Meeting: Planning and Development Committee  
Date: 11 June 2014  
Author: Clive Inwards  
Lead Officer: Paul Pinkney  
Contact Officer: Clive Inwards

Application No.: 14/0064/FPM  
Location: Rileys American Pool & Snooker, Letchmore Road, Stevenage SG1 3HU  
Proposal: Redevelopment of site to form 27no. one bed and 11no. two bed sheltered apartments for the elderly with associated communal facilities, access, car parking and landscaping following demolition of existing buildings.  
Applicant: Churchill Retirement Living Ltd  
Date Valid: 3 February 2014  
Recommendation: GRANT PLANNING PERMISSION.
1. **SITE DESCRIPTION**

1.1. The application site comprises the existing Rileys Snooker Hall, the curtilage of the building and an outbuilding. The existing building is situated between nos. 2 and 2A Letchmore Road to the west and no. 2 Pound Avenue to the east. 2 Letchmore Road is known as Tudor House and is a grade II* listed building. 2A Letchmore Road is currently a vacant office building but this site has achieved planning permission for the redevelopment of the site to provide five apartments with associated car parking, landscaping and ancillary development (reference 13/00516/FP). No. 2 Pound Avenue is known as Linden House and is in use as sheltered housing for the elderly. To the north of the site is a car sales showroom and to the south are the residential apartments of Trinity Place and their associated car park. The site is accessed off of Pound Avenue. The existing snooker hall on site was designed by H.W.J. Dutton of Knebworth for Noel Aston Ayres and was built and opened in 1935 as the Astonia Cinema. The building was used as a cinema until 1969 when the Astonia became a bingo hall and then a snooker club in 1982. The application site is adjacent to but not within the Old Town High Street Conservation Area, which runs along its western boundary, apart from a small triangular area in the north-west of the site which is just within this designation.

1.2. The application site comprises an area of 0.3 hectares.

2. **RELEVANT PLANNING HISTORY**

2.1. 2/0069/63 Use of land for extension to car park. Planning permission granted 20th June 1963.

2.2. 2/0119/68 Outline application in respect of alterations and additions. Planning permission granted 3rd October 1968.

2.3. 2/0146/68 Proposed use of cinema as a bingo hall. Planning permission granted 12th December 1968.

2.4. 2/0123/69 Illuminated name sign – Astonia Bingo and Social Club. Advertisement consent granted 29th July 1969.

2.5. 2/0245/82 Change of use from bingo hall to snooker and social club with entrance porch and loading platform. Planning permission granted 3rd September 1982.

2.6. 2/0139/84 Alterations to provide first floor extension to snooker hall. Planning permission granted 23rd May 1984.


2.8. 2/0298/93 Retention of snooker club use unencumbered by condition no. 2 of planning permission reference 2/0245/82 restricting opening hours. Planning permission refused 7th December 1993.

2.9. 04/00259/FP Staircase to the side and steps to the main entrance, incorporating a new front canopy. Planning permission granted 30th July 2004.

2.11. 05/00240/FP Retention of staircase to the side, steps to the main entrance and alterations to front elevation. Planning permission granted 18th July 2005.


2.13. 10/00122/FP Variation of condition 2 of planning permission 2/0245/82 from restricted opening hours of 9.00am to 11.00pm to unrestricted opening hours. Application withdrawn 12th April 2010.

2.14. 10/00153/FP Variation of condition 2 of planning permission 2/0245/82 and condition 2 of planning permission 2/0139/84 from restricted opening hours of 9.00am to 11.00pm to 9.00am to 1.00am Sunday to Thursday and 9.00am to 3.00am Friday and Saturday. Planning permission refused 15th June 2010.

3. THE CURRENT APPLICATION

3.1. The current application seeks planning permission for the redevelopment of the existing snooker hall building to a predominantly three storey building comprising 38 retirement apartments with associated communal facilities, parking, landscaping and a revised access arrangement onto Pound Avenue. Specifically the building would provide 27 no. one bed and 11 no. two bed apartments and would include a lodge manager’s office alongside communal facilities such as a residents’ lounge, laundry, guest suite, video entry system and buggy store. The proposal also includes landscaped gardens in three areas around the building. The site has an area of 0.3 hectares.

3.2. The proposed building would be arranged in a ‘T’ form with the main frontage onto Pound Avenue and a wing in the middle of the building extending towards the southern boundary. The frontage along Pound Avenue would be approximately 49m in length and at its greatest extent the building would have a depth of approximately 42m. The western side elevation would be approximately 18m in width, with the eastern side elevation approximately 16m in width. The projecting southern wing of the building would extend to a width of approximately 16.5m. The building would adopt a traditional, dual-pitched arrangement with various gable features and half-hips inserted to break up the form. The proposal provides 13 car parking spaces and the boundary treatment would comprise a dwarf wall with railings around the frontage of the site and a 1.8m high close board fence around the sides and rear of the building.

3.3. The applicant has stated that the proposal is designed to provide specialised housing accommodation to meet the needs of independent, retired people, with communal facilities and specific features within the self-contained apartments tailored to meet the particular needs of the elderly. It is stated that the apartments are sold with a lease containing an age restriction which ensures that only people of 60 years or over, or those over this age with a partner of at least 55, can live in the development.

3.4. Four existing trees on the boundary of the site would need to be removed to facilitate the development, however, the proposal provides for significant new tree planting on the boundaries of the site and around the proposed building.

3.5. The applicant has stated that they are committed to reducing energy use where practical. The proposal includes an air source heat pump that uses the heat contained in the outside air to provide hot water or space heating. This can be done in either direction, to cool or
heat the interior of a building at a low cost. One full-time employee is proposed to work at the site.

