

TOWN AND COUNTRY PLANNING ACT 1990

DECISION NOTICE

Mr Garth Hanlon
Savills (UK) Ltd
Unex House
132-134 Hills Road
Cambridge
CB2 8PA

Application No : 19/00474/FPM
Location : Land To The West Of Lytton Way Stevenage Herts
Proposal : Demolition of existing office building (Use Class B1) and structures, and the construction of seven apartment buildings comprising 576 dwellings (Use Class C3) together with internal roads, parking, public open space, landscaping, drainage and associated infrastructure works

Refusal of Planning Permission

In pursuance of their powers under the above mentioned Act and the Orders and Regulations for the time being in force thereunder, the Council have considered your application received with sufficient particulars on 8 August 2019, as shown on the plans accompanying the application.

Planning Permission is REFUSED

For the following reason(s);

- 1 The proposed development by virtue of its height, design and appearance would result in an incongruous form of development which would be harmful to the visual amenities of the area. The proposal would, therefore, be contrary to policies SP7, SP8 and GD1 of the Stevenage Borough Local Plan 2011-2031 and the advice in the National Planning Policy Framework 2019 and the Planning Practice Guidance 2014 relating to high quality design.
- 2 The proposal comprising 576 dwellings in 7 flatted blocks on this constrained site would result in an overdevelopment of the site which would be harmful to the character and appearance of the area. The proposal would, therefore, be contrary to policies SP7, SP8 and GD1 of the Stevenage Borough Local Plan 2011-2031 and the advice in the National Planning Policy Framework 2019 and the Planning Practice Guidance 2014 relating to high quality design.

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- 3 The proposal would fail to provide the necessary mitigation required to deal with the impact that the proposed development would have on the demand on the infrastructure required to support the proposed development. The proposal would, therefore, be contrary to policy SP5 of the Stevenage Borough Local Plan 2011-2031.

The Council has acted Pro-Actively for the following reason:-

- 1 Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted pro-actively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.



Dated : 6 March 2020

Zayd Al-Jawad
Assistant Director, Planning & Regulation

**ATTENTION IS DRAWN TO THE ATTACHED NOTES REGARDING APPEALS
TO THE SECRETARY OF STATE**

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TOWN AND COUNTRY PLANNING ACT 1990 PLANNING (LISTED BUILDINGS & CONSERVATION AREAS) ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the First Secretary of State under Section 78 of the Town and Country Planning Act 1990, or Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- If this is a decision to refuse to planning permission for a Householder application and you wish to appeal against your Local Planning Authority's decision then you must do so within **12 weeks** of the date of this notice.
- If you want to appeal against your Local Planning Authority's decision for any other type of application then you must do so within **six months** of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>
- The Secretary of State can allow a longer period of giving notice of an appeal, but he will not be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to any provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

Appeals under the Control of Advertisement Regulations

The same provision relating to rights of appeal against the Local Planning Authority's decision applies to advertisements with the following differences:

- Notice of appeal must be given in writing to the Secretary of State within 8 weeks from the date of this notice.
- The notice of appeal must be accompanied by a copy of the following documents:
 - (a) The application forms
 - (b) All relevant plans and particulars
 - (c) This notice of decision
 - (d) All other relevant correspondence with the AuthorityThe Secretary of State may require a statement of additional matters from either the applicant or the Local Planning Authority, and may with the agreement of both the applicant and the authority determine the appeal without affording an opportunity to appear before an Inspector.

Purchase Notices

- If either the Local Planning Authority or the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Compensation

- In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.
- These circumstances are set out in Section 169 and related provisions of the Town and Country Planning Act 1971.