



PLANNING AND DEVELOPMENT COMMITTEE

Date: Tuesday, 4 December 2018

Time: 6.30pm,

Location: Council Chamber, Daneshill House, Danestrete

Contact: Lisa Jerome (01438) 242203

Members: Councillors: D Cullen (Chair), M McKay (Vice-Chair), D Bainbridge, L Briscoe, M Downing, J Fraser, ME Gardner, J Hanafin, L Harrington, L Kelly, G Lawrence, J Lloyd and G Snell.

AGENDA

PART 1

1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

2. MINUTES - 6 NOVEMBER 2018

To approve as a correct record the Minutes of the previous meeting held on 6 November 2018.

Pages 3 – 10

3. 18/00400/FP - LAND LOCATED BETWEEN BLENHEIM WAY, THE A602 AND HERTFORD ROAD, STEVENAGE

Proposed development of a new community centre, cycle path running through the site, associated parking and landscaping.

Pages 11 – 32

4. 18/00398/FPM - THE BRAGBURY CENTRE, BLENHEIM WAY, STEVENAGE

Demolition of the existing community centre, neighbourhood centre, Asquith Court sheltered accommodation and various residential dwellings and the construction of a mixed use development with 169 no. dwellings (Including independent living) and 4 no. retail units across various blocks.

Pages 33 – 84

5. 18/00399/FPM - WALPOLE COURT, BLENHEIM WAY, STEVENAGE

Demolition of the existing Walpole Court sheltered scheme and associated parking and the construction of 51 no. apartments and 9 no. dwellinghouses.

Pages 85 – 122

6. 18/00398/FPM - LAND BORDERED BY ASHDOWN ROAD, MALVERN CLOSE AND HERTFORD ROAD, STEVENAGE

Construction of 7 no. new dwellings comprising of 2 no. five bed, 2 no. four bed and 3 no. three bed dwellings with associated parking and access.
Pages 123 – 154

7. INFORMATION REPORT - DELEGATED DECISIONS

To note a report on decisions taken by the Assistant Director Planning and Regulatory in accordance with his delegated authority.
Pages 155 – 168

8. URGENT PART I BUSINESS

To consider any Part I Business accepted by the Chair as urgent.

9. EXCLUSION OF THE PRESS AND PUBLIC

To consider the following motions that:

1. Under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as described in paragraphs 1-7 of Part 1 of Schedule 12A of the Act as amended by Local Government (Access to information) (Variation) Order 2006.
2. That Members consider the reasons for the following reports (if any) being in Part II and determine whether or not maintaining the exemption from disclosure of the information contained therein outweighs the public interest in disclosure.

10. URGENT PART II BUSINESS

To consider any Part II Business accepted by the Chair as urgent.

STEVENAGE BOROUGH COUNCIL

PLANNING AND DEVELOPMENT COMMITTEE MINUTES

Date: Tuesday, 6 November 2018

Time: 6.30pm

Place: Council Chamber

Present: Councillors: David Cullen (Chair), Maureen McKay (Vice-Chair), Lloyd Briscoe, Michael Downing, James Fraser, Michelle Gardner, Jody Hanafin, Liz Harrington, Lizzy Kelly, Graham Lawrence, John Lloyd and Graham Snell.

Start / End Time: Start Time: 6.30pm
End Time: 7.40pm

1 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were submitted on behalf of Councillor Doug Bainbridge.

Councillors Dave Cullen and Lizzy Kelly declared a personal interest in Agenda Item 3 – 62 Bedwell Crescent as patients of the Dental Practice.

2 **MINUTES - 11 SEPTEMBER 2018**

It was **RESOLVED** that the minutes of the Planning and Development Committee held on 11 September 2018 are approved as a correct record and signed by the Chair.

3 **62 BEDWELL CRESCENT, STEVENAGE**

The Committee considered an application for the erection of a two-storey side and first floor rear extension and change of use of public amenity land to land associated with the dental surgery (Use Class D1) and the creation of access ramp.

The Principal Planning Officer gave an introduction to the Committee. He advised that the main issues for consideration in the determination of the application were its acceptability in land use policy terms, impact on visual amenity, impact on residential amenities, parking provision and highway safety.

The Chair invited Mr John Billingham, an objector to address the Committee. Mr Billingham's objections related to the overdevelopment of the site, the fact that there was no disabled parking available on the site and no safe place for people with disabilities to park in the vicinity. Patients had also been parking in the United Reform Church without permission as well as visiting the neighbouring properties at 60 and 64 Bedwell Crescent by accident.

The Chair thanked Mr Billingham and invited Mr Adrian Yellon the applicant and owner of the dental practice to address the Committee. Mr Yellon referred to a previous application which had been submitted in 2011 for a similar build which had been granted by the Council. The Committee was also advised that a new access ramp from Bedwell Crescent into the property would be installed to ensure disabled access to the building was improved.

The Chair thanked Mr Yellon and invited the Principal Planning Officer to continue with his presentation.

The Committee were advised that whilst concerns have been raised by neighbours about the impact the development would have on this area of amenity space it was not considered to be detrimental to the street scene and the Council's Parks and Amenities section had raised no concerns about its loss subject to the provision of suitable planting.

In relation to the impact on visual amenity, due to the size and design of the proposed extension it was considered that the proposed development would not have a detrimental impact on the character and appearance of the property or the wider street scene.

The Committee was advised that the Council's adopted parking standards required a minimum of three parking spaces per consultation room plus additional spaces for staff. As there was no off-street parking serving the practice there was currently a deficit of 17 spaces. The proposed application would also require an additional 4 spaces.

Officers advised that whilst the concerns of residents were recognised in relation to the lack of parking, although there were double yellow lines positioned on the junction of Cuttys Lane and Bedwell Crescent, the remainder of both roads in close proximity of the site had no restrictions in place. Additionally there was parking at the Bedwell Centre approximately 150m from the application site. The site was also accessible by public transport and was within walking distance of Stevenage Town Centre. Officers stated that given this, it was considered that there were insufficient grounds to warrant refusal as the situation would not substantively change as a result of this application.

The proposal was therefore considered to be acceptable and it was recommended that planning permission be granted.

Members expressed concern regarding the lack of parking for the surgery and in particular that there was no disabled parking available and no safe space for people with disabilities to park. In response to a question, officers confirmed that the United Reform Church on Cuttys Lane had not granted permission for people associated with the dental practice to use the church car park.

A motion to defer consideration of the application for further consideration of the parking situation was moved and seconded but upon being put to the vote was lost.

Following further consideration, it was **RESOLVED:**

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:

Site Location Plan; 812:01; 812:02A.
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 3 The materials to be used in the construction of the external surfaces of the side and first floor extensions shall be similar to the materials used in the construction of the original building to the satisfaction of the Local Planning Authority.
- 4 No development, above slab level, shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft and hard landscaping and the treatment of all hard surfaces. The scheme shall include details of all existing trees, hedgerows or other planting on the land which are to be retained or removed together with details of all new planting to take place including species, size and method of planting. The approved hard and soft landscaping shall thereafter be implemented and maintained in accordance with the approved details.
- 5 All planting, seeding or turfing comprised in the approved soft and hard landscaping shall be carried out in the first planting and seeding season following the first use of the extensions or the completion of the development whichever is the sooner. 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 a similar size and species unless otherwise agreed in writing by the Local Planning Authority.
- 6 All hardsurfacing comprised in the approved details of landscaping shall be carried out within three months of the first occupation/use of the approved development or the completion of the development, whichever is the sooner.
- 7 The secure cycle parking shown on drawing number 812:02A shall be implemented in full before the first occupation/use of the development hereby permitted and shall be thereafter retained in perpetuity.
- 8 No development, above slab level, shall take place until details of the width and paving of the pedestrian pathway/footway that connects to the public footway with the new front entrance to the development has been submitted to and approved in writing by the Local Planning Authority. The pathway/footway shall be provided in accordance with the approved details before the development is occupied or use of the extension commences.

- 9 No development, above slab level, shall take place until details of measures to address adaptation to climate change have been submitted to and approved in writing by the Local Planning Authority. These measures shall be implemented and permanently maintained in accordance with the approved details.
- 10 The proposed first floor window on the eastern elevation of the first floor rear extension serving the x-ray room, shall be obscurely glazed (at level 3 or above of the Pilkington Scale of Obscurity) and non-opening as measured 1.7m from finished floor level.
- 11 All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Council, shall not be carried out on any Sunday or Bank Holiday, nor before 07.30 hours or after 18.00 hours on any weekdays, nor on any Saturday before 09.00 hours or after 13.00 hours.
- 12 No external lighting shall be installed or affixed to any buildings on the site unless the Local Planning Authority has first approved in writing the details of the position, height, design and illumination intensity. Any lighting thereafter installed shall be in accordance with the approved details.

INFORMATIVE

Hertfordshire County Council Highways

Construction standards for works within the highway: All works to be undertaken on the adjoining highway shall be constructed to the satisfaction and specification of the Highway Authority, by an approved contractor, and in accordance with Hertfordshire County Council's publication "Roads in Hertfordshire – Highway Design Guide 126 (2011)". Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

4 **LAND AT SIX HILLS HOUSE, LONDON ROAD, STEVENAGE**

The Committee considered an application for the variation of "Contribution Trigger Event" under Section 1 and additional mortgagee clause imposed to Section 2 of the S106 Agreement (dated 6 December 2017) approved under planning application 16/00482/FPM.

The Principal Planning Officer gave an introduction to the Committee.

The Committee was advised that all of the proposed changes to the S106 agreement were minor in nature and allowed the developer sufficient time to reach agreements with Network Rail, UK Power Networks and Thames Water. In addition, the additional clause related to a hypothetical position should the landowner go into

administration and that they would be responsible for all the obligations set out in the agreement and as such would not weaken the Council's position in anyway. Therefore the proposed changes were considered acceptable.

In response to a question, officers confirmed that the situation would be monitored to ensure as far as possible the deadline of 29 February 2019 for the "Contribution Trigger Event" was adhered to.

It was **RESOLVED** that the variation to the definition "Contribution Trigger Event" and to add an additional clause to Section 2 of the S106 agreement dated 6 December 2017 be approved and that authority be delegated to the Assistant Director of Planning and Regulation in conjunction with an appointed Solicitor on behalf of the Council to agree the precise wording of the variation to the S106 agreement.

5 **25 BUDE CRESCENT, STEVENAGE**

The Committee considered an application for the change of use of public amenity land to private residential land.

The application was before the Committee for determination as the applicant and landowner was Stevenage Borough Council.

The Development Manager gave an introduction to the Committee. The main issues for consideration in the determination of the application were the impact of the loss of the amenity land on the character and appearance of the area.

The Committee was advised that the change of use from amenity land to residential curtilage would not alter the character and appearance of the area, or harm the form or function of the structural open space. The proposed use was therefore considered acceptable.

In response to a question from a Member, officers confirmed that there would be no loss of trees as a result of the application.

It was **RESOLVED**:

That planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be carried out in general accordance with the following approved plans: 542H-C-012-01 Site Location Plan; 542H-C-012-07 Proposed Site Plan.
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. The area of land, shown red on the approved drawing 542H-C-012-07 Proposed Site Plan, located to the side / south east of 25 Bude Crescent, shall be enclosed by timber fencing to match the existing fencing and to be no higher than 2m in height unless otherwise agreed in writing by the Local

Planning Authority.

6 **25 BUDE CRESCENT, STEVENAGE**

The Committee considered an application for the erection of a single storey side extension.

The application was before the Committee for determination as the applicant and landowner was Stevenage Borough Council.

The Development Manager gave an introduction to the Committee. The Committee was advised that the main issues for consideration in the determination of the application were the design and the impact on the character and appearance of the area and the parking provision.

It was noted that the design of the proposed extension was considered to be of an acceptable design. Adequate off-street parking provision could also be provided for the parking of three cars. It was therefore recommended that planning permission be granted.

It was **RESOLVED**:

That planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be carried out in general accordance with the following approved plans: 542H-C-012-01 Site location plan; 542H-C-012-02 Existing Block Plan; 542H-C-012-04 Proposed Block Plan; 542H-C-012-03 Existing Elevations and Floor Plans; 542H-C-012-05 Proposed Floor Plans; 542H-C-012-06 Proposed Elevations.
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. The materials to be used in the construction of the external surfaces of the single storey side extension hereby permitted shall match the materials used in the construction of the original dwelling to the satisfaction of the Local Planning Authority.

7 **INFORMATION REPORT - DELEGATED DECISIONS**

It was **RESOLVED** that the report be noted.

8 **INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS**

It was **RESOLVED** that the report be noted.

9 **URGENT PART I BUSINESS**

None.

10 **EXCLUSION OF THE PRESS AND PUBLIC**

Not required.

11 **URGENT PART II BUSINESS**

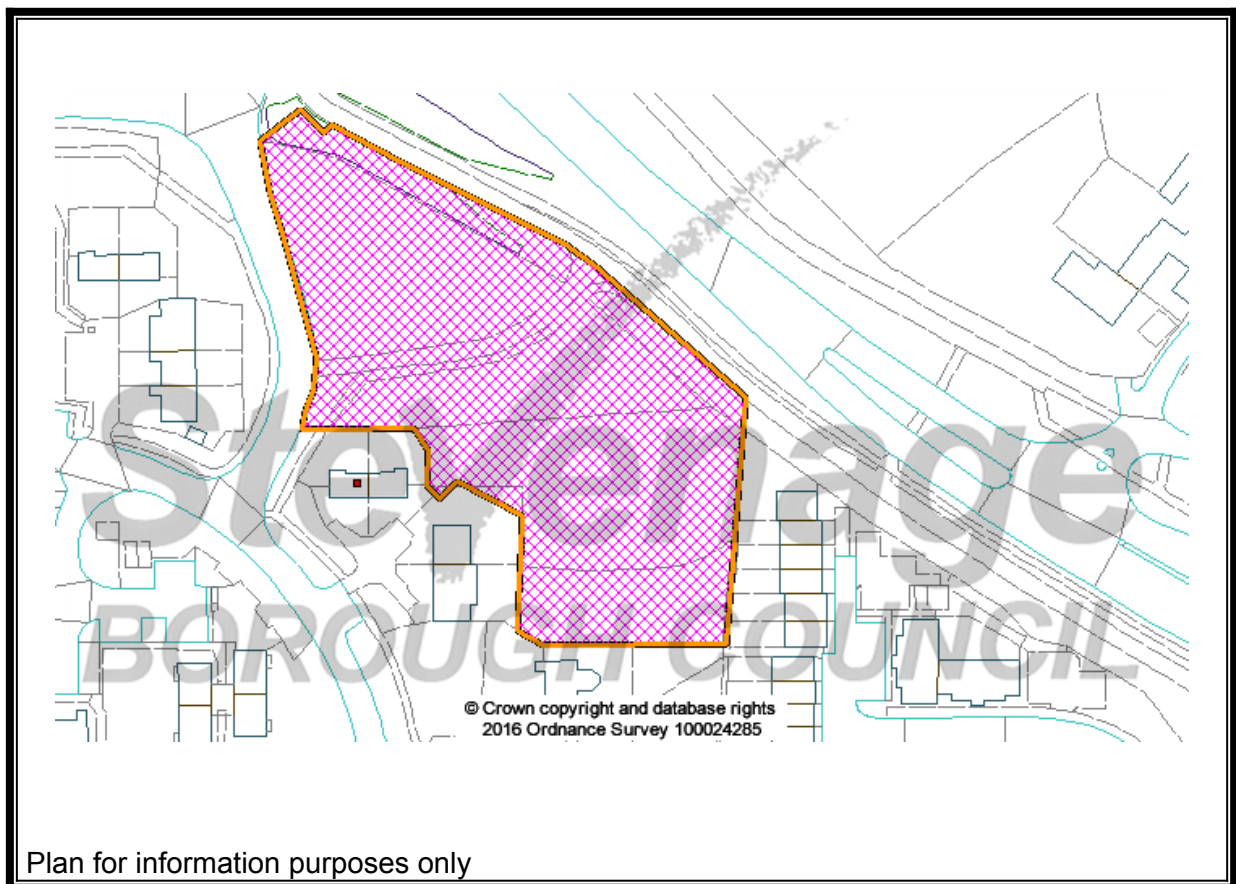
None.

CHAIR

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Meeting:	Planning and Development Committee	Agenda Item:
Date:	4 December 2018	
Author:	James Chettleburgh	01438 242266
Lead Officer:	Chris Berry	01438 242257
Contact Officer:	James Chettleburgh	01438 242266

Application No:	18/00400/FP
Location:	Land located between Blenheim Way, the A602 and Hertford Road, Stevenage.
Proposal:	Proposed development of a new community centre, cycle path running through the site, associated parking and landscaping.
Drawing Nos.:	16059.03.SU1.01A;16059.03.SU01.02A;16059.03.wd2.01G;16059.03.wd2.10D; 16059.03.wd2.101 B; 16059.03.wd2.102 B.
Applicant:	Stevenage Borough Council
Date Valid:	11 October 2018
Recommendation:	GRANT PLANNING PERMISSION.



1. SITE DESCRIPTION

- 1.1 The application site is located on a plot of land which lies adjacent to the junction of Blenheim Way and Hertford Road. The site is designated as “Principal Open Space” and consists of a number of mature trees and amenity grassland along with access to the cycleway. To the east and north/east of the site lies the A602 cycleway and main trafficked highway along with associated underpass. Immediately to the north of the site is the new traffic light controlled junction which serves Hertford Road and the A602. To the west of the site lies Blenheim Way which is a trafficked highway and to the south is a residential development of two-storey semi-detached houses which fronts onto Blenheim Way.
- 1.2 Turning to the surrounding area, to the east of the application site beyond the A602 is Stevenage Golf Course. To the south, beyond the area of principal open space is Pembridge Gardens which comprises a mixture of town houses terraced properties and residential blocks of flats. In regards to development along Blenheim Way, this comprises a mixture of semi-detached and terraced two-storey properties along with two and three storey residential blocks of flats. These properties and the blocks of flats are generally uniform in design constructed from red brick with concrete tiled roofs. In terms of their fenestration detailing, the properties and flat blocks comprise of uPVC windows and doors which are symmetrical, vertically aligned and evenly spaced. Turning to the flat blocks, they generally comprise of external balconies with metal balustrades, double mono-pitched roof and timber cladding on their flank elevations at the upper levels.

2. RELEVANT PLANNING HISTORY

- 2.1 There is no relevant planning history to this site.

3. THE CURRENT APPLICATION

- 3.1 The originally submitted application sought permission for the erection of a community centre and a residential block of apartments with twelve units. The proposal also comprised a shared vehicle and pedestrian access with a cycleway through route. The scheme has now been amended with the residential block of apartments being omitted.
- 3.2 The amended application before the Council now seeks permission for the erection of a community centre, cycle path running through the site with associated parking and landscaping. The proposed community centre would measure approximately 11.17m in length, span 32.5m in width with an eaves height of 2.87m with an overall height of 6.76m. The community centre would comprise of a meeting room, 2 no. halls, a coffee bar, kitchen, toilets, offices, plant room and associated storage areas. In terms of construction, the community centre would generally be clad in interlocking diamond shaped zinc, including the gable-end roof, with the principal façade finished in facing brick. The eastern elevation of the community centre consists of curtain wall glazing at full height which is recessed with a zinc roof overhang. The roof of the building would also consist of photo-voltaic (PV) panels positioned on the southern roof slope.
- 3.3 Towards the front of the building is a single-storey brick built structure which would be utilised as a bin store. The roof of the bin store, which forms part of the canopy attached to the main building, would be a flat finished Sedum (Green roof) with the flat roof parapet wall capping's to be finished in preformed steel. The fenestration detail of the centre would comprise of aluminium timber composite windows and doors which would be finished in dark grey. To the east of the building would be a garden enclosed by a 1.5m high retaining wall with PPC (Polyester Powder Coated) metal railings. Bordering the car parking areas and hardsurfaced areas to the front of the site, this would comprise of 450mm high knee high rail fence.

- 3.4 Running through the application site is a cycleway with associated pedestrian footpath. There would also be an area of surface parking which also consists of 3 disabled spaces. The proposal also seeks the provision of additional soft landscaping around the proposed car parking area and main building itself.
- 3.5 This application comes before the planning committee for consideration as the applicant and land owner is Stevenage Borough Council.

4. PUBLIC REPRESENTATIONS

- 4.1 As a minor planning application, the proposal has been publicised by way of letters to neighbouring premises and site notices have been erected. In addition, neighbouring residents were also consulted on amended plans associated with the site. At the time of drafting this report three objections have been raised from number 7 Stirling Close and numbers 25 and 102 Blenheim Way. A summary of the objections raised are as follows:-

- There have already been a number of trees removed on this site;
- There has already been upheaval for nesting birds from the A602 works;
- The community centre would be best placed located within the existing neighbourhood centre;
- There would be insufficient off-street parking and will result in vehicles parking on the highway;
- The proposal is likely to prejudice highway safety;
- The flatted part of the development would be located too close to the highway;
- The proposed development would affect pedestrian safety travelling through the site;
- The siting of the proposed development is inappropriate and out of character in this location;
- The residential travel plan is flawed and contains a number of errors and inconsistencies around dwelling numbers/retail floorspace, inaccurate traffic data and calculations, parking;
- The development would create an unacceptable level of additional traffic;
- The development would generate an unacceptable level of noise and disturbance to residents;
- The development would have a detrimental impact on property values;
- The development would result in an increase in crime and anti-social behaviour;
- The village characteristics of the area would be diminished by the development;
- Will the Council offer compensation to local residents affected by the development;
- The development will generate unacceptable pollution during construction phase of development;
- The infrastructure in place is not sufficient to accommodate the development;
- There cannot be a reliance on public transport;
- Where will electric vehicle charging points be located?;
- There is no public transport access to Knebworth Station and the parking provision at this station is inadequate, this demonstrates the development will be unsustainable;
- The proposed development will increase congestion on a number of roads in the area, including those in Knebworth;
- Cycling is not an option to the main station in Stevenage due to poor weather, the cycle ways in Stevenage are dangerous and poorly maintained
- The proposed housing development would not be affordable;
- The Council needs to provide more information on the Social housing it is looking to provide;
- There has been a lack of communication and transparency over the development from the Council;

- There needs to be a more open consultation with local residents with an opportunity to fully review the plans before they are presented for approval as it is likely people's views would not be heard;
- The development must not be monolithic;
- The development must not be excessive in height;
- The development must fit the "Spirit of Bragbury End";
- The development must have responsible modernity;
- The development must take into account the best facades where appropriate and replicate authentic facades;
- The development would have a negative impact on local wildlife;
- What are the Council's plans in replacing trees lost?;
- What security controls will be put in place, will there be CCTV linked to the Police?.

4.2 Please note that the aforementioned is not a verbatim of the comments and representations which have been received. However, a full version of the comments and representations which have been received are available to be viewed on the Council's website.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highways Authority

5.1.1 The County Council as the Highways Authority consider the development to be in accordance with National and Local Policies. Therefore, the Highways Authority is that there are no objections to the development proposal subject to the imposition of conditions. In addition, it is recommended a financial contribution is also sought for improvements to local bus stops as well as the pedestrian crossing and the widening of footpath access.

5.2 Hertfordshire County Council Development Services

5.2.1 Planning obligations will be sought for the provision of fire hydrants in order to minimise the impact of the development on Hertfordshire County Council Services.

5.3 Hertfordshire Constabulary as the Crime Prevention Design Service

5.3.1 The Police Crime Prevention Design Service are in support of the application. However, they suggest the provision of CCTV coverage at the centre which can be linked to the wider town wide scheme and monitored 24/7. In addition, the Police Crime Prevention Design Service are supportive of the Secure by Design approach adopted.

5.3.2 In regards to the amended scheme, the previous comments submitted still stand.

5.4 Herts and Middlesex Wildlife Trust

5.4.1 The development would not result in significant impact and providing the recommendations in the ecological report are implemented, the proposal would result in a net gain.

5.5 Council's Parks and Amenities Section

5.5.1 No objection is raised to the loss of the open space as the proposal is on an identified preferred location over other formerly proposed site. The site currently has limited amenity value due to its shape and location. However, it does provide some form of pleasing amenity when travelling along the A602.

5.5.2 It is recommended that suitable and sympathetic landscaping should be provided in order to reduce the impact on visual amenity. The proposed landscaping to be planted along the

A602 cycle track will need to be carefully considered, this is due to the topography/gradient and how this will be maintained. However, the planting must mitigate the loss of visual amenity from the A602.

- 5.5.3 All soft and hard landscaping elements need to be designed to be attractive as well as being mindful of the Council's resources. All planting shall be hardy to typical winters, drought tolerant and show consideration for year round interest. In addition, all planting should be undertaken in winter months.

5.6 Council's Arboricultural Manager

- 5.6.1 Following an analysis of the application, the proposals set out in the arboricultural report are acceptable. However, the only concern would be that where trees are due to be removed, the nearby ones would need to be pruned at the same time to compensate for the loss of support.

5.7 Council's Environmental Health Section

- 5.7.1 Following an assessment of the proposal, it is recommended that conditions should be imposed with respect to contamination, hours of construction and to ensure operations on the site do not cause issues with respect to noise, dust, smoke and lighting.

5.8 Thames Water

- 5.8.1 The proposed development is located 15m from a strategic sewer, therefore, Thames Water are seeking to agree a piling methodology and therefore, this should be secured via a condition. In addition, due to the position of the sewer, the impact will need to be minimised so that the development does not reduce capacity, limit repair or maintenance activities or inhibit the services provided by Thames Water.
- 5.8.2 In addition to the above, it is expected the developer demonstrates how they will minimise groundwater discharges into the public sewer. The groundwater discharges from the construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation, any discharge will need a permit as without a permit is deemed illegal and may result in prosecution. Therefore, if the Council is minded to grant permission, Thames Water recommends an informative attached to the permission with respect to a requirement to secure a Groundwater Risk Management Permit.
- 5.8.3 In relation to surface water drainage, it is advised that if the developer follows the sequential approach to the disposal of surface water there would be no objection. However, where the developer is seeking to discharge to a public sewer, prior approval from Thames Water will be required. In regards to water supply, this is under the jurisdiction of Affinity Water.

5.9 Other consultees

- 5.9.1 The original application which was received by the Council was classed as a major as it include a residential development of twelve flats. Given this, the Council in line with Government Regulations, was required to consult Hertfordshire County Council as Lead Local Flood Authority (LLFA) as they are a statutory consultee.
- 5.9.2 However, as the flatted part of the scheme has now been omitted from the proposal, the application is no longer classed as a major application. Given this, the Council does not have a statutory requirement to consult the LLFA. Consequently, their comments no longer stand in this instance and therefore, the suggested conditions in regards to the drainage

strategy are no longer relevant as they would not be classed as reasonable in line with the National Planning Policy Framework (2018).

- 5.9.3 Further to the above, the comments submitted by Hertfordshire County Council's Growth and Infrastructure Unit do not have to be considered in this instance. This is because the financial contributions sought for Library and Youth Services related to the flatted part of the original scheme. As this part of the proposal has now been omitted, there is no requirement to seek financial contributions in this instance.

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:

- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014);
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007); and
- The Stevenage District Plan Second Review 2004.

The Council has now reached an advanced stage in the preparation of a new Stevenage Borough Local Plan 2011-2031. The Plan has been used as a material consideration in the determination of all planning applications registered on or after Wednesday 6 January 2016. The Plan has now been through the Examination process and the Inspector's Report was received in October 2017. This recommended approval of the Plan, subject to modifications proposed. The Plan is currently subject to a holding direction placed upon it by the Ministry of Housing Communities and Local Government (MHCLG), which prevents its adoption whilst MHCLG are considering whether or not to call it in.

- 6.1.2 The National Planning Policy Framework sets out that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the National Planning Policy Framework.
- 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, bearing in mind the positive Inspector's Report, significant weight will be afforded to policies within the emerging Local Plan.

6.2 Central Government Advice

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in July 2018. 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 213 of the NPPF applies which states that due weight should be afforded to the relevant policies in the adopted local plan according to their degree of consistency with it.
- 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 the advice that the weight to be given to relevant policies in the local plan will depend on their degree of consistency with the NPPF, it will be necessary in the determination of this application to assess the consistency of the relevant local plan policies with the NPPF. The NPPF applies a presumption in favour of sustainable development.

- 6.2.3 In addition to the NPPF, advice in Planning Practice Guidance must also be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 11 of the National Planning Policy Framework requires the application to be determined in accordance with the presumption in favour of sustainable development unless otherwise specified.

6.3 Adopted Local Plan

Policy TW1: Sustainable Development;
Policy TW2: Structural Open Space;
Policy TW8: Environmental Safeguards;
Policy TW9: Quality in Design;
Policy TW10: Crime Prevention;
Policy TW11: Planning Requirements;
Policy T6: Design Standard;
Policy T12: Bus Provision;
Policy T13: Cycleways;
Policy T14: Pedestrians;
Policy EN13: Trees in new development;
Policy EN27: Noise Pollution;
Policy EN36: Water Conservation;
Policy EN38: Energy Conservation and Supply;
Policy L21: Footpath, Cycleway and Bridleway Network.

6.4 Stevenage Borough Local Plan 2011-2031 Publication Draft (Emerging Local Plan)

Policy SP1: Presumption in favour of sustainable development;
Policy SP2: Sustainable Development in Stevenage;
Policy SP4: A Vital Town Centre;
Policy SP5: Infrastructure;
Policy SP6: Sustainable Transport;
Policy SP8: Good Design;
Policy SP9: Healthy Communities;
Policy SP11: Climate Change, Flooding and Pollution;
Policy SP12: Green infrastructure and the natural environment;
Policy IT3: Infrastructure;
Policy IT4: Transport Assessments and Travel Plans;
Policy IT5: Parking and Access;
Policy GD1: High Quality Design;
Policy FP1: Climate Change;
Policy HC5: New health, social and community facilities;
Policy FP7: Pollution;
Policy NH1: Principal Open Spaces;
Policy NH5: Trees and woodland;
Policy NH6: General protection for open space.

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document January 2012.
Stevenage Design Guide Supplementary Planning Document January 2009.

7. APPRAISAL

- 7.1 The main issues for consideration in the determination of this application are its acceptability in land use policy terms, the impact on the character and appearance of the area; the impact

on both existing neighbouring amenities and future residential amenity; the effect of the proposals on the highway network; the adequacy of parking provision and flood risk.

7.2 Land Use Policy Considerations

7.2.1 The application site is not currently designated in the Stevenage District Plan Second Review 1991 - 2011 (adopted 2004). Therefore, it would be classed as an area of informal open space. In this regard, Policy TW2: Structural Open Space needs to be considered. This policy states that development proposals which have an unacceptable adverse impact on the structural open spaces of the town will not be permitted. Therefore, when assessing the impact of a development proposal, the following criteria would be used:-

a. the size, form, function and character of the structural open space affected by the development proposal; and

b. the impact of the development proposal on the structural open space.

7.2.2 Notwithstanding the above, the Stevenage Borough Local Plan 2011 – 2031 Publication Draft January 2016 designates the application site under emerging Policy NH1 (NH1/17) as an area of Principal Open Space. Taking this policy into consideration, it states that planning permission would be granted where proposals do not result in the loss of any part of a principal open space, it does not have an adverse impact on the principal open space within or adjacent to, the application site, and reasonably provide or contribute towards the maintenance or improvement of the principal open space.

7.2.3 In addition to the above, the policy states that planning permission will be granted for small scale leisure and recreation developments within a Principal Open Space where they support its continued use and maintenance. New or replacement facilities that meet the general definitions of Principal Open Spaces will be afforded the same protections as the sites identified in the aforementioned policy.

7.2.4 Taking into consideration the aforementioned Policies, the proposed development would result in the reduction of an area of structural open space as well as part an established principal open space. Consequently, the development would be contrary to the aforementioned policies. However, whilst the site does form part of this principal open space, the development ensures that a large proportion of the principal open space is retained. This is because firstly, the development has been designed in a way that involves the least amount of land to be taken up by built form and hardsurfacing. Given this, the proposed development would cover an area of approximately 2,035 sq.m or 20% of the principal open space. Therefore, a large area of principal open space would be retained as part of the development proposal. As such, the proposed development does not detrimentally impact upon the overall structural integrity of the principal open space and it would not physically break the flow of the space. This is because it would still run through between Broadhall Way (A602) down to Bragbury End.

7.2.5 Further to the above, the applicant has confirmed in line with the Policy NH1, the development will also provide a leisure offer which will be of a benefit to the local community. In addition, the proposed development also seeks to provide an upgraded two way cycle track which would be of a benefit as well. Moreover, the applicant will be providing a new communal garden which would be run by the local community in order to compensate for loss of the existing communal garden due to the proposed development of Kenilworth Close neighbourhood centre.

7.2.6 Turning to the principal open spaces ecological and wildlife value, it has been established within the Preliminary Ecological Report and Phase 1 Habitat Survey submitted as part of this application that the application site is classed as having low ecological value with no protected species being identified. This is due to the presence of low value amenity grass

which is punctuated by semi/mature trees. Furthermore, it was also identified in the Ecological Report that there are no protected species. In addition, the site is not designated as a wildlife site or is a nationally significant of importance such as a SSSI (Site of Special Scientific Interest) or AONB (Area of Outstanding Natural Beauty). Further to this, as set out in the Arboricultural Impact Assessment, apart from the Oak Tree on the site which is to be retained, a number of trees on this site are of limited amenity value. Therefore, it can be concluded that the site is of limited wildlife and amenity value.

- 7.2.7 In addition to the above, one of the justifications for the siting of the community centre on this site is due to the proposed redevelopment of the Kenilworth Neighbourhood Centre (Application references:- 18/00398/FPM and 18/00399/FPM). In this regard, the proposed redevelopment project for Kenilworth Close requires the demolition of the existing community centre in order to help to facilitate the delivery of new homes and shops. Consequently, the community centre needs to be sited on land which is close to the existing neighbourhood centre and is easily accessible by members of the local community. Therefore, the applicant also undertook a sequential test of nearby sites as well as liaising with the Community Association as well as the Council's Communities and Neighbourhood Centre. The site was identified as the most suitable location for the replacement community centre due to the locality and accessibility to the wider public. In addition, it was the closest suitable location to the neighbourhood centre which is to be provided as part of the wider redevelopment of Kenilworth Close neighbourhood centre.
- 7.2.8 Further, the applicant has agreed to provide suitable high quality landscaping which would be secured via a condition as well as provide biodiversity improvements such as the provision of bat and bird boxes. It is recommended that these improvements are secured via the imposition of a condition if planning permission were to be granted.
- 7.2.9 Taking into consideration the above, whilst the development does result in the loss of an area of Principal Open Space, the overall benefits of the development would outweigh the harm in this instance. In addition, it will provide a facility for small recreation and leisure activities to take place and it would also help to support the wider community generally.

7.3 Impact on the Character and Appearance of the Area

- 7.3.1 The surrounding area is characterised by a mixture of terraced properties and residential blocks of flats. In regards to the semi-detached properties which are located due south of the application site, they are centred on a shared surface parking area which is punctuated by small areas of open space with semi-mature trees. To the west of the site beyond Blenheim Way lies Stirling Close, this comprises a mixture of terraced properties which centre on a shared surface car park along with a number of residential blocks of flats.
- 7.3.2 The proposed community centre, as set out in paragraph 3.2 of this report, would have a footprint of approximately 365m² and would measure approximately 11.17m in length, span 32.5m in width with an eaves height of 2.87m with an overall height of 6.76m. The roof of the building would comprise of a traditional gable-end. To compare the height and scale of the building, it would not be dissimilar in height to the existing residential properties along for example Blenheim Way and Stirling Close and would have a similar footprint to a pair of semi-detached properties. Therefore, in terms of scale and built form, the proposal would not be out of character in this instance.
- 7.3.3 In terms of visual appearance, the community centre would be clad in interlocking diamond shaped zinc, including the gable-end roof, with the principal façade finished in facing brick. The eastern elevation of the community centre would consist of curtain wall glazing at full height which is recessed with a zinc roof overhang. This part of the building opens out onto the enclosed garden area.

- 7.3.4 To the front of the building is a single-storey brick built structure which would be utilised as a bin store. The roof of the bin store, which forms part of the canopy attached to the main building, would be flat finished in Sedum (Green roof) with the flat roof parapet wall capping's to be finished in preformed steel. The fenestration detail of the centre would comprise of aluminium timber composite windows and doors which would be finished in dark grey. The windows themselves are of varying designs and would be recessed into the building in order to add variety and interest into the overall facades.
- 7.3.5 Taking into consideration of the above, the contrast in the use of materials along with a mixed window design combined with the fact that the building would be well articulated with projecting and recessed features, help to not only provide visual interest but also give a high quality appearance. Further to the above, as the development is located on a prominent and conspicuous site, being located on the junctions of the A602/Blenheim Way/Hertford Road, it is noted that the site has a gateway status, therefore, the scheme has been developed to ensure a high quality community building is located on the most prominent position on the application site. The building, due to its unique, contemporary modern design would also create a landmark feature in this part of the townscape as you travel along the A602 towards Stevenage Town Centre.
- 7.3.6 Turning to the overall setting of the community centre, the proposal also seeks to retain a number of existing trees combined with the provision of an enclosed garden and additional soft landscaping, which would help to enhance the overall amenity value of this part of the Principal Open Space. In addition, the use of low level retaining walls with open metal fencing and use of a mixture of block paving also enhance the overall design concept of the development as well as help to frame the car parking areas, shrub/landscaping beds and the garden areas as well.
- 7.3.7 Given the aforementioned assessment, the proposed development would not have a detrimental impact on the character and appearance of the street scene. This is because the proposal seeks to deliver a development which is well designed and of high quality as well as create a landmark form of development on this key gateway site.