4. **PUBLIC REPRESENTATIONS**

4.1. The application has been publicised by a site notice posted at the site, a press notice as well as letters to adjacent occupiers. At the time of drafting this report 20 letters of objection have been received from the occupiers of nos. 110 Letchmore Road, 12 Fieldcroft, 13 Webb Rise, 481 Vardon Road, 67 Sparrow Drive, 47 Four Acres, 4 Penn Road, 150 Derby Way, 401 Lonsdale Road, Marco GP Cars, 21 Sish Lane, The Stevenage Society for Local History, 42 Alleyns Road, 8 Lawrence Avenue, 9 Hellards Road, 540 Ripon Road, 5 Beane Walk, 9B Middle Row, 20 Basils Road and Flat 1 Drapers House, 2 Drapers Way. Three letters of support has been received from the occupiers of 21 Trinity Place and from two occupiers of 12 Parishes Mead. These representations are summarised below:

- Developers should not be allowed to come to this area and demolish buildings that have stood for decades. This would result in lost heritage and there would be nowhere in the area for visitors to park. This building is of too great an importance to be erased.

- There are more appropriate sites in the area.

- The snooker and sports bar serves as a place of entertainment for the whole town and is an alternative to the Leisure Park. The facility is well used by all groups of society and would also provide a social venue for those in retirement housing. The snooker and sports bar serves a good local need and should be retained. These comments are made on behalf of all the members of the snooker league.

- The argument for building more retirement homes is not sound as the developers are only interested in making money and they know that the only people who are likely to be able to afford new builds are older people.

- There would be a loss of privacy to the residents of Sish Lane.

- Insufficient parking would be provided for all the residents, lodge manager, cleaners and gardeners etc. As such vehicles would be pushed into surrounding roads.

- Stevenage Brook, a tributary of the River Beane, runs underground across our property from the King George V playing field and onto the Riley’s site. There is also a serious drainage problem under the old Astoria that would need rectifying.

- The Pound Avenue Garage currently use the car park at Riley’s to park their vehicles. This will push the garage out of business as they will have nowhere for visitors to park.

- There will be disruption and dust from the demolition of the building and there is likely to be asbestos.

- According to the affordable housing statement there will be no affordable housing on site.
There are already a number of residences for the elderly in Stevenage.

The plans are misleading as they do not show the extension on our property.

It would be a terrible shame to lose this building for historical reasons as well as a leisure facility for local people. The existing building is an important landmark feature that has played a part in peoples' lives since it was built in the 1930s. It should be retained, not just for sentimental reasons, but due to its size and form allows the possibility for all kinds of uses. Couldn't the building be converted back into an independent cinema?

Another block of flats on this site would only add to the anonymity of the townscape and would cut a link with the past.

The accuracy of the vehicle movement figures quoted in the Transport Assessment is questioned.

The existing building is part of the community and is used by schools, colleges and local special needs groups. If the building is demolished there will be nowhere for the community to socialise.

The proposal would result in existing employees losing their jobs.

The former cinema is an important example of 1930s architecture, of which little otherwise remains in Stevenage. Stevenage Borough Council is encouraged to consider the potential artistic or historical use of this building, as either an arts centre or museum.

The proposal is not an appropriate use of the site as there are already private flats in the town. The land should be used for affordable accommodation or an alternative community use.

The plan would represent a foolish over-development of the site and would have very serious implications for the local environment in terms of car parking and its three-storey plus pitched roof height.

4.2 The letters of support state that for many years now the old Astonia Cinema and the surrounding area has been an eyesore. Houses are much needed in Stevenage and this proposal will enable home owners who have reached their maturity to vacate much needed houses to the younger generation. It is also stated that there is not one retirement property for sale at present and that people want to return to the Old Town to see out their years.

5. CONSULTATIONS

5.1. Hertfordshire County Council as Highway Authority

5.1.1 Hertfordshire County Council as Highway Authority has considered that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways subject to conditions.
5.2. Arboricultural Officer

5.2.1 The site has been inspected and the Arboricultural Officer has advised that he has no objection to the trees being removed.

5.3. Environmental Health

5.3.1 Conditions to be attached to any planning permission to mitigate noise and dust nuisance during construction, to cover contaminated land and to ensure any asbestos is dealt with appropriately during the demolition of the existing building.

5.4. Herts Fire and Rescue Service

5.4.1 Access is required to within 45m of all points of each dwelling and the existing fire hydrants are considered to be satisfactory. The Fire Authority strongly recommends a residential sprinkler system to BS9251 is installed throughout the premises.

5.5. Hertfordshire Constabulary

5.5.1 Having studied the documentation and had discussions with the local Officer from the Safer Neighbourhood Team, the Police do not look to oppose this development. However, they encourage the developer to look at achieving Secured by Design accreditation for this development should it be granted permission.

5.6. BEAMS (Council’s Conservation Advisor)

5.6.1 On balance the proposed development seems to preserve the setting of the Grade II* listed building (2 Letchmore Road) and the adjoining Conservation Area, particularly when one considers the bulk of the former cinema building. The scheme has regard for policy and I would not recommend refusal on this basis. Suggest conditions to be attached to any grant of planning permission relating to historic building recording of the existing cinema building and details of external materials and landscaping. *NB since these initial comments the applicant has provided some further details and amendments to the proposal whereby BEAMS have commented that the scheme has been improved.

5.7. County Archaeologist

5.7.1 An archaeological field evaluation of the site is required before any development commences. Conditions to be attached to the grant of any planning permission.

