

Meeting: Planning and Development Committee

Agenda Item:

Date: 5 June 2025

Author: Rebecca Elliott

Lead Officer: Alex Robinson

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Application No: 24/00544/FP

Location: 11-19 Town Square, Town Centre, Stevenage.

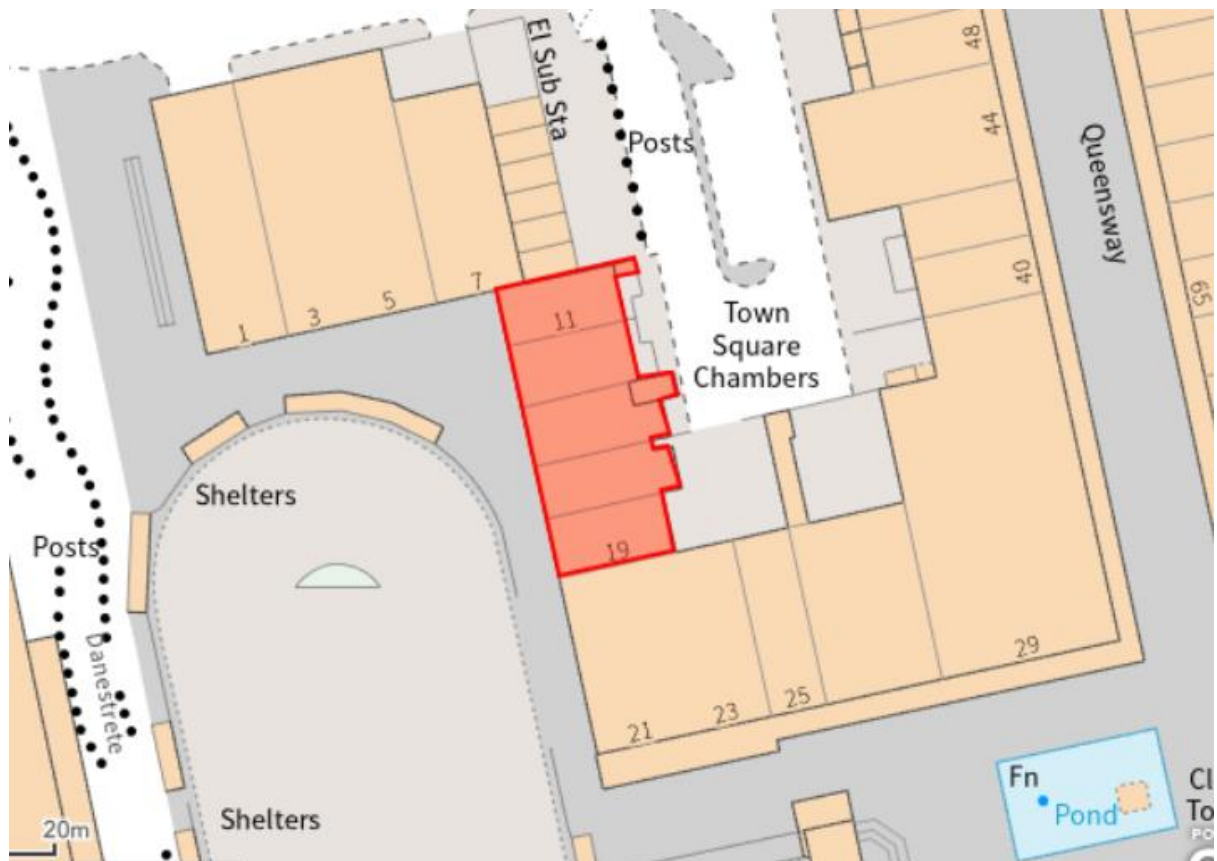
Proposal: Alterations and refurbishment to include a new roof, replacement windows and fascia boards and air conditioning units.

Drawing Nos.: SGEH-BBA-ZZ-RF-DE-A-2204 Rev P01; Site Location Plan; SGEH-BBA-ZZ-ZZ-DR-A-3002 Rev 02; SGEH-BBA-ZZ-ZZ-SH-A-7751 Rev P01; 00-M-01-0300-01 T1; SGEH-BBAZZ-01-DR-A-2202 Rev C01; SGEH-BBA-ZZ-RF-DR-A-2006 Rev P01; SGEH-BBA-ZZ-RFDR-A-2104 Rev P01; SGEH-BBA-ZZ-ZZ-DR-A-3001 Rev 02; SGEH-BBA-ZZ-ZZ-DR-A-3003 Rev C01; SGEH-BBA-ZZ-ZZ-SH-A-7051 Rev P01.

Applicant: Stevenage Borough Council

Date Valid: 31 July 2024

Recommendation: GRANT PLANNING PERMISSION.