7.4 Impact upon Neighbouring Amenity

- 7.4.1 With regards to the impact on neighbouring amenity, the proposal would not have a detrimental impact on the amenities of nearby residential properties. The nearest residential property which is number 6 Stirling Close, is located 25m from the proposed development located across Blenheim Way. Taking this into consideration combined with the fact that the building is only single-storey, it would not harm the outlook or appear overbearing to the owner/occupiers of the aforementioned property.
- 7.4.2 In regards to noise, the proposed development is set against the backdrop of the A602 which is a busy trafficked highway. Given this, there is already a large amount of background noise which is currently generated by vehicular traffic. Turning to the development, the internal layout of the building has ensured that the halls have been located towards the rear of the building away from the nearest residential premises. Taking this into consideration, the Council's Environmental Health Section has not raised any concerns with respect to potential noise which would be generated by activities conducted within the community centre.
- 7.4.3 Notwithstanding the above, in order to protect the amenities of nearby residents during the construction phase of the development, a condition would be imposed to any permission granted to restrict the hours of construction in relation to noisy activities. With respect to external lighting, the applicant has not submitted any details of lighting which would be installed on the development or around the application site. However, to ensure that any external lighting does not affect the amenities of nearby residential properties or prejudices highway safety, it is recommended a condition be imposed to any permission granted in

order to deal with external lighting. This condition will require the applicant to submit details of any external lighting scheme if such lighting is to be installed.

7.5 Impact on the Highway Network

- 7.5.1 The application site is bound by Hertford Road and Blenheim Way and does not currently comprise of vehicular access. However, there is an existing cycle track and public footpath which run through the centre of the site. Hertford Road and Blenheim Way are undesignated local access roads with a speed restriction of 30mph. The proposed access into the site would have a bell mouth of 13m with an overall internal car park road width would be 6m. With this in mind, the access road and internal road serving the car park would be of a sufficient width to allow for two way traffic.
- 7.5.2 Turning to vehicle-to-vehicle inter visibility as taken from the individual access points, these have been designed in accordance with the Department for Transport (DfT) Manual for Streets and Herefordshire County Council (HCC), Road in Hertfordshire Design Guide. In terms of pedestrian visibility, the proposed raised pedestrian crossing which crosses the new access road, this would have adequate visibility splays in line with Manual for Streets as well as HCC Roads Design Guidance.
- 7.5.3 In regards to vehicle manoeuvrability, the applicant has provided as part of this application submission swept path analysis as part of their Transport Assessment. The plans depicting the swept path analysis display that tracking is accommodated within the site the average motor car. In terms of accessibility for emergency vehicles, the proposed is within the statutory building regulation distance to all parts of the building from the principal and internal road. Given this, HCC as the Highways Authority have not raised any concerns about vehicle manoeuvrability within the development site.
- 7.5.4 In assessing traffic generation, the applicant's transport consultant has produced a transport assessment which incorporates details of proposed traffic generation for weekdays. The assessment also comprises of a future year assessment model in order to inform the potential future impact of the development on the surrounding highway network. The model utilised to predict the amount of traffic which would be generated was via TRICS (Trip Rate Information Computer System) with a base model of a community centre in a similar location. The selected peak periods of assessment are the typical commuter peak periods of 08:00-09:00 and 17:00-18:00 on a weekday. The peak hours have been based upon the observed peak hours on the local highway network.
- 7.5.5 The Transport Assessment sets out that in the AM Peak there would be 2 arrivals and 1 departure (3 vehicle movements) and the PM Peak 1 arrival and 1 departure (2 vehicle movement). In addition to this, on the request of HCC as Highways Authority additional information was sought regarding potential vehicle movements the development would create on the weekend. However, the Transport Consultant advised that for community centre developments the TRICS database does not provide comparable survey data for weekends. However, the Transport Consultant sets out that even if the Community Centre were to generate 7-8 times the weekday numbers, this would not have an adverse impact on highway safety.
- 7.5.6 In order to assess future traffic growth on these junctions based on the survey data from 2018 up to a future year of 2023 (5 years is an agreed industry standard), the Transport Consultant has utilised the National Transport Model (NTM) which factors local conditions using TEMPRO (Trip End Model Presentation Programme). This model demonstrates that the queue length on the junction and surrounding roads would be well dispersed due to the various access points into the development. In addition, the modelling has demonstrated that the new A602/Hertford junction would operate with adequate spare capacity during both peak periods.

- 7.5.7 In regards to the traffic modelling generated within the Transport Assessment, HCC Highways considers the data produced is a fair representation of the potential amount of traffic which would be generated by the development). Following a review of this, it is considered the development would generate a nominal increase in vehicle trip movements to and front the development site, but, this would not be to prejudicial highway safety. In addition, the applicant has provided accident data which demonstrates that there have been no serious accidents within the vicinity of the development. Furthermore, the Highways Authority consider that the likely distribution and assignment of traffic across the surrounding roads, the impacts of the proposal would be dispersed throughout the various junctions.
- 7.5.8 With respect to the existing cycleway, this will be reprovided as part of the proposed development. The new shared cycleway will run parallel to the existing cycleway which is to be stopped up with the new cycleway being 5m in width as it will be shared by pedestrians. As such, Hertfordshire County Council as Highways Authority considers the replacement cycleway to be acceptable as it would accord with their Design Guidance. In terms of accessibility for pedestrians, the proposed development would provide safe means for pedestrians access into the developed, including for those with reduce mobility or in wheelchairs. The Highways Authority also considers these pedestrian access points and the crossing is also in accordance with their guidance.
- 7.5.9 In regards to construction on the highway to create the new access points as well as the shared footpath/cycle track which would run through the centre of the site, HCC as Highways Authority recommend the applicant enters into a Section 278 Agreement under the Highways Act. This is in order to ensure the works to be undertaken on the highway meet current standards. In addition, HCC recommends that planning permission were to be granted, conditions should be imposed in respect to the following:-
- Cycle parking;
 - Details of hardsurfacing;
 - Car park management plan;
 - Construction management plan;
 - Visibility splays for pedestrians on the raised pedestrian crossing;
 - Widening of the existing footway to the bus stop;
 - Works to connect the new shared pedestrian cycleway;
 - Stopping up order; and
 - Drainage,
- 7.5.10 In regards to the aforementioned, the only conditions which cannot be secured relate to works such as widening of the footpath and connections of the shared cycle track. This is because the scope of these works fall outside the development sites boundary. Notwithstanding this, these works would still require a Section 278 Agreement with Hertfordshire County Council as the Highways Authority in any instance. Therefore, imposing such conditions are not considered reasonable as they would be controlled by other legislation which fall outside of planning. In regards to the car parking management condition, this does not meet the tests for conditions set out in the NPPF (2018). This is because this condition is not enforceable from a planning perspective. However, as Stevenage Borough Council would be land owner, it would be able to manage the car park as land owner in this instance.
- 7.5.11 Separate to the above, the Highways Authority has sought a financial contribution to cover the costs of some of the highway improvement works. In addition, they have sought contributions towards improvements of bus stops on the road. However, it is considered such a request is not reasonable or relates in scale and kind to the development. Therefore, it would fail to meet the key tests set out under Section 122 of the Community Infrastructure Levy 2010 as well as the NPPF (2018). Furthermore, the costs of undertaking works on the highway would be dealt through the undertaking of a Section 278 Agreement. Moreover, in

regards to bus stop improvements, a financial contribution under The Bragbury Centre (18/00398/FPM) already seeks a financial contribution towards the improvement of local bus stops in this instance.

- 7.5.12 Notwithstanding, subject to suitable conditions being imposed if permission were to be granted, the development proposal would not prejudice the safety and operation of the highway network as advised by HCC as the Highways Authority.

7.6 Parking provision

- 7.6.1 The Parking Provision Supplementary Planning Document (2012) sets out the maximum level of parking requirements for Use Class D1 (Community Centres) developments. The car parking standards which are required for such developments is 1 space per 9m² of gross floor area plus 1 space per full-time staff member or equivalent. Therefore, the proposed development would require 41 parking spaces. However, as the site is located in non-residential accessibility zone 4 (identified in the SPD), where car parking provision can be reduced to between 75% and 100% of the base car parking standard. This means there would be a requirement of between 31 to 41 spaces.

- 7.6.2 The proposed development seeks to provide 31 parking spaces which is in accordance with the Council's Car Parking Standards SPD (2012). Turning to disabled parking, The Parking Provision SPD states that for developments with up to 200 spaces, there should be individual bays for each disabled employee plus 2 bays or 5% of total capacity, whichever is the greater. Taking this into consideration, whilst it is not known whether or not there would be disabled employees working at the community centre, the proposed development does comprise of 2 disabled parking bays in line with the Council's Car Parking Standards.

- 7.6.3 Given the aforementioned, there would be sufficient car parking to serve the proposed development. With regards to cycle parking, the minimum standard for this development is 1 short term space per 200m² of gross floor area plus 1 long term space per 10 staff on duty. Taking these standards into consideration, whilst it is not known how many people would be employed at the community centre, as a minimum there should be 2 cycle spaces. The proposed development seeks to provide 8 cycle spaces to the front of the development which exceeds the Council's requirements. Given this, the development does encourage a modal shift from the car especially due to the fact the site would also connect to an existing cycleway which runs along the A602.

- 7.6.4 Taking into consideration of the above, to ensure that the cycle parking is provided as part of the development, a condition would be imposed to any permission issued to require the cycle parking to be made available prior to the first use of the development.

7.7 Trees and Soft Landscaping (Finalise Section)

- 7.7.1 The site where the community centre including associated parking area is located is on land which comprises a number of mature trees. Given this, in order to facilitate the construction of the proposed development it would result in the removal of 13 no. category B (Trees of moderate quality) trees and 1 no. category C (trees of low quality). The trees to be removed comprise a mixture of Lime, Norway Maple, Cherry and Corsican Pine.

- 7.7.2 In addition to the above, the proposed development would encroach on the root protection area of six trees. The works to be undertaken within the root protection areas would comprise of minor excavations associated with the development. In addition, some parts of the proposed parking bays would also fall within the root protection areas. Given this, the applicants Arboricultural Impact Assessment advises that the excavation works would have to be undertaken by a suitably qualified arboriculturalist. In relation to the parking bays, this would be undertaken via reduced dig methodology and constructed upon a cellular

confinement system. In addition, the Assessment recommends that the parking bays are installed under an arboricultural watching brief.

7.7.3 Turning to the proposed patio areas, again as these would fall within root protection areas and the assessment recommends that a reduced dig methodology should also be adopted in order to reduce root disturbance. In addition to the works within the root protection areas and the removal of a number of trees, there would also be a requirement to prune back/undertake crown reduction to 5 no. trees. This is in order to allow sufficient room for scaffolding during construction and to provide clearance for the proposed parking bays.

7.7.4 In regards to trees which are to be retained, the Arboricultural Impact Assessment sets out that during the construction phase of development, tree protection barriers will need to be installed prior to the commencement of any development. In addition, it is recommended that these barriers remain in place during the construction phase of the development.

7.7.5 In relation to mitigation, the Arboricultural Impact Assessment recommends a number of trees be planted in order to compensate for the trees lost. Following consultation with the Council's Arboricultural and Conservation Manager, he considers the trees specified to be removed, associated tree works and suggested protection measures for the retained trees are acceptable. However, this will be on the basis that acceptable replacement tree planting is provided as part of the development. Therefore, if permission were to be granted, a condition could be imposed requiring details of landscaping to be submitted to the Local Planning Authority for agreement.

7.8 Impact on the Environment

7.8.1 The development site is currently defined as a "greenfield" site and as such the potential for the presence of contaminants is low. However, as the site is located within close proximity to urban development and a trafficked highway which has recently undergone major improvement works, there is the potential for contaminants which could have an effect on human health. Given this, the Council's Environmental Health Section has recommended a condition be imposed if permission were to be granted. This condition requires a watching brief be undertaken and in the event any contaminants are found that a relevant remediation strategy be submitted to the Council for its approval. With this condition in place, it ensure that not only the health of persons using the site are protected, it also ensures that the wider environment such as surface groundwater is not affected by any potential contaminants if they are found.

7.9 Impact on Ecology

7.9.1 The application site, whilst not a designated wildlife or SSSI (Sites of Special Scientific Interest), being an area of Principal Open Space, it comprises of amenity grassland with a number of mature trees. The wider environment is generally urban in nature punctuated by small areas of informal open space. The applicant has undertaken a Preliminary Ecological Appraisal of the site (including Bat Scoping Survey) to assess the potential for the site and for protected species. The survey comprised a desk top study of records which included Natural England Magic Website, Herts Environmental Records Centre and Ordnance Survey Maps. A filed survey was also undertaken which involved a walkover of the site.

7.9.2 The survey identified that there are no protected species such as birds, flora, invertebrates, mammals and reptiles within the application site. In terms of impact, as the proposed development is located a considerable distance from any designated sites, it is considered that the proposed development site as a whole has a low ecological value.

- 7.9.3 In regards to birds, these are protected by the Wildlife and Countryside Act 1981 and in relation to bats, these are a protected species under both UK and EU law. Taking birds and bats into consideration, the Ecological Report identified that there are suitable features within the site which may provide for birds and bats. The report states that:-
- There are scattered trees to the north of the site, and along the southern boundary which provide suitable nesting habitat for breeding birds during the breeding season.
 - The trees are also considered suitable for localised foraging and commuting bats, albeit limited.
- 7.9.4 Taking into consideration the above, the Ecological Report recommends that any retained trees or hedgerows should be protected during the works in accordance with British Standards BS 5837:2012 “trees in relation to design, demolition and construction”. In addition, consideration needs to be made for sensitive lighting design to ensure there is no impact on foraging bats. In regards to clearance of vegetation, it is recommended that this undertaken out of the bird nesting season and if it is undertaken during this time, a suitably qualified ornithologist/ecologist should be appointed to determine if nesting birds are using the site before works commence. This is to ensure that nesting birds are not affected in this instance.
- 7.9.5 Turning to biodiversity improvements and mitigation measures, it is set out in the Ecological report that any planting scheme should ideally be native species which is considered beneficial for wildlife. In addition, there should be the provision of bat boxes and bird boxes which should be incorporated into the scheme.
- 7.9.6 Given the above, and subject to the recommendations set out in the Ecological Report, it is considered that the proposed development would not have a detrimental impact on protected species, both flora and fauna. This is supported by Herts and Middlesex Wildlife Trust subject to the development being carried out as specified in the Ecological Report. Therefore, it is recommended that conditions be imposed to any permission issued to ensure the recommendations set out in the Ecological Report are adhered too.

7.10 Other Matters

Sustainable construction and climate change

- 7.10.1 Policy EN36 of the District Plan states that development proposals will be encouraged to reduce water consumption and run-off by using suitable water conservation and storage measures such as the use of rainwater, water efficient devices and by recycling water. Policy EN38 of the same document states that development proposals will be expected to demonstrate that methods of maximising energy efficiency and supplying of energy in the development need to be considered. Policy FP1 of the Emerging Local Plan (2016) stipulates that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:
- Ways to ensure development is resilient to likely variations in temperature;
 - Reducing water consumption to no more than 110 litres per person per day, including external water use;
 - Improving energy performance of buildings;
 - Reducing energy consumption through efficiency measures;
 - Using or producing renewable or low carbon energy from a local source; and
 - Contributing towards reducing flood risk through the use of SuDS or other appropriate measures.

- 7.10.2 The applicant has provided as part of their Design and Access Statement details on sustainable construction and adaptation to climate change. The details provided demonstrate that the development will utilise highly efficient building fabric, low energy lighting, enhanced insulation and air tightness, water efficient appliances and systems as well as the provision of a green roof. Additionally, the introduction of rain water harvesting and a sustainable drainage system in accordance with the aforementioned policies.

Impact on property values

- 7.10.3 Concerns have been raised about the impact that the development would have on property values. However, despite the concerns raised, it has long been established through planning case law that in the assessment of planning applications, it is the conventional tests of impact on planning policies and amenity harm to neighbouring uses or the character of an area as a whole that is the deciding issue and not any possible consequential effects on nearby property values.

Consultation process

- 7.10.4 A number of concerns have been raised by local residents that the Council has not undertaken a thorough or comprehensive consultation process with local residents about this planning application. However, the Council has complied with the regulations which are set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 7.10.5 In line with the aforementioned Order, residential properties located in close proximity to the application site have been notified via a letter and a number of site notices have also been erected outside the application site. Furthermore, this planning application has been published on the weekly planning list and all of the relevant plans and documentation associated with this application have been uploaded onto the Council's website. In addition, all residents notified on the original application were also consulted on the amended scheme and new site notices were also erected in this instance.
- 7.10.6 Turning to the consultation process undertaken by the applicant, there is no statutory requirement for the applicant to undertake consultations with local residents before submitting a planning application. However, the applicant has confirmed that an extensive consultation process was undertaken with local residents on this application before a formal submission was made to the Council as the Local Planning Authority.

Anti-social behaviour and crime

- 7.10.7 A number of concerns have been raised that the development could result in anti-social behaviour and crime. However, following consultation with the Police Crime Prevention Design Officer, they have not raised any concerns with the proposed development providing it meets "Secured by Design" which the applicant has confirmed the development would meet. In respect to the provision of CCTV, whilst the Police Crime Prevention Design Officer has recommended a CCTV system should be provided, the Council's CCTV section has not made any formal request for such a system.
- 7.10.8 Notwithstanding the above, in order to alleviate any potential concerns with respect to crime and anti-social behaviour, if the Council is minded to grant permission, a condition could be imposed requiring the applicant to provide details of a CCTV system prior to the first occupation of the development.

8. CONCLUSIONS

- 8.1 In principle, the proposed introduction of the Community Centre would, despite resulting in a loss of principal open space, would outweigh the loss of this area of principal open space.

The proposed development has been designed to a high quality and would create a landmark feature on a prominent corner. Therefore, it would not have a detrimental impact on the amenities of the wider street scene. Furthermore, the proposed development would not have a detrimental impact on the on the amenities of neighbouring properties.

- 8.2 Additional to the aforementioned, the proposed development would not have a detrimental impact on the safety and operation of the public highway and there would be sufficient off-street parking in line with the Council's Standards. In addition, the proposal would have no impact on protected species and would be acceptable from an ecological perspective. Finally, issues relating to construction management, materials and landscaping can be dealt with through the use of conditions.
- 8.3 Given the above, the proposed development accords with the Policies contained within the adopted Local Plan (2004), the Council's Emerging Local Plan (2016), the Council's Supplementary Planning Documents, the NPPF (2018) and NPPG (2014).

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:

16059.03.SU1.01A;16059.03.SU01.02A;16059.03.wd2.01G;16059.03.wd2.10D;
16059.03.wd2.101 B; 16059.03.wd2.102 B.

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 development, above slab level, shall commence until a schedule and sample of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

REASON:- To ensure the finished appearance of the development enhances the visual amenities of the area.

- 4 Notwithstanding the details specified in the application submission, no public realm landscaping works shall commence until a scheme of soft and hard landscaping and details of the treatment of all hard surfaces has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all new planting to take place including species, size and method of planting. The approved landscaping scheme shall be implemented within the first available planting season following the first occupation of the buildings or the completion of the development whichever is the sooner.

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

- 5 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.

- 6 No demolition or construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0830 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority. These times apply to work which is audible at the site boundary.
REASON: - To safeguard the amenities of the occupiers of neighbouring properties.
- 7 No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination and predicted light contours, have first been submitted to, and approved in writing the Local Planning Authority prior to first occupation of the development. Any external lighting shall accord with the details so approved.
REASON:- In order to protect the amenities and operations of neighbouring properties and to ensure any external lighting does not prejudice highway safety. In addition, to ensure the development does not have a detrimental impact on foraging bats.
- 8 A watching brief must be kept during initial site preparation works to identify any potentially contaminated materials likely to be present. In the event contamination is found during site clearance and/or construction phase of the development, undertake an appropriate investigation and provide a remediation strategy which is to be submitted to and approved in writing by the Local Planning Authority. This investigation and assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:
(i) a survey of the extent, scale and nature of contamination;
(ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets,
 - woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems.**REASON:-** To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.
- 9 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 8, which is subject to the approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition.
REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.
- 10 A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.
- 11 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation,

unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.

- 12 No development, above slab level, shall take until full details of the cycle parking facilities for visitors and staff has been submitted to and approved in writing by the Local Planning Authority. The cycle parking areas shall thereafter be installed in accordance with the approved details.

REASON:- To ensure that there is sufficient cycle parking provision in accordance with the Council's adopted standards is maintained for all dwellings and the development as a whole on site in perpetuity.

- 13 Prior to the first use of the development hereby permitted the approved refuse/recycle stores shall be constructed in accordance with the details submitted with this planning application and shall be permanently retained in that form.

REASON:- To ensure that there is sufficient refuse and recycle provision in accordance with the Council's adopted standards is maintained for all dwellings and the development as a whole on site in perpetuity.

- 14 No 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. 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.

- 15 No removal of trees, scrubs or hedges shall be carried out on site between 1st March and 31st August inclusive in any year, unless searched before by a suitably qualified ornithologist.

REASON:- Nesting birds are protected from disturbance under the Wildlife and Countryside Act 1981 (As amended).

- 16 No development, including site clearance, shall commence until the trees as specified on drawing number 9580 TPP 01 Rev B (Arboricultural Impact Assessment, prepared by Aspect Arboriculture, Report reference 9580_AIA.001 Rev A dated October 2018) to be retained on the site have been protected by fencing in accordance with the vertical tree protection fencing detailed in the Arboricultural Impact Assessment. In addition, all works which are to be undertaken within the Root Protection Areas of trees which are to be retained as specified on drawing number 9580 TPP 01 Rev B shall be undertaken in accordance with the details specified in the Arboricultural Impact Assessment.

REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.

- 17 Within the areas to be fenced off in accordance with condition 16, there shall be no alteration to the ground levels and they shall be kept clear of vehicles, materials, surplus soils, temporary buildings and machinery.

REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.

- 18 No development shall take place, above slab level, until details of a CCTV system has been submitted to and approved in writing by the Local Planning Authority. The approved CCTV system shall be installed in accordance with the approved details prior to the first occupation of the development and retained thereafter.
REASON:- In order to control any potential crime and anti-social behaviour.
- 19 No development shall take place, above slab level, until a scheme for the provision of bird boxes have been submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the development hereby permitted, the boxes shall be installed in accordance with the approved scheme and retained thereafter.
REASON:- To increase roosting opportunities for birds and to compensate for lost opportunities for nesting birds.
- 20 No development shall take place, above slab level, until a scheme for the provision of bat boxes have been submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the development hereby permitted, the boxes shall be installed in accordance with the approved scheme and retained thereafter.
REASON:- To increase roosting opportunities for bats.
- 21 Prior to the first occupation of the development hereby permitted, the parking areas as shown on drawing number 16059.03.wd2.01 G shall be surfaced (in either a porous material or provision shall be made for surface water drainage) and marked out accordingly and shall not thereafter be used for any purpose other than the parking of vehicles for the development hereby approved.
REASON:- To ensure adequate parking provision at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety along the adjacent highway, or the amenities and convenience of existing local residents.
- 22 Prior to the commencement of development, a Construction Management Plan/Method Statement shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved statement. The Construction Management Plan/Method Statement shall address the following matters:-
- (i) Details of construction phasing programme (including any pre-construction demolition or enabling works);
 - (ii) Hours or operations including times of deliveries and removal of waste;
 - (iii) The site set-up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas;
 - (iv) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
 - (v) Details of the provisions for temporary car parking during construction;
 - (vi) The location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
 - (vii) Screening and hoarding;
 - (viii) End of day tidying procedures;
 - (ix) Construction and storage compounds (including areas designated for car parking);

- (x) Siting and details of wheel washing facilities;
- (xi) Cleaning of site entrances, site tracks and the adjacent public highway; and
- (xii) Disposal of surplus materials.

REASON:- To minimise the impact of construction vehicles and to maintain the amenity of the local area.

- 23 The development hereby permitted shall not be occupied until the proposed access have been constructed as identified on drawing number 16059.03.wd2.01 G and the existing cycle track has been closed and the existing footway has been reinstated to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.

REASON:- In order to protect highway safety and the amenity of other users of the public highway.

- 24 Prior to the first occupation of the development hereby permitted, the proposed shared cycle track and pedestrian footway as detailed on drawing number 16059.03.wd2.01 G shall be constructed out in accordance with the approved in line with current specifications and to the satisfaction of the Local Planning Authority. The shared cycle track and pedestrian footway shall thereafter be maintained and retained accordingly.

REASON:- To ensure that an adequate cycle track and footway for pedestrians is provided following the stopping up and removal of the existing cycle track and associated footpath.

- 25 Before the vehicle access is first brought into use, vehicle-to-vehicle visibility splays of 2.4 metres by 43 metres in both directions shall be provided and permanently maintained, within which, there shall be no obstruction to visibility between 600mm to 2m above the carriage level. These measurements shall be taken from the intersection of the centre line of the permitted access with the edge of the carriageway of the highway respectively into the application site and from the intersection point along the edge of the carriageway.

REASON:- To provide adequate visibility for drivers entering and leaving the site.

- 26 Prior to the first use of the development hereby permitted, the raised pedestrian crossing, 1.5m by 1.5m pedestrian visibility splay shall be provided and permanently maintained to each side. These visibility splays shall be measured from the point where the edges of the pedestrian crossing crosses the highway boundary, 1.5m into the site and 1.5m along the highway boundary, forming a triangular visibility, within which, there shall be no obstructions to visibility between 600mm to 2m above the carriage level.

REASON:- To provide adequate visibility for drivers entering and leaving the site and to protect pedestrians utilising the raised crossing.

- 27 No development shall take place, above slab level, until details of Electric Vehicle Charging Points have been submitted to and approved in writing by the Council as the Local Planning Authority. The approved Electric Vehicle Charge Points shall be installed in accordance with the approved details and thereafter permanently retained.

REASON:- In order to provide facilities to charge electric vehicles and to help reduce the impact of vehicle emissions on the local environment.

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 2015.

INFORMATIVE

Thames Water

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."

In the car parking areas, it is recommended that a petrol/oil interceptor be fitted to ensure that local watercourses are not polluted from potential oil polluted discharges.

Hertfordshire County Council as Highways Authority

Works to be undertaken on the adjoining highway shall be constructed to the satisfaction of the Highway Authority and in accordance with Hertfordshire County Council publication Roads in Hertfordshire Highway Design Guide. Before proceeding with the proposed development, the applicant shall contact on 0300 1234 047 to obtain the requirements for a section 278 agreement for the associated road works as part of the development. This should be carried out prior to any development work is carried out.

REASON:

To ensure that work undertaken on the highway is constructed to the current Highway Authority's specification, to an appropriate standard and by a contractor who is authorised to work in the Public Highway.

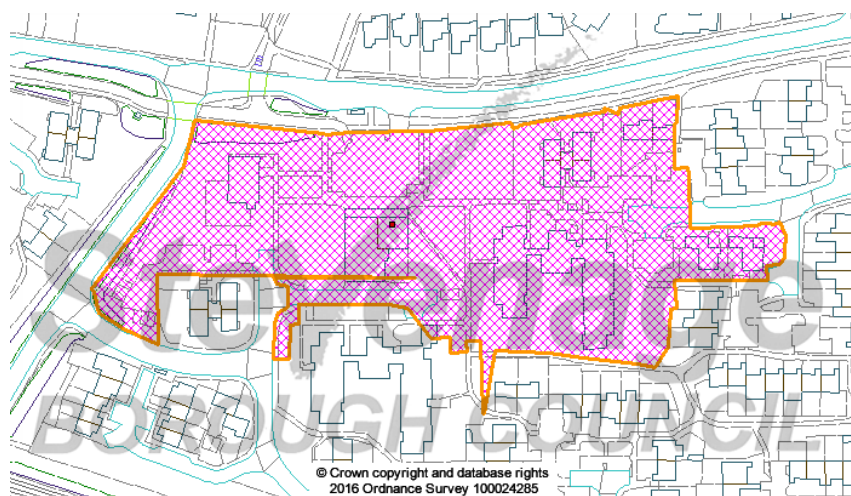
Prior to commencement of the development the applicant shall contact Network Management North at NM.North@hertfordshire.gov.uk or call on 0300 1234 047 to obtain the requirements to arrange a site visit to agree a condition survey of the approach of the highway leading to the development likely to be used for delivery vehicles to the development. Under the provisions of Section 59 of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of traffic associated with the development. Herts County Council may require an Officer presence during movements of larger loads.

10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage District Plan Second Review 1991-2011.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012.
4. Stevenage Borough Local Plan 2011-2031 Publication Draft.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework July 2018 and Planning Policy Guidance March 2014.

Meeting:	Planning and Development Committee	Agenda Item:
Date:	4 December 2018	
Author:	James Chettleburgh	01438 242266
Lead Officer:	Chris Berry	01438 242257
Contact Officer:	James Chettleburgh	01438 242266

Application No:	18/00398/FPM
Location:	The Bragbury Centre, Blenheim Way, Stevenage.
Proposal:	Demolition of the existing community centre, neighbourhood centre, Asquith Court sheltered accommodation and various residential dwellings and the construction of a mixed use development with 169 no. dwellings (Including independent living) and 4no. retail units across various blocks.
Drawing Nos.:	16059.01.SU1.01; 16059.01.SU1.02; 16059.01.SU1.03; 16059.01.wd2.01 B; 16059.01.wd2.101 A; 16059.01.A1.wd2.01 B; 16059.wd2.02 A; 16059.01.wd2.03 A; 16059.01.wd2.04 A; 16059.01.wd2.05 A; 16059.01.A1.wd2.06; 16059.01.A2.wd2.01 A; 16059.01.A2.wd2.02 A; 16059.01.A2.wd2.03 A; 16059.01.A2.wd2.04 A; 16059.01.A2.wd2.05 A; 16059.01.A2.06 A; 16059.01.A4.wd2.01 A; 16059.01.A4.wd2.02; 16059.01.A4.wd2.03 A; 16059.01.A4.wd2.04 A; 16059.01.A4.wd2.05 A; 16059.01.A5.wd2.01 A; 16059.01.A1.wd2.101 A; 16059.01.A1.wd2.102 A; 16059.01.A2.wd2.101 A; 16059.01.A2.wd2.102 A; 16059.01.A2.103 A; 16059.01.A4.wd2.101; 16059.01.A4.wd2.102 A; 16059.01.A4.wd2.103 A; 16059.01.A4.wd2.104 A; 16059.01.A5.wd2.101 A.
Applicant:	Stevenage Borough Council
Date Valid:	12 July 2018
Recommendation:	GRANT PLANNING PERMISSION.



Plan for information purposes only

1. SITE DESCRIPTION

- 1.1 The application site is currently designated as a neighbourhood centre. The site is bordered by Hertford Road which is located to the north, Watton Road to the east, Stirling Close to the west and Kenilworth Close to the south. The site, which has an area of 1.6 hectares (ha), currently comprises Asquith Court which is sheltered living accommodation, a three storey residential block of flats, 2 no. semi-detached dwellinghouses, 2 no. bungalows, the community centre and parade of shops. Asquith Court is two-storeys in height with a combination roof consisting of cat slides and gable-ends. The building itself is constructed from a mixture of buff multi-stock brick with parts of the first floor level clad in timber. The roof of the sheltered accommodation is clad in bold roll concrete inter-locking tiles with timber soffits with black uPVC gutters and downpipes. The fenestration detailing of the Walpole Court comprises of uPVC windows and doors which are symmetrically aligned and evenly spaced.
- 1.2 To the north of Asquith Court is a three storey residential block of flats with a double mono-pitched roof. The block itself is constructed from a stock red brick with the roof clad in concrete inter-locking tiles. On the flank elevations at second floor level the elevations are finished in timber cladding. To the east of this residential block is a pair of semi-detached, two-storey properties which front onto Stirling Close. These properties have gable-end roofs and are constructed from facing brick with tiled roofs. In regards to the two bungalows, these also front onto Stirling Close. These properties have a mono-pitched roof and constructed from a mixture of brick with timber cladding. The bungalows also comprise of an attached flat roofed canopy.
- 1.3 In regards to the existing Kenilworth Close neighbourhood centre, the centre comprises two no. single-storey buildings and a surface car park. The main building, which fronts onto the surface car park which is accessed off of Hertford Road, consists of 4 no. retail units. Immediately to the west of the small parade of shops is the detached single-storey community centre.
- 1.4 Turning to the surrounding area, to the south of the application site lies Walpole Court which is a sheltered housing development. The building itself is constructed from a mixture buff multi-stock brick with parts of the first floor level clad in timber. The roof of the sheltered accommodation is clad in bold roll concrete inter-locking tiles with timber soffits with black uPVC gutters and downpipes. The fenestration detailing of the Walpole Court comprises of uPVC windows and doors which are symmetrically aligned and evenly spaced. The Walpole Court site also comprises six bungalows which form a staggered terrace with hipped roofs. These properties are constructed from red and buff brick with a band of grey bricks. The roofs of the bungalows are clad in concrete inter-locking tiles
- 1.5 To the south-west/west of the application site is the residential development of Cragside and a residential block of flats on Blenheim Way. The development at Cragside comprises two residential terraces which front onto a centralised parking courtyard. The terraces themselves, which are uniform in design, are constructed from a mixture of red and buff brick with a grey brick band with their respective roofs clad in concrete inter-locking tiles. There is also a standalone pair of semi-detached properties which are of the same design as the terraced properties. To the north of Cragside off Blenheim Way (to the north-west of the site) lies a three storey residential block of flats with a double mono-pitched roof. The block itself is constructed from a stock red brick with the roof clad in concrete inter-locking tiles. On the flank elevations at second floor level the elevations are finished in timber cladding. To the west of the community centre beyond Watton Road is the residential development of Balmoral Close. This consists of a mixture if three storey blocks of flats and terraced houses.
- 1.6 To the east of the application is residential development in Blenheim Way and Stirling Close. The developments in both the aforementioned roads generally comprises of uniform,

two-storey terraced properties set within regimented building lines and regular shaped plots. These properties have been constructed from a stock buff brick with their roofs finished in bold roll inter-locking concrete tiles. To the north of the application site beyond Hertford Road is Petworth Close. This estate generally comprises of two-storey detached properties which are generally uniform in design constructed from buff facing brick with gable-end roofs clad in concrete tiles set within spacious plots.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning application 2/0379/79 sought permission for a shop front. This application was granted planning permission in January 1980.
- 2.2 Planning application 2/0047/82 sought permission for a change of use of shop to take away. This application was granted planning permission in April 1982.
- 2.3 Planning application 2/0339/83 sought permission for a community building. This application was withdrawn in March 1984.
- 2.4 Planning application 2/0111/84 sought permission for a community centre. This application was granted planning permission in April 1984.
- 2.5 Planning application 2/0327/84 sought permission for the change of use of a shop to a doctors surgery. This application was granted planning permission in October 1984.
- 2.6 Planning application 2/0241/85 sought permission for a pre-fabricated building for use as a play hut, close boarded fence (1.8m in height) and refuse bin enclosure. This application was granted permission in September 1985.
- 2.7 Planning application 2/0303/85 sought permission for new mechanical extract ventilation duct. This application was withdrawn.
- 2.8 Planning application 2/0435/87 sought permission for the installation of two lifts and motor rooms. This application was granted planning permission in November 1987.
- 2.9 Planning application 2/0393/89 sought permission for a ground floor rear extension. This application was granted planning permission in January 1990.
- 2.10 Planning application 2/0338/97 sought permission for a three storey extension to house a lift shaft for Asquith Court. This application was granted planning permission in December 1997.
- 2.11 Advertisement consent application 13/00318/AD sought consent for the retention of 1 no. internally illuminated ATM fascia sign. This application was approved advertisement consent for September 2013.
- 2.12 Planning application 13/00393/FP sought permission for the retention of 1 no. ATM. This application was granted planning permission in October 2013.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission, following the demolition of the existing community centre, neighbourhood centre, Asquith Court sheltered accommodation and various residential dwellings, to erect the following:-

- Residential Block A1 – 35 no. one bedroom and 22 no. two bedroom apartments;

- Residential Block A2 (Independent Living) – 49 no. one bedroom and 39 no. two bedroom apartments;
- 4 no. retail units at ground floor of Residential Block A1;
- Residential Block A4 – 6 no. one bedroom and 3 no. two bedroom apartments;
- 8 no. two bedroom and 7 no. three bedroom dwellinghouses.