5.8. Thames Water

5.8.1 The applicant is advised to contact Thames Water with regard to public sewers. In relation to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer and in respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. Thames Water advise that with regard to sewerage infrastructure capacity they would not have any objection to the planning application.
6. RELEVANT PLANNING POLICIES

6.1. Background to the Development Plan

6.1.1 In the determination of planning applications development must be in accordance with
the statutory development plan unless material considerations indicate otherwise. For
Stevenage the statutory development plan comprises:

- Saved policies in the Hertfordshire Structure Plan 1998
- Hertfordshire Waste Local Plan 1999
- Hertfordshire Minerals Local Plan 1998

The former Draft Core Strategy and Development Management Policies were withdrawn
on 1st February 2012. However, the Site Specific Policies Plan, the Old Town Area Action
Plan and the Gunnels Wood Area Action Plan have all been approved locally by the
Council's executive as material considerations in the determination of planning
applications and continue to be used for Development Management purposes.
Additionally, the Council's Interim Planning Policy Statement adopted in April 2012 is a
material consideration in the determination of planning applications registered on or after
the 18 April 2012.

6.1.2. Where a Development Plan Document has been sub mitted for examination but no
representations have been made in respect of relevant policies, then considerable weight
may be attached to those policies because of the strong possibility that they will be
adopted. The converse may apply if there have been representations which oppose the
policy. However, much will depend on the nature of those representations and whether
there are representations in support of particular policies.

6.1.3. In considering the policy implications of any development proposal the Local Planning
Authority will assess each case on its individual merits, however where there may be a
conflict between policies in the existing Development Plan and policies in any emerging
Development Plan Document, the adopted Development Plan policies currently continue
to have greater weight.

6.2. Central Government Advice

6.2.1 In March 2012 the National Planning Policy Framework (NPPF) was published and in
doing so it replaced many documents including all Planning Policy Guidance Notes and
Planning Policy Statements. The NPPF sets out the Government’s planning policies for
England and how these are expected to be applied. Annex 1 of the NPPF provides
guidance on how existing local plan policies which have been prepared prior to the
publication of the NPPF should be treated. Paragraph 214 states that for 12 months from
the day of publication, decision-takers may continue to give full weight to relevant policies
adopted since 2004 even if there is a limited degree of conflict with this Framework.
However this only applies if the development plan has been adopted in accordance with
the Planning and Compulsory Purchase Act 2004. Whilst the District Plan Second
Review was adopted in December 2004 it is not in accordance with The Planning and
Compulsory Purchase Act 2004. Accordingly the advice at paragraph 215 of the NPPF
applies which states that only due weight should be afforded to the relevant policies in the
adopted local plan according to their degree of consistency with this framework.

6.2.2 Planning law requires that applications for planning permission must be determined in
accordance with the development plan unless material considerations indicate otherwise.
The NPPF is itself a material consideration. Given that due weight can only be given to relevant policies in the local plan depending on their degree of consistency with the NPPF, it will be necessary in the determination of this application to assess the weight given to the relevant local plan policies. The overriding aim of the NPPF is the presumption in favour of sustainable development.

6.3. Adopted District Plan

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<td>Density of Residential Development</td>
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6.4. Supplementary Planning Documents

- Parking Provision Supplementary Planning Document January 2012
- Stevenage Design Guide October 2009
- Old Town High Street Conservation Area Management Plan Supplementary Planning Document

6.5 Interim Planning Policy Statement for Stevenage April 2012

- IP01 Sustainable Development Principles
- IP02 Planning Requirements
- IP06 Housing Mix
- IP08 Affordable Housing Thresholds
- IP09 Affordable Housing Tenure, Mix and Design
- IP10 Accessible Housing
- IP11 Flood Risk and Drainage
- IP13 Carbon Dioxide Emissions and Energy Performance

7. APPRAISAL

7.1 The main issues for consideration are the acceptability of the proposal in land use policy terms; the impact on the character and appearance of the area; the impact on the adjacent heritage assets, the impact on both existing neighbouring residential amenity and future residential amenity; the effect of the proposals on the highway network; the
adequacy of the proposed parking provision, the loss of the existing leisure facility and other issues that have been raised in the application process.

7.2. **Land Use Policy Considerations**

7.2.1 The application site is located within an Area of Archaeological Significance and is also identified as an allocated housing site under policy H3 of the Stevenage District Plan Second Review 1991-2011 adopted 2004. The County Archaeologist has been consulted on the planning application and is satisfied with the proposal subject to conditions to be attached to any grant of planning permission which is considered to address the archaeological designation.

7.2.2 In relation to housing, whilst it is known that the applicant would restrict the occupancy of the building to over 60s (as set out in paragraph 3.3 above), in planning policy terms the application is treated as a general housing scheme and is subject to the relevant housing policies of the District Plan and the National Planning Policy Framework March 2012 (NPPF).

7.2.3 As an allocated housing site under policy H3 of the District Plan there is considered to be a longstanding presumption in favour of developing this site for housing. Whilst policy H3 set an estimated number of dwellings as 15, this envisaged a traditional housing development as opposed to the proposed sheltered housing apartments. Notwithstanding this, the proposed residential scheme now proposed is considered to be acceptable in principle in this location.

7.2.4 Providing 38 apartments on this site of 0.3 hectares equates to a residential density of approximately 127 dwellings per hectare. Whilst this is significantly above the general parameters of 30-50dph set by policy H8 of the District Plan, this policy does also encourage higher densities in the town centre and other locations well served by public transport. The higher density of residential units is considered to be acceptable in this sustainable location, close to the Old Town High Street and being well served by public transport.