Plan for information purposes only

1. SITE DESCRIPTION

- 1.1 The application site is located within the designated area of Stevenage Town Centre as well as the Town Square Conservation Area. The site comprises a pre-cast reinforced concrete three-storey flat roofed building which consists of crittall glazed windows, exposed stone aggregate panels and brickwork. 11-19 Town Square makes up the north eastern most parade of units bounded to the west by the former bus station, now known as Event Island. Nos.17 and 19 Town Square fall within the Town Centre Conservation Area.
- 1.2 To the south of the application site is the main Town Square which comprises the Grade II Listed Clock Tower and Surrounding pool. There is also the Grade II Listed Joy Ride which comprises a bronze mother and child sculpture by Franta Belsky. The sculpture is set on top of a platform with stairs and railings to either side. The buildings which form the main shopping parade of Queensway are generally uniform in design, being three-storeys in height with a shopping parade at ground floor level with the fenestration at first and second floor level comprising single-glazed crittall windows.

2. RELEVANT PLANNING HISTORY

- 2.1 Aside from historic applications for the development of the Town Centre post war, the history of the units in question is listed below.
- 2.2 85/2/0033A/85 Illuminated fascia and projecting signs. Advertisement consent granted on 18 October 1985
- 2.3 00/00542/AD Display of internally illuminated sign. Advertisement consent granted on 8 February 2001
- 2.4 00/00573/FP Change of use from A1 to A2 use (Solicitors Office). Permission granted on 13 March 2001
- 2.5 01/00037/FP Change of use from retail (A1) to food and drink (A3) use. Permission granted on 18 April 2001.
- 2.6 01/00446/AD Display of internally illuminated fascia and box projecting sign. Advertisement consent granted on 28 February 2002.
- 2.7 01/00447/FP Installation of new shopfront. Permission granted on 10 October 2001.
- 2.8 11/00428/AD Retention of 1no. internally illuminated fascia sign and 1no. internally illuminated projecting sign. Advertisement consent granted on 20 September 2011.
- 2.9 12/00377/AD Installation of 1no. externally illuminated fascia and 1no. internally illuminated projection sign. Advertisement consent granted on 28 September 2012.
- 2.10 24/00544/FP Alterations and refurbishment to include a new roof and replacement windows and fascia boards. Permission granted on 9 September 2024.
- 2.11 24/00846/FP Variation of Condition 1 (approved plans) attached to planning permission 24/00544/FP to incorporate mechanical plant with screening. Application withdrawn on 14 February 2025.

3. THE CURRENT APPLICATION

- 3.1 The application follows approval 24/00544/FP comprising external alterations to replace existing windows and fascia boards, as well as a new/replacement roof. Additional works

seeking permission in this case is the installation of air conditioning units and screening, and louvred screens to 6no. windows. The current application was submitted as the location of the units is outside the original red line plan for planning permission reference 24/00544/FP. The units would be sited on the roof of an existing single storey flat roof projection within the service yard area to the rear of the building. The louvred screens would also be installed on the rear elevation.

3.2 As approved under planning permission reference 24/00544/FP the replacement fascia boards, replacement windows and roof works have all been undertaken in accordance with the above planning permission. The current application sites these works as they were not complete at the time of submission and best practice advises that where works are still being undertaken and the development is revised, any new application include said works. Hence the application seeks approval of these elements also.

3.2 This application has been referred to the Planning and Development Committee as Stevenage Borough Council is the applicant and landowner.

4. PUBLIC REPRESENTATIONS

4.1 This planning application has been publicised by way of a site notice and neighbouring properties have been notified about the application via a letter. The application was also published in the local press as it is partially located within the Town Square Conservation Area. No observations have been received.

5. CONSULTATIONS

5.1 B.E.A.M.S Councils Historic Advisor

5.1.1 Consent has previously been granted for alterations and upgrades to 11 – 19 Town Square under application 24/00544/FP. The current application proposes the following changes:

The installation of air condition units with an acoustic screen on a flat roof to the rear elevation and the provision of a louvred screen to 6 windows on the rear elevation.

These changes are to the rear of the building which faces a parking area and includes a number of a/c units (and other plant) and various alterations. The a/c units will not be prominently sited and will be screened. The louvres to the windows are acceptable.

The proposed works are sensitively handled and will preserve the significance of the property and the Town Centre Conservation Area in accordance with National and Local Plan Policy; recommend approval.

5.2 Environmental Health

5.2.1 Following a recent site visit, I understand that this application is largely retrospective in nature as the air conditioning plant and acoustic enclosure are already present and the former in operation. My observations of the noise output from the plant, the prevailing noise climate of the area, and a review of local noise complaint records suggest that the noise impact of the application is likely to be modest. Accordingly, I do not recommend any conditions should the Local Planning Authority be minded to approve the application.