3.2 In addition to the above, the independent living block would also comprise at ground floor level a scooter store, restaurant/bar as well as associated treatment rooms and a health and beauty spa. The upper floors of this building would also have hobby rooms/cinemas for the future residents. In terms of access, there are three main access points into the development and these are taken from Kenilworth Close, Stirling Close and Hertford Road. The proposal also comprises the provision of the following parking:-

- Residential Block A1 – 68 spaces (unallocated);
- Residential Block A2 – 47 spaces (unallocated) and 1 no. minibus parking space;
- Retail – 6 no. staff spaces, 17 no. retail spaces and 1 no. motorbike space;
- Residential dwellinghouses and residential apartment block – 48 parking spaces;
- Replacement parking following demolition of garages – 6 spaces.

3.3 The proposed residential block of apartments (Block A1), which would be located adjacent to Hertford Road, would have an L-shaped footprint with the building spanning a maximum width of approximately 52m and depth of approximately 44m respectively. In terms of height, the proposed building would at it tallest be five storeys reducing down to three storeys with an overall height of approximately 17.6m. Turning to residential Block A2, this block would be located on the junction of Hertford Road and Watton Road. This building would have a horseshoe footprint with the building spanning a maximum width of approximately 67m with a maximum depth of approximately 39m. In terms of height, the building at its tallest would be five storeys down to four storeys with an overall height of 17.6m.

3.4 In terms of construction, residential blocks A1 and A2 would be constructed from a mixture of contrasting materials which includes a buff brick and blue engineering brick along with stone composite panelling with the roof finished in zinc. The fenestration detailing would comprise of aluminium timber composite finished in grey with the apartments on the roof also comprising of curtain wall glazing. A number of apartments would also be served with individual balconies with either powder coated railings or steel railings.

3.5 Turning to apartment block A4, this would be located to the east of block A1 and would front onto Stirling Close. The building itself would have a staggered footprint with a maximum depth of approximately 14.5m with a maximum width of approximately 10.1m. In terms of height the apartment block, which comprises of a saw tooth roof, would have a maximum height of three storeys with an approximate height of 11m. This building would be constructed from contrasting buff brick at ground and first floor level with the second floor and the roof finished in zinc cladding. The fenestration detailing of the development comprises of aluminium timber composite windows and doors.

3.6 In relation to the proposed dwellinghouses which form part of zone A4, these would form part of Stirling Close. This part of the development would comprise a terrace of 6 no. dwellings, a terrace of 3 no. dwellings and 4 no. semi-detached dwellings. In regards to the terrace of 6 no. dwellings (Types 1 to 3), these would measure approximately 8.5m in length and span 6m in width. In terms of height, these properties would have an eaves height of approximately 4.9m with an overall height of 7.9m. In regards to one of the pair of semi-detached properties (Type 4), these would measure approximately 10.20m in length, span 5.85m in width with a similar eaves and ridge height. In relation to the terrace of 3 no. dwellings (Types 5 and 6), these would measure approximately 10m in length and span 5.85m. Finally, with respect to the last pair of semi-detached properties (Type 7), these would measure approximately 9.51m in length and span 6.39m in width. All of the dwellings

would comprise of a saw tooth style roof with an eaves height of 4.8m with an overall height of approximately 7.8m. The dwellinghouses would be constructed in a stock buff brick with the roof clad in zinc with the fenestration consisting of aluminium timber composite windows and doors. The principal elevation of the properties also comprises a box style porch feature clad in zinc.

- 3.7 With respect to the 2 no. two bedroomed semi-detached properties (A5) which are located to the rear of numbers 152 to 164 Blenheim Way, these properties would be located on the junction of Blenheim Way and Watton Road. The properties would measure approximately 8.51m in length, span 5.85m in width with an eaves height of approximately 4.62m with an overall height of approximately 9.20m. The dwellinghouses would be constructed from a stock buff brick with the gable-end roof clad in zinc. The fenestration detailing comprises aluminium timber composite windows and doors with a zinc clad box style porch feature on the principal elevation.
- 3.8 This application comes before the Planning and Development Committee as Stevenage Borough Council is the applicant and the owner of the site. In addition, this application is also classed as a Major residential development.

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 a major application. At the time of drafting this report 58 objections have been received from the following:-

- Apollo Way – Number 41;
- Badminton Close – Number 3;
- Blenheim Way – Numbers 25, 30, 34, 38, 53, 57, 61, 73, 82, 102, 118, 128, 132, 134, 136, 138, 156, 164;
- Dawlish Close – Numbers 2, 19, 21, 47;
- Hampton Close – Number 21;
- Hardwick Close – Number 5;
- Hertford Road – Number 143;
- Long Leaves – Number 42;
- Lygrave – Number 17;
- Oakwell Close – Numbers 1, 12, 14, 35;
- Petworth Close – Numbers 2, 3, 10, 11, 15, 18, 19, 21, 22, 24, 32;
- Skyline House, Stevenage Town Centre – Number 140;
- Stirling Close – Numbers 7, 31, 34, 39, 54, 60, 63, 67, 85, 87, 93,
- Walpole Court – Number 37;
- Walsham Close – Number 15.

- 4.2 In addition, a 17 signature petition against the development was received from the following properties:-

- Petworth Close – Numbers 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 30, 32, 34
- Hardwick Close – Numbers 3, 9,

- 4.3 The summary of the objections which have been received are as follows:-

- Inadequate public transport which is unreliable to serve the development;
- Insufficient off-street parking;
- Development will result in additional on-street parking;
- The development would generate an unacceptable level of additional traffic;

- The development would prejudice highway safety;
- The development site, despite what is stated, is not in close proximity to railway stations in Stevenage or Knebworth;
- The development is likely to have a negative impact on accessibility for emergency services, refuse collection vehicles and buses;
- Safety concerns regarding shared space design;
- Safety concerns regarding pedestrian links;
- Loss of amenity provision in terms of shops and the community centre;
- There appears to be a lack of communal recycling facilities for the new dwellings;
- Some of the plans appear ineligible or are not correct;
- Residents seek confirmation that the existing footpaths linking existing houses will be maintained;
- Will there be specific restrictions on the proposed retail spaces?;
- The development will pose a safety risk to local children;
- The development would generate an unacceptable level of overshadowing;
- The development would result in a substantial loss of light;
- The development would result in a substantial loss of privacy;
- The development would appear overbearing to neighbouring properties;
- The development in terms of its design and its overall height is out of character with the wider area;
- The development should only have two storey houses and flats and should be constructed in similar materials to existing development;
- The proposal is considered to be overdevelopment of the site;
- The development would result in an unacceptable level of noise and disturbance to local residents;
- The increase in waste bins would generate an unacceptable increase in odour;
- The number of shops being provided is inadequate;
- There is a lack of infrastructure and existing infrastructure such as schools will be unable to support the proposed development;
- The development would obstruct visibility lines on the highway;
- The development is more akin to a university campus;
- It is considered by residents that the Council has been deceitful, if not duplicitous to only reference part of the development when seeking views on the proposal;
- The Council have not engaged in proper consultation in relation to three applications;
- A comprehensive consultation with residents needs to be undertaken to allow concerns to be addressed as it is considered local peoples viewpoints will not be heard;
- The planning department need to take into account the objections placed on all three applications;
- The residential travel plan is flawed and contains a number of errors and inconsistencies around dwelling numbers/retail floorspace, inaccurate traffic data and calculations as well as parking;
- The development would have a detrimental impact on property values;
- The development would result in an increase in crime and anti-social behaviour;
- The village characteristics of the area would be diminished by the development;
- Would the Council give local residents compensation due to the developments impact in terms of noise, pollution and reduction in property values;
- Where is the provision of electric vehicle charging points?;
- Cycling to the main Stevenage station is not an option in bad weather, is dangerous along ill maintained cycleway which are frequented by persons who generate unacceptable levels of anti-social behaviour;
- The train stations in Knebworth and Stevenage are not easily accessible by foot;
- The proposed houses would not be affordable;

- The proposal would attract people from outside and not as an alternative to town centre living;
- There is a request for more information to be provided in terms of the types of social houses being provided as in most cases when these are rehabilitation centres or for those with known social issues, more problems are caused for the incumbent residents;
- Would the current shops be allowed to tender for the new retail units?;
- What happens to existing businesses when the development is under construction;
- What provision will be made for parking of contractor vehicles;
- The development will turn the area into Great Ashby;
- Councillors at recent meetings with residents have not listened to the concerns which have been raised;
- The proposal is contrary to the Policies in the Local Plan;
- The proposal should be providing a doctors surgery as required under the Local Plan;
- Social housing is not acceptable in this private estate;
- The Council is building on Green Belt land when it suits it despite it being protected;
- The Council has not offered to buy up properties which are to be affected by the development;
- Stevenage Borough Council will likely approve the development without properly considering the concerns of local residents;
- The Local Plan is not very clear and needs to be written in plain English;
- The Council is failing to consider the ongoing bullying which is taking place in Walpole Court;
- The Council is placing refugees and their children into Walpole Court;
- If permission were to be granted, a condition should be imposed to ensure there is a temporary provision of shops for the duration of the building of the new shops;
- The Transport Assessment comprises a number of inaccuracies (such as housing numbers), misleading statements and does not set out what infrastructure is required to mitigate the impact of development such as increased school places and doctors surgeries;
- The Transport Assessment underestimates the level of traffic which would be generated by the development;
- The Transport Assessment does not assess the impacts the development would have on the A602/Hertford Road, Watton Road and Knebworth High Street;
- There appears to be some information and plans referenced in the Transport Assessment which have not been provided;
- If permission were to be granted, a condition should be imposed regarding the speed restriction limit to be moved back from the junction with Watton road, the road signs to be relocated and for vegetation to be removed for sight lines. This is in order to improve road safety due to the increase in traffic;
- If permission were to be granted, a condition should be imposed requiring there is the provision of facilities for charging of electric cars;
- It is recommended that one of the satellite dwellings should be used as a surgery and maybe a local Police office;
- The proposal needs to have 4 shops such as Co-Op (Not Tesco's), chemist, hairdressers and hot food takeaway;
- Residents at 60 Stirling Close would not have undertaken a joint extension with their neighbour (number 58) had they been made aware by the Council about the proposed development;
- Were informed by a Councillor that the Council had a legal requirement to consult residents to inform residents directly affected by the development;
- Stirling Close does not receive local papers so would not have seen the information on the proposed development;

- Many residents being elderly do not have access to computers, therefore, residents would have found it extremely difficult to know about the development;
- Large vehicles serving the shops will travel down Stirling Close will cause unacceptable noise pollution and disturbance to local residents in a quiet, safe and peaceful area;
- Where does the Council propose local residents park if they introduce double yellow lines as part of the development;
- The proposed new location of the community is completely unacceptable to local residents;
- The loss of open space would be detrimental to local residents who walk their dogs locally;
- Local residents want to be informed when new services are to be provided as part of the development;
- The Council should consider reducing Council Tax for local residents during the construction phase of the development;
- Residents feel the development proposals won't be overturned despite the substantive concerns which have been raised;
- Residents will not be able to enjoy sitting in their gardens due to significant disturbance during construction;
- The Council should consider restricting hours of construction to not start before 7:30AM finish at 4:30PM Monday to Friday, 8:30AM to 1:30PM on Saturday and no work on a Sunday;
- There is a lack of provision for a doctor's surgery, chemist, post office and even the Chiropody service has been lost. These are facilities which will be needed for the elderly residents welfare;
- There is a concern regarding the houses near the junction of Watton Road and Blenheim in that the distance of the houses to the balcony at 164 Blenheim Way would be below 12m separation which is contrary to Building Regulations;
- The existing balcony of 164 Blenheim Way would look straight down to the gardens of the proposed houses;
- The loss of the drying area which is regularly used is not acceptable;
- There are 12 flats in the block with 10 allocated spaces, in the plans these parking spaces appear to have been removed;
- Will the existing wall along the flats garden/garage's be removed?;
- Will the trees in the flats garden be removed?;
- There is a total lack of parking for people with disabilities;
- The Hertford Road through road and Watton Road should be upgraded to an A road;
- Views from the kitchen window of 164 Blenheim Way would look straight onto the new bin store for the flats;
- The revised plans fail to properly consider all of the concerns raised by local residents;
- The Council should be working on behalf of the local community;
- The proposed development would be more suitable in the town centre rather than a suburban area of town;
- The proposed development has increased in size despite residents substantive concerns;
- Has the planning department properly assessed the impact the development will have on local residents;
- There has been an increase of 10 flats in Block A2 which seems to be taking those which were removed from the community centre scheme, is this the results of discussions between planning and the developer who is the Council's Housing Section?;
- With luxury retirement accommodation being constructed in Knebworth, is there really any requirement for so much independent living accommodation in this area;

- The proposal lacks green space;
- The information provided to local residents has been inconsistent in regards to building heights;
- In the wake of Grenfell, high rise blocks will have a significant impact from fire and safety issues;
- There already has a lack of policing in the area;
- The development is akin to a battleship;
- The development will destroy the local community;
- Money should be better spent improving local roads;
- How long will the community centre remain closed;
- The play equipment in the area have been demolished or sold, therefore, money should be better spent on improving such facilities;
- Has the sewerage infrastructure been assessed as it always floods on Watton Road;
- Why is the Council not building on brownfield sites;
- The area will decline to an overpopulated area of Stevenage;
- The Council is breaching law by failing to properly and comprehensively consult with local residents on the proposed development;
- How long will the construction process take;
- What provisions are being made for parking of contractors vehicles;
- What provisions are being made to ensure the roads are dust/debris free;
- As the Council is promoting a new train station and a concept of a station in the south on Hertford Loop, therefore, the development should be dependent on S106 contributions towards this new station, bus services and other amenities such as increased school places and provision of a doctors surgery;
- The development would result in a substantial loss of trees, bushes, hedgerows and plants with only limited replacement planting proposed;
- The Government has released a moratorium on the creation of new 'shared spaces', effectively banning the creation of any new ones until more evidence is gathered;
- The Planning Committee should refuse such a high density development as it is contrary to the Local Plan;
- The development is likely to increase flooding;
- The existing buildings in the area are structurally sound so do not need to be demolished;
- The Council should not be redeveloping this area;
- The plans are different to what the community were originally shown;
- The development will set a precedent for the redevelopment of other courts in the area.

4.4 Please note that the aforementioned is not a verbatim of the comments and representations which have been received. However, a full version of the comments and representations which have been received are available to be viewed on the Council's website.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highways Authority

5.1.1 The County Council as the Highways Authority consider the development to be in accordance with National and Local Policies. Therefore, the Highways Authority formal recommendation is that there are no objections to the development proposal subject to the recommended conditions and a S106 agreement to address sustainable transport and a highway informative.

5.2 Hertfordshire County Council Growth and Infrastructure Unit

- 5.2.1 Based on the information provided for a development of 169 units, the County Council would seek financial contributions towards primary education in order to expand Shephalbury Park Primary School from 1 Form of Entry (FE) to a 2 FE school. In addition, the proposal also seeks a financial contribution towards secondary education in order to expand Barnwell Secondary School. Furthermore, a library service contribution is sought towards developing community meeting/training room(s) on the first floor of Stevenage Library. Finally, a youth service contribution is also being sought towards the purchase of additional art and/or sport equipment for detached work, run as part of an outreach programme from the Bowes Lyon Centre or its re-provision.
- 5.2.2 In addition to the above, the County Council also recommends the provision of a fire hydrant be secured as part of any S106 agreement.

5.3 Hertfordshire Constabulary as the Crime Prevention Design Service

- 5.3.1 Following an assessment of the proposed development, there are no concerns from a Secured by Design perspective. Therefore, await a copy of the Secured by Design application if permission was granted.

5.4 Herts and Middlesex Wildlife Trust

- 5.4.1 The methodology and recommendations set out in the surveys are considered to be acceptable. However, in accordance with British Standards 42020: 2013 (Biodiversity: Code of Practice for Planning and Development) all mitigation, compensation or enhancement measures must be definitively stated and marked on plans. If integrated bat boxes are to be delivered (as recommended in the ecological report) it must be clear, how many, what model, and exactly where they will be provided so that the LPA is clear on what is actually being proposed. It is recommended that integrated bat boxes which slot into the brickwork of the buildings are an acceptable solution. These are permanent and have greater temperature stability than free hanging boxes which are vulnerable and not as permanent.

5.5 Council's Parks and Amenities Section

- 5.5.1 There are insufficient details at this stage for the Parks Section to be able to comment fully on the soft and hard landscaping proposals for this development. Parks will require full details, specifications and plans of the areas that are expected to be maintained and adopted by Parks Section. This shall also include any proposed sustainable drainage within the development. In addition, all planting schemes, specifications and plans are to be approved by the Parks and Amenities Section prior to commencement of any planting, seeding, turfing etc.
- 5.5.2 Discussions should be held with Parks, well in advance of the finalised landscaping to determine maintainability, adoption and any financial contributions required to undertake such maintenance. Moreover, all landscaped / planted areas must be designed to be easily accessible for maintenance. In addition, a financial contribution to help to mitigate the loss of green/open space should be sought and as such, the Parks and Amenities Section would seek to pool the funding contributions with Walpole Court (18/00399/FPM) in order to help deliver improvements to the local area such as Blenheim Way Central Open Space.
- 5.5.3 In term of all soft and hard landscaping elements, these must be designed to provide an attractive amenity, yet being mindful of the Council's resources for maintenance. All planting shall be hardy to typical winters, drought tolerant and show consideration for year round interest. Furthermore, all proposed planting shall be undertaken during the winter

months (October to February). Moreover, all planting to be adopted by the Parks Section shall strictly comply with the emerging specification document being produced by Parks.

- 5.5.4 A minimum 12 month establishment and defect period is required for all new plantings and landscaped areas. Any issues (e.g. plant establishment) that have not been resolved by this period will extend the adoption hand over until resolved and Parks is satisfied. Any replacement or rectification works during this period shall be undertaken and completed all at cost to the applicant.
- 5.5.5 On a separate point, there are a number of proposed small / narrow strips of planting around parking spaces. These small areas should be removed from the design. Protection of the soft landscaped areas from vehicles must also be incorporated into the design where appropriate. As such the main open space must include appropriate methods to prevent unauthorised vehicular access whilst still allowing access for maintenance. Consideration must also be made for protecting areas of landscape that will be vulnerable to damage by large turning vehicles (i.e. road verge corners).
- 5.5.6 Consideration must also be made of the locations of litter bins within the design. All new bins shall comply with the black standardised Wybone litter bin installed throughout the town. Specification details can be provided upon request.
- 5.5.7 In relation to the community garden, relocation of the existing community garden should be investigated and implemented with positive engagement and consultation with the community group.

5.6 Council's Arboricultural Manager

- 5.6.1 Following an analysis of the application, the proposals set out in the arboricultural report are acceptable. However, the only concern would be that where trees are due to be removed, the nearby ones would need to be pruned at the same time to compensate for the loss of support.

5.7 Council's Environmental Health Section

- 5.7.1 The proposed development is considered to be acceptable. However, this is subject to conditions regarding the mitigation of environmental noise from road/rail traffic on the development. In addition, a condition should be imposed on the hours of construction.

5.8 The Council's CCTV Section

- 5.8.1 New CCTV cameras should be provided near the new neighbourhood centre.

5.9 Thames Water

- 5.9.1 Thames Water would advise that with regard to waste water network and waste water process infrastructure capacity, we would not have any objection to the above planning application, based on the information provided. The application indicates that surface waters will not be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.
- 5.9.2 In regards to public sewers crossing or close to the development, if there are plans for significant works near the sewers, it is important to minimise the risk of damage. In addition,

Thames Water will need to check that the development does not reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way.

- 5.9.3 In regards to the waste water network and waste water processing infrastructure capacity, there are no concerns with the proposed development.

5.10 Hertfordshire County Council as Lead Local Flood Authority

- 5.10.1 The County Council as the Lead Local Flood Authority consider the proposed drainage scheme to be acceptable. The drainage strategy is based on infiltration via shallow soakaways and permeable pavement. There would also be the provision of lined bio-retention areas with rainwater pipes to provide treatment and to convey to the surface water from the communal areas, and prior to discharging into the communal soakaway. The proposal also consists of the use of individual soakaways for the dwellinghouses which would be geo-cellular in order to infiltrate runoff by the apartment block and communal areas, including roads and tanked permeable pavement for all car parking areas. The proposed drainage scheme is therefore considered to be acceptable subject to conditions.
- 5.10.2 In addition, as the applicant has not carried out ground contamination investigation, there is the potential contamination on site could affect the suitability of the proposed drainage. Therefore, it is recommended the Environment Agency is consulted in respect of this. The Council will also need to satisfy itself that the proposed SuDS features can be maintained for its lifetime and recommend the Council obtains a maintenance and adoption plan from the applicant.

5.11 Hertfordshire County Council Mineral and Waste Section

- 5.11.1 The Council needs to be aware of the Policies in regards to waste management of the site, including the re-use of unavoidable waste where possible and the use of recycled materials where appropriate to the developments construction. Furthermore, Waste Policy 12: Sustainable Design, Construction and Demolition require all relevant construction projects to be supported by a Site Waste Management Plan (SWMP). This aims to reduce the amount of waste produced on site and should contain information including types of waste removed from the site and where the waste is taken to.

5.12 UK Power Networks

- 5.12.1 The company is the owner/occupier of the electricity substation located within 6m of the development. It is believed that the proposed works are notifiable under the Party Wall etc. Act 1996. Therefore, UK Power Networks objects to the planning application as the applicant has neither served Notice in accordance with the Party Wall Act nor satisfied the company that the works are not notifiable. The applicant should provide details of the proposed works and liaise with the company to ensure that appropriate protective measures and mitigation solutions are agreed in accordance with the Act. The applicant would need to be responsible for any costs associated with any appropriate measures required

5.13 NHS England

- 5.13.1 No comment.

5.14 East Hertfordshire District Council

- 5.14.1 No comment.

5.15 East and North Herts NHS Clinical Commission Group

5.15.1 No comment.

5.16 Herts and Middlesex Bat Group

5.16.1 No comment.

5.17 Affinity Water

5.17.1 No comment.

5.20 Transco

5.20.1 No comment.

5.21 National Grid

5.21.1 No comment.

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:

- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014);
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007); and
- The Stevenage District Plan Second Review 2004.

The Council has now reached an advanced stage in the preparation of a new Stevenage Borough Local Plan 2011-2031. The Plan has been used as a material consideration in the determination of all planning applications registered on or after Wednesday 6 January 2016. The Plan has now been through the Examination process and the Inspector's Report was received in October 2017. This recommended approval of the Plan, subject to modifications proposed. The Plan is currently subject to a holding direction placed upon it by the Ministry of Housing Communities and Local Government (MHCLG), which prevents its adoption whilst MHCLG are considering whether or not to call it in.

6.1.2 The National Planning Policy Framework sets out that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the National Planning Policy Framework.

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, bearing in mind the positive Inspector's Report, significant weight will be afforded to policies within the emerging Local Plan.

6.2 Central Government Advice

6.2.1 A revised National Planning Policy Framework (NPPF) was published in July 2018. 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 213 of the NPPF applies which states that due weight should be afforded to the relevant policies in the adopted local plan according to their degree of consistency with it.

- 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 the advice that the weight to be given to relevant policies in the local plan will depend on their degree of consistency with the NPPF, it will be necessary in the determination of this application to assess the consistency of the relevant local plan policies with the NPPF. The NPPF applies a presumption in favour of sustainable development.
- 6.2.3 In addition to the NPPF, advice in Planning Practice Guidance must also be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 11 of the National Planning Policy Framework requires the application to be determined in accordance with the presumption in favour of sustainable development unless otherwise specified.

6.3 Adopted Local Plan

Policy TW1: Sustainable Development;
Policy TW2: Structural Open Space;
Policy TW4: New Neighbourhood Centres;
Policy TW8: Environmental Safeguards;
Policy TW9: Quality in Design;
Policy TW10: Crime Prevention;
Policy TW11: Planning Requirements;
Policy H6: Loss of Residential Accommodation;
Policy H7: Assessment of windfall residential sites;
Policy H8: Density of residential development;
Policy H10: Redevelopments;
Policy H14: Benefits of Affordability;
Policy T6: Design Standard;
Policy T12: Bus Provision;
Policy T13: Cycleways;
Policy T14: Pedestrians;
Policy T15: Car Parking Strategy;
Policy T16: Loss of Residential Car Parking;
Policy EN13: Trees in new development;
Policy EN27: Noise Pollution;
Policy EN36: Water Conservation;
Policy EN38: Energy Conservation and Supply;
Policy L9: Play Centres;
Policy L15: Outdoor Sport Provision in Residential Developments;
Policy L16: Children's Play Space Provision in Residential Developments;
Policy L17: Informal Open Space Provision in Residential Developments;
Policy L18: Open Space Maintenance;
Policy L21: Footpath, Cycleway and Bridleway Network;
Policy SC1: Retention of Social and Community Facilities;
Policy SC5: Social and Community Provision in New Developments;
Policy SC6: Care in the Community;
Policy NC2: Small Neighbourhood Centres;
Policy NC6: Redevelopments of the Neighbourhood Centres.

6.4 Stevenage Borough Local Plan 2011-2031 Publication Draft (Emerging Local Plan)

Policy SP1: Presumption in favour of sustainable development;
Policy SP2: Sustainable Development in Stevenage;
Policy SP4: A vital Town Centre;
Policy SP5: Infrastructure;
Policy SP6: Sustainable Transport;
Policy SP7: High quality homes;
Policy SP8: Good Design;
Policy SP9: Healthy communities;
Policy SP11: Climate Change, Flooding and Pollution;
Policy SP12: Green infrastructure and the natural environment;
Policy TC11: New convenience retail provision;
Policy IT3: Infrastructure;
Policy IT4: Transport Assessments and Travel Plans;
Policy IT5: Parking and Access;
Policy IT6: Sustainable Transport;
Policy IT7: New and improved links for pedestrians and cyclists;
Policy HO1: Housing Allocations;
Policy HO5: Windfall Sites;
Policy HO7: Affordable housing targets;
Policy HO8: Affordable housing tenure, mix and design;
Policy HO9: Housing types and sizes;
Policy HO10: Sheltered and supported housing;
Policy HO11: Accessible and adaptable housing;
Policy GD1: High Quality Design;
Policy HC1: District, local and neighbourhood centres;
Policy HC2: Local Shops;
Policy HC4: Existing health, social and community facilities;
Policy HC5: New health, social and community facilities;
Policy FP1: Climate Change;
Policy FP2: Flood Risk in Flood Zone 1;
Policy FP4: Flood storage reservoirs and functional floodplain;
Policy FP7: Pollution;
Policy NH5: Trees and woodland;
Policy NH6: General protection for open space;
Policy NH7: Open space standards.

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document January 2012.
Stevenage Design Guide Supplementary Planning Document January 2009.

7. APPRAISAL

- 7.1 The main issues for consideration in the determination of this application are land use policy considerations, compliance with the Council's Housing Policies, Impact on structural open space, redevelopment of the neighbourhood centre/shopping parade, community facilities, affordable housing and financial contributions, future residential amenity, impact on the highway network, parking provision, trees and soft landscaping, impact on ecology and development and flood risk.

7.2 Land Use Policy Considerations

- 7.2.1 The application site is not allocated in the Stevenage District Plan Second Review 1991 – 2011 (adopted 2004) for residential development. However, part of the application site is allocated in the Stevenage Borough Local Plan 2011 – 2031 Publication Draft January 2016 for residential development under Policy HO1/9 – Kenilworth Close which provides an indicative dwelling capacity of 65 dwellings. Therefore, the principle of residential development is considered to be acceptable in this instance.
- 7.2.2 However, large parts of the application site (Asquith Court, numbers 70 to 92 Stirling Close (Evens) and numbers 97 and 99 (Odds) Stirling Close) fall outside the allocation for residential as defined in the Emerging Local Plan (2016). Given this, the proposed development which falls outside of the site allocation under Policy HO1/9 would therefore, be defined as ‘windfall’. Taking this into consideration, Policy H7 of the District Plan (Assessment of Windfall Residential Sites) and Policy HO5 of the Emerging Local Plan (Windfall Sites) apply in this instance. Both policies set out a number of criteria against which proposals will be assessed against. Consequently, this part of the proposed development is subject to the relevant policies of the District Plan, Emerging Local Plan and the National Planning Policy Framework July 2018 (NPPF).
- 7.2.3 The NPPF states at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF also stipulates that decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, the Framework also set out that the sustainable development needs to be pursued in a positive way and at the heart of the framework is a “presumption on favour of sustainable development”. Paragraph 67 of the NPPF (2018) states that planning policies should identify a supply of specific deliverable sites for years one to five of the plan period, and specific deliverable sites or broad locations for growth, for years 6 to 10 and where possible, for years 11 to 15. Paragraph 73 of the same document states that “Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies”.
- 7.2.4 Taking the above issues in turn, the site is considered to be in a sustainable location. In regards to access to local facilities, the proposed development as a whole comprises of a new neighbourhood centre/shopping parade. The site is also located approximately 934m from Shephallbury Park Primary School and 1.52km from The Barnwell School respectively. There are also bus stops on Hertford Road (SB8 bus) and Watton Road (SB8 bus) and there is a designated cycle route to the north of the application site along Hertford Road. As such, the application site is considered to have good access to local facilities and alternative forms of travel to the private car and is therefore in a highly sustainable location.
- 7.2.5 In relation to five year land supply of deliverable housing, as mentioned in paragraph 7.2.3 of this report, 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, but the supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:-
- a) 5% to ensure choice and competition in the market; or

b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during the year; or

c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.

The most up to date housing supply figures indicate that the Council is unable to meet its requirement to provide a five year supply of deliverable housing. The fact that the Council is unable to meet its requirement to meet a five year supply of housing is thus a material consideration in the assessment of the application.

- 7.2.6 The fact that the site is considered to be in a sustainable location, would constitute a sustainable form of development and the fact that the Council is currently 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 Compliance with the Council's Housing Policies

- 7.3.1 As set out above, as part of the site is unallocated for housing within the adopted District Plan (2004), the application site is considered to be a 'windfall' site where policy H7 of the District Plan applies. This policy set out a number of criteria against which proposals for residential development on sites not allocated in the District Plan should be assessed against.

- 7.3.2 Firstly, the application site, whilst it comprises an area of open space, is classed as previously developed land. This is because the application site currently comprises the existing development of Asquith Court, community centre, neighbourhood centre, various residential units, car parking and hard surface areas. Therefore, the proposal would accord with definition of previously developed land as set out in Annex 2 of the NPPF which states that previously developed land is land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. The NPPF also advises that a key objective is that local planning authorities should continue to make effective use of land by re-using land that has been previously developed. However, whilst the development site is classed as previously developed land, part of the application site comprises an area of structural open space. An assessment as to the impact on this space is considered in more detail in the "impact on structural open space" section of this report.

- 7.3.3 In regards criterion (c) of Policy H7 this states that there should be no detrimental effect on the environment or adjoining properties. This issue will be assessed in detail in the following sections considering the impact on the character and appearance of the area and the impact on neighbouring amenity.

- 7.3.4 Finally, Policy H7 also requires that there is access to local facilities and services and also good access to public transport network and both the pedestrian and cycle networks. As set out above, the site has good access to the public transport network and both the pedestrian and cycle networks. The site has thus been demonstrated to be in a sustainable location and as such, would comply with criterion (d) and (e) of Policy H7.

- 7.3.5 Policy H8 of the District Plan relates to the density of residential development and states that 'in general, the net density of new housing should be within a range of 30 – 50 dwellings per hectare and that higher densities (50-65+ dwellings per hectare) will be encouraged in

developments in the town centre, at neighbourhood centres and other locations well served by passenger transport'. The proposal is seeking 169 units on a site of 1.6 hectares which will provide a density of approximately 105 dwellings per hectare, which exceeds the aforementioned standards. However, the application site would comprise the new neighbourhood centre and would be 296m from the new community centre as detailed under planning application 18/00401/FP if it were to be granted planning permission. This application is considered in more detail in the committee agenda.

- 7.3.6 As demonstrated above, the proposal is in accordance with Policy H7 of the adopted District Plan, however, it is also important to consider the emerging policy position. The Stevenage Borough Local Plan 2011-2031, Publication Draft 2016, emerging Policy SP7 promotes the provision of 1,950 new homes to be provided, via windfall sites, elsewhere in the Borough.
- 7.3.7 Policy HO5 (Windfall Sites) of the Emerging Local (2016) also sets out a number of criteria which are similar to those set out under Policy H7 of the District Plan. However, this policy also requires developments to not prejudice the Council's ability to deliver residential development on allocated sites, and, development must not overburden existing infrastructure. Dealing with the first point, due to the siting and location of the development, it does not affect the delivery of any nearby allocated residential sites, including the redevelopment of the Kenilworth Close Neighbourhood Centre as defined under Policy HO1/9. In terms of impact on existing infrastructure, due to the limited scale of the development proposed, it would not have a detrimental impact on infrastructure such as education facilities, youth and library facilities along with health care facilities. This aspect is considered in more detail in the "Affordable Housing and Financial Contributions" section of this report.
- 7.3.8 In respect to Policy HO9 (House types and sizes), as the proposed development seeks to deliver a mixture of independent living units, dwellinghouses and apartments, would be in accordance with this policy. This is because it would help to balance the structural imbalances in the existing housing stock whereby there is a lack of smaller homes in the Borough.
- 7.3.9 Turning to Kenilworth Close itself, as this is designated for residential development in the Emerging Local Plan as detailed under paragraph 7.2.1 of this report, the principle of residential development on this part site is deemed to be acceptable in this instance. This is because this site would help to meet the Council's needs to deliver 7,600 new dwellings over the Emerging Local Plan period.

7.4 Impact on structural open space

- 7.4.1 Part of the application site is punctuated by areas of informal structural open space which border the main shopping parade. Consequently, Policy TW2 of the adopted Local Plan (2004) and Policy NH6 of the draft Local Plan (2016) has to be considered in this instance. Policy TW2 states that development proposals which have an unacceptable adverse impact on structural open spaces of the town will not be permitted. The criteria used in assessing the impact that a development proposal may have are a) the size, form, function and character of the structural open space affected by the development proposal; and b) the impact of the development proposal on the structural open space.
- 7.4.2 Policy NH6 of the Emerging Local Plan (2016) stipulates that for development of any existing, unallocated open spaces, development would be permitted where:

A) the loss of the open space is justified having regard to:

- i) the quality and accessibility of the open space;
- ii) the existence, or otherwise, or any interventions to improve the quality or access;
- iii) whether the open space is serving its function and purpose; and
- iv) whether alternative space(s) remain available for community use, and

B) Reasonable compensatory provision is made.

- 7.4.3 The development comprises areas of grassed amenity space which are bordered by mature trees and hedging. There is also an area of open space located to the west of the shopping parade which comprises an area of soft landscaping and decorative flower beds. The areas of green space within the development measure in total approximately 2835 sq.m in area. The proposed development would result in a significant reduction in these areas of structural open space. However, the Council's Parks and Amenities Section have not raised in objection in their comments in regards to the proposed reduction to the area of structural open space. However, they have sought financial contributions in order to mitigate for the loss of this green/open space.
- 7.4.4 In order to mitigate the impact of the proposed development, the proposed replacement of the existing communal garden would be located adjacent to the new community centre under planning application 18/00401/FP. In addition to this, the applicant is also providing a financial contribution of £4,500 towards the Kenilworth gardening club/woodland walk in order to compensate for the loss of the existing communal garden. Furthermore, the new community centre (Planning reference: 18/00400/FP) also comprises the provision of a new community garden area as well. In addition to this, the applicant is also providing a financial contribution of £25,000 towards green space improvements as well as a financial contribution of £85,000. This contribution would go towards Community and/or Ecological Amenity Infrastructure improvements within the area. It is considered that these financial contributions which would help to mitigate the impact of the proposed development can be secured by way of a S106 Legal Agreement.
- 7.4.5 Additionally, in order to soften the appearance of the proposed development, there would be the provision of 333 sq.m area public lawn which is located within the centre of development. In addition, there would be approximately 600 sq.m of structural open space which is punctuated throughout the development site. In terms of soft landscaping, in order to provide suitable replacement plating across the development site, this can be secured by a condition. This condition would also allow the Council as the Local Planning Authority be able to address issues raised by the Parks and Amenities Section with respect to landscaping.
- 7.4.6 Given the aforementioned assessment, whilst the proposed development does result in a substantial reduction in open space, the proposed financial contributions would help to mitigate the impact of the loss of this open space. Furthermore, the overall benefits of the development would outweigh the loss of this area of structural open space. This is because it would provide a high quality residential development, deliver a new neighbourhood centre as well as provide a significant level of affordable housing which would meet the Council's needs in this instance. Moreover, these affordable housing units would be for the residents of Stevenage as well.

7.5 Redevelopment of the neighbourhood centre/shopping parade

- 7.5.1 The site is designated as a neighbourhood centre under Policy NC2 of the adopted Local Plan (2004). The proposal, seeks to re-develop the Kenilworth Close Neighbourhood Centre in erecting houses, flats and retail units. Consequently, under Policy NC6 of the adopted local plan, any proposal for the redevelopment of a neighbourhood centre should include provision for the retention of local shopping and other services and facilities appropriate to the catchment area.