7.2.5 The supporting text to Policy H12 of the District Plan identifies elderly people as a special needs group. The application site is not specifically identified or allocated through this policy, however, the proposed scheme meets the general requirements that are identified, namely proximity to facilities and services. It is accepted that older age groups will be the key driver of future population change in the Borough, meaning that appropriate forms of housing will be required. The proposed scheme would make a positive contribution to the aims of this policy.

7.2.6 Additionally, the proposal needs to be assessed against the National Planning Policy Framework. The NPPF states at paragraph 49 that “housing applications should be considered in the context of the presumption in favour of sustainable development” and that “relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.” Taking these issues in turn, the site is considered to be in a highly sustainable location. Firstly, the railway station is some 800m to the south-west of the site as measured in a straight line. The pedestrian or cycle route would be slightly longer but the station is accessible through a network of underpasses, avoiding the main road network. Additionally, the site is located approximately 100m to the east of the southern end of the Old Town High Street, across Letchmore Road. Stevenage Old Town contains a range of retail and service units as well as a number of food and drink premises and this centre
would be easily accessible by foot, cycle or mobility scooter. In terms of other facilities there is a doctor’s surgery, pharmacies, a library and bus stops in the Old Town. The nearest bus stops are located approximately 100m to the north and south of the site on Letchmore Road and as such the application site is considered to have good access to local facilities and alternative forms of travel and is considered to be in a highly sustainable location.

7.2.7 In addition to being in a sustainable location, the proposal would be economically and socially sustainable. The applicant has stated that retirement housing can add significantly to the vitality, vibrancy and viability of the area as residents traditionally shop locally and also retirement living schemes allow older people to remain in their local environment and can foster a sense of community within the site. These points are accepted.

7.2.8 In relation to the five year supply of deliverable housing, paragraph 47 of the NPPF states that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. The most up to date housing supply figures indicate that the Council is unable to provide a five year supply of deliverable housing. The fact that the Council is unable to meet its requirement to provide a five year supply of housing is thus a material consideration in the assessment of the application.

7.2.9 The fact that the site is considered to be in a highly sustainable location, would constitute a sustainable form of development and that the Council is unable to provide a five year supply of deliverable housing sites are strong material considerations that significantly weigh in favour of the application.

7.3. Interim Planning Policy Statement for Stevenage

7.3.1 In relation to the Interim Planning Policy Statement for Stevenage (IPPS) April 2012, it is considered that the proposal would meet a number of criteria of Policy IP01 including delivering a continuing supply of homes and providing a mix of homes for all sectors of the community. Additionally, the scheme would provide one and two bed units. This would help both to address the acknowledged shortfall of smaller units within the overall housing mix as well as addressing a specific segment of future housing need. The proposal is thus considered to accord with the first criterion of Policy IP06 of the IPPS.

7.3.2 The third criterion of Policy IP06 states that developments should make efficient use of land, including significantly higher densities in easily accessible locations. It has been shown in paragraph 7.2.4 above that the site is in an easily accessible location and thus that the higher density proposed is acceptable.

Affordable Housing and Developer Contributions

7.3.3 Policy IP08 of the IPPS requires that on sites of 25 dwellings or more, 40% will be required to be affordable, which would equate to 15 units of this 38 unit development. Whilst the proposal is for retirement apartments and it is recognised practice that affordable units would not normally be provided on site, an off-site contribution is still expected to be provided.
Paragraph 173 of the NPPF states that “pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking”. It continues to state “to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.” In essence the viability of a scheme can be a material consideration in the determination of a planning application.

In this instance the applicant has provided a detailed financial viability assessment which demonstrates that the proposal would not be viable if the full requirement for an affordable housing off-site contribution in lieu of 15 units on site were to be sought. This appraisal has been independently assessed by the Council’s own viability consultant who has concurred with this view. Accordingly, in this instance, a reduced provision of £100,000 contribution has been negotiated with the applicant. This will be included in the s106 legal agreement. This approach is in accordance with the NPPF as it has been clearly demonstrated that the scheme would not be viable with the usual full requirement of affordable housing provision.

Financial contributions are also required in accordance with the Hertfordshire County Council tool kit and contributions to Stevenage Borough Council for commuted payments towards the improvement of nearby outdoor leisure facilities. In this instance the financial contributions relate to £3,498 towards library services and £1,634 as a contribution towards open space in the Borough. The applicant has confirmed a willingness to pay these contributions and these issues can be addressed through the s106 legal agreement.

Impact upon the Character and Appearance of the Area

The application proposes the redevelopment of the existing snooker hall building, outbuilding and its curtilage to provide a new building housing the retirement apartments. The proposal is considered to have an acceptable impact on the character and appearance of the area for the following reasons.

Firstly, the scale of the building is considered to be acceptable. The proposal has been amended both from the pre-application proposal and through the course of the current application to ensure an acceptable relationship to the adjacent buildings to the west and east of the application site. Specifically, the proposed building has been reduced to a two storey building adjacent to Tudor House and the relationship to this grade II* listed building is considered further in the next section. The proposal also drops down from its full three storey height to 2½ storeys adjacent to no. 2 Pound Avenue. Additionally, at 0.3 hectares the site is a large infill site and is able to accommodate this amount of built form without any detrimental impacts on neighbouring buildings.

