Permission subject to the following conditions:-

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan; HDM-311224_01 P5; STV-CON-Z0-ZZ-DR-985001 C7; STV-CON-Z1-ZZ-DR-D-985100 C4.

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).

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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

INFORMATIVES

- 1 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 - 43 - 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, Campus East, Welwyn Garden City, Hertfordshire, AL8 6AE. 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).
- 2 Applications where Biodiversity Net Gain is not required as development is considered De Minimis. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless: a) a Biodiversity Gain Plan has been submitted to the planning authority, and b) the planning authority has

approved the plan. The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Stevenage Borough Council. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption or transitional arrangement is considered to apply.

1. Development below the de minimis threshold, meaning development which:
 - a) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - b) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

Where the local planning authority considers that the permission falls within paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990, the permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply. Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun, and, if subject to phased development, before each phase of development may be begun.

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat. The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

More information can be found in the Planning Practice Guidance online at <https://www.gov.uk/guidance/biodiversity-net-gain>.

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 – Stevenage Design Guide adopted February 2025.
3. Stevenage Borough Local Plan 2011 – 2031 adopted 2019.
4. Local Plan Partial Review 2024 (Reg19)
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2019.
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 December 2024 and Planning Policy Guidance.