7.5.2 Turning to the emerging local plan (2016), the application site is not designated as a neighbourhood centre but as a small parade of shops. Therefore, policy HC2: Small Shops of the emerging local plan states that where there are freestanding shops and small shopping parades, these should be retained. Therefore, planning permission for the redevelopment of existing sites to alternate uses or the change of use of individual units from Class A1 (shops) will be granted where satisfactory on or off-site provision is made to replace a loss of uses(s). Additionally, it can be demonstrated that there is no longer a need for a particular facility or that alternate facilities are available locally, and the particular facility, or any reasonable replacement is not, and will not, be viable on that site. Furthermore, the proposal provides overriding benefits against other objectives or policies in the plan, or it can be demonstrated that a unit has been unsuccessfully marketed for its existing use, or has remained vacant over a considerable period of time.

7.5.3 The proposed development would involve the demolition of the existing parade of shops which comprises of 4 no. units. However, the proposed development seeks to replace the 4 no. retail units within building A1 at ground floor level. Consequently, the proposed development would provide an adequate re-provision of retail as part of the redevelopment of the small neighbourhood centre/parade of shops in accordance with the Council's aforementioned policies.

7.6 Community facilities

7.6.1 Looking now at the loss of community facilities and re-development of the small neighbourhood centre, paragraph 92 of the NPPF (2018) states that to deliver social, recreational and cultural facilities and services and community needs, planning decisions should guard against the unnecessary loss of valued facilities and services. This is supported by Policy SC1 of the adopted Local Plan (2004) and Policy HC4 of the Emerging Local Plan (2016). Policy SC4 of the adopted Local Plan (2004) states that in major new residential developments, the provision of social and community facilities commensurate with the scale of development will be sought. Account will be taken of the level of existing services and an assessment made of the level of new services required as a result of the proposed development.

7.6.2 The proposed development seeks planning permission for the demolition of the existing community centre in order to facilitate the construction of the independent living block. Therefore, in line with the aforementioned an acceptable replacement facility has to be provided in order to support the local community and the new development unless its loss can be justified. In this regard, the Council has received an application for a community centre on land bordered by the A602, Hertford Road and Blenheim Way (Planning reference:- 18/00400/FP). If planning permission were to be granted for this community centre, then the aforementioned site would provide the replacement facility which would provide a continued service to the local community.

7.7 Affordable Housing and Financial Contributions

7.7.1 Policy HO7 of the Emerging Local Plan (2016) states that planning permission will be granted for residential developments that maximise affordable housing provision. For developments on previously developed land, 25% of the dwelling units on these sites should be affordable. In regards to the proposed development, whilst the proposal seeks to provide 169 new dwelling units, there are 48 dwelling units which are to be demolished in order to facilitate the construction of the development. Therefore, the Council can only seek affordable housing provision and financial contributions on the net addition which in this instance is 121 dwellinghouse units. Taking this into consideration, there is a requirement to provide 31 affordable housing units. Policy HO7 continues that planning permission will be refused where these targets are not at least achieved unless:-

- a) Developers robustly demonstrate that the target cannot be achieved due to site specific constraints resulting in higher than normal costs, which affect its viability; or
- b) Meeting the requirements would demonstrably and significantly compromise other policy objectives.

7.7.2 Turning to affordable housing tenure, mix and design, Policy HO8 of the same document states that where affordable housing is secured through Policy HO7, planning permission would be granted where those dwellings:

- a. Are provided by the developer on site with at least 70% of the units being for rent and the remainder consisting of other tenures which is to be agreed with the Council's Housing team;
- b. Meets the requirements of Policy HO9 (House types and sizes);
- c. Are physically indistinguishable from other types of homes and are distributed across the site to avoid over-concentration in particular; and
- d. Will remain at an affordable price for future eligible households.

7.7.3 In addition to the above, paragraph 64 of the NPPF (2018) stipulates that for major developments involving the provision for housing, at least 10% of the homes should be made available for affordable home ownership (this includes shared ownership, equity loans, other low cost homes which are 20% below local market value and rent to buy). However, the aforementioned 10% requirement is part of the overall affordable housing contribution from the site.

7.7.4 The proposed development seeks to provide 118 affordable units which equates to 70% of 169 units. However, based on the new number of units, this equates to an affordable housing provision of 96%. In addition, it is important to note that this application has been brought forward in conjunction with the Walpole Court application. The proposed Walpole Court application seeks planning permission for the provision of 60 dwellings (Planning Reference: 18/00399/FPM). This application is to be considered elsewhere in the agenda. These applications are linked in terms of affordable housing, where the affordable housing requirement for the Walpole Court development (6 units) would be provided within the proposed development under this application. It is considered that the affordable housing provision for the Walpole Court application provided within this planning application for The Bragbury Centre, can be secured by way of a S106 agreement and jointly exceeds Policy requirements.

7.7.5 In terms of overall mix of affordable housing, the proposed scheme would comprise of 100% affordable/social rented units. These units would not be more than 80% of market rent value in accordance with the definition of affordable housing in the NPPF (2018). In regards to the 10% provision of other affordable home ownership as required under paragraph 64 of the NPPF, as the development is a "build to rent" scheme with the majority of the development being exclusively for affordable housing, an exemption to the 10% requirement under the NPPF can be applied in this instance.

- 7.7.6 In addition to affordable housing, financial contributions are also required in accordance with the Hertfordshire County Council tool kit and contributions to Stevenage Borough Council for commuted payments. Based on the number of units proposed, the following contributions would be sought:-

Stevenage Borough Council	Financial Contribution
Open outdoor space	£5,715.85
Children's play space	£6,333.78
Gardening Club	£4,500.00
Greenspace and Ecological Improvements	£25,000.00
Community or Ecological Amenity Infrastructure	£85,000.00
Total	£126,549.63
Hertfordshire County Council	
Primary Education	£88,690.00
Secondary Education	£32,706.00
Library	£10,184.00
Youth Services	£841.00
Sustainable Transport	£26,000
Total	£158,421
Overall total	£284,970.63

- 7.7.7 In addition to the above, Hertfordshire County Council has also sought the provision of a fire hydrant within the development. Moreover, there is also a requirement to provide CCTV cameras as sought by the Council's CCTV Section. Following negotiations with the applicant, they have agreed to pay the aforementioned financial contributions and obligations and to provide a fire hydrant and CCTV cameras which would be secured by a S106 Agreement. In this regard, the proposed development would accord with the NPPF and the Council's adopted and emerging policies in relation to affordable housing and financial contributions.

7.8 Impact on the Character and Appearance of the Area

- 7.8.1 Paragraph 127 of the NPPF 2018 stipulates that planning decisions should ensure developments function well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. It also sets out that development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping is sympathetic to local character and history, including the surrounding built environment and landscape setting. In addition, the NPPF sets out that developments should establish or maintain a strong sense of place, using arrangements of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit. It also stipulates that development should optimise the potential of the site to accommodate and sustain an appropriate mix of development and finally, create places that are safe, inclusive and accessible.
- 7.8.2 Paragraph 130 of the NPPF states that "permission should be refused for development of poor design that fail to make opportunities available for improving the character and quality of an area and the way it functions". Policy TW9 of the District Plan (2004) 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 as well. Policy GD1 of the emerging Local Plan (2016) generally reflects the above policy.

- 7.8.3 The proposed development would seek to demolish the existing sheltered living accommodation at Asquith Court along with various residential properties, the existing community centre and shopping parade. This is in order to facilitate the construction of 2 no. residential apartment blocks, 1 no. independent living block and 15 dwellinghouses. Dealing with the first residential block of apartments (Block A1), this would be one of two principal buildings on the site, and as such, it has been positioned on the most prominent location of the site in the northern section fronting onto Hertford Road. The building is to be a maximum of five storeys, which as detailed in paragraph 3.3, would have an r-shaped footprint with the building spanning a maximum width of approximately 52m and depth of approximately 44m respectively. In terms of overall height, the building would be approximately 17.6m tall.
- 7.8.4 With regards to the independent living apartment development (Block A2), this would be the second of the two principal buildings on the site located immediately to the west of Block A1. The building is to be a maximum of five storeys, which as detailed in paragraph 3.3, this building would have a horseshoe footprint with the building spanning a maximum width of approximately 67m with a maximum depth of approximately 39m. In terms of height, the building at its tallest would be five storeys down to four storeys with an overall height of 17.6m.
- 7.8.5 To compare the scale and height of the building, the proposed building would be taller than any existing building in the area as the tallest buildings are generally three-storeys. Notwithstanding this, as the proposed residential apartment block will be the principal building on the site on a prominent and conspicuous corner, it need to be a high quality landmark development. In addition, the proposed development forms part of the wider regeneration of Kenilworth Close with this application running in conjunction with the Walpole Court Scheme (Planning reference:- 18/00399/FPM) which would also comprise a building which would be five storeys in height.
- 7.8.6 In respect of architectural appearance and design, the materials which would be used in the construction of the Block A1, comprises a mixture of buff brick and blue engineering brick along with zinc cladding. The fenestration detailing would comprise of aluminium timber composite finished in grey with the apartments on the roof also comprising of curtain wall glazing. Serving the majority of the flats are recessed balconies which comprise of metal railings which help to break up the visual mass of the development as well providing an element of verticality and modulation to the building. The building would also have a strong relief in the built form it has a modulated roofline with the stepping down from five storeys to three storeys. The building also utilises its corner position as it would comprise a curved frontage which is reflected in Block A2 which helps to create gateway into the neighbourhood centre.
- 7.8.7 The building would also have projecting brickwork which help to frame the external elevations of the building along with the use of a white framed box on the north-eastern elevation of the building which would be constructed from Petrarch Alabaster Riven Slate (Stone composite panelling). There would also be a similar feature on the southern elevation of the building, however, part of the box projects out from the building and cantilevers over a pedestrianised walkway. These box features would be broken via the use of recessed balconies. At ground floor level, there would be curtain wall glazing which would from the shop frontage for the new retail units.
- 7.8.8 Turning to Block A2, this would be the most prominent of the two buildings and not only does it front onto Hertford Road, it is located on the junction of Watton Road. Therefore, the proposed building would be dual aspect in this instance. In terms of architectural appearance, the building would be constructed from contrasting materials which would reflect the materials which would be utilised in the construction of Block A1. This building would also have a strong relief in its built form with the use of recessed and external balconies in order to give the building an element of verticality. On the principal elevation of

the building is a centrally positioned stair core feature which would be five storeys in height which is broken up by a large area of glazing which is framed with the use of stone composite panels. On the rear elevation, there would also be a box feature which would be similar in design to the box features on Block A1. The roof of the building also comprises an outdoor terrace with a cantilevered roof feature positioned over part of the outdoor terrace.

- 7.8.9 In regards to residential block A4, this would be located to the east of block A1 and would front onto Stirling Close. This building would have a staggered footprint with a maximum depth of approximately 14.5m and a maximum width of approximately 10.1m. In terms of height the apartment block, which comprises of a saw tooth roof, would have a maximum height of three storeys with an approximate height of 11m. Given this, the building would not be too dissimilar in height to the existing three-storey flat block which is located to the north of Asquith Court. The proposed residential apartment block would be constructed from contrasting buff brick at ground and first floor level with the second floor and the roof finished in zinc cladding. The fenestration detailing of the development comprises of aluminium timber composite windows and doors.
- 7.8.10 Looking at the proposed dwellinghouses, which form part of zone A4, these would be located off of Stirling Close. This part of the development would comprise a terrace of 6 no. dwellings, a terrace of 3 no. dwellings and 4 no. semi-detached dwellings. In regards to the terrace of 6 no. dwellings (Types 1 to 3), these would measure approximately 8.5m in length and span 6m in width. In terms of height, these properties would have an eaves height of approximately 4.9m with an overall height of 7.9m. In regards to one of the pair of semi-detached properties (Type 4), these would measure approximately 10.20m in length, span 5.85m in width with a similar eaves and ridge height. In relation to the terrace of 3 no. dwellings (Types 5 and 6), these would measure approximately 10m in length and span 5.85m. Finally, with respect to the last pair of semi-detached properties (Type 7), these would measure approximately 9.51m in length and span 6.39m in width. All of the dwellings would comprise of a saw tooth style roof with an eaves height of 4.8m with an overall height of approximately 7.8m. Given their overall size, scale and layout, they would not be too dissimilar to the existing residential developments which define this area.
- 7.8.11 With respect to the 2 no. two bedroomed semi-detached properties (A5) which are located to the rear of numbers 152 to 164 Blenheim Way, these properties would be located on the junction of Blenheim Way and Watton Road. The properties would measure approximately 8.51m in length, span 5.85m in width with an eaves height of approximately 4.62m with an overall height of approximately 9.20m. Again, these dwellinghouses would not be too dissimilar to the overall size, scale and layout of development in the area such as along Blenheim Way and Cragside
- 7.8.12 In regards to external appearance, the dwellinghouses would be constructed from a stock buff brick with the gable-end roof clad in zinc. The fenestration detailing comprises aluminium timber composite windows and doors with a zinc clad box style porch feature on the principal elevation. Therefore, there would be an element of uniformity in the use of high quality material across the development site.
- 7.8.13 Having regards to the aforementioned, whilst the scheme introduces taller buildings into this part of town, it is considered that the scale and form of the development, including the proposed dwellinghouses, would enhance the visual amenities of this part of Stevenage through the delivery of a contemporary modern, high quality residential development. In addition, the development would also deliver two landmark buildings which also form a gateway into the new neighbourhood centre which will define this part of Bragbury End. Therefore, it is considered that the proposed development would not have a detrimental impact on the visual amenities of the wider street scene.

7.9 Impact upon Neighbouring Amenity

Privacy and outlook

- 7.9.1 Chapter 5 of the Design Guide SPD (2009) it states that privacy is an important aspect of residential environments to ensure that a reasonable degree of privacy for residents is provided, both within their habitable rooms and garden areas. Therefore, the position of dwellings and the arrangement of their rooms and windows, should not create significant overlooking of other dwellings or private garden areas, nor should they lead to overbearing impacts or adversely affect the residential amenities of neighbouring properties. Therefore, the guide sets out the minimum separation distances that should be achieved of the new buildings and/or disposition of windows to mitigate against overlooking.
- 7.9.2 Taking these standards into consideration, the tables below show the separation distances between the proposed development and existing dwellings.

Table 1:- Separation distances between residential Block A1 and existing dwellings.

Separation distances between residential Block A1 and existing dwellings			
House number	Street	Separation distance between development and private rear garden (Metres)	Separation distance between development and existing dwellinghouse (Metres)
22	Petworth Close	37	47
24	Petworth Close	28	43
26	Petworth Close	23	38
28	Petworth Close	22	36
30	Petworth Close	22	35
32	Petworth Close	24	37
34	Petworth Close	25	38
25	Petworth Close	26	40
62	Stirling Close	N/a – Front garden	48
64	Stirling Close	N/a – Front garden	48
66	Stirling Close	N/a – Front garden	48
68	Stirling Close	N/a – Front garden	46

- 7.9.3 Looking at the impact on the properties in Petworth Close, it is noted that the front elevation of the proposed development would overlook the private rear gardens and rearward facing elevations of numbers 22 to 34 Petworth Close. Given this, the table of separation as set out in Chapter 5, page 61 of the Design Guide SPD, provides no standards between the front elevations of proposed new dwellings over 2 storey's and existing rear elevations of 2 storey dwellinghouses. Notwithstanding this, a professional judgement still has to be made as to whether or not the development would harm the outlook and privacy of the properties in Petworth Close.
- 7.9.4 As noted in table 1, the separation distance between the development and the rear gardens of properties in Petworth Close is between 22m to 37m. In terms of separation between the development and the rear elevations of the properties in the aforementioned Close, this is between 35m to 47m. However, the proposed development itself does not as such directly overlook the private garden areas of the properties in Petworth Close. This is because between the proposed development and the properties in Petworth Close is Hertford Road. Running along the northern edge of Hertford Road and the rear garden areas of the properties in Petworth Close comprises a belt of mature trees. In addition, on the application side of the development site is also a belt of trees which are positioned on the highway verge.

- 7.9.5 Taking into consideration of the above, despite the overall height of the development, there is a sufficient separation distance between the developments at the properties in Petworth Close to ensure their privacy is retained. In addition, the trees which are located on Highway land are unlikely to be removed so provide an extra layer of protection to the residents in the aforementioned Close. Furthermore, the balconies serving the development have been recessed into the building fabric with the respective habitable windows being set back around 2m from the outer edge of the building. This further helps to improve the level of privacy to the occupiers in Petworth Close. Therefore, the overall separation distance, despite the Council not having a specific standard for side to rear elevations in the Design Guide SPD (as referenced in paragraph 7.9.3), is considered to be acceptable in this instance.
- 7.9.6 Turning to the impact on the properties in Stirling Close, the properties the most likely to be affected by Block A1 are numbers 62 to 68. Taking this into consideration, it is noted that the front elevation of the aforementioned properties look onto the side elevation of the proposed block. Therefore, there is the potential that the development could impact on these properties in Stirling Close. However, the Council does not have a front to side distance standard in the Design Guide. Therefore, an assessment has to be made as to whether or not there is a suitable separation distance in order to protect the outlook and privacy of the properties in Stirling Close.
- 7.9.7 As set out in table 1 above, there would be a separation distance of between 46 to 48m between the development and numbers 62 to 68 Stirling Close. It is noted that on the side elevation of the building, there would be balconies and windows serving habitable rooms such as bedrooms and living rooms. However, due to the separation distance combined with the fact the development would overlook a surface car park and the fact that the existing block of flats is located 45m from the aforementioned property and consists of external balconies, the level of impact in terms of privacy would be no worse than the current situation.
- 7.9.8 In regards to impact on outlook, due to the overall separation distance specified in table 1 combined with the overall layout of the immediate area to Block A1, it would not appear overbearing or harm the outlook of the properties set out above.
- 7.9.9 Looking at the impact of Block A2 in terms of outlook and privacy, table 2 below sets out the separation distances between this part of the development and nearby residential properties.

Table 2: Separation distances between residential Block A2 and existing dwellings.

Separation distances between residential Block A2 and existing dwellings.			
House number	Street	Separation distance between development and private rear garden (Metres)	Separation distance between development and existing dwelling (Metres)
22	Petworth Close	30	42
24	Petworth Close	31	46
26	Petworth Close	35	49
28	Petworth Close	42	54
30	Petworth Close	50	61
32	Petworth Close	62	72
34	Petworth Close	71	80
25	Petworth Close	90	96
52	Hampton Close	N/a - Flat	52
56	Hampton Close	N/a - Flat	51
3, 4, 7, 8, 11 and 12	Balmoral Close	N/a - Flats	40
13	Balmoral Close	32	45
146, 158, 166	Blenheim Way	N/a - Flats	16
152, 156, 164	Blenheim Way	N/a - Flats	20
Walpole Court	Blenheim Way	Located to rear so not affected	32

- 7.9.10 In assessing the impact at the impact on the properties in Petworth Close, as is the case for Block A1, the front elevation of Block A2 faces onto the rear private gardens and rear elevations of the properties. It is considered that the level of impact on these properties in Petworth Close would be as Block A1 due to the separation distances combined with the fact that existing matures trees already provide a level of natural screening. In addition, the balconies have been designed to reflect those in Block A1 being recessed. With respect to the proposed roof terrace, this is set back over 2m from the edge of the roof and there would be raised planters around this terrace. This ensures that there is no direct overlooking of the private garden areas of properties in Petworth Close from the roof of the building. Furthermore, due to the separation distances and overall layout of the area between the development and the aforementioned properties, it would not harm the outlook or appear overbearing to the occupiers of these properties.
- 7.9.11 Turning to the impact on the properties in Hampton Close, there is a large separation distance between the development and the occupiers of the properties listed in table 2. In addition, between the development and the properties in Hampton Close is Hertford Road which helps to form the separation gap. Given this, the development would not have a detrimental impact on these properties.
- 7.9.12 With respect to the impact on the properties in Balmoral Close, it is considered that there would be a significant separation distance (between 40 to 45 metres as set out in table 2) between the development and the properties on the aforementioned close. In addition, there is a mature tree and vegetation belt which runs on both sides of Watton Road which help to provide a natural screen. Consequently, the proposed development is unlikely to have an impact on these properties in Balmoral Close in terms of privacy and outlook.

- 7.9.13 In relation to the impact on the properties in Blenheim Way, it is noted that there is a separation distance of between 16m to 20m. Whilst the separation distance at one point is only 16m, the proposed development would only look onto the blank side elevation of the residential block of flats comprising numbers 146 to 164 Blenheim Way. In regards to the impact on the existing development at Walpole Court, there would be over 32m separation distance between the development and the front of this building. This separation distance is more than sufficient to ensure it does not impact upon the outlook or the privacy of the occupiers who reside within Walpole Court.
- 7.9.14 Turning to the proposed dwellinghouses with respect to their impact on numbers 59 to 63 Stirling Close, the front elevation of the semi-detached dwellinghouse would face onto the front elevation of the aforementioned properties. Taking this into consideration, the Council does not have a separation distance standard for front to front relationships. However, there would be between 28m to 30m separation distance between the proposed semi-detached properties and numbers 59 to 63 Stirling Close. Given these dwellinghouses are only two storeys in height, the separation distance combined with their limited height would ensure the privacy and outlook of the aforementioned properties would not be affected by the development.
- 7.9.15 With respect to the impact on numbers 91 to 95 Stirling Close, it is noted that the rear elevation of the terrace of three dwellings and the semi-detached properties back onto the rear garden area of these properties. Taking this layout into consideration, the Council's Design Guide SPD (2009) states that there should be a separation distance between existing and proposed 2 storey dwellings of 25m. The proposed residential dwellings would all have a separation distance of 25m as required under the Council's Design Guide. In addition, all the respective gardens serving the new dwellings would be over 10m which also accords with the advice contained in the Design Guide. Furthermore, due to the level of separation, the proposed development would not harm the outlook or appear overbearing to the aforementioned properties.
- 7.9.16 In relation to the impact on numbers 114 to 116 Blenheim Way, it is noted that the rear walls of these dwellinghouses would face onto the side wall of the proposed semi-detached property. Given this, in line with the Council's Standards, there should be a separation distance of 15m. Following an assessment of the proposal, there would be a separation of 17m which exceeds the Council's requirements. In addition, the proposed dwellinghouses do not comprise of side windows which would overlook the private garden area. Moreover, there would be a gap of around 8m between the flank wall of the proposed dwelling and the rear garden areas of 114 and 116 Blenheim Way. Consequently, the proposed development would not result in a loss of outlook or privacy to the aforementioned properties.
- 7.9.17 With respect to the impact on number 122 Blenheim Way, it has been identified that their rear elevation would face onto the side wall of one of proposed terraced dwellings. It is noted that there would be a separation distance of approximately 14m which is 1m below the Council's Standards. However, the proposed dwellinghouse does not comprise of any side windows so there is no issue in terms of loss of privacy. Furthermore, there would be a separation gap of 4m between the proposed dwellinghouse and the rear garden area of number 122. In addition, the window affected by the development appears to serve a bathroom with the main bedroom window unaffected by the development. Consequently, the proposal would not harm the privacy or the outlook of the occupiers of the aforementioned property.
- 7.9.18 In relation to the impact on the residential units 152 to 164 Blenheim Way, the side elevation of this building would face onto the eastern elevation of one of the proposed semi-detached properties. Given this layout, the Council does not have a side-to-side separation distance standard in terms of outlook and privacy. Notwithstanding this, it is noted that there would only be a separation distance of 13m between the side elevation of the proposed

dwelling and the existing residential block of flats. However, there would no significant loss of outlook as the development would be sited on the existing garage block. Moreover, the proposed houses are only two-storeys in height and positioned where the existing garages are positioned. Moreover, the dwellings have been set away from the communal dry airway and there also appears to be secondary windows which appear to serve the living room. Consequently, it is considered that the development does not harm the outlook as viewed from the existing flats. In addition to this, the proposed dwellings do not comprise of side windows which look onto the habitable rooms of numbers 152 to 164.

- 7.9.19 Given the aforementioned assessment, it is considered that the proposed development would not harm the outlook or the privacy of existing residential properties which lie in close proximity to the development site.

Daylight

- 7.9.20 BRE "Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice" in terms of light from the sky/daylight, provides guidance on the effects of new development on existing building. The guide states that "in designing a new development....it is important to safeguard the daylight to nearby buildings. A badly planned development may make adjoining properties gloomy and unattractive". Guidance is further provided to establish whether or not an existing building receives enough skylight, when a new development is constructed. The guidance sets out that an angle should be measured to the horizontal subtended by the new development at the centre of the lowest window. If this angle is less than 25 degrees for the whole of the development then it is likely to have a substantial effect on the diffuse skylight enjoyed by the existing building.
- 7.9.21 Turning to the impact on the residential properties in Petworth Close, it is noted that these properties based on the topographic survey are set down approximately 1.9m from the proposed development site. This is due to the land sloping down on a gentle gradient from south to north. However, despite the change in land levels combined with the development's maximum height of approximately 17m, the proposed development does not subtend 25 degree line as taken from the ground floor habitable window. In addition, the proposed development would not breach the 45 degree line as taken in both plan and elevation form. The reason why there is no impact is because of the separation distance between the development and the properties in Petworth Close as set out in table 1 above.
- 7.9.22 In relation to the impact on numbers 62 to 68 Stirling Close, it is considered that due to the significant separation distance between the development (see table 1) and these properties, the residential block (A1) would not subtend the 25 degree line as taken from the ground floor habitable window. Furthermore, the proposed development because of the separation distance would not breach the 45 degree amenity as drawn in plan and elevation form.
- 7.9.23 With respect to the impact on numbers 91 to 95 Blenheim Way, an assessment was also undertaken in line with the BRE guide. Following this assessment, it has been identified that the proposed development would not breach the 25 degree line as taken from the ground floor habitable room of the aforementioned properties. In addition, an assessment has been made on the rear addition of number 93 and again, the 25 degree line is not subtended by the development. Furthermore, due to the separation distance as set out under table 1, the proposal would not breach the 45 degree amenity line in this instance either. In relation to the impact on numbers 114 and 116 Blenheim Way, whilst it is noted that the rear elevation of these properties face onto the flank wall of the proposed semi-detached properties and there is only a separation distance of 17m, again the proposed development would not subtend the 25 degree line as taken from the ground floor habitable windows.

- 7.9.24 In relation to the impact on number 122 Blenheim Way, whilst it is noted that there would be only be a separation distance of 14m, there is the potential the development could affect the level of daylight which is received at this property. However, following an assessment of the proposal in line with the BRE Guide, it has been determined that the proposed development would not breach the 25 degree line as taken from the ground floor habitable window. In addition, the proposed development would not breach the 45 degree amenity line as taken in plan and elevation form.
- 7.9.25 With respect to the impact on the level of daylight which is received by the existing properties within Walpole Court, it is considered that due to the separation distance of 32m, the proposed development would not subtend the 25 degree line. Consequently, the proposed development would not affect the existing residents who reside within Walpole Court.
- 7.9.26 Turning to the impact on the residential block comprising numbers 146 to 168 Blenheim Way, as there are no main habitable windows on the northern elevation on this block, the level of daylight received at these properties would not be detrimentally affected by the proposed residential Block A2. In relation to the impact on the properties in Balmoral Close and Hampton Close, due to the separation distances between Block A2 and the residential properties in the aforementioned roads as specified in table 2, the level of daylight received by these properties would not be detrimentally affected by the proposed development.
- 7.9.27 In relation to the proposed semi-detached dwellinghouses located to the west of the residential apartment block of 146 to 168 Blenheim Way, due to the limited separation distance of 13m combined with the overall height of development, the proposal could potentially impact on the level of daylight which is received in the ground floor apartment facing the development. Given this, whilst the proposed development does not breach the 45 degree amenity line in elevation form, it would subtend the 25 degree line as set out in the BRE Guide. Given this, a more detailed assessment has to be undertaken to determine whether the level of skylight (vsc) which is received in the ground floor apartment.
- 7.9.28 Taking into consideration the above, any reduction in total daylight has to be calculated finding the vsc at the centre of each window. Following an assessment in line with the BRE guide, it has been determined that the existing vsc for the existing ground floor apartment is 40%. The proposed development would result in a reduction of this vsc to 35.5%. Taking this into consideration, whilst there has been 4.5% reduction in daylight, the overall level of vsc is over the 27% (which is required to have an acceptable level of daylight) as set out under section 2 of the BRE "Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice". Given this, there would be an acceptable level of daylight which is received at this property.
- 7.9.29 Given the aforementioned assessment, the proposed development would not have a detrimental impact on the level of daylight which is currently received by neighbouring residential properties.

Sunlight

- 7.9.30 The BRE "Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice" under section 3.2, states that an obstruction to sunlight may become an issue if some part of a new development is situated within 90 degrees of due south of a main window wall of an existing building. In addition, in the section drawn perpendicular to the existing window wall, the new development subtends an angle 25 degrees to the horizontal from the centre of the lowest window to a main living room. It is important to note that bedrooms and kitchens are considered to be less important, although care should be taken not to block out too much sun.

- 7.9.31 In regards to the impact on numbers 146 to 168 Blenheim Way as well as Walpole Court, the proposed development would be located to the north of these residential dwellings. In addition, the proposed development is located to the north of numbers 112 to 124 Blenheim Way. Given this, the level of sunlight which is currently received by these dwellings would not be affected by the proposed development.
- 7.9.32 Turning to the impact on numbers 22 to 34 Petworth Close and numbers 52 and 56 Hampton Close, whilst it is noted the proposed development is located due south of these properties, given the level of separation identified in tables 1 and 2 between these properties and the proposed development, it has been established that the development would not subtend the 25 degree line as taken from the main living room window.
- 7.9.33 In relation to the impact on numbers 91 to 95 Stirling Close, whilst it is noted that part of the development lies within 90 degrees of due south of ground floor habitable windows, due to the separation distance of 25m from the aforementioned properties to the development, the proposal would not affect the level of sunlight which is currently received by these properties. This is because the development would not subtend the 25 degree line as taken from the living room window. With respect to numbers 65 to 67 Stirling Close, again the separation distance of 28m means the development would not affect the level of sunlight which is currently received by the aforementioned properties.
- 7.9.34 Looking at the impact on numbers 62 to 66 Blenheim Way, as noted in table 1, there would be a separation distance of 48m between these properties and residential Block A1. With respect to the proposed residential block (Block A4) of flats which are located to the south of number 60 Blenheim Way, whilst there is the potential this building could affect the level of sunlight which is received by this property, it is noted the development does not breach the 25 degree line as set out in the BRE Guide. In relation to the properties in Balmoral Close (numbers 3, 7, 8 11 and 12) whilst the proposed residential apartment block (Block A2) is located within 90 degrees south of these properties, due to the separation distance combined with the fact that there is a mature tree belt between these properties and the development, the level of sunlight received at the aforementioned properties would not be affected by the development.
- 7.9.35 With regard to the impact on the residential apartment block which comprises of numbers 152 to 162 Blenheim Way, it is noted that part of the proposed development falls within 90 degrees of due south of the ground floor living room window serving one of the apartments. Therefore, the proposed development could potentially affect the level of sunlight which is currently received to the ground floor apartment. Following an assessment of the proposed development, it is identified that the level of Annual Probable Sunlight Hours (APSH) is 43% which is above the 25% standard set out in the BRE Guide. Following an assessment of the proposed development, whilst it does breach the 25 degree line it does not result in the reduction in any APSH which is currently received by the ground floor apartment. In addition, the apartment would also still receive acceptable levels of sunlight of over 5% APSH during the winter (21 September to 21 March).
- 7.9.36 Given the aforementioned assessment, it can be deduced that the proposed development would not have a detrimental impact on the level of sunlight which is currently received by nearby existing residential properties.

Overshadowing

- 7.9.37 As set out in paragraph 7.9.30 of this report, due to the proposed development being located north of these properties, the proposal would not generate an unacceptable level of overshadowing to these properties in this instance. Turning to all of the properties where parts of the development are located within 90 degrees of due south, it is considered that due to the level of separation as identified in section "Privacy and Outlook" between existing properties and all aspects of development, the proposed development would not result in

an unacceptable level of overshadowing to existing properties to warrant refusal of the application.

- 7.9.38 In addition to the above, whilst the proposed pair of semi's positioned adjacent to the residential block of flats (146 to 168 Blenheim Way) which could generate a level of overshadowing to the flats on the lower floors, the proposed development would generate a limited area of overshadowing in the afternoon, however, the level of overshadowing creating is not sufficient to cause undue harm to the occupiers of these flats.
- 7.9.39 Given the aforementioned assessment, the proposed development would not generate an unacceptable level of overshadowing which would harm the amenities of the nearest residential dwellings most likely to be affected by the development.

7.10 Future residential amenity

Outlook, privacy, sunlight and daylight

- 7.10.1 Turning to the impact on the future occupiers of the development, due to the separation distances specified under Section 7.9, subsection "privacy and outlook", the existing dwellinghouses within the immediate vicinity of the development would not result in a substantial loss of outlook, privacy, sunlight or daylight in this instance.
- 7.10.2 With respect to the overall internal layout of the development, it is noted that the eastern elevation of Block A1 would face onto the western elevation of Block A2. Therefore, there is the potential that the privacy of the future occupiers of the apartments within these respective blocks could be affected. However, there would be a separation distance of 33m between these blocks which would overlook a shared surface car park and green. Given this, whilst the Council does not have a separation distance for side-to-side elevations, it is considered that there would be more than sufficient separation to ensure the privacy of future occupiers of the development would be acceptable.
- 7.10.3 In regards to the separation distance between the proposed terrace of six houses which are located opposite the terrace of three houses and semi-detached properties, it is noted that the front elevation of these properties would look onto each other. Taking this into consideration, the Council does not have a separation distance standard for front-to-front relationship. Notwithstanding this, there would be a separation distance of between 20m to 23m which is more than sufficient to ensure the privacy of the future occupiers of the development would not be harmed.
- 7.10.4 Turning to the proposed semi-detached houses which are positioned opposite numbers 63 to 67 Blenheim Way, it is noted that these dwellinghouses would back onto the rear elevation of the residential block of apartments (Block A4). Given this, the Council's Design Guide SPD (2009) stipulates that there should be a back-to-back separation of 30m. The proposed separation distance between the semi-detached properties and the block of flats would only be 22m. Given this, there would be a shortfall of 8m which is significantly below the Council's adopted standards. However, in order to overcome this shortfall, the rear elevation of part of the residential apartment is set at a splayed angle. This would mean the windows serving the bedroom and lounge would overlook the communal area and not directly onto the private garden areas or habitable rooms of the semi-detached properties. In regards to the northern part of the block, the lounge areas would be dual aspect where one window looks onto a wall and the main window looks out towards the surface car park to the north.
- 7.10.5 Given the aforementioned, whilst there is a shortfall it is considered that the proposed residential block (Block A4) has been carefully designed to ensure that the privacy of the future occupiers of the semi-detached properties would be protected.

- 7.10.6 With respect to sunlight and daylight, the BRE Guide does not set out standards for between new developments. However, a professional judgement has to be made to ensure that all of the residential properties within the development would have an acceptable level of sunlight and daylight. Following an assessment of the proposal, based on the separation distances specified above combined with the fact that the larger parts of the developments (Blocks A1 and A2) are located at the northern end of the site, the level of sunlight and daylight which would be received within all parts of the new development would be acceptable in this instance.

Private amenity space

- 7.10.7 Dealing with the dwellinghouses, the Council's Design Guide States that in the case of new dwellings, the minimum standard for dwellings should normally be 50 square metres. In addition, each dwelling should normally have a minimum garden depth of 10m. However, for larger detached dwellinghouses, there will generally be a requirement to provide larger gardens. Taking this into consideration, the private garden area for each property is set out in the table 3 below.

Table 3:- Size of private garden areas per plot.

Dwelling house number	House type	Area of private garden (sq.m)	Length of private garden (metres)
A4-1	Terrace	53	9
A4-2	Terrace	53	9
A4-3	Terrace	53	9
A4-4	Terrace	53	9
A4-5	Terrace	53	9
A4-6	Terrace	53	9
A4-7	Semi-detached	77	15
A4-8	Semi-detached	93	15
A4-9	Terrace	92	15
A4-10	Terrace	75	14
A4-11	Terrace	75	14
A4-12	Semi-detached	96	12
A4-13	Semi-detached	100	12
A5-1	Semi-detached	66	8
A5-2	Semi-detached	69	8

- 7.10.8 Taking into consideration the above, whilst the private garden areas of plots A4-1 to A4-6 as well as plots A5-1 and A5-2 do not meet the Council's Standard in terms of depth, there overall size and design ensures that they are usable. This is because every private garden within each plot comprises a shed and an area to store bins with sufficient space left over for the occupiers of the development to enjoy. With regards to the other plots, their respective private garden areas exceed the Council's Standards.
- 7.10.9 Turning to the proposed residential block of apartments, the Council's Design Guide states that where private space is required, the Council will seek the provision of a minimum useable communal area of 50 sq.m for schemes up to 5 units, plus an additional 10 square metres per additional unit over 5.
- 7.10.10 Taking the above standard into consideration, there would be a requirement to provide the following amount of communal space:-
- Residential Block A1 = 570 sq.m;
 - Residential Block A2 = 880 sq.m; and

- Residential Block A4 = 90 sq.m

- 7.10.11 In addition, the Design Guide does set out that upper floor flat dwellers rarely have access to garden space. Therefore, where there is no communal space, then effort should be made to provide balconies or roof gardens so as to afford privacy to the occupant. In regards to Block A1, there would not be a private communal garden area to serve the residential apartments. Notwithstanding this, each apartment has a private balcony area. These balcony areas combined would provide approximately 400 sq.m of private amenity space. Whilst it is noted there is a shortfall, the future occupiers of the development would have access to the area of open space located within the centre of the development. In addition, there would be access to the nearby open space within Blenheim Way to the east of the development site.
- 7.10.12 Turning to Block A2, there would be a communal garden area of 225 sq.m which is below the Council's communal space standards. However, as per Block A1, the majority of flats are served by a balcony and there is also an outdoor terrace on the roof measuring 182 sq.m in area. Given this, the balconies, outdoor terrace and communal lawn would combined provide 1,073 sq.m of communal amenity space which would exceed the Council's requirements in this instance. In relation to Block A4, this would have a private communal garden area of 150 sq.m. Given this, the communal space provided for this block would exceed the Council's requirements.
- 7.10.13 In order to meet the requirements of policies L15 and L16 of the District Plan (2004) and Policy NH7 of the emerging Local Plan (2016), commuted payments towards existing sport/open space facilities and children's play space will be included as provision in the S106 agreement. The nearest substantive open space with children's play equipment is at Blenheim Way. The Council's Parks and Amenities section would seek to utilise these monies as well as pool the monies from the Walpole Court development to enhance the children's play and open space provision at Blenheim Way.
- 7.10.14 Given the aforementioned assessment, it is considered that the development would have adequate provision of private amenity space to serve the future occupiers of these properties.