Secondly, this part of the old town has a mixed, transitional character from the predominantly residential nature of Pound Avenue east of the application site and the commercial and community buildings at the southern end of the Old Town High Street. The adjacent building at no. 2 Pound Avenue has also been converted and extended to form a residential care home. Accordingly, the form of development is considered to be acceptable in this area of mixed character.
7.4.4 Thirdly, the detailed design of the building is considered to be acceptable. The applicant has kept the maximum height of the building to three storeys which is in accordance with the High Street South character zone of the Draft Old Town Area Action Plan and which is lower than the height of the existing building on site. Additionally, the building is considered to make good use of the long frontage of the site onto Pound Avenue. The building has been designed such that the principal northern elevation has been split and set back to break up the mass of the building and to create the appearance of a number of units. The frontage has also been appropriately articulated with gable features, recesses and is set back from the pavement edge to enable an area of landscaping in front of the building. A specific feature of the development is a grass verge in front of a dwarf wall with railings and this would reflect the character of Pound Avenue as it extends eastwards as grass verges are a common feature of this area. With the landscaping and boundary treatment proposed it is considered that the proposal would be of a suitable design such that it would have an acceptable impact on the character and appearance of the area.

Impact on Adjacent Heritage Assets

7.4.5 The application site is adjacent to the Old Town High Street Conservation Area apart from a small triangular area in the north-western extremity of the site. No built form is proposed in this area other than a dwarf wall with railings above which is considered to be acceptable boundary treatment in the Conservation Area. Other than this area the Conservation Area boundary runs along the western boundary of the application site. Additionally, the neighbouring building to the west is the grade II* listed Tudor House. Accordingly, both English Heritage and the Council's Conservation Consultant have been consulted on the application.

7.4.6 With regard to the grade II* listed Tudor House the proposed design of the building has been amended such that it now drops down to two storeys adjacent to Tudor House. The Council's Conservation Consultant has stated that this is now an acceptable relationship and would improve upon the current relationship of the existing snooker hall building which is somewhat overbearing to the listed building and detracts from its setting. English Heritage have not provided any comments on the application. Given this advice it is considered that the proposed building would not harm the setting of the listed building and would have an acceptable relationship.

7.4.7 Similarly, the Council's Conservation Consultant has stated that the impact on the Conservation Area would be acceptable providing that the building materials and landscaping details are conditioned and which have been included in section 9.1 of this report. The proposal has also been amended in line with the Conservation Consultant's comments to address specific design issues, particularly on the building's frontage and given this it is considered that the proposal would now have an acceptable impact on the adjacent Conservation Area.

7.4.8 Finally, some representation responses have questioned whether the existing snooker hall building should be listed in its own right. Accordingly, the Council's Conservation Consultant has approached English Heritage in this regard. The advice received is that the building is not worthy of listing given the extensive alterations that have taken place in the building. As such, it is not considered that the existing building can be afforded protection from demolition, however, a building recording condition is proposed so that the building is suitably recorded prior to any demolition.
7.5. **Impact upon Neighbouring Amenity**

7.5.1 With regard to the impact on neighbouring residential amenity, the most affected properties would be the adjacent properties to the west i.e. nos. 2 and 2A Letchmore Road, the Pound Avenue Garage opposite the site, no. 2 Pound Avenue to the east of the site and the properties in Trinity Place and Sish Lane to the south of the site.

7.5.2 Firstly, with regard to the Pound Avenue Garage to the north of the site, at its closest point the proposed building would be 21.5m from the garage buildings. On this part of the application site the building would also be set back 10.5m from the footpath. This separation distance and set back from the frontage of the site would ensure that the proposed building would not adversely affect the operating conditions or environment of the garage.

7.5.3 Secondly, with regard to the relationship with no. 2 Pound Avenue (Linden House), it was noted from the site visit that this building has a predominantly blank façade facing the application site. The only windows are rooflight windows that provide light into the building and a window in a recess between the front building and the extended element to the rear. The proposed building has been designed without any windows in the nearest eastern wing of the building, apart from a window at first floor level that would serve a corridor. Given the absence of habitable room windows in both the application building and no. 2 Pound Avenue it is not considered that any undue overlooking would occur. Similarly, the proposed building is not considered to result in any adverse loss of light to habitable room windows or result in a detrimental overbearing relationship. It is recognised that the proposed eastern wing of the building would project beyond the front of no. 2 Pound Avenue by approximately 5.6m. However, the building would be angled away and would pass a 45 degree line drawn from the centre point of the nearest affected window. Given this, it is not considered that this element of the eastern wing of the building would adversely affect sunlight, daylight or be overbearing. Finally, the habitable room windows in the first and second floors of the southern wing, eastern elevation of the proposed building would be angled away from the main amenity space of no. 2 Pound Avenue and any overlooking would therefore be at an oblique angle. This relationship is considered to be acceptable.

7.5.4 In relation to the residential properties in Trinity Place and Sish Lane to the south of the application site, the proposal has been designed such that the built form is not directly behind nos. 9-12 Trinity Place thus avoiding a direct back to back relationship. Additionally, the building has been designed to reduce in height at the southern end of the site, utilising accommodation in the roofspace and with the roof hipping away from the southern boundary. Finally, the windows in the southern elevation either serve non-habitable rooms or are secondary bedroom windows. Whilst at the closest point the proposed building would be approximately 15m away from the nearest properties in Trinity Place, given that the building is not set immediately behind nos. 9-12 Trinity Place and the windows serve non-habitable or secondary bedroom windows, it is not considered that any undue overlooking of the nearest apartments in Trinity Place would occur. The off-set of the building, the fact that it reduces in height at the southern end of the site and that the roof hips away would also ensure that the proposed building would not result in an adverse overbearing impact. On this point it is noted that the proposal would improve the outlook for the residents of Trinity Place by the removal of the large mass of the existing building. Finally, the separation distance and the positioning of the building to the north-east of the properties in Trinity Place would ensure that there would be no adverse loss of sunlight or daylight.
7.5.5 With regard to the properties in Sish Lane, the separation distance to no. 21 Sish Lane would be approximately 50m. Even allowing for an extension of 21 Sish Lane which the residents say is not shown on the submitted drawings, this separation distance would be well in excess of the 35m back to back distance set out in the Stevenage Design Guide. This distance would be sufficient to ensure no undue loss of privacy to the occupiers of the closest properties in Sish Lane.