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”), with which Members are fully familiar, 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 2021 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 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For Stevenage, the statutory development plan comprises the following documents:

- The Stevenage Borough Council Local Plan 2011-2031 (adopted 2019)
- The Hertfordshire Waste Core Strategy & Development Management Policies Development Plan Document 2011-2026 (adopted 2012)
- The Hertfordshire Waste Site Allocations Development Plan Document 2011-2026 (adopted 2014)
- The Hertfordshire Minerals Local Plan Review 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.

6.5 Stevenage Borough Local Plan (2011 to 2031) Partial Review

- 6.5.1 On 21 November 2024, the Council issued its Regulation 19 consultation on the Stevenage Local Plan 2011-2031 Partial Review and Update (2024). The main policy updates to the Stevenage Borough Local Plan which was adopted in May 2019 and are relevant to this application are as follows:

Policy SP1: Presumption in favour of sustainable development
Policy SP8: Good design
Policy SP13: The historic environment
Policy GD1: High quality design
Policy NH10: Conservation areas

- 6.6.2 In accordance with paragraph 49 of the NPPF (2024) with regards to the determination of planning applications, it states:

Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

- 6.6.3 Based on the above, policies of emerging plans gain weight as they progress through the process of consultation, examination and whether they attract objections. Therefore, the weight that can be applied to the policies contained in the Stevenage Local Plan 2011-2031 Partial Review and Update (2024) are set out as follows:

- Low Weight – Regulation 18 pre-consultation.
- Moderate Weight – Regulation 18 post-consultation.
- Substantial weight – Regulation 19.*
- Full weight – Adoption.

*Given that any new and significantly revised Local Plan policies are subject to Examination in Public by the Secretary of State, respective weighting of the Local Plan policies under the Local Plan Partial Review and Update at Regulation 19 consultation stage will vary. Weighting of policies applied to decision making will be assessed on a policy-by-policy basis.

6.7 **Supplementary Planning Documents**

Parking Provision SPD (2025)
Stevenage Design Guide SPD (2025)

Developer Contributions SPD (2025)

6.8 **Community Infrastructure Levy**

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. This application proposal would be CIL liable but would be exempt.

7. **APPRAISAL**

- 7.1 The main issues for consideration in the determination of this application are the design and visual impact on the conservation area as a heritage asset, and impact on the amenities of neighbouring properties.

7.2 **Design**

National Planning Policy Framework and Planning Practice Guidance

- 7.2.1 Chapter 12. Achieving well-designed places of the NPPF (2024) stipulates that the creation of high quality and sustainable buildings and places is 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 and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be

tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process. Where development is not well designed, permission should be refused.

7.2.2 The National Design Guide 2019, which was published by the Government, is a material consideration in the determination of planning applications. It states that buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:

- the context for places and buildings;
- hard and soft landscape;
- technical infrastructure – transport, utilities, services such as drainage; and
- social infrastructure – social, commercial, leisure uses and activities.

7.2.3 A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:

- the layout;
- the form and scale of buildings;
- their appearance;
- landscape;
- materials; and
- their detailing.

Development Plan

7.2.4 Whilst the policies contained in the local plan have limited weight, Policy SP8 generally reflects the requirements of the NPPF in that it requires new development to achieve the highest standards of design and sustainability. In addition, 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.

Officer comment

7.2.5 The works proposed are fairly modest in scale and predominantly already have planning permission following approval of application reference 24/00544/FP. Therefore, it is considered acceptable in this case to concentrate on the elements which did not form part of the planning permission above. These works include the installation of air conditioning plant and associated screening, and the replacement of 6no. windows with louvres on the rear elevation of the building.

7.2.6 Following a site visit, the works appear to have already been carried out. The air conditioning plant is located on the roof of a flat roof projection off the rear of No.19 Town Square. It is visible from the rear parking and service yard area which is utilised by several retail units in the town centre. The units have been screened with an acoustic screen, although other air condition units are clearly visible in the immediate area.

7.2.7 A total of 6no. windows have been replaced with louvres to provide ventilation. These are spread across the first and second floors, with two on the northern end of the rear elevation, and the remaining four closer to the southern end of the rear elevation. All the works are considered to have limited impact on the visual appearance of the area, being in-keeping with the character of this service yard area in the Town Centre.