Gross internal floor area

- 7.10.15 Policy GD1 of the Emerging Local Plan (2016) relates to High Quality Design and it sets out the minimum gross internal floor areas for dwellings which are in line with the Government's nationally described space standards. Following an assessment of the proposed floor plans, the dwellings would meet the minimum internal floor standards set out in the Emerging local Plan. Given this, there would be adequate living space standards for any future occupiers of the development.

Noise

- 7.10.16 Policy EN27 of the District Plan (2004) states that for noise sensitive uses, these will only be permitted if they are located where they will not be subjected to unacceptably high levels of noise generating uses. Policy FP8 of the emerging Local Plan (2016) stipulates that permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed, pollution generating uses.
- 7.10.17 Tacking the above policy into consideration, due to the location of the development which lies in close proximity to the East Coast main railway line, a neighbourhood centre and bordered by highways, the applicant has submitted with the application a Noise Impact Assessment.

- 7.10.18 Following consultation with the Council's Environmental Health Section, it is considered that the Noise Impact Assessment adequately assesses the level of noise which is generated from the external environment. However, to ensure noise levels within the development do not exceed the internal noise levels contained in British Standard BS8233:2014 (guidance on sound insulation and noise reduction for buildings) in so far as the living rooms, dining rooms and bedrooms, a condition should be imposed if planning permission were to be granted. This condition would require the ventilators and windows to each dwelling to achieve an acceptable level of acoustic performance in line with the regulations.
- 7.10.19 In addition to the above, the Council's Environmental Health Section has recommended a condition be imposed in respect to construction noise. This is to ensure that noisy activities associated with the building out of the development are only to be carried out within certain timeframes. This is to ensure that existing residents in the area are not detrimentally affected in terms noise during the construction phase of the development.

External lighting

- 7.10.20 In regard to external lighting, the applicant has not submitted any details of lighting which would be installed on the development or around the application site. However, to ensure that any external lighting does not affect the amenities of nearby residential properties, prejudices highway safety or has a negative impact on protected species such as bats, it is recommended a condition be imposed to any permission granted in order to deal with external lighting. This condition will require details of any external lighting to be installed to be submitted to the Council as Local Planning Authority for its approval prior to it first being installed.

7.11 Impact on the Highway Network.

- 7.11.1 The application site is currently accessed via Hertford Road (un-numbered classified C Road), Kenilworth Close and Stirling Close which are unclassified local access roads. These roads are restricted to a speed limit of 30 mph. The proposed residential apartments block (Block A1) as well as the retail units would be serviced from Stirling Close where there would be a reconfigured access road. This access road would also serve the proposed new dwellinghouses.
- 7.11.2 In regards to the public car park serving the retail units, this would be accessed off Hertford Road via the existing access point. This access point would not be altered but the existing surface car park would be re-configured in order to facilitate the construction of the proposed development. Turning to residential apartment Block A2, this would be accessed off Kenilworth Close which is positioned to the south.
- 7.11.3 With respect to the proposed semi-detached dwellings which are located at the south-western end of the development site, these properties would be accessed via a new vehicle cross-over from Blenheim Way. The proposed vehicular access to this part of the development would be 5.5m in width.
- 7.11.4 With regards to vehicle-to-vehicle inter visibility as taken from the individual access points, these have been designed in accordance with the Department for Transport (DfT) Manual for Streets and Herefordshire County Council (HCC), Road in Hertfordshire Design Guide. In terms of all of the residential access points would have adequate pedestrian visibility splays in line with Manual for Streets as well as HCC Roads Design Guidance.
- 7.11.5 In regards to vehicle manoeuvrability, the applicant has provided as part of this application submission swept path analysis as part of their Transport Assessment. The plans depicting the swept path analysis display that tracking is accommodated within the site for refuse vehicles, emergency vehicles (ambulance and fire tender) and the average motor car. In terms of accessibility for emergency vehicles, the proposal is within the statutory building

regulation distance of 45 metres to all parts of the building from the principal and internal road. In addition, the geometrical layout of the development's associated roads would accommodate the swept path of larger vehicles.

- 7.11.6 In assessing traffic generation, the applicant's transport consultant has produced a transport assessment which incorporates details of proposed traffic generation for weekdays. The assessment also comprises of a future year assessment model in order to inform the potential future impact of the development on the surrounding highway network. In regards to the traffic generation, the peak periods the assessment focused on were 08:00-09:00 AM and 17:00-18:00 PM. The model utilised to predict the amount of traffic which would be generated was via TRICS (Trip Rate Information Computer System) with a base model of private residential development in a similar location.
- 7.11.7 It is anticipated that the proposal would generate between 08:00-09:00 AM Peak 85 arrivals and 187 departures which generates a two trip of 202 vehicle movements. With respect to peak traffic between 17:00-18:00 PM Peak, there would be 127 arrivals and 110 departures which generates a two way trip of 238 in Total. Taking this into consideration, it equates to 3 vehicle movements per minute in the AM Peak and 4 vehicle movements in the PM peak. In regards to trip distribution, the Transport Assessment has reviewed how the development would affect the local highway network including the reconfigured A602/Hertford Road Traffic Light controlled junction.
- 7.11.8 In order to assess future traffic growth on these junctions based on the survey data from 2018 up to a future year of 2023, the Transport Consultant has utilised the National Transport Model (NTM) which factors local conditions using TEMPRO (Trip End Model Presentation Programme). This model demonstrates that the queue length on the junction and surrounding roads would be well dispersed due to the various access points into the development. In addition, the modelling has demonstrated that the new A602/Hertford junction would operate with adequate spare capacity during both peak periods.
- 7.11.9 Following consultation with HCC as Highways Authority, they consider the proposed access arrangement to be acceptable. In addition, HCC recommends that if planning permission were to be granted, a condition should be imposed requiring details of a Construction Management Plan/Statement to be submitted to the Council for its approval prior to the commencement of development. This will ensure that during the construction phase of the development the safety and operation of the highway would not be detrimentally affected in this instance.

7.12 Parking provision

Residential parking

- 7.12.1 The Parking Provision Supplementary Planning Document sets out the base standard of 1 parking space for 1 bedroom units, 1.5 spaces for a two bedroom unit and 2 spaces for a three bedroom unit. In regards to the independent living block (sheltered housing), the Parking Standards SPD sets out a requirement to provide between 0.5 space to 1 space per unit. Taking these standards into consideration there would be a requirement to provide 113 parking spaces. Given the application site is not located within a residential accessibility zone, there would be a requirement to provide the maximum number of spaces which are required.
- 7.12.2 The proposed development across the whole site (excluding the parking for the retail units) amounts to 158 parking spaces. In terms of parking breakdown, there would be 68 unallocated parking spaces which would serve the residential block A1. In relation to the independent living/sheltered housing block (A2), there would be a provision of 47 parking spaces as well as 1 parking space for a minibus. Turning to the proposed dwellinghouses and residential block of apartments (Block A4), there would be 34 parking spaces plus 6

parking spaces for visitors which accords with the Council's Standards. With respect to the standalone semi-detached properties positioned on the south-western corner of the site located near the junction of Watton Road and Blenheim Way, there would be 4 parking spaces to serve these properties. This amount of parking would be sufficient for these two properties being 2 bedroom dwellings.

- 7.12.3 Turning to visitor parking, in line with the Council's Parking Standards SPD (2009), there is a requirement to provide 0.5 spaces per dwelling unit. This would equate to a requirement to provide an additional 85 parking spaces. However, as set out in paragraph 2.15 of the SPD, where a significant portion of the parking is to be unallocated, as is the situation with this development, additional visitor parking may not be required. However, as a large portion of the parking will be communal, it is recommended that 5% of the total number of spaces should be designated for disabled. This equates to a requirement of 6 spaces across the development. Taking this into consideration, there would appear to be the provision of 5 spaces which is a shortfall of 1 parking space. Notwithstanding this, if members were minded to grant planning permission a condition could be imposed to any permission issued to require some of the parking bays to be quasi-disabled bays. This is to ensure that there would be sufficient parking provision for people with disabilities.

Retail

- 7.12.4 The Council's Parking Standards SPD (2009) states that for retail units, 1 space per 30m² of gross floor area should be provided for small shops. The proposed development would comprise of 4 no. retail units with a total floorspace of 1137.5 sq.m. Given this, there would be a requirement to provide 38 parking spaces. However, as the application site is within non-residential accessibility zone 4, a degree of constraint can be applied to the maximum level of parking to be applied for new development. In this regard, a requirement of between 75% to 100% of the maximum number of parking spaces would be required to serve the retail units. This would equate to a requirement of between 28 car parking spaces to 38 car parking spaces.
- 7.12.5 The proposed development would comprise of 17 parking spaces in the shared car park positioned to the front of the retail units. In addition, there would be 5 staff parking spaces located within the rear service yard. This would equate to total of 22 parking spaces which would mean there is a shortfall of 5 parking spaces. Notwithstanding this, the residential part of the development has sufficient parking capacity to absorb the additional parking requirement for the shops as these spaces would be unallocated. In addition, being a neighbourhood centre, these retail units would be within walking distance to a number of residential properties and as such, there would be a proportion of linked trips.
- 7.12.6 Turning to disabled parking provision, in regards to shopping and recreation, there is a requirement to provide 3 bays or 6% of total capacity, whichever is the greater. The proposed development would seek to provide 2 disabled parking spaces in the main car park plus an additional disabled parking bay for staff within the rear service yard. Taking this into consideration, there would be sufficient parking provision for disabled persons. In terms of powered two-wheels, there is a requirement to provide around 5% of total stock of publicly accessible vehicle parking for motorcycle use. Taking this standard into consideration, a motorcycle parking space has been provided in the surface car park serving the retail units. Given this, there would be sufficient motorcycle parking in line with the Council's Standards.

Cycle parking

- 7.12.7 In relation to bicycles, for residential development, there is a requirement to provide 1 cycle space per dwelling unit. This would equate to a requirement of 81 spaces. Turning to the independent living (sheltered living) block, there is a requirement to provide 1 short term space per 3 units plus 1 long term space per 5 units. This would equate to a requirement of

30 short-term spaces and 18 long-term spaces. In relation to retail (Use Class A1), there is a requirement to provide 1 short term space per 150m² of gross floor area plus 1 long term space per maximum staff on site at any one time. Taking these standards into consideration, it is not known what level of staff will be working within these units. However, as a minimum there should be a provision of 8 cycle spaces.

- 7.12.8 Dealing with residential Block A1, there is a secure cycle store positioned to the rear of the building. In addition, there is an area of short term cycle parking provided via a Sheffield Stand also positioned to the rear of the building. In addition, the applicant is providing 3 sets of Sheffield stands to be positioned adjacent to Block A1. These would serve the retail units. There is also the provision of an additional short-term Sheffield stand located to the south of the retail units/Block A1.
- 7.12.9 With respect to Block A2, there is a secure cycle store located to the rear of the building. In addition, there are two no. Sheffield Stands in close proximity to this building for short-term parking. In relation to residential Block A4, there would be a secure cycle store within the communal garden area. In relation to the proposed dwellinghouses, each property would comprise of a shed which can be utilised to store a bicycle.

Replacement parking

- 7.12.10 Part of the proposed development would involve the demolition of six Council garages in order to facilitate the construction of the proposed development. In order to compensate for the loss of these garages, the proposal would comprise of 6 replacement parking space which would be located adjacent to Walpole Court. Therefore, sufficient replacement parking would be provided to compensate for the loss of the existing garages.
- 7.12.11 Given the aforementioned, there would be sufficient cycle parking to serve the development in accordance with the Council's Car Parking Standards SPD (2009). In summary, subject to conditions on requiring the necessary parking and secure cycle parking to be provided prior to the occupation of the development, and, to remove permitted development rights with respect to the garages so they cannot be converted in the future, it is considered that there would be sufficient off-street parking and secure cycle parking in accordance with the Council's Standards.

7.13 Trees and Soft Landscaping

- 7.13.1 The application site comprises a number of mature trees which are likely to be affected by the proposed development. Given this, in order to facilitate the construction of the proposed development, it would result in the removal of 31 category B (Trees of moderate quality) and 35 category C (Trees of low quality) and 3 category C hedges. The trees to be removed comprise a mixture of Red Oak, Winter Cherry, Ash, Corsican Pine, Rowan, Swedish Whitebeam, Norway Maple, Willow and Lime. The proposal also seeks the removal of 4 category U (Trees unsuitable for retention) trees.
- 7.13.2 In addition to the above, the proposed development would encroach on the root protection area of a number of trees which are to be retained. Given this, the applicants Arboricultural Impact Assessment (prepared by Aspect Arboriculture, report reference:- 9575_AIA.001 dated October 2018) recommends the provision of protective fencing to be installed prior to the commencement of development. In addition, where development works are to be undertaken in the root protection area, the Assessment recommends this is supervised by an Arboriculturalist to ensure that the roots of the tree are not damaged.
- 7.13.3 Further to the works within the root protection areas and the removal of a number of trees, there would also be a requirement to undertake crown reduction, pollarding and selective pruning of trees in and around the development site. In relation to mitigation, the Arboricultural Impact Assessment recommends that a landscape architect is appointed to

ensure that suitable replacement tree planting can be undertaken within the development site.

- 7.13.4 Following consultation with the Council's Arboricultural Manager, the Arboricultural Impact Assessment submitted with the planning application is considered to be acceptable. However, to ensure that sufficient replacement tree planting is provided within the development site along with suitable landscaping, it is recommended a suitable condition be imposed. This condition will require the applicant to provide details of a landscaping scheme with replacement tree planting to be submitted to the Council for its approval.

7.14 Impact on Ecology

- 7.14.1 The application site is identified as previously developed land and predominantly comprises of residential buildings, amenity grassland and scattered trees and managed scattered low hedgerows and associated hardstanding areas including roads, car parking and footpaths. The wider environment is generally urban in nature comprising of residential and commercial premises, trees, amenity grass land and areas of structural open space. The applicant has undertaken a preliminary ecological assessment to ascertain whether or not the site has and adjoining habitats to species that receive legal protection at either UK and/or European level. The survey comprised a desk top study of records from the multi-agency geographic information for the countryside, Herts Environmental Records Centre (HERC) and ordnance survey maps. A Phase 1 habitat survey was also undertaken by the Ecologists.
- 7.14.2 The survey identified that there are no habitats of high value to legally protected species on site. In addition, it was identified that the site was not suitable for badgers, great crested newts, otters, water voles, hazel dormouse, notable plants or invertebrates of significance. In regards to bats, there were trees on site that were considered suitable for localised foraging and commuting bats, but at a limited level. However, in order to protect foraging bats, it is recommended in the Ecological Report that sensitive lighting design in the final scheme will be required to ensure there are no impacts on foraging bats. Furthermore, it is recommended that bat boxes should also be incorporated into the final development scheme. In this regard, it is recommended a condition be imposed to require details of bat boxes to be installed to be agreed by the Council.
- 7.14.3 In addition, the scattered trees along the southern boundary and around the edges of the site are considered suitable nesting habitats for breeding birds during the breeding season. Given birds are protected under the Wildlife and Countryside Act 1981, a condition would be imposed to protect nesting birds and for trees to only be removed at certain times of the year. In addition, a condition should be provided to require the provision of bird boxes in order to help to improve nesting opportunities.
- 7.14.4 Turning to the ecological value of the development site, the Ecological Assessment concluded that the development site as a whole has a low ecological value. Following consultation with Herts and Middlesex Wildlife Trust (HMWT), they consider the methodology and conclusions of the surveys undertaken are acceptable. In regards to the improvements and enhancement measures requested by HMWT, these as set out in paragraphs 7.14.2 and 7.14.3 can be secured by a condition. In addition, suitable landscaping in order to improve biodiversity can also be secured by a condition if planning permission were to be granted.

7.15 Development and Flood Risk

- 7.15.1 The application site is situated within Flood Zone 1, which has a low probability of flooding. However, as the application is classed as a Major residential application, there is a statutory requirement to consult Hertfordshire County Council as the Lead Local Flood Authority (LLFA). The LLFA has confirmed that the applicant has provided sufficient detail to

demonstrate that there is a feasible drainage scheme for the site. Accordingly, the LLFA raise no objection on flood risk grounds subject to conditions which are included in section 9.1 of this report. In addition, as set out in the aforementioned section, Thames Water has not raised any concerns with respect of the development in terms of impact on sewerage infrastructure.

7.16 Other Matters

Refuse and recycling

7.16.1 The Stevenage Design Guide (2009) states that provision should be made within new development for the storage and collection of waste from a site. The current requirements for waste and recycling per household are as follows:-

- Residual Waste – 240 litres;
- Cans and plastics – 55 litres;
- Paper and cardboard -55 litres;
- Glass – 20 litres;
- Green Waste (dwellinghouses) – 240 litres.

7.16.2 As part of the proposal the applicant has identified the location of the proposed refuse store and bin storage areas for the dwellinghouses in line with the above. In addition, the bin store serving the residential block of flats as well as the individual bin storage areas for the dwelling houses have been positioned in a way to ensure that they are easily accessible to the refuse collection teams and can be screened so as to not have a detrimental impact on the visual amenities of the area.

Sustainable construction and climate change

7.16.3 Policy EN36 of the District Plan states that development proposals will be encouraged to reduce water consumption and run-off by using suitable water conservation and storage measures such as the use of rainwater, water efficient devices and by recycling water. Policy EN38 of the same document states that development proposals will be expected to demonstrate that methods of maximising energy efficiency and supplying of energy in the development need to be considered. Policy FP1 of the Emerging Local Plan (2016) stipulates that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:

- Ways to ensure development is resilient to likely variations in temperature;
- Reducing water consumption to no more than 110 litres per person per day, including external water use;
- Improving energy performance of buildings;
- Reducing energy consumption through efficiency measures;
- Using or producing renewable or low carbon energy from a local source; and
- Contributing towards reducing flood risk through the use of SuDS or other appropriate measures.

7.16.4 The applicant has provided as part of their Design and Access Statement details on sustainable construction and adaptation to climate change. It is set out in the statement that water saving measures which include flow restrictions, aerated taps and dual flush toilets would be incorporated into the development. In addition, the residential apartment block has been designed with large scale glazing to serve the lobby areas in order to reduce the reliance on artificial lighting. The apartments also incorporate large windows in order to allow natural light in main areas. In addition, the block also comprises the provision of solar PV panels on the roof in order to generate renewable energy for the apartments. The

building also comprises a green roof in order to reduce the level of water being drained from the building into the local sewer network.

- 7.16.5 In addition to the above, the applicant has set out that in terms of construction, they will be sourcing environmentally friendly materials. In addition, all materials from the development will be recycled where possible. Furthermore, the development would have high levels of thermal insulation and all heating appliances installed would be energy efficient. Moreover, the drainage strategy which would be utilised as part of this development will achieve a 1 in 100 year event plus 40% allowance for climate change.
- 7.16.6 Turning to sustainable construction, Hertfordshire County Council as Minerals and Waste Authority recommended the applicant submit a SWMP (Strategic Waste Management Plan). This is to ensure that materials used in the construction consist of recycled materials and any materials generated from the construction of the development are properly recycled where possible. Whilst it is noted the applicant has specified that they would look to utilise recycled materials where possible, they have not submitted a SWMP with this application. Therefore, it is recommended that if planning permission were to be granted, a condition could be imposed requiring the applicant to submit a SWMP prior to the commencement of development.
- 7.16.7 Given the above, and subject to a condition, it is considered that the development has been designed in order to be adaptable to climate change through the use of sustainable technologies and construction.

Impact on property values

- 7.16.8 Concerns have been raised about the impact that the development would have on property values. However, despite the concerns raised, it has long been established through planning case law that in the assessment of planning applications, it is the conventional tests of impact on planning policies and amenity harm to neighbouring uses or the character of an area as a whole that are the deciding issues and not any possible consequential effects on nearby property values.

Consultation Process

- 7.16.9 A number of concerns have been raised by local residents that the Council has not undertaken a thorough or comprehensive consultation process with local residents about this planning application. However, the Council has complied with the regulations which are set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 7.16.10 In line with the aforementioned Order, residential properties located in close proximity to the application site have been notified via a letter and four site notices were also erected. In addition, being a Major Residential Development, the application has also been advertised in the Local Press. Furthermore, this planning application has been published on the weekly planning list and all of the relevant plans and documentation associated with this application have been uploaded onto the Council's website.
- 7.16.11 In regards to the applicant's engagement with the Local Community, there is no statutory requirement for them to do this in line with current UK planning legislation and law. However, the applicant has confirmed that public consultation events were undertaken via an exhibition within Asquith Court in May 2018.

Crime and anti-social behaviour

- 7.16.12 It is noted that a number of objections have been raised citing concerns that the development would increase levels of crime and anti-social behaviour. However, following

consultation with the Police Crime Prevention Design Officer, no concerns have been raised with respect to the proposed development generating extra crime or issues of anti-social behaviour.

Odour

- 7.16.13 Some concerns have been raised by residents that the proposed development in relation to the refuse bins are likely to generate increased issues of odour. However, this is not considered to be a material planning consideration in relation to this planning application. However, if odours were to generate an issue in the future and cause a statutory nuisance, then the Council's Environmental Health Section have powers to enforce against such nuisances.

Provision of a doctors surgery

- 7.16.14 It is noted that some residents have raised concerns in relation to the lack of provision of a GP doctors surgery. In addition, residents also emphasise that the Council's policies in the Local Plan clearly sets out a requirement for a doctor's surgery for this site. Whilst these concerns are noted, this site although part of it is allocated in the Emerging Local Plan, it does not stipulate the need for a doctors surgery. The land where a GP surgery is suggested is a large scale residential development which is located further south along the A602. In addition to this, the NHS and the North and East Hertfordshire CCG have not formally requested a GP surgery is provided on this site. Therefore, it would be unreasonable to require the applicant to provide a GP surgery as part of this planning application.

Electric Vehicle Charging Points

- 7.16.15 Comments from local have been received regarding the lack of details of electric vehicle (EV) charging points. In regards to EV, the District Plan (2004), the Emerging Local Plan (2016) and the Council's Parking Standards SPD (2009) do not have any requirements for a developer, at this current time, to provide EV charging points. However, it is noted that there is a drive by Central Government as well in HCC's Local Transport Plan 4 (2018) to provide EV charging points in order to help tackle climate change. Therefore, if members were minded to grant planning permission, a condition could be imposed to require the applicant to provide details of EV charge points which are to be agreed in writing by the Council. This condition would then require the applicant or developer to install the EV points based on the details provided.

Building Regulations

- 7.16.16 It is noted that concerns have been raised that due to the siting of a pair of semi-detached properties and their proximity to a balcony, the proposed development would be in contravention of Building Regulations. It is considered that this is not a material planning consideration and any issues in regards to Building Regulations would have to be dealt with separately from this planning application.

Loss of drying area serving the flats

- 7.16.17 Concerns have been raised that the proposed development would result in the loss of a drying area which serves the residential flats in Blenheim Way. It can be confirmed that the proposed development does not seek to remove this drying area and it would be retained as part of this development.

Proposal will set a precedent for similar developments

- 7.16.18 Concerns have been raised by a number of residents that if planning permission were to be granted it could set a precedent for development of other courts in the area. Despite the concerns raised, the Council can only consider the application before it and has to determine it on its own merits based on current planning legislation and law. Consequently, if any future applications were to be made for similar developments in the area, then such applications would have to be assessed on their own merits accordingly.

Fire Safety

- 7.16.19 In regards to fire safety, some residents have raised concerns that future owner/occupiers of the flatted parts of the development are at risk due to recent events. Whilst this concern is fully appreciated, any matters regarding the fire safety of a building is a matter which is dealt with under Building Regulations. However, as you will note from the Highways Implications section of this report, Hertfordshire County Council as Highways Authority have considered that the layout of the development is acceptable for access and manoeuvrability for fire appliances. In addition, all parts of the development would be accessible in the event of a fire. Moreover, the County Council has also required the provision of a fire hydrant which would be secured as part of a S106 legal agreement.

UK Power Networks objection

- 7.16.20 It is noted that UK Power Networks has raised objection to the planning application as a Party Wall etc. Act 1996 Notice has not been served by the applicant. However, matters regarding Party Walls fall outside the scope of planning legislation and law as it is a civil matter. Therefore, it is down to the applicant to submit the requisite notice on UK Power Networks under the Party Wall Act, at the relevant time.

8. CONCLUSIONS

- 8.1 In summary, the principle of residential development has been established as being acceptable on this partial windfall site whilst it also delivers on the Council's aspiration to redevelop the Kenilworth Close Neighbourhood Centre as allocated in the Emerging Local Plan. In addition, whilst considered a high density scheme, the development is located within a sustainable location with access to local buses, the nearby cycle network and nearby facilities within the neighbourhood centre, which can therefore accommodate a high-density scheme. In view of this, the proposal is considered to accord with the Council's adopted District Plan and Emerging Local Plan policies which relate to windfall developments.
- 8.2 The design and layout of the development would not significantly harm the amenities of the occupiers of neighbouring residential properties and the residents of the proposed development would enjoy an acceptable level of amenity. In design terms, it would represent a high quality development resulting in an attractive landmark building and would assist in the wider aspirations of the redevelopment of the Kenilworth Close Neighbourhood Centre.
- 8.3 The proposal would have adequate off-street parking in line with the Council's adopted standards as well as an appropriate level of cycle parking provision in a convenient location. Finally, issues relating to construction management, materials, landscaping, affordable housing and development contributions can be satisfactorily addressed through the use of conditions and/or a S106 Legal Agreement.
- 8.4 Given the above, the proposed development accords with the Policies contained within the adopted Local Plan (2004), the Council's Emerging Local Plan (2016), the Council's Supplementary Planning Documents, the NPPF (2018) and NPPG (2014).

9. RECOMMENDATIONS

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:-

- Primary and Secondary Education;
- Libraries and Youth Facilities;
- A financial contribution towards sustainable transport;
- The improvement of outdoor sport facilities and children's play space;
- Provision of a fire hydrant;
- Securing on-site provision of affordable housing;
- A financial contribution towards gardening club;
- A financial contribution towards Greenspace and Ecological Improvements;
- A financial contribution towards Community or Ecological Amenity Infrastructure
- Secure provision of CCTV cameras.

The detail of which be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor and subject to the following conditions:-

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

16059.01.SU1.01; 16059.01.SU1.02; 16059.01.SU1.03; 16059.01.wd2.01 B;
16059.01.wd2.101 A; 16059.01.A1.wd2.01 B; 16059.wd2.02 A; 16059.01.wd2.03 A;
16059.01.wd2.04 A; 16059.01.wd2.05 A; 16059.01.A1.wd2.06; 16059.01.A2.wd2.01 A;
16059.01.A2.wd2.02 A; 16059.01.A2.wd2.03 A; 16059.01.A2.wd2.04 A;
16059.01.A2.wd2.05 A; 16059.01.A2.06 A; 16059.01.A4.wd2.01 A; 16059.01.A4.wd2.02;
16059.01.A4.wd2.03 A; 16059.01.A4.wd2.04 A; 16059.01.A4.wd2.05 A;
16059.01.A5.wd2.01 A; 16059.01.A1.wd2.101 A; 16059.01.A1.wd2.102 A;
16059.01.A2.wd2.101 A; 16059.01.A2.wd2.102 A; 16059.01.A2.103 A;
16059.01.A4.wd2.101; 16059.01.A4.wd2.102 A; 16059.01.A4.wd2.103 A;
16059.01.A4.wd2.104 A; 16059.01.A5.wd2.101 A.

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 development, above slab level, shall commence until a schedule and sample of the materials to be used in the construction of the external surfaces of the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

REASON:- To ensure the finished appearance of the development enhances the visual amenities of the area.

4 Notwithstanding the details specified in the application submission, no public realm landscaping works shall commence until a scheme of soft and hard landscaping and details of the treatment of all hard surfaces has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all new planting to take place including species, size and method of planting as well as details of landscape management (including long term design objectives, management responsibilities and maintenance

responsibilities for all landscape areas). The approved landscaping scheme shall be implemented within the first available planting season following the first occupation of the buildings or the completion of the development whichever is the sooner.

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

- 5 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.

- 6 No demolition or construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0830 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority. These times apply to work which is audible at the site boundary.

REASON:- To safeguard the amenities of the occupiers of neighbouring properties.

- 7 No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination and predicted light contours, have first been submitted to, and approved in writing the Local Planning Authority prior to first occupation of the development. Any external lighting shall accord with the details so approved.

REASON:- In order to protect the amenities and operations of neighbouring properties and to ensure any external lighting does not prejudice highway safety. In addition, to ensure the development does not have a detrimental impact on foraging bats.

- 8 No removal of trees, scrubs or hedges shall be carried out on site between 1st March and 31st August inclusive in any year, unless searched before by a suitably qualified ornithologist.

REASON:- Nesting birds are protected from disturbance under the Wildlife and Countryside Act 1981 (As amended).

- 9 No development, including site clearance, shall commence until the trees as specified on drawing numbers 9575 TPP 02 Rev A (1/3) A; 9575 TPP 02 Rev A (2/3) A; 9575 TPP 02 Rev A (3/3) A (Arboricultural Impact Assessment, prepared by Aspect Arboriculture, Report reference 9575_AIA.001 dated October 2018) to be retained on the site have been protected by fencing in accordance with the vertical tree protection fencing detailed in the Arboricultural Impact Assessment. In addition, all works which are to be undertaken within the Root Protection Areas of trees which are to be retained as specified on the aforementioned drawings shall be undertaken in accordance with the details specified in the Arboricultural Impact Assessment.

REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.

- 10 Within the areas to be fenced off in accordance with condition 9, there shall be no alteration to the ground levels and they shall be kept clear of vehicles, materials, surplus soils, temporary buildings and machinery.

REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.

- 11 No development shall take place, above slab level, until a scheme for the provision of bird boxes have been submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the development hereby permitted, the boxes shall be installed in accordance with the approved scheme and retained thereafter.

REASON:- To increase roosting opportunities for birds and to compensate for lost opportunities for nesting birds.

- 12 No development shall take place, above slab level, until a scheme for the provision of bat boxes have been submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the development hereby permitted, the boxes shall be installed in accordance with the approved scheme and retained thereafter.
REASON:- To increase roosting opportunities for bats.
- 13 Prior to the first occupation of the dwellinghouses hereby permitted, the parking areas as shown on drawing number 16059.01.wd2.01 B shall be surfaced (in either a porous material or provision shall be made for surface water drainage to be contained within the site) and marked out accordingly and shall not thereafter be used for any purpose other than the parking of vehicles for the development hereby approved.
REASON:- To ensure adequate parking provision at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety along the adjacent highway, or the amenities and convenience of existing local residents.
- 14 Prior to the commencement of development, a Construction Management Plan/Method Statement shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved statement. The Construction Management Plan/Method Statement shall address the following matters:-
- (i) Details of construction phasing programme (including any pre-construction demolition or enabling works);
 - (ii) Hours or operations including times of deliveries and removal of waste;
 - (iii) The site set-up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas;
 - (iv) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
 - (v) Details of the provisions for temporary car parking during construction;
 - (vi) The location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
 - (vii) Screening and hoarding;
 - (viii) End of day tidying procedures;
 - (ix) Construction and storage compounds (including areas designated for car parking);
 - (x) Siting and details of wheel washing facilities;
 - (xi) Cleaning of site entrances, site tracks and the adjacent public highway; and
 - (xii) Disposal of surplus materials.

REASON:- To minimise the impact of construction vehicles and to maintain the amenity of the local area.

- 15 The development hereby permitted shall not be occupied until the proposed accesses have been constructed as identified on drawing number 16059.01.wd2.01 B the existing accesses have been closed and the existing footway has been reinstated to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.
REASON:- In order to protect highway safety and the amenity of other users of the public highway.
- 16 No development shall take place until a detailed Site Waste Management Plan (SWMP) to detail how waste materials generated as a result of the proposed demolition and/or construction methods shall be disposed of, and detail the level and type of soil to be imported to the site as part of the development has been submitted to and approved in writing by the Local Planning Authority.
REASON:- In order to reduce the level of waste generated during the demolition and construction phases of development and to recycle all waste materials where possible.
- 17 Prior to the first occupation of the dwellings hereby permitted the approved secure cycle parking areas and public cycle parking shall be constructed in accordance with the approved details submitted with this planning application and shall be permanently retained in that form thereafter.
REASON:- To ensure that there is sufficient cycle parking provision in accordance with the Council's adopted standards is maintained for all dwellings and the development as a whole on site in perpetuity.
- 18 Prior to the first occupation of the dwellings hereby permitted the approved refuse and recycle stores shall be constructed in accordance with the details submitted with this application and shall be permanently retained in the form.
REASON:- To ensure that there is sufficient refuse/recycle provision in accordance with the Council's standards and maintained for all dwellings and the development as a whole in perpetuity.
- 19 The design of windows and ventilators to each dwelling shall achieve an acoustic performance which shall ensure that, when windows are closed, the following noise levels are not exceeded:
- (i) An average of 35 decibels (dB) (LAeq) during the daytime (07:00 – 23:00) within bedrooms and living rooms
 - (ii) An average of 40 dB (LAeq) during the daytime (07:00 – 23:00) within dining rooms
 - (iii) An average of 30 dB (LAeq) during the night (23:00 – 07:00) within bedrooms
 - (iv) A maximum of 45 dB (LAmax,F) on more than ten occasions during any typical night (23:00 – 07:00) within bedrooms.
- REASON:-** To ensure that residents of the development do not suffer undue noise disturbance from traffic on the adjoining highway as well as noise generated from the nearby East Coast railway line.
- 20 No development shall take place, above slab level, until details of Electric Vehicle Charging Points have been submitted to and approved in writing by the Council as the Local Planning Authority. The approved Electric Vehicle Charge Points shall be installed in accordance with the approved details and thereafter permanently retained.
REASON:- In order to provide facilities to charge electric vehicles and to help reduce the impact of vehicle emissions on the local environment.
- 21 The development permitted by this planning permission shall be carried out in accordance with the approved submitted Surface Water drainage Strategy Rev. final v2.0, dated

November 2018, prepared by JBA, and the following mitigation measures detailed within the FRA:

1. Implementing an appropriate drainage strategy based on infiltration, using appropriate SuDS measures as shown on drawing No. 2017s6007-001 Rev.P01, No.2017s6007-002 Rev. P01 and No.2017s6007-003 Rev.P01.

2. Providing attenuation to ensure no increase in surface water run off volumes for all rainfall events up to and including the 1 in 100 year + 40% to climate change.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the Local Planning Authority.

REASON:- To prevent flooding by ensuring the satisfactory disposal of and storage of surface water from the site. In addition, to reduce the risk of flooding to the proposed development and future occupants.

22 No development shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run off from the existing site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the following approved details before the development is completed:

1. Infiltration tests in line with the BRE 365 methodology in the exact location of the geo-cellular soakaway, in a representative site where single soakaways are proposed to be installed and in a representative site where permeable pavement is being proposed. Infiltration tests to be carried out at the depth of the base of the proposed infiltration features and information regarding the strata layers should be included.

2. Updated detailed surface water calculations and modelling presented solely for the Site A (N), including detailed design calculation and modelling for SuDS features proposed for Site A (N) (single soakaways and the tanked permeable pavement) for all rainfall events up to and including the 1 in 100 years + climate change. Half drain times to be included.

3. Updated clearly labelled drainage layout plan showing pipe networks. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.

4. Provision of details of all proposed SuDS features, including their size, volume, depth and any inlet and outlet features including any connecting pipe runs, node numbers and all corresponding calculations/modelling.

5. Exceedance flow paths for surface water for events greater than the 1 in 100 year + climate change, including extent and depth of the flooded areas shown on the modelling.

REASON:- To prevent the increased risk of flooding, both on and off site.

23 Upon completion of the drainage works a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include:

1. Final confirmation of management and maintenance requirements
2. Provision of complete set of as built drawings for both site drainage

REASON:- To reduce the risk of flooding to the proposed development and future occupants.