7.5.6 The relationship to no. 2 Letchmore Road (Tudor House) from the proposed building is considered to be acceptable as this would comprise a side to side relationship. Only two, secondary windows serving bedrooms on the first floor and a recessed end of corridor window are shown on the western side elevation of the western wing of the building. Additionally, Tudor House does not have any windows in its facing side elevation. The separation distance of 11.6m would also ensure that the building would not be overbearing to Tudor House which is in use as an office for a firm of solicitors at present.

7.5.7 In relation to no. 2A Letchmore Road, at its closest point the proposed building would be 17m to the east of this vacant office building. This distance would be sufficient to ensure no detrimental loss of light and would improve the overbearing relationship by the removal of the existing large building which is currently in close proximity to the western boundary of the site. Given the office use (currently vacant) of the building, it is not considered that the proposal would result in any detrimental overlooking as the standards to protect residential amenity do not apply.

7.5.8 In addition to the current use and building on the adjacent site, the consented use of the adjacent site also needs to be considered, albeit that this permission (reference 13/00516FP) has not been implemented as yet. No. 2A Letchmore Road has recently been granted planning permission (January 2014) for the demolition of the existing building and the development of a building comprising five apartments, car parking and access areas, gardens, landscaping and ancillary development. The approved drawings associated with this permission show a horse-shoe shaped building that would be developed right up to the eastern boundary of this site and with two apartments situated on the eastern part of this site. At first floor level this development would have three windows facing onto the application site but these serve an en-suite bathroom and stairs in Unit 4 and stairs in Unit 5 so are all non-habitable rooms which would ensure no direct overlooking. There is also a garden terrace to Unit 5 at first floor level but this is shown with a glazed balustrade and a condition has also been attached to this planning permission requiring further details of the balustrades to ensure that they are effective privacy screens. At the second floor level there would be two further dormer windows and a rooflight window facing onto the application site that would serve bedrooms of Units 4 and 5 and as such the potential impact of direct overlooking needs to be considered. In relation to the eastern facing dormer window in Unit 5 this would be a secondary window as the main bedroom window would face north. Given the separation distance of approximately 18.2m to the windows of the proposed building on the application site at first floor level and 19.7m to the windows at second floor level and the fact that this window would be a secondary bedroom window, this relationship is considered to be acceptable. Unit 5 also has a rooflight window in its eastern elevation, however given its positioning and height in the roofslope there is considered to be limited potential for direct overlooking from this window. Bedroom 2 in Unit 4 is served by an eastern facing dormer window. The positioning of this proposed building would be at an angle to the proposed sheltered accommodation building such that there would be no direct and perpendicular window to window issue. This window would overlook the rear amenity space of the proposal; however, this is not a private garden but rather a shared amenity space and
would be overlooked by the different apartments in the southern wing of the application building in any case. Given this assessment it is considered that both the consented development (13/00516/FP) and the proposed development can be developed without resulting in detrimental overlooking to one another. To assist in this issue it is recommended that details of a privacy screen around the balcony serving Unit 32 on the second floor of the proposed building are included as a condition on any planning permission. Finally, it is noted that the proposal would improve the outlook from the neighbouring consented scheme by removing the existing large mass of building that is currently in close proximity (7.5m) to the east of this site.

Future Residential Amenity

7.5.9 In considering a residential scheme of this nature it is also important to ensure that living conditions for any future occupiers are appropriate. The Stevenage Design Guide does not set any specific requirements for the amount of amenity space for sheltered accommodation and as such it considered more appropriate to provide high quality amenity areas and landscaping. The scheme proposes three areas of dedicated amenity space around the building. These areas are proposed to be attractively landscaped areas to provide a quality amenity space for residents. Additionally, a number of the apartments would have a balcony or terrace to provide individual amenity areas for residents. Finally, the application site is in close proximity to the King George V playing fields. Taking these factors together, the proposal is considered to be able to provide a quality environment for residents.

Impact on the Highway Network

7.6.1 The proposal would require the closure of one of the existing access points onto Pound Avenue and the introduction of a new, reconfigured access from Pound Avenue further to the east. Hertfordshire County Council as Highway Authority has stated that vehicle to vehicle inter-visibility and pedestrian visibility is achievable from the new access, which complies with the Manual for Streets and is considered to be acceptable for the speed and hierarchy of the road in both directions. It is also stated that the parking area conforms to HCC standards as there is sufficient room for turning within the car park for vehicles to egress the site in forward gear.

7.6.2 The Highway Authority also consider that the proposed development would have a reduced impact on the local highway network compared to the current use of the site and state that the site has good accessibility to bus stops, the town centre and the rail station. Given this assessment the Highway Authority has stated that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways subject to conditions being attached to the grant of any planning permission.