7.3 Impact on Heritage Assets

National Planning Policy Framework and Planning Practice Guidance

- 7.3.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 7.3.2 Paragraph 212 of the NPPF (2024) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 213 goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 7.3.3 Paragraph 214 sets out that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 7.3.4 In reference to paragraph 215 this sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Development Plan

- 7.3.5 Additional to the above, Policy SP13 of the Adopted Local Plan relates to the historic environment. This states that the council will preserve and enhance the most important area and characteristics of Stevenage. The policy goes on to state that the Council will:-
- a) Have carried out Heritage Impact Assessments for development sites within, or adjacent to, conservation areas. Site specific mitigation measures have been incorporated to minimise the impacts of development.
 - b) Will use national guidance and legislation to review, designate and determine planning applications affecting heritage assets.
 - c) Will protect areas of archaeological importance and other relevant heritage assets by applying the detailed policies set in this plan.
- 7.3.6 Policy GD1 of the Local Plan (2019) 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.

Supplementary Planning Document

- 7.3.7 The Town Centre Conservation Area Management Plan (2012) identifies the conservation area for the Town Centre area, as well as listed buildings, and non-listed local historic buildings of importance. The document also seeks to assess and identify threats and opportunities within the area and to provide a benchmark for assessing and managing change.
- 7.3.8 In respect of alterations and extensions to buildings in the conservation area the Management Plan states that alterations and extensions should not dominate an existing building's scale or alter the composition of its main elevations. Furthermore, the materials which are in use are those which were used as part of the construction of the first phase of

the pedestrianised town centre, and therefore should be enhanced as far as possible to ensure that this connection with the New Town is maintained.

Officer comment

7.3.9 Two of the units within the site area, No's 17 and 19 Town Square are located within the Conservation Area, with the remaining units to the north affecting the setting of the Conservation Area. Within the Town Square to the south there are listed structures (Clock Tower, Joyride sculpture and Platform), although these are set apart from the site by built form along the northern edge of the main square. Buildings which have undergone similar alterations to those proposed. As such, it is reasonable to determine that the proposed alterations would not cause harm to these listed structures.

7.3.10 Similarly, in terms of the visual impact of the elements of the proposed development not previously approved, on the Conservation Area as a Heritage Asset, these are considered to be less than substantial and at the lower end of the scale. The air conditioning units and window louvres, being at the rear of the property would not undermine the main reasons behind the Conservation Area designation and overall form of the buildings within the Town Square. It is worthwhile noting here that the Town Centre redevelopment approved under planning reference 19/00743/OPM would see the demolition of the application site at some point in the next 10-15 years.

7.4 Other Matters

SGI Development

7.4.1 As mentioned above, it is of note that the application site forms part of Phase 2 of the Town Centre redevelopment. There will therefore come a time when reserved matters details are submitted and approved and the application site and buildings to the north will be demolished. It has been made clear from a planning perspective that these works do not prejudice the ability for this Phase of the wider redevelopment to come forward. Any lease contract agreed with the proposed occupier and the Council as land owner must refer to indicative timings relating to reserved matters submission requirements and occupation of the building.

8. CONCLUSIONS

8.1 In summary, the proposed external alterations and installation of air conditioning units and screening would not have an adverse impact on the building aesthetic and wider visual impact on the Conservation Area and its setting.

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 (2024) and NPPG (2023).

9. RECOMMENDATIONS

9.1 That planning permission be GRANTED subject to the following conditions:-

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: SGEH-BBA-ZZ-RF-DE-A-2204 Rev P01; Site Location Plan; SGEH-BBA-ZZ-ZZ-DR-A-3002 Rev 02; SGEH-BBA-ZZ-ZZ-SH-A-7751 Rev P01; 00-M-01-0300-01 T1; SGEH-BBAZZ-01-DR-A-2202 Rev C01; SGEH-BBA-ZZ-RF-DR-A-2006 Rev P01; SGEH-BBA-ZZ-RFDR-A-2104 Rev P01; SGEH-BBA-ZZ-ZZ-DR-A-3001 Rev 02; SGEH-BBA-ZZ-ZZ-DR-A-3003 Rev C01; SGEH-BBA-ZZ-ZZ-SH-A-7051 Rev P01.

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

Informatives

1 **Community Infrastructure Levy**

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

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

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

2 **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, 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).

3 Party Wall etc. Act 1996

Any work that affects a party wall, including foundations dug within 3.0m of a neighbouring building, may be controllable under the Act and may require approval from the adjoining owner(s). Party Wall Act matters are always civil matters and it is neither Stevenage Borough Council's nor Hertfordshire Building Control Ltd's remit to control or enforce Party Wall act matters. Please refer to the Government's explanatory booklet The Party Wall etc. Act 1996, a copy of which is available online at

<https://www.gov.uk/government/publications/the-party-wall-etc-act-1996-revised-explanatory-booklet>

4 Biodiversity Net Gain

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 January 2023.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
5. Central Government advice contained in the National Planning Policy Framework 2024 and Planning Policy Guidance March.