- 24 Upon completion of the development a final management and maintenance plan must be supported by a full set of as-built drawings, a post construction location plan of the SuDS components cross-referenced with a maintenance diagram to secure the operation of the scheme throughout its lifetime.

REASON:- To prevent the increase risk of flooding, both on and off site.

- 25 No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before the properties are occupied.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.

- 26 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 27, which is subject to the approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 28.

REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.

- 27 A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.

- 28 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.

- 29 Prior to the first occupation of the ground floor retail units as detailed on drawing numbers 16059.01.wd2.01 B and 16059.01.A1.wd2.01 B, a scheme for the installation of equipment to control the emission of fumes and smell from these premises and/or for the installation of any external plant and equipment such as air conditioning units and refrigeration units shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be implemented prior to the first occupation of these units. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

REASON:- To protect the amenities of the occupiers of adjoining properties and the development.

- 30 No development, above slab level, shall take place until details of all boundary treatment which includes walls, fences or other means of enclosure, including any retaining walls, have been submitted to and approved in writing by the Council as the Local Planning Authority. The boundary treatment, including any retaining wall, shall be constructed in accordance with the approved details. Thereafter, the hereby approved boundary treatment(s) shall be permanently retained and maintained.

REASON:- To ensure that the finished appearance of the development will enhance the character and visual amenities of the area.

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 2015.

INFORMATIVE

Environmental Health

The ventilation system for each dwelling shall incorporate continuous mechanical supply and extract with heat recovery conforming to the current edition of Approved Document F to the Building Regulations and designed so as to ensure that the ventilation system itself does not produce unacceptable levels of noise within each dwelling.

Thames Water

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."

In the car parking areas, it is recommended that a petrol/oil interceptor be fitted to ensure that local watercourses are not polluted from potential oil polluted discharges.

Hertfordshire Constabulary Crime Prevention Design Advisor.

The proposed development should achieve Secured by Design (SBD) accreditation in order for it to comply with current Building Regulations. The Police Crime Prevention Design Advisor can be contracted by telephone on 01707 355227 or by email on mark.montgomery@herts.pnn.police.uk.

Hertfordshire County Council as Highways Authority.

Works to be undertaken on the adjoining highway shall be constructed to the satisfaction of the Highway Authority and in accordance with Hertfordshire County Council publication Roads in Hertfordshire Highway Design Guide. Before proceeding with the proposed development, the applicant shall contact on 0300 1234 047 to obtain the requirements for a section 278 agreement for the associated road works as part of the development. This should be carried out prior to any development work is carried out.

REASON:

To ensure that work undertaken on the highway is constructed to the current Highway Authority's specification, to an appropriate standard and by a contractor who is authorised to work in the Public Highway.

Prior to commencement of the development the applicant shall contact Network Management North at NM.North@hertfordshire.gov.uk or call on 0300 1234 047 to obtain the requirements to arrange a site visit to agree a condition survey of the approach of the highway leading to the development likely to be used for delivery vehicles to the development. Under the provisions of Section 59 of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of traffic associated with the development. Herts County Council may require an Officer presence during movements of larger loads.

Hertfordshire County Council as Lead Local Flood Authority

The applicant has not carried out ground contamination investigation for this site. Contamination on site can condition the suitability of the entire drainage strategy which is based in infiltration. We therefore recommend the LPA to contact the Environment Agency in respect to this.

The LPA will need to satisfy itself that the proposed SuDS features can be maintained for its lifetime and we recommend the LPA obtains a maintenance and adoption plan from the applicant.

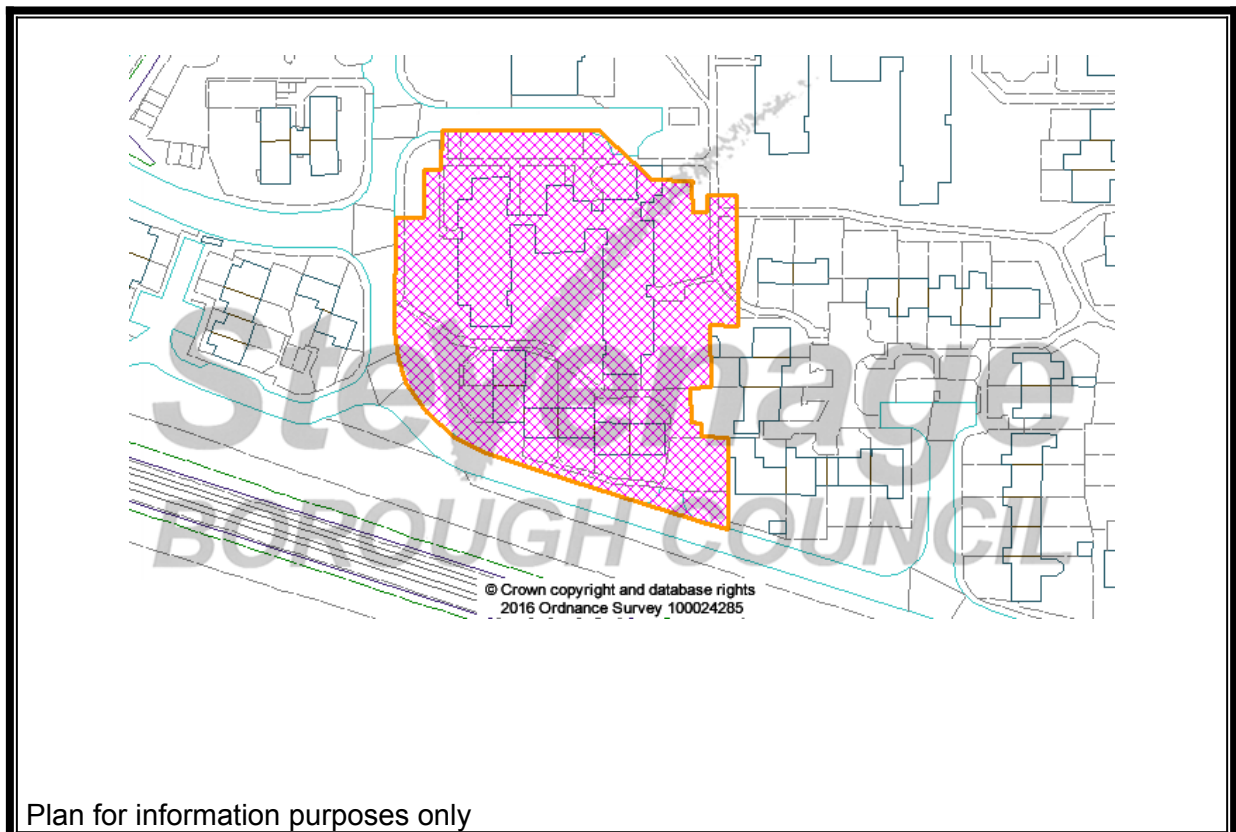
10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage District Plan Second Review 1991-2011.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012.
4. Stevenage Borough Local Plan 2011-2031 Publication Draft.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.

6. Central Government advice contained in the National Planning Policy Framework July 2018 and Planning Policy Guidance March 2014.

Meeting:	Planning and Development Committee	Agenda Item:
Date:	4 December 2018	
Author:	James Chettleburgh	01438 242266
Lead Officer:	Chris Berry	01438 242257
Contact Officer:	James Chettleburgh	01438 242266

Application No:	18/00399/FPM		
Location:	Walpole Court, Blenheim Way, Stevenage.		
Proposal:	Demolition of the existing Walpole Court sheltered scheme and associated parking and the construction of 51 no. apartments and 9 no. dwellingshouses.		
Drawing Nos.:	16059.02.SU1.01; 16059.02.SU1.02; 16059.02.SU.1.03; 16059.02.wd2.01 B; 16059.02.A6.wd2.01 A; 16059.02.A6.wd2.101; 16059.02.A3.wd2.102; 16059.02.A3.wd2.101; 16059.02.A3.wd2.06; 16059.02.A3.wd2.05; 16059.02.A6.wd2.02; 16059.02.A3.wd2.04; 16059.02.A3.wd2.03; 16059.02.A3.wd2.02; 16059.02.A3.wd2.01.		
Applicant:	Stevenage Borough Council		
Date Valid:	12 July 2018		
Recommendation:	GRANT PLANNING PERMISSION.		



1. SITE DESCRIPTION

- 1.1 The application site is located on the western end of Blenheim Way at the junction with Kenilworth Close. The site, which has an area of 0.5 hectares (ha), currently comprises Walpole Court which is a sheltered housing development. The main building itself has a horse-shoe shaped footprint and is two-storeys in height with a combination roof consisting of cat slides and gable-ends. The building itself is constructed from a mixture buff multi-stock brick with parts of the first floor level clad in timber. The roof of the sheltered accommodation is clad in bold roll concrete inter-locking tiles with timber soffits with black uPVC gutters and downpipes. The fenestration detailing of the Walpole Court comprises of uPVC windows and doors which are symmetrically aligned and evenly spaced.
- 1.2 The site also comprises six bungalows which form a staggered terrace with hipped roofs. These properties are constructed from red and buff brick with a band of grey bricks. The roofs of the bungalows are clad in concrete inter-locking tiles. The main entrance doors are slightly recessed and comprise of white uPVC doors. The windows are also white uPVC which are symmetrical and evenly spaced. The rear private garden areas of the bungalows are enclosed by 1.8m high timber fencing.
- 1.3 Turning to the surrounding area, to the south of the application site beyond Blenheim Way is a belt of woodland which runs parallel with the East Coast railway line. To the north of the application site lies the existing Kenilworth Close neighbourhood centre. This neighbourhood centre itself comprises two single-storey buildings and a surface car park. The main building, which fronts onto the surface car park which is accessed off of Hertford Road, consists of 4 no. retail units. Immediately to the west of the small parade of shops is the detached single-storey community centre.
- 1.4 To the west of the application site beyond Blenheim Way is the residential development of Cragside. This development comprises two residential terraces which front onto a centralised parking courtyard. The terraces themselves, which are uniform in design, are constructed from a mixture of red and buff brick with a grey brick band with their respective roofs clad in concrete inter-locking tiles. There is also a standalone pair of semi-detached properties which are of the same design as the terraced properties. To the north of Cragside of Blenheim Way (to the north-west of the site) lies a three storey residential block of flats with a double mono-pitched roof. The block itself is constructed from a stock red brick with the roof clad in concrete inter-locking tiles. On the flank elevations at second floor level the elevations are finished in timber cladding.
- 1.5 To the east of the Walpole Court is the residential development in Blenheim Way. The development generally comprises of uniform, two-storey terraced properties set within regimented building lines and regular shaped plots. These properties have been constructed from a stock buff brick with their roofs finished bold inter-locking concrete tiles.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning application reference 2/0436/87 sought permission for the installation of two lifts and motor rooms. This application was granted permission in November 1987.
- 2.2 Planning application reference 2/0224/93 sought permission for a two storey external lift shaft and single-storey pump room. This application was granted planning permission in September 1993.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission, following the demolition of the existing Walpole Court development, for the erection of a residential block which comprises of 23 no. one bedroom and 28 no. two bedroom apartments. This application also seeks planning permission for the erection of 9 no. three bedroom town houses. The residential block of apartments, including pedestrian and vehicular access, would be taken off Kenilworth Close. In terms of access to the proposed dwellinghouses, these would be accessed off Blenheim Way. The proposal also comprises 61 car parking spaces (4 disabled) which would be reserved for the residential apartments and 18 parking spaces (including 9 integral garages) which would serve the proposed town houses. In addition, there would be a provision of 4 visitor spaces located adjacent to the proposed houses. This application also seeks permission for the provision of a communal lawn, associated landscaping and ancillary works.
- 3.2 The proposed residential block of apartments, which would be located on the junction of Blenheim Way and Kenilworth Close, would have an L-shaped footprint with the building spanning a maximum width of approximately 47m and depth of approximately 34m respectively. In terms of height, the proposed building would at it tallest be five storeys reducing down to three storeys with an overall height of approximately 15m. The building itself would be constructed from a mixture of contrasting materials which includes a buff brick and blue engineering brick along with stone composite panelling with the roof finished in zinc. The fenestration detailing would comprise of aluminium timber composite finished in grey windows and doors with the apartments on the roof also comprising of curtain wall glazing. There is also a bin store and cycle store located adjacent to the south/western corner of the apartment development.
- 3.3 Internally, at ground floor level there would 6 no. one bedroom and 5 no. two bedroom apartments. At first and second floor level (on each level) there would be 5 no. one bedroom and 6 no. two bedroom apartments. In regards to third floor level, there is 5 no. one bedroom and 5 no. two bedroom apartments as well as an area of green roof. With respect to the fourth floor, there would be 2 no. one bedroom and 6 no. two bedroom apartments. The building would also consist of 2 internal stair cores and a lift. The roof area of the building would comprise of associated plant, including an area of solar pv panels.
- 3.4 Serving each of the apartments on the ground floor up to the third floor would be a recessed balcony area with the properties on the fourth floor being served with outdoor terraces. The balconies themselves would comprise of either polyester powder coated stainless steel handrails or a frameless glazed balustrade.
- 3.5 In regards to the proposed town houses, these would measure individually (House Type 1 and 2) 9.87m in length, span 5.83m in width with an eaves height of 7.50m with an overall height of 10.73m. At ground floor level, the dwellinghouses would comprise an integral garage, study, utility room and WC. In relation to first floor level, there would be an open plan kitchen/dining room and lounge. With respect to second floor level (within the roof), there would be three bedrooms (one en-suite) and a family bathroom.
- 3.6 In regards to construction, the townhouses would be constructed from contrasting buff and grey facing brick with the gable-end roof clad in zinc. In terms of the fenestration detailing, the properties would comprise of aluminium timber composite windows and doors which have been symmetrically aligned and evenly spaced.
- 3.7 This application comes before the Planning and Development Committee as Stevenage Borough Council is the applicant and the owner of the site. In addition, this application is also classed as a Major residential development.

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 a major application. At the time of drafting this report eight objections have been received from numbers 25, 102, 128, 132, 134 and 138 Blenheim Way, number 93 Stirling Close and number 37 Walpole Court. In addition, comments were received from 7 Stirling Close. In regards to objections which have been raised, a summary of these objections are set out below:-

- Inadequate public transport which is unreliable to serve the development;
- Insufficient off-street parking;
- Development will result in additional on-street parking;
- The development would generate an unacceptable level of additional traffic;
- The development would prejudice highway safety;
- The development site, despite what is stated, is not in close proximity to railway stations in Stevenage or Knebworth;
- The development is likely to have a negative impact on accessibility for emergency services, refuse collection vehicles and buses;
- Safety concerns regarding shared space design;
- Safety concerns regarding pedestrian links;
- Loss of amenity provision in terms of shops and the community centre;
- There appears to be a lack of communal recycling facilities for the new dwellings;
- Some of the plans appear ineligible or are not correct;
- Residents seek confirmation that the existing footpaths linking existing houses will be maintained;
- Will there be specific restrictions on the proposed retail spaces?;
- The development will pose a safety risk to local children;
- The development would generate an unacceptable level of overshadowing;
- The development would result in a substantial loss of light;
- The development would result in a substantial loss of privacy;
- The development in terms of its design (including the provision of town houses) and its overall height is out of character;
- The development would result in an unacceptable level of noise and disturbance to local residents;
- The increase in waste bins would generate an unacceptable increase in odour;
- The number of shops being provided is inadequate;
- How will local schools cope with the additional capacity required from the development;
- The development would obstruct visibility lines on the highway;
- The development is more akin to a university campus;
- It is considered by residents that the Council has been deceitful, if not duplicitous to only reference part of the development when seeking views on the proposal;
- The Council have not engaged in proper consultation in relation to three of the planning applications for the area;
- A comprehensive consultation with residents needs to be undertaken to allow concerns to be addressed as it is considered local peoples viewpoints will not be heard;
- The planning department need to take into account the objections placed on all three applications;

- The residential travel plan is flawed and contains a number of errors and inconsistencies around dwelling numbers/retail floorspace, inaccurate traffic data and calculations as well as parking;
- The development would have a detrimental impact on property values;
- The development would result in an increase in crime and anti-social behaviour;
- The village characteristics of the area would be diminished by the development;
- Would the Council give local residents compensation due to the developments impact in terms of noise, pollution and reduction in property values;
- Where is the provision of electric vehicle charging points?;
- Cycling to the main Stevenage station is not an option in bad weather, is dangerous along ill maintained cycleway which are frequented by persons who generate unacceptable levels of anti-social behaviour;
- The train stations in Knebworth and Stevenage are not easily accessible by foot;
- The proposed houses would not be affordable;
- The proposal would attract people from outside and not as an alternative to town centre living;
- There is a request for more information to be provided in terms of the types of social houses being provided as in most cases when these are rehabilitation centres for those with known social issues, more problems are caused for the incumbent residents;
- Would the current shops be allowed to tender for the new retail units?;
- What happens to existing businesses when the development is under construction;
- What provision will be made for parking of contractor vehicles;
- The development will turn the area into Great Ashby;
- Councillors at recent meetings with residents have not listened to the concerns which have been raised;
- The proposal is contrary to the Policies in the Local Plan;
- The proposal should be providing a doctors surgery as required under the Local Plan;
- Social housing is not acceptable in this private estate;
- The Council is building on Green Belt land when it suits it despite it being protected;
- The Council has not offered to buy up properties which are to be affected by the development;
- Stevenage Borough Council will likely approve the development without properly considering the concerns of local residents;
- The Local Plan is not very clear and needs to be written in plain English;
- The Council is failing to consider the ongoing bullying which is taking in place in Walpole Court;
- The Council is placing refugees and their children into Walpole Court;
- The proposal is considered to be overdevelopment of the site;
- If permission were to be granted, a condition should be imposed to ensure there is a temporary provision of shops for the duration of the building of the new shops;
- The Transport Assessment is inaccurate as not properly consider the local highway network;
- A number of statements set out in the submitted Transport Assessment are considered to be misleading;
- If permission were to be granted, a condition should be imposed regarding the speed restriction limit to be moved back from the junction with Watton

road, the road signs to be relocated and for vegetation to be removed for site lines. This is in order to improve road safety due to the increase in traffic;

- If permission were to be granted, a condition should be imposed requiring there is the provision of facilities for charging of electric cars;
- It is recommended that one of the satellite dwellings should be used as a surgery and maybe a local Police office;
- The development should not be monolithic;
- The development should not be excessive in height;
- The developments needs to fit in with the spirit of “Bragbury End”;
- The development needs to adapt the best facades where appropriate;
- The development should have reflective facades;
- The proposal needs to have 4 shops such as Co-Op (Not Tesco’s), chemist, hairdressers and hot food takeaway.
- So many houses, what ages are they for?;
- Are they for sale/rent?;
- Are the costs reasonable to local people?;
- Could there be provision for a GP surgery?;
- There are no schools or GPs nearby.

4.2 Please note that the aforementioned is not a verbatim of the comments and representations which have been received. However, a full version of the comments and representations which have been received are available to be viewed on the Council’s website.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highways Authority

5.1.1 The County Council as the Highways Authority consider the development to be in accordance with National and Local Policies. Therefore, the Highways Authority formal recommendation is that there are no objections to the development proposal subject to the recommended conditions. In regards to the S106 financial contributions which were originally sought for bus stop improvements, it has been recommended that these should be tied in The Bragbury Centre application (18/00398/FPM) being the larger of the two schemes. Therefore, the County Council is no longer seeking financial contributions for this development.

5.2 Hertfordshire County Council Growth and Infrastructure Unit

5.2.1 Based on the information provided for a development of 60 units, the County Council would seek financial contributions towards primary education in order to expand Shephalbury Park Primary School from 1 Form of Entry (FE) to a 2 FE school. In addition, the proposal also seeks a financial contribution towards secondary education in order to expand Barnwell Secondary School. Furthermore, a library service contribution is sought towards developing community meeting/training room(s) on the first floor of Stevenage Library. Finally, a youth service contribution is also being sought towards the purchase of additional art and/or sport equipment for detached work, run as part of an outreach programme from the Bowes Lyon Centre or its re-provision.

5.2.2 In addition to the above, the County Council also recommends the provision of a fire hydrant be secured as part of any S106 agreement.

5.3 Hertfordshire Constabulary as the Crime Prevention Design Service

- 5.3.1 Following an assessment of the proposed development, there are no concerns from a Secured by Design perspective. Therefore, await a copy of the Secured by Design application if permission was granted.

5.4 Herts and Middlesex Wildlife Trust

- 5.4.1 The methodology and recommendations set out in the surveys are considered to be acceptable. However, in accordance with British Standards 42020: 2013 (Biodiversity: Code of Practice for Planning and Development) all mitigation, compensation or enhancement measures must be definitively stated and marked on plans. If integrated bat boxes are to be delivered (as recommended in the ecological report) it must be clear, how many, what model, and exactly where they will be provided so that the LPA is clear on what is actually being proposed. It is recommended that integrated bat boxes which slot into the brickwork of the buildings are an acceptable solution. These are permanent and have greater temperature stability than free hanging boxes which are vulnerable and not as permanent.

5.5 Council's Parks and Amenities Section

- 5.5.1 There are insufficient details at this stage for the Parks Section to be able to comment fully on the soft and hard landscaping proposals for this development. Parks will require full details, specifications and plans of the areas that are expected to be maintained and adopted by the Parks Section. This shall also include any proposed sustainable drainage within the development. In addition, all planting schemes, specifications and plans are to be approved by the Parks and Amenities Section prior to commencement of any planting, seeding, turfing etc.
- 5.5.2 If planting is to be adopted by the Parks Section, they shall need to strictly comply with the emerging specification document being produced by Parks. In addition, a minimum of 12 month establishment and defect period is required for all new plantings and landscaped areas. Any issues (e.g. plant establishment) that have not been resolved by this period will extend the adoption hand over until resolved and Parks is satisfied. Any replacement or rectification works during this period shall be undertaken and completed all at cost to the applicant.
- 5.5.3 The Parks Team have been informed that some areas may be maintained by a management company. Therefore, the Parks Section will require full details and plans of the areas that are expected to be maintained by Parks and those by a management company. Parks and Amenities will also require full contact details of the management company maintaining these areas for our records. It is important to note that the Parks and Amenities Section are not able to adopt or maintain any planted areas at height (e.g. garden roof terraces).
- 5.5.4 Proposed planting around parking bays must be considerate to access of maintenance and must not cause any visual difficulties for motorists. Proposed planting and grassed landscaping must also consider location in respect of glazed windows and doors. Areas of planting to be adopted by Parks must not interfere with potential blocking of windows and doors. Grassed areas shall not be near low level glazing due to risk of material being thrown from machinery. The use of any loose fill hard aggregate for landscaping will not be acceptable.
- 5.5.5 On a separate point, there are a number of proposed small / narrow strips of planting around parking spaces. These small areas should be removed from the design. Protection of the soft landscaped areas from vehicles must also be incorporated into the design where appropriate. As such the main open space must include appropriate methods to prevent unauthorised vehicular access whilst still allowing access for maintenance. Consideration

must also be made for protecting areas of landscape that will be vulnerable to damage by large turning vehicles (i.e. road verge corners).

- 5.5.6 Consideration must also be made of the locations of litter bins within the design. All new bins shall comply with the black standardised Wybone litter bin installed throughout the town. Specification details can be provided upon request.

5.6 Council's Arboricultural Manager

- 5.6.1 Following an analysis of the application, the proposals set out in the arboricultural report are acceptable. However, the only concern would be that where trees are due to be removed, the nearby ones would need to be pruned at the same time to compensate for the loss of support.

5.7 Council's Environmental Health Section

- 5.7.1 The proposed development is considered to be acceptable. However, this is subject to conditions regarding the mitigation of environmental noise from road/rail traffic on the development. In addition, a condition should be imposed on the hours of construction.

5.8 Thames Water

- 5.8.1 With regards to surface water drainage, it has been advised that it is for the developer to follow the sequential approach to the disposal of surface water. Where a developer proposes to discharge to a public sewer, prior approval from Thames Water Development Services will be required. The development would be expected to demonstrate what measures will be undertaken to minimise ground water discharge into the public sewer. Groundwater discharges typically from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Therefore, Thames Water recommends an informative stipulating that the developer will be required to have a "Groundwater Risk Management Permit" in order to discharge water into the sewer.
- 5.8.2 In regards to the waste water network and waste water processing infrastructure capacity, there are no concerns with the proposed development.

5.9 Hertfordshire County Council as Lead Local Flood Authority

- 5.9.1 The County Council as the Lead Local Flood Authority consider the proposed drainage scheme to be acceptable. The drainage strategy for the site is based on infiltration via shallow soakaways and permeable pavements. The proposal also comprises lined bio-retention areas with rainwater pipes proposed to provide treatment and to convey to the surface water from the communal areas and roads prior to discharging into the communal soakaway. The proposal also consists the use of individual soakaways for the dwellings as well as a geo-cellular soakaway for the apartment block and the communal areas, including roads and tanked permeable pavement for all car parking areas. The proposed drainage scheme is therefore considered to be acceptable subject to conditions.
- 5.9.2 In addition, as the applicant has not carried out ground contamination investigation, there is the potential contamination on site could affect the suitability of the proposed drainage. Therefore, it is recommended the Environment Agency is consulted in respect of this. The Council will also need to satisfy itself that the proposed SuDS features can be maintained for its lifetime and recommend the Council obtains a maintenance and adoption plan from the applicant.

5.10 Hertfordshire County Council Mineral and Waste Section

- 5.10.1 The Council needs to be aware of the Policies in regards to waste management of the site, including the re-use of unavoidable waste where possible and the use of recycled materials where appropriate to the development's construction. Furthermore, Waste Policy 12: Sustainable Design, Construction and Demolition require all relevant construction projects to be supported by a Site Waste Management Plan (SWMP). This aims to reduce the amount of waste produced on site and should contain information including types of waste removed from the site and where the waste is taken to.

5.11 UK Power Networks

- 5.11.1 No comment.

5.12 NHS England

- 5.12.1 No comment.

5.13 East Hertfordshire District Council

- 5.13.1 No comment

5.14 East and North Herts NHS Clinical Commission Group

- 5.14.1 No comment.

5.15 Herts and Middlesex Bat Group

- 5.15.1 No comment.

5.16 Affinity Water

- 5.16.1 No comment.

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:

- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014);
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007); and
- The Stevenage District Plan Second Review 2004.

The Council has now reached an advanced stage in the preparation of a new Stevenage Borough Local Plan 2011-2031. The Plan has been used as a material consideration in the determination of all planning applications registered on or after Wednesday 6 January 2016. The Plan has now been through the Examination process and the Inspector's Report was received in October 2017. This recommended approval of the Plan, subject to modifications proposed. The Plan is currently subject to a holding direction placed upon it by the Ministry of Housing Communities and Local Government (MHCLG), which prevents its adoption whilst MHCLG are considering whether or not to call it in.

6.1.2 The National Planning Policy Framework sets out that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the National Planning Policy Framework.

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, bearing in mind the positive Inspector's Report, significant weight will be afforded to policies within the emerging Local Plan.

6.2 Central Government Advice

6.2.1 A revised National Planning Policy Framework (NPPF) was published in July 2018. 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 213 of the NPPF applies which states that due weight should be afforded to the relevant policies in the adopted local plan according to their degree of consistency with it.

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 the advice that the weight to be given to relevant policies in the local plan will depend on their degree of consistency with the NPPF, it will be necessary in the determination of this application to assess the consistency of the relevant local plan policies with the NPPF. The NPPF applies a presumption in favour of sustainable development.

6.2.3 In addition to the NPPF, advice in Planning Practice Guidance must also be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 11 of the National Planning Policy Framework requires the application to be determined in accordance with the presumption in favour of sustainable development unless otherwise specified.

6.3 Adopted Local Plan

Policy TW1: Sustainable Development;
Policy TW2: Structural Open Space;
Policy TW8: Environmental Safeguards;
Policy TW9: Quality in Design;
Policy TW10: Crime Prevention;
Policy TW11: Planning Requirements;
Policy H6: Loss of Residential Accommodation;
Policy H7: Assessment of windfall residential sites;
Policy H8: Density of residential development;
Policy H10: Redevelopments;
Policy T6: Design Standard;
Policy T12: Bus Provision;
Policy T13: Cycleways;
Policy T14: Pedestrians;
Policy T15: Car Parking Strategy;
Policy T16: Loss of Residential Car Parking;
Policy EN13: Trees in new development;
Policy EN27: Noise Pollution;
Policy EN36: Water Conservation;
Policy EN38: Energy Conservation and Supply;
Policy L15: Outdoor Sport Provision in Residential Developments;

Policy L16: Children's Play Space Provision in Residential Developments;
Policy L17: Informal Open Space Provision in Residential Developments;
Policy L18: Open Space Maintenance;
Policy L21: Footpath, Cycleway and Bridleway Network;

6.4 Stevenage Borough Local Plan 2011-2031 Publication Draft (Emerging Local Plan)

Policy SP1: Presumption in favour of sustainable development;
Policy SP2: Sustainable Development in Stevenage;
Policy SP5: Infrastructure;
Policy SP6: Sustainable Transport;
Policy SP7: High quality homes;
Policy SP8: Good Design;
Policy SP11: Climate Change, Flooding and Pollution;
Policy SP12: Green infrastructure and the natural environment;
Policy IT3: Infrastructure;
Policy IT4: Transport Assessments and Travel Plans;
Policy IT5: Parking and Access;
Policy IT6: Sustainable Transport;
Policy IT7: New and improved links for pedestrians and cyclists;
Policy HO1: Housing Allocations;
Policy HO5: Windfall Sites;
Policy HO7: Affordable housing targets;
Policy HO8: Affordable housing tenure, mix and design;
Policy HO9: Housing types and sizes;
Policy HO11: Accessible and adaptable housing;
Policy GD1: High Quality Design;
Policy FP1: Climate Change;
Policy FP2: Flood Risk in Flood Zone 1;
Policy FP4: Flood storage reservoirs and functional floodplain;
Policy FP7: Pollution;
Policy NH5: Trees and woodland;
Policy NH6: General protection for open space;
Policy NH7: Open space standards.

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document January 2012.
Stevenage Design Guide Supplementary Planning Document January 2009.

7. APPRAISAL

- 7.1 The main issues for consideration in the determination of this application are land use policy considerations, compliance with the Council's Housing Policies, affordable housing and financial contributions, impact on the character and appearance of the area, impact on neighbouring amenity, future residential amenity, impact on the highway network, parking provision, trees and soft landscaping, impact on ecology and development and flood risk.

7.2 Land Use Policy Considerations

- 7.2.1 The application site is not allocated in both Stevenage District Plan Second Review 1991 – 2011 (adopted 2004) and the Stevenage Borough Local Plan 2011 – 2031 Publication Draft January 2016 for residential development. Given this, as an unallocated housing site within the urban area of Stevenage the proposal is considered to be a 'windfall' site where Policy H7 of the District Plan (Assessment of Windfall Residential Sites) and Policy HO5 of the

Emerging Local Plan (Windfall Sites) apply in this instance. Both policies set out a number of criteria against which proposals will be assessed. Consequently, the proposal is subject to the relevant policies of the District Plan, Emerging Local Plan and the National Planning Policy Framework July 2018 (NPPF).

7.2.2 The NPPF states at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF also stipulates that decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, the Framework also set out that the sustainable development needs to be pursued in a positive way and at the heart of the framework is a “presumption on favour of sustainable development”. Paragraph 67 of the NPPF (2018) states that planning policies should identify a supply of specific deliverable sites for years one to five of the plan period, and specific deliverable sites or broad locations for growth, for years 6 to 10 and where possible, for years 11 to 15. Paragraph 73 of the same document states that “Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies”.

7.2.3 Taking the above issues in turn, the site is considered to be in a sustainable location. In regards to access to local facilities, the application site is located 18m from the small neighbourhood centre/shopping parade which would be constructed at Kenilworth Close. The site is also located approximately 986m from Shephallbury Park Primary School and 1.58km from The Barnwell School respectively. There are also bus stops on Hertford Road (SB8 bus) and Watton Road (SB8 bus) and there is a designated cycle route to the north of the application site along Hertford Road. As such, the application site is considered to have good access to local facilities and alternative forms of travel to the private car and is therefore in a highly sustainable location.

7.2.4 In relation to five year land supply of deliverable housing, as mentioned in paragraph 7.2.2 of this report, 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, but the supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:-

a) 5% to ensure choice and competition in the market; or

b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during the year; or

c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.

The most up to date housing supply figures indicate that the Council is unable to meet its requirement to provide a five year supply of deliverable housing. The fact that the Council is unable to meet its requirement to meet a five year supply of housing is thus a material consideration in the assessment of the application.

7.2.5 The fact that the site is considered to be in a sustainable location, would constitute a sustainable form of development and the fact that the Council is currently 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 Compliance with the Council's Housing Policies

- 7.3.1 As set out above, as the site is unallocated for housing within the adopted District Plan, the application site is considered to be a 'windfall' site where policy H7 of the District Plan. This policy sets out a number of criteria against which proposals for residential development on sites not allocated in the District Plan should be assessed against.
- 7.3.2 Firstly, the application site is classed as previously developed land. The application site currently comprises the existing development of Walpole Court (including the bungalows) and areas of hardsurfacing. Therefore, the proposal would accord with definition of previously developed land as set out in Annex 2 of the NPPF which states that previously developed land is land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. The NPPF also advises that a key objective is that local planning authorities should continue to make effective use of land by re-using land that has been previously developed. Further, as a previously developed site, the proposal would not result in the loss of any structural open space, which thus satisfies criterion (b) of Policy H7.
- 7.3.3 In regards criterion (c) of Policy H7 this states that there should be no detrimental effect on the environment or adjoining properties. This issue will be assessed in detail in the following sections considering the impact on the character and appearance of the area and the impact on neighbouring amenity.
- 7.3.4 Finally, Policy H7 also requires that there is access to local facilities and services and also excellent access to public transport network and both the pedestrian and cycle networks. As set out above, the site has good access to the public transport network and both the pedestrian and cycle networks. The site has thus been demonstrated to be in a sustainable location and as such, would comply with criterion (d) and (e) of Policy H7.
- 7.3.5 Policy H8 of the District Plan relates to the density of residential development and states that 'in general, the net density of new housing should be within a range of 30 – 50 dwellings per hectare and that higher densities (50-65+ dwellings per hectare) will be encouraged in developments in the town centre, at neighbourhood centres and other locations well served by passenger transport'. The proposal is seeking 60 units on a site of 0.55 hectares which will provide a density of approximately 109 dwellings per hectare, which exceeds the aforementioned standards. However, the application site is in a sustainable location being in close proximity to an existing neighbourhood centre. In addition, the existing density of development of Walpole Court is 69 dwellings per hectare which is also above the specified density per hectare standard.
- 7.3.6 As demonstrated above, the proposal is in accordance with Policy H7 of the adopted District Plan, however, it is also important to consider the emerging policy position. The Stevenage Borough Local Plan 2011-2031, Publication Draft 2016, emerging Policy SP7 promotes the provision of 1,950 new homes to be provided, via windfall sites, elsewhere in the Borough.
- 7.3.7 Policy HO5 (Windfall Sites) of the Emerging Local (2016) also sets out a number of criteria which are similar to those set out under Policy H7 of the District Plan. However, this policy also requires developments to not prejudice the Council's ability to deliver residential development on allocated sites, and, development must not overburden existing infrastructure. Dealing with the first point, due to the siting and location of the development, it does not affect the delivery of any nearby allocated residential sites, including the redevelopment of Kenilworth Close Neighbourhood Centre as defined under Policy HO1/9. In terms of impact on existing infrastructure, due to the limited scale of the development

proposed, it would not have a detrimental impact on infrastructure such as education facilities, youth and library facilities along with health care facilities. This is considered in more detail in the “Affordable Housing and Financial Contributions” section of this report.

- 7.3.8 In respect to Policy HO9 (House types and sizes), as the proposed development seeks to deliver a mixture of three bedroomed townhouses as well as one and two bedroom apartments, it would be in accordance with this policy. This is because it would help to balance the structural imbalances in the existing housing stock whereby there is a lack of smaller homes in the Borough

7.4 Affordable Housing and Financial Contributions

- 7.4.1 Policy HO7 of the Emerging Local Plan (2016) states that planning permission will be granted for residential developments that maximise affordable housing provision. For developments on previously developed land, 25% of the dwelling units should be affordable. In regards to the proposed development, whilst the proposal seeks to provide 60 new dwelling units, there are 38 dwelling units which are to be demolished in order to facilitate the construction of the development. Therefore, the Council can only seek affordable housing provision and financial contributions on the net addition which in this instance is 22 dwellinghouse units. Taking this into consideration, there is a requirement to provide 6 affordable housing units. Policy HO7 continues that planning permission will be refused where these targets are not achieved unless:-

- a) Developers robustly demonstrate that the target cannot be achieved due to site specific constraints resulting in higher than normal costs, which affect its viability; or
- b) Meeting the requirements would demonstrably and significantly compromise other policy objectives.