Parking Provision

7.7.1 The proposal would provide 13 car parking spaces in total. At present the spaces have not been designated either as visitor parking or disabled parking spaces but this can be the subject of a condition. 8 internal and 4 external cycle parking stands are also proposed to be provided. The proposal is for 38 retirement apartments, comprising 27 no. one bed and 11 no. two units. In the Council’s Parking Provision Supplementary Planning Document (SPD) sheltered housing for the elderly requires 0.5 to 1 spaces per unit which would equate to 19 to 38 spaces. However, the application site is located within Zone 1 (identified in the SPD), where car parking provision can be reduced to 25-50% of the car parking standard. Taking the standard of 1 space per unit the parking provision range
would be 10-19 spaces. At 13 spaces this is obviously within the accepted range set out within the SPD and can accommodate both visitor and disabled parking spaces. This is considered to be an acceptable level of car parking provision in this sustainable location.

7.7.2 Additionally, 12 cycle parking spaces would exceed the minimum standard set out in the Parking Provision SPD (which would be 8 spaces), although it is recognised that 4 spaces are external and are more likely to be used by visitors, however there is room on site to provide further cycle parking should this prove necessary in future. The amount of cycle parking provision is considered to be an appropriate level for the number of units.

7.8 **Loss of the Existing Leisure Facility**

7.8.1 A number of the representations received have objected to the application on the grounds of the loss of the existing leisure facility. Additionally, Policy L4 of the District Plan seeks to protect existing leisure facilities. It states that “Development which would result in the loss of, or reduction in, leisure facilities will not be permitted unless the following criteria are met:

(a) the existing facility can be satisfactorily relocated within the development proposal; or

(b) the facility is replaced in an appropriate alternative location; or

(c) it can be demonstrated that the facility is no longer needed for either the purpose provided or an appropriate and viable alternative leisure use.”

7.8.2 It is evident that the snooker club would not be relocated within the development proposal and it is not intended that the facility would be replaced in an appropriate alternative location. With regard to criterion (c) the applicant has provided a Community Resource Analysis and a review of the provision of snooker, pool, poker and sports TV facilities within Stevenage. The latter document provides an analysis of alternative facilities that are available in Stevenage and in the wider area. It states that there are both alternative facilities available in Stevenage and the wider area and also potential sites where the snooker club could relocate to.

7.8.3 The Community Resource Analysis concludes that the existing use is struggling and that the operating company has had a 60% reduction in sites across the UK since 2009. It also states that the building is not suitable for conversion to another use given the poor layout and age of the building which would make it unlikely that a community user would take the premises on due to the increased costs of heating it and onward maintenance. The presence of asbestos is also stated as being a disincentive to leisure users. Finally, it is concluded that there are a considerable number of other leisure premises in the area with which the subject property cannot compete and there has been a decline in people playing snooker and watching live sports events. Whilst these arguments are noted they do not specifically meet the requirement of the policy to demonstrate that the facility is no longer needed or that there is not a viable alternative use. Notwithstanding this, it is considered that the publishing of the NPPF in 2012 and specifically the requirement to boost significantly the supply of housing now outweighs the requirements of Policy L4 of the District Plan, particularly as the Council cannot demonstrate a five year supply of deliverable housing sites. The application site is in a highly sustainable location, would provide a number of smaller units of which there is an acknowledged need and would meet a specific housing need for elderly people in the Borough. These factors combined with the need to provide new housing are considered to outweigh the requirement to
protect the existing leisure use or a viable alternative leisure use of the building in this instance.

7.9. **Other Considerations**

**Sustainability**

7.9.1 The applicant has stated that they are committed to reducing energy use wherever this is practical. Accordingly, the application includes an area for air source heat pumps for heating and hot water. It is stated that the development would easily achieve a significant reduction in CO$_2$ emissions through the use of this renewable energy technology. The attention to sustainability principles is welcomed and is in accordance with both the Stevenage Design Guide and the NPPF.

**Noise and Disturbance during Demolition**

7.9.2 In relation to noise and disruption during demolition of the existing building, it is accepted that redevelopment schemes can often cause inconvenience for a temporary period due to demolition and construction activities. However, as the proposal is close to residential properties it is considered appropriate to require a construction and demolition management plan to address such issues which can be a condition on any planning permission.

**Flood Risk**

7.9.3 Although the site is identified in Flood Zone 1, which is the lowest risk group for river or sea flooding, the site has been identified by the Environment Agency as a site that could be at risk of flooding from surface water. Given that the whole site is hard surfaced at present, it is considered that the proposal would make a positive contribution to this surface water flood risk by providing a significant amount of grassed and landscaped areas that would provide areas for water to drain to. Notwithstanding this, it is considered that a condition should be attached to any grant of planning permission to require a flood risk assessment to ensure that the site makes adequate protection for this specific type of flood risk.

8. **CONCLUSIONS**

8.1 The proposed redevelopment of this site for 38 retirement apartments complies with the National Planning Policy Framework and the Local Planning Authority’s housing policies in both the District Plan and the Interim Planning Policy Statement. It is considered that the proposal would have an acceptable impact on the character and appearance of the area, would not harm the adjacent heritage assets and would not significantly harm the amenity of occupiers of neighbouring properties or neighbouring consented schemes sufficient to warrant a reason for refusal. Additionally, the proposed scheme would not adversely affect the operation or safety of the local highway network and would provide a sufficient level of car and cycle parking in this highly sustainable location. Finally, the loss of the existing leisure use has been addressed. Whilst the proposal does not fully meet the requirements of Policy L4 of the District Plan it is considered that more weight has to be given to the need to provide housing in this sustainable location, particularly as the Council cannot demonstrate a five year supply of deliverable housing sites. Accordingly, it is recommended that planning permission be granted.
9. RECOMMENDATION

9.1 That planning permission be granted subject to the applicant having first entered into and completed a s106 legal agreement to secure/provide financial contributions towards:

- Library services;
- The improvement of outdoor leisure facilities;
- Affordable housing provision.