- 7.4.2 Turning to affordable housing tenure, mix and design, Policy HO8 of the same document states that where affordable housing is secured through Policy HO7, planning permission would be granted where those dwellings:

- a. Are provided by the developer on site with at least 70% of the units being for rent and the remainder consisting of other tenures which is to be agreed with the Council's Housing team;
- b. Meets the requirements of Policy HO9 (House types and sizes);
- c. Are physically indistinguishable from other types of homes and are distributed across the site to avoid over-concentration in particular; and
- d. Will remain at an affordable price for future eligible households.

- 7.4.3 In addition to the above, paragraph 64 of the NPPF (2018) stipulates that for major developments involving the provision for housing, at least 10% of the homes should be made available for affordable home ownership (this includes shared ownership, equity loans, other low cost homes which are 20% below local market value and rent to buy). However, the aforementioned 10% requirement is part of the overall affordable housing contribution from the site.

- 7.4.4 The proposed development would not consist of or include the provision of any affordable housing. Therefore, it would be contrary to the Policy HO7 of the Emerging Local Plan (2016) and the NPPF (2018). However, it is important to note that this application has been brought forward in conjunction with The Bragbury Centre, where an application proposes to erect 169 dwellings (including 88 independent living units) (Planning reference:- 18/00398/FPM). This application is to be considered elsewhere on this agenda. These

applications are linked in terms of affordable housing, where the affordable housing requirement for the Walpole Court development (6 units) would be provided within The Bragbury Centre application which comprises 70% affordable units (118 units). It is considered that the affordable housing provision for this application to be provided within Bragbury Centre development can be secured by way of a S106 agreement.

- 7.4.5 In addition to affordable housing, financial contributions are also required in accordance with the Hertfordshire County Council tool kit and contributions to Stevenage Borough Council for commuted payments. Based on the number of units proposed, the following contributions would be sought:-

Stevenage Borough Council	Financial Contribution
Open outdoor space	£1,392.80
Children's play space	£1,255.68.
Total	£2,670.48
Hertfordshire County Council	
Primary Education	£40,502.00
Secondary Education	£34,080.00
Library	£5,569.00
Youth Services	£809.00
Total	£106,960
Overall total	£83,630.48

- 7.4.6 In addition to the above, Hertfordshire County Council has also sought the provision of a fire hydrant within the development. Following negotiations with the applicant, they have agreed to pay the aforementioned financial contributions and obligations and to provide a fire hydrant which would be secured by a S106 Agreement. In this regard, the proposed development would accord with the NPPF and the Council's adopted and emerging policies in relation to affordable housing and financial contributions.

7.5 Impact on the Character and Appearance of the Area

- 7.5.1 Paragraph 127 of the NPPF 2018 stipulates that planning decisions should ensure developments function well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. It also sets out that development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping is sympathetic to local character and history, including the surrounding built environment and landscape setting. In addition, the NPPF sets out that developments should establish or maintain a strong sense of place, using arrangements of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit. It also stipulates that development should optimise the potential of the site to accommodate and sustain an appropriate mix of development and finally, create places that are safe, inclusive and accessible.
- 7.5.2 Paragraph 130 of the NPPF states that "permission should be refused for development of poor design that fail to available opportunities available for improving the character and quality of an area and the way it functions". Policy TW9 of the District Plan (2004) 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 as well. Policy GD1 of the emerging Local Plan (2016) generally reflects the above policy.
- 7.5.3 The proposed development would seek to demolish the existing sheltered living accommodation and bungalows known as Walpole Court. This is in order to facilitate the

construction of the proposed residential apartment block and the 9 no. townhouses which would be located at the southern end of the application site. Dealing with the proposed residential apartment block, this would be the principal building on the site, and as such, it is positioned in the most prominent location in the north-west corner adjacent to the junction of Kenilworth Close and Blenheim Way. The building is to be a maximum of five storeys in height, which as detailed in paragraph 3.2 of this report, would span approximately 47m with a depth of approximately 34m. In terms of height, the proposed building would have an overall height of approximately 15m.

- 7.5.4 To compare the scale and height of the building, the proposed building would be taller than any existing building in the area as the tallest buildings are generally three-storeys. Notwithstanding this, as the proposed residential apartment block will be the principal building on the site on a prominent and conspicuous corner, it needs to be a high quality landmark development. In addition, the proposed development forms part of the wider regeneration of Kenilworth Close with this application running in conjunction with the Bragbury Centre Scheme (18/00398/FPM).
- 7.5.5 In respect of finished appearance, the materials which would be used in the construction of the development would be a mixture of buff brick and blue engineering brick with the roof finished in zinc. The fenestration detailing would comprise of aluminium timber composite finished in grey windows and doors. Serving the majority of the flats is a recessed balcony which comprise of metal railings. These balconies have been aligned in order to give the building an element of verticality to the overall architectural design of the apartment block.
- 7.5.6 On the north-eastern corner of the building is a white framed box which is constructed with stone composite panelling. This architectural feature is broken up on the northern elevation with recessed balconies with metal railings with glazed panels. The top floor level of the building has been recessed and comprise of curtain wall glazing serving the habitable areas. In addition, the building, due to its prominent position, has been designed with a curved corner feature positioned on the junction of Kenilworth Close and Blenheim Way. This part of the building has recessed curved balconies framed by the building's brickwork. In terms of fenestration, the windows are generally vertically aligned and evenly spaced, but this a varied window design which runs through all of the elevations of the building. The aforementioned architectural features and contrast in materials and mixed window design, help to not only provide visual interest but also gives the building a high quality appearance. In addition, the building would be well modulated due to the projecting and recessed features which help to add variety and interest into the built form of the apartments.
- 7.5.7 Turning to the proposed townhouses, these would measure, as set out in paragraph 3.5 of this report, 9.87m in length, span 5.83m in width with an eaves height of 7.50m with an overall height of 10.73m. Therefore, they would not be too dissimilar in height to some of the existing properties in the area. In regards to the overall makeup of the townhouses, this would comprise of 1 no. terrace of three houses and 3 no. semi-detached properties. The properties themselves would be uniform in design being constructed from contrasting buff and blue engineering brick with the V-gulley gable-end roof and part of the principal elevation clad in zinc. The proposed fenestration detailing would be symmetrically aligned and evenly spaced comprising of aluminium timber composite windows and doors. The windows themselves would have a varied design in order to add variety and interest.
- 7.5.8 The proposed townhouses would have a contemporary modern appearance. Each property would have an individual access to the rear gardens which help to separate the dwellings. The properties are also staggered due to the curvature in the road with the ground floor area of the dwellings consisting of integral garages. The front entrances to the properties would have an overhanging glass canopy.

- 7.5.9 Having regards to the aforementioned, whilst the scheme introduces a taller building into this part of town, it is considered that the scale and form of the development, including the proposed town houses, would enhance the visual amenities of this part of Stevenage through the delivery of a contemporary modern, high quality residential development. Therefore, it is considered that the proposed development would not have a detrimental impact on the visual amenities of the wider street scene.

7.6 Impact upon Neighbouring Amenity

Daylight

- 7.6.1 BRE "Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice" in terms of light from the sky/daylight, provides guidance on the effects of new development on existing building. The guide states that "in designing a new development....it is important to safeguard the daylight to nearby buildings. A badly planned development may make adjoining properties gloomy and unattractive". Guidance is further provided to establish whether or not an existing building receives enough skylight, when a new development is constructed. The guidance sets out that an angle should be measured to the horizontal subtended by the new development at the centre of the lowest window. If this angle is less than 25 degrees for the whole of the development then it is likely to have a substantial effect on the diffuse skylight enjoyed by the existing building.
- 7.6.2 Turning to the impact on number 132 Blenheim Way, there are no ground floor windows on the western elevation but there is a window at first floor level. However, this window appears to serve a bathroom and as such, as it is not classed as a habitable room. Consequently, an assessment as to the impact on daylight to this window does not have to be undertaken in this instance. In relation to the habitable rooms of this property, as they are positioned on the northern and southern elevation the development being located to the west of this site it would not have a detrimental impact on the level of daylight which is currently received at the aforementioned property.
- 7.6.3 With respect to the impact on numbers 126 to 130 Blenheim Way, it is noted that the proposed development would be located to the rear of their respective private garden areas. However, due to the layout of the proposed development, the aforementioned properties would back onto the rear garden area of plot 9. Given this, as the proposed townhouses are not located directly opposite the aforementioned properties in Blenheim Way, the proposed development does not subtend 25 degree line as taken from the ground floor habitable rooms.
- 7.6.4 In relation to the impact on number 124 Blenheim Way, as the habitable room windows are orientated north/south and the development is located to the west of this property, the proposed residential block of apartments would not result in any loss of daylight to this property. In relation to the impact on numbers 148, 160 and 168 Blenheim Way which are located in the flat block to the north-west of the application site, it is noted that their respective living rooms and bedroom windows are positioned on the eastern elevation on this existing flat block.
- 7.6.5 Looking at the impact the development may have on the properties in Cragside, the most likely affected properties would be numbers 10 and 11. However, as their respective habitable room windows are located on a north/south axis and the development is located to the east, it would not result in any loss of daylight to these properties. Given this, it is considered that the proposed development could potentially impact on the level of daylight which is currently received by these properties. However, the proposed development is not located directly opposite this residential building. In addition, the proposed development would be over 26m from the residential windows of numbers 148, 160 and 168 Blenheim Way. Therefore, it can be deduced that the proposed development would not erode the level of daylight which is currently received within the existing flats.

- 7.6.6 Given the aforementioned assessment, the proposed development is not considered to impact upon daylight serving the dwellings.

Sunlight

- 7.6.7 The BRE “Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice” under section 3.2, states that an obstruction to sunlight may become an issue if some part of a new development is situated within 90 degrees of due south of a main window wall of an existing building. In addition, in the section drawn perpendicular to the existing window wall, the new development subtends an angle 25 degrees to the horizontal from the centre of the lowest window to a main living room. It is important to note that bedrooms and kitchens are considered to be less important, although care should be taken not to block out too much sun.
- 7.6.8 In regards to the impact on number 132, as the proposed development would not be located within 90 degrees of due south to the living room window, the proposed development would not affect the level of sunlight which is currently received at this property. In relation to the impact on numbers 126 to 130, a number of the townhouses would be located within 90 degree of due south to the ground floor living rooms of the aforementioned properties. However, the nearest townhouse (plot 9), is located over 13m from the living room window of number 130 which increases to over 15m due to the proposed townhouse sitting at right angles to the aforementioned property.
- 7.6.9 In terms of number 128, the separation distance increases to 18m and for number 126 this increases further to 22m. Given the level of separation combined with the fact that the proposed townhouse in plot 9 is not positioned directly south of numbers 126 to 130, the level of sunlight these properties receive would not be affected by the proposed development.
- 7.6.10 Turning to the impact on number 124 Blenheim Way, given numbers 126 to 138 are located directly south of this property and its respective living room window is on the northern elevation, the proposed development would have no impact on the level of sunlight which is currently received at this property.
- 7.6.11 Looking at the impact on numbers 10 and 11 Craggside, as set out in paragraph 7.6.5, due to the orientation of the habitable windows (including the living room) combined with the siting of the proposed development, the development would not harm the level of sunlight which is currently received at these properties.
- 7.6.12 In relation to the impact on numbers 148, 160 and 168 Blenheim, due to the siting and positioning of the proposed development, it would be located within 90 degrees of due south of the aforementioned properties. Given this, there is the potential the development could impact on the level of sunlight which is currently received at numbers 148, 160 and 168. Following an assessment of the proposed development, it has been identified that the 25 degree line for the ground flat would be subtended by the proposed development. However, as you move further south, the separation distance of the building increases to 44m. In addition, it has been identified that only a 3m section of the proposed building subtends the 25 degree line. Given the large majority of the development does not impact on the 25 degree line combined with the fact that the development is not positioned directly south of the aforementioned residential block, it would not result in a substantial loss of sunlight to a level which would warrant refusal of this planning application.

Overshadowing

- 7.6.13 In regards to overshadowing, the proposed residential block of apartments is set to the north of numbers 128 to 132 Blenheim Way. In relation to number 126, whilst the residential apartment block is positioned to the west of the aforementioned property, it would be located over 60m away from number 126 Blenheim Way. Therefore, due to the significant separation distance, the development would not result in unacceptable levels of overshadowing to this property.
- 7.6.14 In relation to the impact on numbers 128 to 130 Blenheim Way, it is noted that the proposed townhouses could potentially generate some element of overshadowing to these properties in the afternoon. However, due to the separation distances combined with the fact that the shadow is likely to fall within the existing shadow which is generated by the boundary fence, this would be no worse than the existing situation. In addition, there are already a number of trees, which albeit are to be removed, are of a size which already generate afternoon overshadowing to these properties. Therefore, there would be insufficient ground to warrant refusal on the limited increase in overshadowing which may be generated by the development.
- 7.6.15 In regards to the impact on the properties in Cragside, due to the layout of numbers 10 and 11 in relation to their private gardens, the built form of these properties already cast a shadow in the morning to their respective private garden areas. Given this, the proposed development would not exacerbate the existing level of overshadowing which already occurs to the private garden areas of the aforementioned properties.
- 7.6.16 With respect to the impact on numbers 148, 160 and 168 Blenheim Way, it is noted that the proposed development would generate some level of overshadowing in the morning between 08:00 to 11:00. However, as the building does not overshadow the communal space which serves this flatted development, the proposal would not harm the amenities of the occupiers of these flats.

Privacy and outlook

- 7.6.17 Chapter 5 of the Design Guide SPD (2009) states that privacy is an important aspect of residential environments to ensure that a reasonable degree of privacy for residents is provided, both within their habitable rooms and garden areas. Therefore, the position of dwellings and the arrangement of their rooms and windows, should not create significant overlooking of other dwellings or private garden areas, nor should they lead to overbearing impacts or adversely affect the residential amenities of neighbouring properties. Therefore, the guide sets out the minimum separation distances which should be achieved between new buildings.
- 7.6.18 In regards to the impact on privacy, none of the proposed townhouses would directly overlook the private garden areas or habitable rooms of the neighbouring residential properties within Blenheim Way. However, it is noted that the first and second floor windows on plot 9 on the eastern elevation would overlook the private garden area of number 132. Given this, combined with the fact that these windows only serve the landing, it is recommended a condition be imposed requiring these windows to be obscurely glazed and non-opening as measured 1.7m from finished floor level.
- 7.6.19 Turning to the proposed residential apartment block, the northern wing of this block does not directly overlook the private garden areas or habitable rooms of numbers 126 to 132 Blenheim Way. However, it is considered that the habitable rooms/private garden areas could be seen from acute angles as taken from habitable rooms within the residential block. However, the nearest garden area i.e. number 126 is over 22m away in which the flats would generally overlook the private car parking area.

- 7.6.20 On a separate point, it is noted that the western wing of the development is located due west of the numbers 126 to 130 Blenheim Way. Notwithstanding this, this part of the development at its nearest point would be over 60m from the aforementioned properties. With respect to the fourth floor, it is noted that there would be an outdoor terrace serving the individual apartments. However, this has been positioned so as to not directly overlook the private garden or habitable room areas of neighbouring properties in Blenheim Way.
- 7.6.21 In relation to the impact on numbers 10 and 11 Cragside, the private balconies serving the flats would be over 19m from the private garden areas of these properties. In addition, the proposed development, due to the orientation of these properties, would not directly look onto the habitable rooms of these properties. In regards to the impact on numbers 148, 160 and 168 Blenheim Way, whilst it is noted that there would be a balcony area on the north-western part of the apartment block, it is angled away. In addition, there would be a separation distance of over 25m. Therefore, the privacy of the aforementioned properties would not be detrimentally affected by the development.
- 7.6.22 With respect to outlook, due to the level of separation between all parts of the respective development and neighbouring residential properties as detailed in the aforementioned sections of this report, it would not appear overbearing or harm the outlook of the nearest residential properties.

7.7 Future residential amenity

Outlook, privacy, sunlight and daylight

- 7.7.1 Dealing first with the proposed dwellinghouses, it is noted that with regards to plot 1, that the rear elevation of this property would look onto the side elevation of the proposed apartment block. Given this, in line with the Council's Design Guide, there should be a separation distance of 20m.
- 7.7.2 Taking the above into consideration, there would only be a separation distance of between 8.04m to 8.94m. This is considered to be well below the Council's Standards. However, at ground floor level, the property would have a study and utility room which are not classed as habitable rooms. In regards to the first floor level, there would be a living room which faces onto the apartment block. Notwithstanding this, there would be two windows serving this room where one of the windows overlooking the proposed communal lawn would not be directly affected by the apartment block. Therefore, the outlook from the living room would not be detrimentally affected in this instance.
- 7.7.3 Turning to the second floor of the townhouse in plot 1, it is noted that bedroom 3 would not be affected as it looks out onto the communal lawn area as per the living room below. Notwithstanding this, the room most affected is bedroom 2 as it looks straight onto the flank wall of the flatted scheme. However, the property within plot 1 would sit at an angle to the apartment block and, as such, a large portion of the views out from this window would not be obscured by the development. In addition, this part of the apartment development comprises the flat roofed area which helps to improve the outlook from this bedroom window.
- 7.7.4 Turning to the townhouses in plots 2 to 8, the rear walls of these properties would appear to face onto the rear walls of the residential apartment block. Given this, in line with the Council's Standards, as the apartment block and townhouses are over two storeys in height, the guide states that there should be a separation distance of 30m. Taking this standard into consideration, there would be a separation distance of between 28m to 37m. Therefore, the only property likely to be affected is the dwellinghouse in plot 2 as there is a separation shortfall of 2m. However, the townhouse in plot 2 sits at an angle to the proposed apartment block and as such the separation distance increases to 30m. Consequently, due to the level of separation, it is considered that there would not be a

detrimental impact on the outlook of plots 2 to 8. In relation to plot 9, as there is built form located directly behind this townhouse, the level of outlook from this property would be acceptable.

- 7.7.5 In relation to privacy, with respect to plot 1, whilst there is a limited separation distance, the only windows on the southern elevation of the residential apartment block serve an en-suite bathroom. Given this, the windows serving the en-suite bathroom be obscurely glazed and non-opening as measured 1.7m from finished floor level. This can be covered by a planning condition. In regards to plots 2 to 8, the only plot affected is number 2 as the separation distances between plots 3 and 8 and the residential apartment block exceed the separation distance standards of 30m. Looking at plot 2, whilst it is noted that there is a shortfall of 2m, the balconies are recessed into the building and as such, the windows serving the habitable rooms within the apartments would be 30m from the residential development. In addition, as the townhouse in plot 2 sits at an angle, there is no direct overlooking of each property. Moreover, each property would generally overlook the communal lawn. With respect to plot 9, as mentioned above, as there is no development positioned directly opposite the rear wall, the residential apartment block would not have a detrimental impact on the level of privacy which would be enjoyed by the future occupiers of this property.
- 7.7.6 Notwithstanding the above, with respect to the private garden area associated with plot 9, it is noted that numbers 126 and 130 would look directly onto the private garden area of this property. Therefore, the level of privacy of future occupiers could be affected by the level of overlooking from the existing properties. Despite this, these properties have rear garden areas of between 10 to 11m. Therefore, there is sufficient separation distance and garden depth in line with the Council's Standards to ensure that the level of privacy which would be enjoyed by future occupied would not be detrimentally affected by numbers 126 to 130 Blenheim Way.
- 7.7.7 Dealing with the residential apartment block with regards to outlook and privacy, due to the separation distances specified between the houses and this part of the development, the level of privacy and outlook for the future owner/occupiers of the development would be in accordance with the Council's Standards. Turning to any potential overlooking from neighbouring developments, as there is significant separation distances of over 25m from 148, 160 and 168 Blenheim Way and over 30m increase to 60m from 126 Blenheim Way, the level of outlook and privacy afforded by the future occupiers of the development would be acceptable.
- 7.7.8 Given the aforementioned assessment, it is concluded that the level of outlook, privacy, sunlight and daylight would be acceptable for future residents of the development in line with the Council's Design Guide SPD (2009).

Private amenity space

- 7.7.9 Dealing with the proposed townhouses, the Council's Design Guide States that in the case of new dwellings, the minimum standard for dwellings should normally be 50 square metres. In addition, each dwelling should normally have a minimum garden depth of 10m. However, for larger detached dwellinghouses, there will generally be a requirement to provide larger gardens. Taking this into consideration, the private garden area for each property is set out in the table 1 below.

Table 1:- Size of private garden areas per plot.

Townhouse plot number	Area of private garden (sq.m)	Length of private garden (metres)
1	72	7.43
2	51	8.62
3	69.63	11.49
4	78.81	13.12
5	68.98	11.47
6	76.66	13.44
7	82.72	15.19
8	89.84	15.11
9	130.25	15.11

- 7.7.10 Taking into consideration the above, whilst the private garden areas of plots 1 and 2 do not meet the Council's Standard in terms of depth, their overall size and design ensures that they are usable. This is because every private garden within each plot comprises a shed and an area to store bins with sufficient space left over for the occupiers of the development to enjoy. With regards to the other plots, their respective private garden areas exceed the Council's Standards.
- 7.7.11 Turning to the proposed residential block of apartments, the Council's Design Guide states that where private space is required, the Council will seek the provision of a minimum useable communal area of 50 sq.m for schemes up to 5 units, plus an additional 10 square metres per additional unit over 5. Taking this standard into consideration, there would be a requirement to provide 510 sq.m communal space. In addition to this, the Design Guide does set out that upper floor flat dwellers rarely have access to garden space. Therefore, where there is no communal space, then effort should be made to provide balconies or roof gardens.
- 7.7.12 The proposed development would seek to provide a 122 sq.m (approximate area) communal lawn which is located to the rear of the development. However, this communal lawn is well below the Council's Standards for communal space. Notwithstanding this, each apartment has either a private balcony or private terrace. These areas combined would provide approximately 456 sq.m of private amenity space. Given this, the balconies, terraces and communal lawn would exceed the 510 sq.m communal space standard which is required.
- 7.7.13 In order to meet the requirements of policies L15 and L16 of the District Plan (2004) and Policy NH7 of the emerging Local Plan (2016), commuted payments towards existing sport/open space facilities and children's play space will be included as provision in the S106 agreement. The nearest substantive open space with children's play equipment is at Blenheim Way. The Council's Parks and Amenities section would seek to utilise these monies as well as pool the monies from The Bragbury Centre development to enhance the children's play and open space provision at Blenheim Way.
- 7.7.14 Given the aforementioned assessment, it is considered that the development would have adequate provision of private amenity space to serve the future occupiers of these properties.

Gross internal floor area

- 7.7.15 Policy GD1 of the Emerging Local Plan (2016) relates to High Quality Design and it sets out the minimum gross internal floor areas for dwellings which are in line with the Government's nationally described space standards. Following an assessment of the proposed floor plans, the proposed dwellings would meet the minimum internal floor standards set out in

the Emerging Local Plan. Given this, there would be adequate living space standards for any future occupiers of the development.

Noise

- 7.7.16 Policy EN27 of the District Plan (2004) states that for noise sensitive uses, these will only be permitted if they are located where they will not be subjected to unacceptably high levels of noise generating uses. Policy FP8 of the emerging Local Plan (2016) stipulates that permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed, pollution generating uses.
- 7.7.17 Tacking the above policy into consideration, due to the location of the development which lies in close proximity to the East Coast main railway line, a neighbourhood centre and bordered by highways, the applicant has submitted with the application a Noise Impact Assessment.
- 7.7.18 Following consultation with the Council's Environmental Health Section, it is considered that the Noise Impact Assessment adequately assesses the level of noise which is generated from the external environment. However, to ensure noise levels within the development do not exceed the internal noise levels contained in British Standard BS8233:2014 (guidance on sound insulation and noise reduction for buildings) in so far as the living rooms, dining rooms and bedrooms, a condition should be imposed if planning permission were to be granted. This condition would require the ventilators and windows to each dwelling to achieve an acceptable level of acoustic performance in line with the regulations.
- 7.7.19 In addition to the above, the Council's Environmental Health Section has recommended a condition be imposed in respect to construction noise. This is to ensure that noisy activities associated with the building out of the development are only to be carried out within certain timeframes. This is to ensure that existing residents in the area are not detrimentally affected in terms noise during the construction phase of the development.

External lighting

- 7.7.20 In regard to external lighting, the applicant has not submitted any details of lighting which would be installed on the development or around the application site. However, to ensure that any external lighting does not affect the amenities of nearby residential properties, prejudices highway safety or has a negative impact on protected species such as bats, it is recommended a condition be imposed to any permission granted in order to deal with external lighting. This condition will require details of any external lighting to be installed to be submitted to the Council for its approval prior to it first being installed.

7.8 Impact on the Highway Network

- 7.8.1 The application site is currently accessed via Kenilworth Close and Blenheim Way which are unclassified local access roads. These roads are restricted to a speed limit of 30 mph. The proposed residential block of flats would be served by a new vehicular access off Kenilworth Close which would have a width of 6m. The internal car park road would also be 6m in width. With this in mind, the access road and internal road serving the car park would be of a sufficient width to allow for two way traffic.
- 7.8.2 The proposal also comprises a new vehicular access off Blenheim Way to the west of the proposed block of flats to serve a parking area. The kerb radii serving the access point into the car park would be 7m in width narrowing to 5m. Turning to the proposed vehicle cross-overs serving the townhouses, these would be taken off Blenheim Way. There would be three single and three shared vehicle access points, including one which would serve a visitor parking area.

- 7.8.3 With regard to vehicle-to-vehicle inter visibility as taken from the individual access points, these have been designed in accordance with the Department for Transport (DfT) Manual for Streets and Herefordshire County Council (HCC), Roads in Hertfordshire Design Guide where the visibility lines have been taken along the footway. In terms of pedestrian visibility, all of the residential access points would have adequate pedestrian visibility splays in line with Manual for Streets as well as HCC Roads Design Guidance.
- 7.8.4 In regards to vehicle manoeuvrability, the applicant has provided as part of this application submission swept path analysis as part of their Transport Assessment. The plans depicting the swept path analysis display that tracking is accommodated within the site for refuse vehicles, emergency vehicles (ambulance and fire tender) and the average motor car. In terms of accessibility for emergency vehicles, the proposal is within the statutory building regulation distance of 45 metres to all parts of the building from the principal and internal road. In addition, the geometrical layout of the roads would accommodate the swept path of larger vehicles.
- 7.8.5 In assessing traffic generation, the applicant's transport consultant has produced a transport assessment which incorporates details of proposed traffic generation for weekdays. The assessment also comprises of a future year assessment model in order to inform the potential future impact of the development on the surrounding highway network. In regards to the peak periods the assessment focused on were 08:00-09:00 AM and 17:00-18:00 PM. The model utilised to predict the amount of traffic which would be generated was via TRICS (Trip Rate Information Computer System) with a base model of private residential development in a similar location.
- 7.8.6 It is anticipated that the proposal would generate between 08:00-09:00 AM Peak 25 arrivals and 57 departures which generates a two trip of 82 vehicle movements. With respect to peak traffic between 17:00-18:00 PM Peak, there would be 51 arrivals and 23 departures which generates a two way trip of 74 in Total. Taking this into consideration, it equates to 2 vehicle movements per minute. In regards to trip distribution, the Transport Assessment has reviewed how the development would affect the local highway network including the reconfigured A602/Hertford Road Traffic Light controlled junction.
- 7.8.7 In order to assess future traffic growth on these junctions based on the survey data from 2018 up to a future year of 2023 (5 years is an agreed industry standard), the Transport Consultant has utilised the National Transport Model (NTM) which factors local conditions using TEMPRO (Trip End Model Presentation Programme). This model demonstrates that the queue length on the junction and surrounding roads would be well dispersed due to the various access points into the development. In addition, the modelling has demonstrated that the new A602/Hertford junction would operate with adequate spare capacity during both peak periods.
- 7.8.8 In regards to the traffic modelling generated within the Transport Assessment, HCC Highways considers the data produced is a fair representation of the potential amount of traffic which would be generated by the development (including the level of traffic which could be generated cumulatively by the development at The Bragbury Centre). Following a review of this, it is considered the development would generate a nominal increase in vehicle trip movements to and front the development site, but, this would not be to prejudicial highway safety. In addition, the applicant has provided accident data which demonstrates that there have been no serious accidents within the vicinity of the development. Furthermore, the Highways Authority consider that the likely distribution and assignment of traffic across the surrounding roads, the impacts of the proposal would be dispersed throughout the various junctions.
- 7.8.9 Following consultation with HCC as Highways Authority, they consider the proposed access arrangement to be acceptable. This is because the Transport Assessment includes a swept

path analysis for large vehicles, including emergency vehicles and refuse collection vehicles. This analysis demonstrates the development can safely accommodate these vehicles.

- 7.8.10 Notwithstanding the above, HCC recommends that if planning permission were to be granted, a condition should be imposed requiring details of a Construction Management Plan/Statement to be submitted to the Council for its approval prior to the commencement of development. This will ensure that during the construction phase of the development the safety and operation of the highway would not be detrimentally affected in this instance.

7.9 Parking provision

- 7.9.1 The Parking Provision Supplementary Planning Document sets out the base standard of 1 parking space for 1 bedroom units, 1.5 spaces for a two bedroom unit, 2 spaces and for a three bedroom unit and 2.5 spaces are required. Taking these standards into consideration there would be a requirement to provide 83 parking spaces. Given the application site is not located within a residential accessibility zone, there would be a requirement to provide the maximum number of spaces which are required.
- 7.9.2 Taking the aforementioned standards into consideration, the proposed development would comprise of 61 parking spaces to serve the residential block of flats, 18 spaces to serve the dwellinghouses plus an additional 4 visitor parking spaces to serve the development. This would in total provide 83 car parking spaces in this instance.
- 7.9.3 In regards to garages, as the proposed dwellinghouses would comprise of integral garages, each of which has minimum internal dimension of 3m x 6m. These would therefore, accord with the Council's standards. In relation to disabled parking, as the majority of the parking provided on the site is communal and not allocated, there is a requirement to provide 5% of the number of parking spaces for disabled residents. This scheme provides 4 spaces which accords with this requirement.
- 7.9.4 With regard to cycle parking, the minimum standard for residential development is 1 long term space per unit. Given this, due to the overall size of each properties respective gardens as well as the size of the integral garages, there would be sufficient space within each plot to secure a bicycle. In terms of the residential block of apartments, the proposed development would comprise of a secure cycle store adjacent to the car parking area. This store would be of a sufficient size to provide 51 secure cycle spaces for residents of the flatted block, which meets the Council's Standards.
- 7.9.5 In summary, subject to conditions on requiring the necessary parking and secure cycle parking to be provided prior to the occupation of the development, and, to remove permitted development rights with respect to the garages so they cannot be converted in the future, it is considered that there would be sufficient off-street parking and secure cycle parking in accordance with the Council's Standards.

7.10 Trees and Soft Landscaping

- 7.10.1 The application site comprises a number of mature trees which are likely to be affected by the proposed development. Given this, in order to facilitate the construction of the proposed development, it would result in the removal of 1 category B tree (Trees of moderate quality) and 15 category C trees (Trees of low quality). The trees to be removed comprise a mixture of Red Oak, Winter Cherry, Ash, Corsican Pine, Rowan, Swedish Whitebeam and Norway Maple.
- 7.10.2 In addition to the above, the proposed development would encroach on the root protection area of a Silver Birch. Given this, the applicant's Arboricultural Impact Assessment recommends the provision of protective fencing to be installed prior to the commencement

of development. In addition, where development works are to be undertaken in the root protection area, the Assessment recommends this is supervised by an Arboriculturalist to ensure that the roots of the tree are not damaged.

- 7.10.3 In addition to the works within the root protection areas and the removal of a number of trees, there would also be a requirement to reduce the crown by between 1m to 2m of a Silver Birch as it would be located in close proximity to one of the dwellinghouses. In relation to mitigation, the Arboricultural Impact Assessment recommends that a landscape architect is appointed to ensure that suitable replacement tree planting can be undertaken within the development site.
- 7.10.4 Following consultation with the Council's Arboricultural Manager, the Arboricultural Impact Assessment submitted with the planning application is considered to be acceptable. However, to ensure that sufficient replacement tree planting is provided within the development site along with suitable landscaping, it is recommended a condition be imposed to any grant of planning permission requiring the applicant to provide details of a landscaping scheme with replacement tree planting to be submitted to the Council for its approval.

7.11 Impact on Ecology

- 7.11.1 The application site is identified as previously developed land and predominantly comprises of residential buildings, amenity grassland, trees, low hedgerows and associated hardstanding including roads, car parking and footpaths. The wider environment is generally urban in nature comprising of residential and commercial premises, trees, amenity grass land and areas of structural open space. The applicant has undertaken a preliminary ecological assessment of the site and immediate wider surroundings. The survey comprised a desk top study of records from the multi-agency geographic information for the countryside, Herts Environmental Records Centre (HERC) and ordnance survey maps. A Phase 1 habitat survey was also undertaken by the Ecologists.
- 7.11.2 The survey identified that there are no habitats of high value to legally protect species on site. In addition, it was identified that the site was not suitable for badgers, great crested newts, otters, water voles, hazel dormouse, notable plants or invertebrates of significance. In regards to bats, there were trees on site that were considered suitable for localised foraging and commuting bats, but at a limited level. However, in order to protect foraging bats, it is recommended in the Ecological Report that sensitive lighting design in the final scheme will be required to ensure there are no impacts on foraging bats. Furthermore, it is recommended that bat boxes should also be incorporated into the final development scheme. In this regard, it is recommended a condition be imposed to require details of bat boxes to be installed to be agreed by the Council.
- 7.11.3 In addition, due to the presence of scattered trees along the southern boundary and around the edges of the site which are considered suitable for nesting habitats for breeding birds during the breeding season, it is recommended a condition would be imposed to protect nesting birds and for trees to only be removed at certain times of the year. In addition, a condition should be provided to require the provision of bird boxes in order to help to improve nesting opportunities.
- 7.11.4 Turning to the ecological value of the development site itself, the Ecological Assessment concluded that the development site as a whole has a low ecological value. Following consultation with Herts and Middlesex Wildlife Trust (HMWT), they consider the methodology and conclusions of the surveys undertaken are acceptable. In regards to the improvements and enhancement measures requested by HMWT, these as set out in paragraphs 7.11.2 and 7.11.3 can be secured by a condition. In addition, suitable

landscaping in order to improve biodiversity can also be secured by a condition if planning permission were to be granted.

7.12 Development and Flood Risk

- 7.12.1 The application site is situated within Flood Zone 1, which has a low probability of flooding. However, as the application is classed as a Major residential application, there is a statutory requirement to consult Hertfordshire County Council as the Lead Local Flood Authority (LLFA). The LLFA has confirmed that the applicant has provided sufficient detail to demonstrate that there is a feasible drainage scheme for the site. Accordingly, the LLFA raise no objection on flood risk grounds subject to conditions which are included in section 9.1 of this report. In regards to the consultation with the Environment Agency, they are not a statutory consultee on this application. However, if permission were to be granted a catch all land contamination can be imposed if permission were to be granted. This would ensure that if there are any contaminants, these can be addressed accordingly through appropriate remediation measure in consultation with the Environment Agency and the Council's Environmental Health Section.

7.13 Other Matters

Refuse and recycling

- 7.13.1 The Stevenage Design Guide (2009) states that provision should be made within new development for the storage and collection of waste from a site. The current requirements for waste and recycling per household are as follows:-

- Residual Waste – 240 litres;
- Cans and plastics – 55 litres;
- Paper and cardboard -55 litres;
- Glass – 20 litres;
- Green Waste (dwellinghouses) – 240 litres.

- 7.13.2 The applicant has detailed on the submitted plans show the location of the proposed refuse store and bin storage areas for the dwellinghouses in line with the above. In addition, the bin store serving the residential block of flats as well as the individual bin storage areas for the dwelling houses have been positioned in a way to ensure that they are easily accessible to the refuse collection teams and can be screened so as to not have a detrimental impact on the visual amenities of the area.

Sustainable construction and climate change

- 7.13.3 Policy EN36 of the District Plan states that development proposals will be encouraged to reduce water consumption and run-off by using suitable water conservation and storage measures such as the use of rainwater, water efficient devices and by recycling water. Policy EN38 of the same document states that development proposals will be expected to demonstrate that methods of maximising energy efficiency and supplying of energy in the development need to be considered. Policy FP1 of the Emerging Local Plan (2016) stipulates that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:

- Ways to ensure development is resilient to likely variations in temperature;
- Reducing water consumption to no more than 110 litres per person per day, including external water use;
- Improving energy performance of buildings;
- Reducing energy consumption through efficiency measures;
- Using or producing renewable or low carbon energy from a local source; and

- Contributing towards reducing flood risk through the use of SuDS or other appropriate measures.