The detail of which would be delegated to the Head of Planning, Regeneration and Transport in liaison with the Head of Legal Services and subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 40014OS-PL02A, 40014OS-PL03B, 40014OS-PL04B, 40014OS-PL05A, 40014OS-PL06A, 40014OS-PL11 and 130-LS01.

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).

3. No construction shall take place until a schedule and samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: - To ensure the development has an acceptable appearance.

4. No development shall commence until a Code of Construction Practice has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. This shall include measures during the demolition and construction process to minimise the amount of dust generated, minimise the amount of noise generated, demonstrate how any asbestos associated with the demolition of the existing building will be handled and disposed of, to prevent mud, soil and other materials from the site being deposited on the highway, identify a suitable contractors’ compound and a methodology for the screening or enclosure of plant and machinery to be used, identify the hours of operation, detail construction methods, specify construction traffic haul routes, identify vehicle numbers and show how the junctions to and crossings of the public highway and other public rights of way will be managed. The approved Code of Construction Practice shall be implemented in full for the full duration of the demolition and construction activity relating to this permission at this site.

REASON: - To prevent harm to human health, to minimise the impact of construction vehicles and to maintain the amenity of the local area.

5. Notwithstanding the details shown in this application the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved boundary treatments shall be completed before the building hereby permitted is occupied.
6. The parking area shall not be brought into use until the proposed access has been constructed and the existing accesses, verge and footway along the entire frontage of the application site have been reinstated to the current specification of Hertfordshire County Council and to the Local Planning Authority’s satisfaction.

**REASON:** - In the interests of highway safety and amenity.

7. The access shall be 5.0 metres wide and the kerb radii shall be 3.0 metres that shall include a pram crossing complete with tactile feature.

**REASON:** - In the interests of highway safety and amenity.

8. The access shall be constructed in a hard surfacing material for the first 4.8 metres from the back edge of the footway.

**REASON:** - To prevent loose material from passing onto the public highway which may be detrimental to highway safety.

9. Any gates provided shall be set back a minimum of 5 metres from the back of the footway and shall open inwards to the site.

**REASON:** - To allow a vehicle to wait clear of the carriageway or footway while the gates are being opened and closed.

10. The building shall not be occupied until details of disabled and visitor parking have been submitted to and approved in writing by the Local Planning Authority. These spaces shall be implemented as approved before the building hereby approved is occupied.

**REASON:** - To ensure that the development makes the appropriate provision for disabled and visitor parking.

11. The building shall not be occupied until details of the external cycle storage facilities have been submitted to and agreed in writing by the Local Planning Authority. The building shall not be occupied until the arrangements as agreed have been implemented.

**REASON:** - To ensure the suitable provision of cycle storage.

12. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each by submitted to and approved, in writing by the Local Planning Authority:

1. **A preliminary risk assessment which has identified:**
   - All previous uses
   - Potential contaminants associated with those uses
   - A conceptual model of the site indicating sources, pathway and receptors
   - Potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and detailed risk assessment referred to in (2) and based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

**REASON:** - To protect groundwater as the previous use of the site has the potential to have caused contamination.

13. No occupation of any part of the development hereby permitted shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long term monitoring and maintenance plan) for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The longer term monitoring and maintenance plan shall be implemented as approved.

**REASON:** - To protect groundwater as this condition will ensure that all contaminated material identified on site has been removed or remediated.

14. If during development contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and received written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

**REASON:** - Intrusive investigations may not necessarily capture all contaminants present hence the need to appropriately address any new source discovered during excavation and development.

15. Within six months of implementation of development a detailed scheme of soft and hard landscaping and details of the treatment of all hard surfaces shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all existing trees on the land and details showing all trees to be removed, together with details of all new planting to take place including species, size and method of planting. The approved landscaping scheme shall be implemented in the first planting season following completion of the development.

**REASON:** - To ensure a satisfactory appearance for the development.

16. 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.

17. The balcony that would serve apartment 32 on the second floor of the western elevation shall be fitted with a privacy screen the details of which shall be submitted to and approved in writing before the building is occupied. The privacy screen shall be implemented before this unit is occupied and shall be retained in that form thereafter.

**REASON:** - To safeguard the privacy of the occupiers of adjoining properties.

18. No development shall commence until a Flood Risk Assessment to demonstrate how the proposal will mitigate the impact of surface water flooding has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

**REASON:** - To safeguard the development from surface water flooding and to ensure that the development does not add to the surface water flood risk in the locality.

19. No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

**REASON:** - The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

20. No development shall commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme and methodology of site investigation and recording as suggested by the archaeological evaluation
3. The programme for post investigation assessment
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
6. Provision to be made for archive deposition of the analysis and records of the site investigation
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation set out above.
The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved above and the provision made for analysis and publication where appropriate.

**REASON:** - To ensure that the proposal makes provision for the suitable recording of any archaeological remains.

21. The existing snooker club building shall not be demolished until a scheme for the recording of the building has been submitted to and approved in writing by the Local Planning Authority. The existing building shall then be recorded in accordance with the approved scheme.

**REASON:** - The application process has demonstrated that the existing building is of local importance and the building should therefore be suitably recorded before it is demolished.

**Pro-active Statement**

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

**10. BACKGROUND DOCUMENTS**

1. The application file, forms, plans and supporting documents having the reference number relating to this item.


5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.

6. Letters received containing representations referred to in this report.