- 7.13.4 The applicant has provided as part of their Design and Access Statement details on sustainable construction and adaptation to climate change. It is set out in the statement that water saving measures which include flow restrictions, aerated taps and dual flush toilets would be incorporated into the development. In addition, the residential apartment block has been designed with large scale glazing to serve the lobby areas in order to reduce the reliance on artificial lighting. The apartments also incorporate large windows in order to allow natural light is predominant in main areas. In addition, the block also comprises the provision of solar PV panels on the roof in order to generate renewable energy for the apartments. The building also comprises a green roof in order to reduce the level of water been drained from the building into the local sewer network.
- 7.13.5 In addition to the above, the applicant has set out that in terms of construction, they will be sourcing environmentally friendly materials. In addition, all materials from the development will be recycled where possible. Furthermore, the development would have high levels of thermal insulation and all heating appliances installed would be energy efficient. Moreover, the drainage strategy which would be utilised as part of this development will achieve a 1 in 100 year event plus 40% allowance for climate change.
- 7.13.6 Turning to sustainable construction itself, Hertfordshire County Council as Minerals and Waste Authority recommended the applicant submit a SWMP (Strategic Waste Management Plan). This is to ensure that materials used in the construction consist of recycled materials and any materials generated from the construction of the development are properly recycled where possible. Whilst it noted the applicant has specified that they would look to utilise recycled materials where possible, they have not submitted a SWMP with this application. Therefore, it is recommended that if planning permission were to be granted, a condition could be imposed requiring the applicant to submit a SWMP prior to the commencement of development.
- 7.13.7 Given the above, and subject to a condition, it is considered that the development has been designed in order to be adaptable to climate change through the use of sustainable technologies and construction.

Impact on property values

- 7.13.8 Concerns have been raised about the impact that the development would have on property values. However, despite the concerns raised, it has long been established through planning case law that in the assessment of planning applications, it is the conventional tests of impact on planning policies and amenity harm to neighbouring uses or the character of an area as a whole that is the deciding issue and not any possible consequential effects on nearby property values.

Consultation Process

- 7.13.9 A number of concerns have been raised by local residents that the Council has not undertaken a thorough or comprehensive consultation process with local residents about this planning application. However, the Council has complied with the regulations which are set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 7.13.10 In line with the he aforementioned Order, residential properties located in close proximity to the application site have been notified via a letter and four site notices were also erected. In addition, being a Major Residential Development, the application has also been advertised in the Local Press. Furthermore, this planning application has been published on the weekly

planning list and all of the relevant plans and documentation associated with this application have been uploaded onto the Council's website.

- 7.13.11 In regards to the applicant's engagement with the Local Community, there is no statutory requirement for them to do this in line with current UK planning legislation and law. However, the applicant has confirmed that public consultation events were undertaken via an exhibition within Asquith Court in May 2018.

Crime and anti-social behaviour

- 7.13.12 It is noted that a number of objections have been raised citing concerns that the development would increase levels of crime and anti-social behaviour. However, following consultation with the Police Crime Prevention Design Officer, no concerns have been raised with respect to the proposed development generating extra crime or issues of anti-social behaviour.

Odour

- 7.13.13 Some concerns have been raised by residents that the proposed development and particularly the refuse bins are likely to generate increased issues of odour. However, this is not considered to be a material planning consideration in relation to this planning application. However, if odours were to be an issue in the future and cause a statutory nuisance, then the Council's Environmental Health Section have powers to enforce against such nuisances.

Provision of a doctors surgery

- 7.13.14 It is noted that some residents have raised concerns in relation to the lack of provision of a GP doctors surgery. In addition, residents also emphasise that the Council's policies in the Local Plan clearly sets out a requirement for a doctor's surgery for this site. Whilst these concerns are noted, this site is not allocated in the Local Plan (both emerging and adopted) and the land in question where large scale residential development is allocated in the Emerging Local (2016) is located further south along the A602. In addition to this, the NHS and the North and East Hertfordshire CCG have not formally requested a GP surgery is provided on this site. Therefore, it would be unreasonable to require the applicant to provide a GP surgery as part of this planning application.

Provision of retail units and the community centre

- 7.13.15 It is noted that some concerns have been raised in regards to the existing shops and community centre. Whilst these concerns are noted, these facilities do not form part of this planning application as they are dealt with separately under the application for The Bragbury Centre (18/00398/FPM).

Electric Vehicle Charging Points

- 7.13.16 Comments from local residents have been received regarding the lack of details of electric vehicle (EV) charging points. In regards to EV, the District Plan (2004), the Emerging Local Plan (2016) and the Council's Parking Standards SPD (2009) do not have any requirements for a developer, at this current time, to provide EV charging points. However, it is noted that there is a drive by Central Government as well in HCC's Local Transport Plan 4 (2018) to provide EV charging points in order to help tackle climate change. Therefore, if members were minded to grant planning permission, a condition could be imposed to require the applicant to provide details of EV charge points which are to be agreed in writing by the Council. This condition would then require the applicant or developer to install the EV points based on the details provided.

8. CONCLUSIONS

- 8.1 In summary, the principle of residential development has been established as being acceptable on this windfall site which does not conflict with the Council's vision for the proposed re-development of the Kenilworth Close Neighbourhood Centre. In addition, whilst considered a high density scheme, the development is located within a sustainable location with access to local buses, the nearby cycle network and nearby facilities within the neighbourhood centre, which can therefore accommodate a high-density scheme. In view of this, the proposal is considered to accord with the Council's adopted District Plan policies which relate to windfall developments.
- 8.2 The design and layout of the development would not significantly harm the amenities of the occupiers of neighbouring residential properties and the residents of the proposed development would enjoy an acceptable level of amenity. In design terms, it would represent a high quality development resulting in an attractive landmark building and would assist in the wider aspirations of the redevelopment of the Kenilworth Close Neighbourhood Centre.
- 8.3 The proposal would have adequate off-street parking in line with the Council's adopted standards as well as an appropriate level of cycle parking provision in a convenient location. Finally, issues relating to construction management, materials, landscaping, affordable housing and development contributions can be satisfactorily addressed through the use of conditions and/or a S106 Legal Agreement.
- 8.4 Given the above, the proposed development accords with the Policies contained within the adopted Local Plan (2004), the Council's Emerging Local Plan (2016), the Council's Supplementary Planning Documents, the NPPF (2018) and NPPG (2014).

9. RECOMMENDATIONS

- 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:-
- Primary and Secondary Education;
 - Libraries and Youth Facilities;
 - The improvement of open outdoor space and children's play space;
 - Provision of a fire hydrant;
 - Securing the off-site provision of affordable housing.

The detail of which be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor and subject to the following conditions:-

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

16059.02.SU1.01; 16059.02.SU1.02; 16059.02.SU.1.03; 16059.02.wd2.01 B;
16059.02.A6.wd2.01 A; 16059.02.A6.wd2.101; 16059.02.A3.wd2.102;
16059.02.A3.wd2.101; 16059.02.A3.wd2.06; 16059.02.A3.wd2.05; 16059.02.A6.wd2.02;
16059.02.A3.wd2.04; 16059.02.A3.wd2.03; 16059.02.A3.wd2.02; 16059.02.A3.wd2.01.

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 development, above slab level, shall commence until a schedule and sample of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

REASON:- To ensure the finished appearance of the development enhances the visual amenities of the area.

- 4 Notwithstanding the details specified in the application submission, no public realm landscaping works shall commence until a scheme of soft and hard landscaping and details of the treatment of all hard surfaces has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all new planting to take place including species, size and method of planting as well as details of landscape management (including long term design objectives, management responsibilities and maintenance responsibilities for all landscape areas). The approved landscaping scheme shall be implemented within the first available planting season following the first occupation of the buildings or the completion of the development whichever is the sooner.

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

- 5 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.

- 6 No demolition or construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0830 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority. These times apply to work which is audible at the site boundary.

REASON: - To safeguard the amenities of the occupiers of neighbouring properties.

- 7 No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination and predicted light contours, have first been submitted to, and approved in writing the Local Planning Authority prior to first occupation of the development. Any external lighting shall accord with the details so approved.

REASON:- In order to protect the amenities and operations of neighbouring properties and to ensure any external lighting does not prejudice highway safety. In addition, to ensure the development does not have a detrimental impact on foraging bats.

- 8 No removal of trees, scrubs or hedges shall be carried out on site between 1st March and 31st August inclusive in any year, unless searched before by a suitably qualified ornithologist.

REASON:- Nesting birds are protected from disturbance under the Wildlife and Countryside Act 1981 (As amended).

- 9 No development, including site clearance, shall commence until the trees as specified on drawing numbers 9575 TPP 02 Rev A (1/3) A; 9575 TPP 02 Rev A (2/3) A; 9575 TPP 02 Rev A (3/3) A (Arboricultural Impact Assessment, prepared by Aspect Arboriculture, Report reference 9575_AIA.001 dated October 2018) to be retained on the site have been protected by fencing in accordance with the vertical tree protection fencing detailed in the Arboricultural Impact Assessment. In addition, all works which are to be undertaken within the Root Protection Areas of trees which are to be retained as specified on the

aforementioned drawings shall be undertaken in accordance with the details specified in the Arboricultural Impact Assessment.

REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.

- 10 Within the areas to be fenced off in accordance with condition 9, there shall be no alteration to the ground levels and they shall be kept clear of vehicles, materials, surplus soils, temporary buildings and machinery.

REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.

- 11 No development shall take place, above slab level, until a scheme for the provision of bird boxes have been submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the development hereby permitted, the boxes shall be installed in accordance with the approved scheme and retained thereafter.

REASON:- To increase roosting opportunities for birds and to compensate for lost opportunities for nesting birds.

- 12 No development shall take place, above slab level, until a scheme for the provision of bat boxes have been submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the development hereby permitted, the boxes shall be installed in accordance with the approved scheme and retained thereafter.

REASON:- To increase roosting opportunities for bats.

- 13 Prior to the first occupation of the dwellinghouses hereby permitted, the parking areas as shown on drawing number 16059.02.wd2.01 B shall be surfaced (in either a porous material or provision shall be made for surface water drainage to be dealt with within the application site) and marked out accordingly and shall not thereafter be used for any purpose other than the parking of vehicles for the development hereby approved.

REASON:- To ensure adequate parking provision at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety along the adjacent highway, or the amenities and convenience of existing local residents.

- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification), no internal or external alterations shall take place to any garage, which would preclude its use for housing motor vehicles without the prior written approval of the Local Planning Authority.

REASON:- To ensure that alterations are not carried out which would preclude the use of the garages for the parking of motor-vehicles and to ensure the development remains in accordance with the Council's adopted Parking Standards.

- 15 Prior to the commencement of development, a Construction Management Plan/Method Statement shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved statement. The Construction Management Plan/Method Statement shall address the following matters:-

- (i) Details of construction phasing programme (including any pre-construction demolition or enabling works);
- (ii) Hours or operations including times of deliveries and removal of waste;
- (iii) The site set-up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas;

- (iv) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
- (v) Details of the provisions for temporary car parking during construction;
- (vi) The location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- (vii) Screening and hoarding;
- (viii) End of day tidying procedures;
- (ix) Construction and storage compounds (including areas designated for car parking);
- (x) Siting and details of wheel washing facilities;
- (xi) Cleaning of site entrances, site tracks and the adjacent public highway; and
- (xii) Disposal of surplus materials.

REASON:- To minimise the impact of construction vehicles and to maintain the amenity of the local area.

- 16 The development hereby permitted shall not be occupied until the proposed accesses have been constructed as identified on drawing number 16059.02.wd2.01 B the existing accesses have been closed and the existing footway has been reinstated to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.

REASON:- In order to protect highway safety and the amenity of other users of the public highway.

- 17 No development shall take place until a detailed Site Waste Management Plan (SWMP) to detail how waste materials generated as a result of the proposed demolition and/or construction methods shall be disposed of, and detail the level and type of soil to be imported to the site as part of the development has been submitted to and approved in writing by the Local Planning Authority.

REASON:- In order to reduce the level of waste generated during the demolition and construction phases of development and to recycle all waste materials where possible.

- 18 Prior to the first occupation of the dwellings hereby permitted the approved secure cycle parking areas and public cycle parking shall be constructed in accordance with the approved details submitted with this planning application and shall be permanently retained in that form.

REASON:- To ensure that there is sufficient cycle parking provision in accordance with the Council's adopted standards is maintained for all dwellings and the development as a whole on site in perpetuity.

- 19 Prior to the first occupation of the dwellings hereby permitted the approved refuse and recycle stores shall be constructed in accordance with the details submitted with this application and shall be permanently retained in the form.

REASON:- To ensure that there is sufficient refuse/recycle provision in accordance with the Council's standards and maintained for all dwellings and the development as a whole in perpetuity.

- 20 The design of windows and ventilators to each dwelling shall achieve an acoustic performance which shall ensure that, when windows are closed, the following noise levels are not exceeded:

- (i) An average of 35 decibels (dB) (LAeq) during the daytime (07:00 – 23:00) within bedrooms and living rooms
- (ii) An average of 40 dB (LAeq) during the daytime (07:00 – 23:00) within dining rooms
- (iii) An average of 30 dB (LAeq) during the night (23:00 – 07:00) within bedrooms
- (iv) A maximum of 45 dB (LAmax,F) on more than ten occasions during any typical night (23:00 – 07:00) within bedrooms.

REASON:- To ensure that residents of the development do not suffer undue noise disturbance from traffic on the adjoining highway as well as noise generated from the nearby East Coast railway line.

- 21 The windows on the first and second floor level serving the landing area of plot 9 on the eastern elevation shall be obscurely glazed (at level 3 or above of the Pilkington Scale of Obscurity) and fixed shut at 1.7m as measured from finished floor level.

REASON:- In order to protect the residential amenity on the owner/occupiers of number 132 Blenheim Way.

- 22 The windows on the first and second floor level serving the en-suite bathrooms serving the apartment on the southern elevation of the building facing onto the townhouse in plot 1 shall be obscurely glazed (at level 3 or above of the Pilkington Scale of Obscurity) and fixed shut at 1.7m as measured from finished floor level.

REASON:- In order to protect the residential amenity on the owner/occupiers of plot 1.

- 23 No development shall take place, above slab level, until details of Electric Vehicle Charging Points have been submitted to and approved in writing by the Local Planning Authority. The approved Electric Vehicle Charge Points shall be installed in accordance with the approved details and thereafter permanently retained.

REASON:- In order to provide facilities to charge electric vehicles and to help reduce the impact of vehicle emissions on the local environment.

- 24 The development permitted by this planning permission shall be carried out in accordance with the approved submitted Surface Water drainage Strategy Rev. final v2.0, dated November 2018, prepared by JBA, and the following mitigation measures detailed within the FRA:

1. Implementing an appropriate drainage strategy based on infiltration, using appropriate SuDS measures as shown on drawing No. 2017s6007-001 Rev.P01, No.2017s6007-002 Rev. P01 and No.2017s6007-003 Rev.P01.

2. Providing attenuation to ensure no increase in surface water run off volumes for all rainfall events up to and including the 1 in 100 year + 40% to climate change.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the Local Planning Authority.

REASON:- To prevent flooding by ensuring the satisfactory disposal of and storage of surface water from the site. In addition, to reduce the risk of flooding to the proposed development and future occupants.

- 25 No development shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run off from the existing site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the following approved details before the development is completed:

1. Infiltration tests in line with the BRE 365 methodology in the exact location of the geo-cellular soakaway, in a representative site where single soakaways are proposed to be installed and in a representative site where permeable pavement is being proposed. Infiltration tests to be carried out at the depth of the base of the proposed infiltration features and information regarding the strata layers should be included.

2. Updated detailed surface water calculations and modelling presented solely for the Site A (S), including detailed design calculation and modelling for SuDS features proposed for Site A (S) (single soakaways and the tanked permeable pavement) for all rainfall events up to and including the 1 in 100 years + climate change. Half drain times to be included.

3. Updated clearly labelled drainage layout plan showing pipe networks. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.

4. Provision of details of all proposed SuDS features, including their size, volume, depth and any inlet and outlet features including any connecting pipe runs, node numbers and all corresponding calculations/modelling.

5. Exceedance flow paths for surface water for events greater than the 1 in 100 year + climate change, including extent and depth of the flooded areas shown on the modelling.

REASON:- To prevent the increased risk of flooding, both on and off site.

- 26 Upon completion of the drainage works a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include:

1. Final confirmation of management and maintenance requirements
2. Provision of complete set of as built drawings for both site drainage

REASON:- To reduce the risk of flooding to the proposed development and future occupants.

- 27 Upon completion of the development a final management and maintenance plan must be supported by a full set of as-built drawings, a post construction location plan of the SuDS components cross-referenced with a maintenance diagram to secure the operation of the scheme throughout its lifetime.

REASON:- To prevent the increase risk of flooding, both on and off site.

- 28 No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before the properties are occupied.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.

- 29 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 30, which is subject to the approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 31.

REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.

- 30 A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.

- 31 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.

- 32 No development, above slab level, shall take place until details of all boundary treatment which includes walls, fences or other means of enclosure, including any retaining walls, have been submitted to and approved in writing by the Council as the Local Planning Authority. The boundary treatment, including any retaining wall, shall be constructed in accordance with the approved details. Thereafter, the hereby approved boundary treatment(s) shall be permanently retained and maintained.

REASON:- To ensure that the finished appearance of the development will enhance the character and visual amenities of the area.

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 2015.

INFORMATIVE

Environmental Health

The ventilation system for each dwelling shall incorporate continuous mechanical supply and extract with heat recovery conforming to the current edition of Approved Document F to the Building Regulations and designed so as to ensure that the ventilation system itself does not produce unacceptable levels of noise within each dwelling.

Thames Water

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."

In the car parking areas, it is recommended that a petrol/oil interceptor be fitted to ensure that local watercourses are not polluted from potential oil polluted discharges.

Hertfordshire Constabulary Crime Prevention Design Advisor.

The proposed development should achieve Secured by Design (SBD) accreditation in order for it to comply with current Building Regulations. The Police Crime Prevention Design Advisor can be contracted by telephone on 01707 355227 or by email on mark.montgomery@herts.pnn.police.uk.

Hertfordshire County Council as Highways Authority.

Works to be undertaken on the adjoining highway shall be constructed to the satisfaction of the Highway Authority and in accordance with Hertfordshire County Council publication Roads in Hertfordshire Highway Design Guide. Before proceeding with the proposed development, the applicant shall contact on 0300 1234 047 to obtain the requirements for a section 278 agreement for the associated road works as part of the development. This should be carried out prior to any development work is carried out.

REASON:

To ensure that work undertaken on the highway is constructed to the current Highway Authority's specification, to an appropriate standard and by a contractor who is authorised to work in the Public Highway.

Prior to commencement of the development the applicant shall contact Network Management North at NM.North@hertfordshire.gov.uk or call on 0300 1234 047 to obtain the requirements to arrange a site visit to agree a condition survey of the approach of the highway leading to the development likely to be used for delivery vehicles to the development. Under the provisions of Section 59 of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of traffic associated with the development. Herts County Council may require an Officer presence during movements of larger loads.

Hertfordshire County Council as Lead Local Flood Authority

The applicant has not carried out ground contamination investigation for this site. Contamination on site can condition the suitability of the entire drainage strategy which

is based in infiltration. We therefore recommend the LPA to contact the Environment Agency in respect to this.

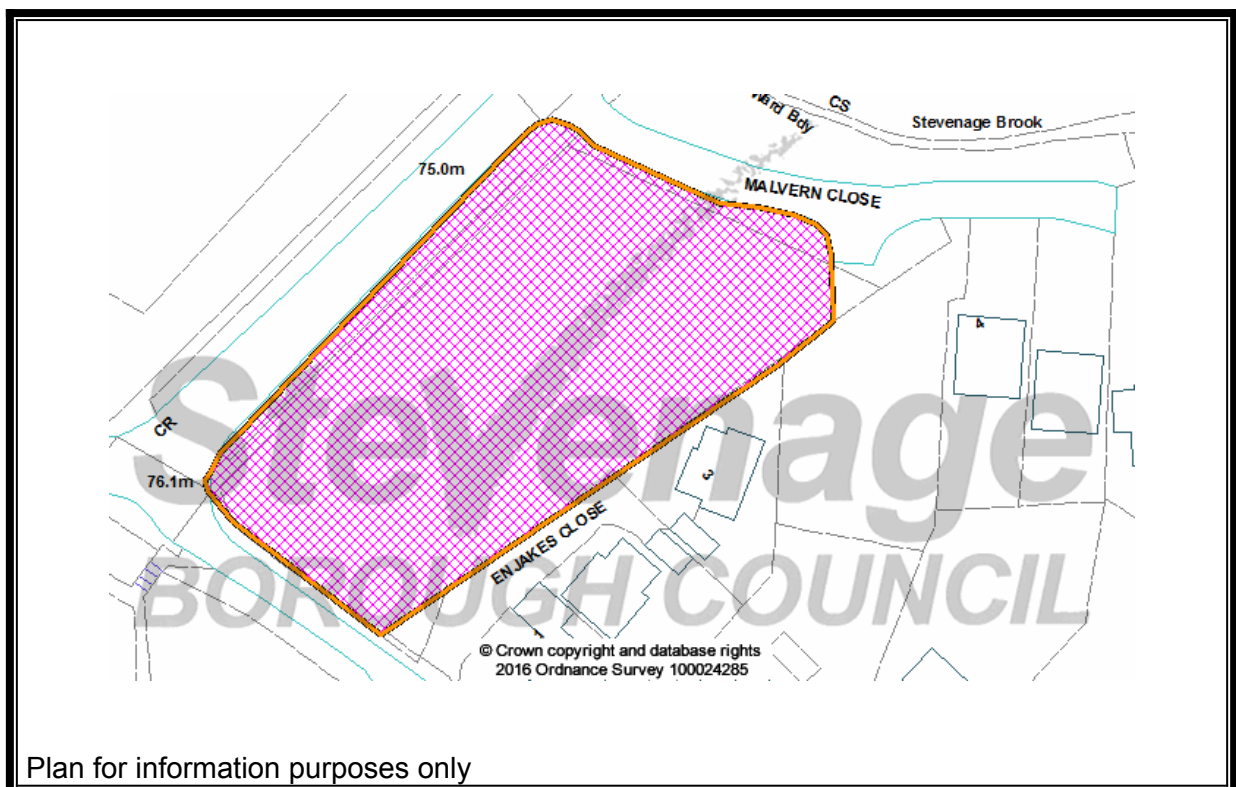
The LPA will need to satisfy itself that the proposed SuDS features can be maintained for its lifetime and we recommend the LPA obtains a maintenance and adoption plan from the applicant.

10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage District Plan Second Review 1991-2011.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012.
4. Stevenage Borough Local Plan 2011-2031 Publication Draft.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework July 2018 and Planning Policy Guidance March 2014.

Meeting:	Planning and Development Committee	Agenda Item:
Date:	4 December 2018	
Author:	James Chettleburgh	01438 242266
Lead Officer:	Chris Berry	01438 242257
Contact Officer:	James Chettleburgh	01438 242266

Application No:	18/00401/FP
Location:	Land bordered by Ashdown Road, Malvern Close and Hertford Road, Stevenage.
Proposal:	Construction of 7 no. new dwellings comprising of 2 no. five bed, 2 no. four bed and 3 no. three bed dwellings with associated parking and access.
Drawing Nos.:	17010.SU1.01 A; 17010.SU1.02 A; 17010.wd2.01 E; 17010.wd2.10 D; 17010.wd2.11 D; 17010.wd2.12 D; 17010.wd2.13 D; 17010.wd2.14 D; 17010.wd2.101 D; 17010.wd2.102 D; 17010.wd2.103 D; 17010.wd2.104 D; 17010.wd2.105 D, 17010.wd2.201 C, 17010.wd2.202 C.
Applicant:	Stevenage Borough Council
Date Valid:	13 July 2018
Recommendation:	GRANT PLANNING PERMISSION.



1. SITE DESCRIPTION

- 1.1 The application site is a plot of land which is currently designated as a Green Link and comprises a number of mature trees and amenity grassland. The site is bordered by Hertford Road to the south, Malvern Close to the north and Ashdown Road to the west. To the east of the site is the residential development of Enjakes Close which comprises of three detached properties and a plot of land which fronts onto Malvern Close. This plot of land currently has an extant planning permission for the erection of detached five bedroomed property (Planning Reference:- 17/00117/FP). However, no development works have taken place on this site to implement the aforementioned permission.
- 1.2 In terms of the immediate surroundings, to the west beyond Ashdown Road is the arboretum which is a botanical collection composed exclusively of trees. To the north beyond Malvern Close is Stevenage Brook which is bordered by mature trees and vegetation. The land then rises up due to the topography of the area with the northern end of Ashdown Road comprising of residential terraced properties which are generally uniform in design set within regular shaped plots. To the south of the site beyond Hertford Road is Braemar Close which consists of terraced properties set out in a cul-de-sac arrangement.

2. RELEVANT PLANNING HISTORY

- 2.1 There is no relevant planning history to this site.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission for the erection 7 no. new dwellings comprising of 2 no. five bed, 2 no. four bed and 3 no. three bed dwellings with associated parking and access.
- 3.2 The proposed dwellinghouse in Plot 1 would be detached and have an L-shaped footprint. The property would measure between approximately 6.74m to 10.43m in length and span 6.44m to 12.78m in width. In terms of height, the garage wing with accommodation above would have an eaves height of approximately 4.07m with an overall height of 7.93m. The eaves height of the main part of the dwellinghouse would be 4.91m with an overall height of 8.46m. The main dwellinghouse and two-storey garage wing would comprise of a gable-end roof with the wing comprising 2 no. dormer windows. Positioned above the main entrance is a light framed porch canopy with a low profile pitched roof. On the rear elevation would be a single-storey wing measuring 0.77m by 3.48m which serves the lounge. The wing itself would have a height of 2.59m with the roof of the wing being utilised as a balcony which is enclosed by a glazed balustrade.
- 3.3 In regards to internal layout of the proposed dwellinghouse in Plot 1, the ground floor level, would comprise a double integral garage, entrance hall with WC, utility room, lounge and open plan kitchen/diner. At first floor level, the property would comprise of five bedrooms (two bedrooms with en-suite bathrooms), family bathroom and a store.
- 3.4 The proposed dwellinghouse in plot 2 would be a detached, three storey townhouse. The property would measure approximately 9.05m in length by 7.12m in width. The dwellinghouse in terms of height, would have an eaves of 5.01m with an overall height of 9.66m. The property would also comprise of a two-storey gable-end wing projecting off the principal elevation. The wing would project 1.68m from the front wall, span 3.68m in width with an eaves height of 5.01m with an overall height of 7.03m. Positioned above the main entrance is a light framed porch canopy with a low profile pitched roof. On the rear elevation would be a single-storey wing measuring 0.77m by 3.48m which serves the kitchen/diner. The wing would have a height of 2.59m with the roof of the wing being utilised as a balcony which is enclosed by a metal powder coated balustrade. On the rear roof slope is a small dormer window.

- 3.5 Turning to the proposed internal layout of the dwellinghouse in plot 2, at ground floor level is the integral garage, open plan kitchen diner, entrance hall with WC and store. At first floor level would be two bedrooms, the lounge and family bathroom. In the roof (second floor level) would be the master bedroom with en-suite bathroom.
- 3.6 The dwellinghouses in Plots 3 and 4 would be semi-detached three-storey town houses. The properties would measure 5.72m in width, between 9.10m to 10.65m in length with an eaves height of 5.06m with an overall height of 9.77m. Projecting off the principal elevation of both properties is a two-storey gable-wing with an integral garage. These wings would project 1.68m from the main front wall and span 3.64m in width. In terms of height, the two-storey wings would measure approximately between 3.97m to 5.10m with an overall height of between 6.50m to 7.03m.
- 3.7 The proposed semi-detached property on the right hand side also comprises a gable-end roof feature which ties into the main roof. This feature is set down 0.75m from the main ridge of the new property. On the rear elevation of the semi-detached properties, one of the properties would comprise of a two-storey rear wing which projects approximately 1.59m from the rear wall and spans 5.94m. The wing would have an eaves height of 5.17m with an overall height of 9.03m. On the rear elevation, there would also be a single-storey wing measuring serving the 0.77m by 3.48m serving the kitchen/diner. The wing would have a height of 2.59m with the roof of the wing being utilised as a balcony which is enclosed by a metal powder coated balustrade. On the rear roof slope on one of the semis is a small dormer window.
- 3.8 In regards to the internal layout of the properties in plots 3 and 4, at ground floor level in both properties, there is an open plan kitchen/diner, store, entrance hall, WC and utility. At first floor level, both properties will have a lounge and family bathroom. However, House Type 3A will have one bedroom on this floor where as House Type 3B has two bedrooms. In the roof (second floor level), House Type 3A has two more bedrooms and a bathroom. However, in House Type 3B, there is only a master bedroom with en-suite bathroom.
- 3.9 With respect to plots 5 and 6, these would be detached and would be of the same architectural composition as each other. The houses would measure approximately 10.54m in length, span 6.42m width with an eaves height of 4.90m with an overall height of 8.45m. To the side of the properties would be a two-storey wing with an integral garage. The wing would measure 3.36m in width by 6.73m in length with an eaves height of 4.13m with an overall height of 7.76m. The roof of the wing would be set down 0.58m from the main ridge of the dwellinghouse.
- 3.10 In relation to internal layout, at ground floor level each property would consist of an integral garage with an open plan kitchen/diner, utility, entrance hall with WC, lounge and utility room. At first floor level, there are 4 bedrooms (two bedrooms with en-suite) and the family bathroom. Positioned above the main entrance is a light framed porch canopy with a low profile pitched roof.
- 3.11 The dwellinghouse in plot 7 would have an L-shaped footprint and would be detached would have a length of between 6.88m to 10.60m and span between 6.47m to 12.89m. The dwellinghouse would have an eaves height of 5.30m with an overall height of 8.45m. The roof on the two-storey garage wing would be set down by 0.64m with an eaves height of 4.08m. Projecting off the principal elevation is a two-storey bay window on the front roof slope of the garage wing there would be 2 no. dormer windows.
- 3.12 The internal layout of the house in plot 7 at ground floor level would comprise of the double integral garage, open plan kitchen/diner, lounge, entrance hallway with WC and utility room. At first floor level, there would be five bedrooms (two bedrooms with en-suite) with family bathroom.

- 3.13 In terms of access, each property would be served by an independent access. In regards to Plots 1 to 4, their individual accesses would be taken off Ashdown Road. With respect to plots 5 to 7, their accesses would be taken off Malvern Close. The proposal also comprises the creation of a new pedestrian footpath which will connect Malvern Close with Ashdown Road. There is also the creation of three visitor parking bays on Ashdown Road.
- 3.14 This application comes before the planning committee for consideration as the applicant and land owner is Stevenage Borough Council.

4. PUBLIC REPRESENTATIONS

- 4.1 As a minor planning application, the proposal has been publicised by way of letters to neighbouring premises and site notices have been erected. At the time of drafting this report five objections have been raised from numbers 1, 3 and 6 Malvern Close, number 3 Enjakes Close and number 54 Abbots Grove. A summary of the objections raised are as follows:-

- The development would result in an unacceptable loss of light to neighbouring properties;
- The proposed development does not accord with government regulations on driveways and will affect visibility splays of existing roads;
- The development would generate additional parking problems in the area;
- The development will have an unacceptable affect on the ability of emergency service vehicles entering into Malvern Close;
- The development would affect the existing access into Malvern Close;
- The proposal is unacceptable as it results in a substantial loss of trees;
- The development is not acceptable in an already over populated area;
- The development will have an unacceptable impact on wildlife;
- The construction works which would arise from the development would create an unacceptable noise disturbance to neighbouring properties;
- The development will devalue properties in the area;
- The land should be developed out as it is an integral part of the Green Link;
- The Council refused to sell a small portion of land to enlarge a garden area due to the impact on the Green Link;
- The Local Plan clearly states that this land is for wildlife;
- The plans submitted are inaccurate as they do not show adjacent properties correctly;
- In addition, the plans fail to show the approved development of a new dwellinghouse to be constructed on land which adjoins the application site;
- The development will be overbearing on neighbouring properties;
- The development would result in an unacceptable loss of privacy;
- The Council has generated an unacceptable cost to number 3 Enjakes Close to seek the removal of four trees (£250 per tree) and is now seeking permission to remove all of the trees on the site, this is an utter disgrace the Council has done his;
- The planning officers should seek a change in the design of the houses as they currently prejudice the ability to build out the new house in Malvern Close in terms of amenity;
- There is a lack of a footpath being provided leading into Malvern Close and pedestrians currently use the area of open space which will be lost;
- The proposal is overdevelopment of the site and should be substantially reduced;
- The development should be located on the Ashdown Road side to reduce the impact on local residents.

- 4.2 Please note that the aforementioned is not a verbatim of the comments and representations which have been received. However, a full version of the comments and representations which have been received are available to be viewed on the Council's website.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highways Authority

- 5.1.1 The County Council as the Highways Authority consider the development to be in accordance with National and Local Policies. Therefore, the Highways Authority formal recommendation is that there are no objections to the development proposal subject to the imposition of conditions.

5.2 Hertfordshire Constabulary as the Crime Prevention Design Service

- 5.2.1 The Police Crime Prevention Design Service do not have any concerns with the proposed development. This is because the development would meet the preferred minimum security standard under Secured by Design.

5.3 Herts and Middlesex Wildlife Trust

- 5.3.1 Following a review of the Preliminary Ecological Appraisal (PEA) it is considered that no protected species surveys need to be undertaken. In addition, the proposed mitigation measures are acceptable subject to the imposition of a condition and the financial obligation is secured for the arboretum. This is because it is considered that it would compensate the impact of the development.

5.4 Council's Parks and Amenities Section

- 5.4.1 The land at Malvern Close was not included in the 2006 Open Space Study due to its size, however, the study identified an overall surplus of natural/semi-natural land in the Broadwater Area. The land here provides little amenity value for the local community.
- 5.4.2 The Parks Section note the land is identified as part of the Green Link in the Local Plan, however, the continued flow of the Green Link along Hertford Road is interrupted/separated by the existing transport infrastructure known as Ashdown Road. In order to mitigate potential impact to the Green Link, the use of sympathetic landscaping in the development shall be incorporated and combined with methods that are favourable and beneficial for wildlife such as suitable nest boxes.

5.5 Council's Arboricultural Manager

- 5.5.1 The Arboricultural Impact Assessment submitted with the application is acceptable. In regards to species of proposed trees in the rear gardens, it is recommended a condition be imposed to ensure there is a balance between the benefits of screening and amenity against any inconvenience which may be caused to properties in Enjakes Close.

5.6 Council's Environmental Health Section

- 5.6.1 Following an assessment of the proposal, it is recommended that a condition should be imposed with respect to hours of construction.

5.7 Environment Agency

- 5.7.1 The proposed development is classed as a more vulnerable development and is located in Flood Zone 2, therefore, it would fall under the Environment Agency Flood Risk Standing Advice.

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:

- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014);
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007); and
- The Stevenage District Plan Second Review 2004.

The Council has now reached an advanced stage in the preparation of a new Stevenage Borough Local Plan 2011-2031. The Plan has been used as a material consideration in the determination of all planning applications registered on or after Wednesday 6 January 2016. The Plan has now been through the Examination process and the Inspector's Report was received in October 2017. This recommended approval of the Plan, subject to modifications proposed. The Plan is currently subject to a holding direction placed upon it by the Ministry of Housing Communities and Local Government (MHCLG), which prevents its adoption whilst MHCLG are considering whether or not to call it in.

- 6.1.2 The National Planning Policy Framework sets out that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the National Planning Policy Framework.
- 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, bearing in mind the positive Inspector's Report, significant weight will be afforded to policies within the emerging Local Plan.

6.2 Central Government Advice

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in July 2018. 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 213 of the NPPF applies which states that due weight should be afforded to the relevant policies in the adopted local plan according to their degree of consistency with it.
- 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 the advice that the weight to be given to relevant policies in the local plan will depend on their degree of consistency with the NPPF, it will be necessary in the determination of this application to assess the consistency of the relevant local plan policies with the NPPF. The NPPF applies a presumption in favour of sustainable development.
- 6.2.3 In addition to the NPPF, advice in Planning Practice Guidance must also be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 11 of the National Planning Policy Framework requires the application to be determined in accordance with the presumption in favour of sustainable development unless otherwise specified.

6.3 Adopted Local Plan

Policy TW1: Sustainable Development;
Policy TW2: Structural Open Space;
Policy TW8: Environmental Safeguards;
Policy TW9: Quality in Design;
Policy TW10: Crime Prevention;
Policy TW11: Planning Requirements;
Policy H7: Assessment of windfall residential sites;
Policy H8: Density of residential development;
Policy T6: Design Standard;
Policy T12: Bus Provision;
Policy T13: Cycleways;
Policy T14: Pedestrians;
Policy EN10: Green Links;
Policy EN13: Trees in new development;
Policy EN27: Noise Pollution;
Policy EN36: Water Conservation;
Policy EN38: Energy Conservation and Supply;
Policy L21: Footpath, Cycleway and Bridleway Network;
Policy L23: Horse and Pony Route.

6.4 Stevenage Borough Local Plan 2011-2031 Publication Draft (Emerging Local Plan)

Policy SP1: Presumption in favour of sustainable development;
Policy SP2: Sustainable Development in Stevenage;
Policy SP5: Infrastructure;
Policy SP6: Sustainable Transport;
Policy SP7: High quality homes;
Policy SP8: Good Design;
Policy SP11: Climate Change, Flooding and Pollution;
Policy SP12: Green infrastructure and the natural environment;
Policy IT3: Infrastructure;
Policy IT4: Transport Assessments and Travel Plans;
Policy IT5: Parking and Access;
Policy IT7: New and improved links for pedestrians and cyclists;
Policy HO5: Windfall Sites;
Policy HO9: Housing types and sizes;
Policy GD1: High Quality Design;
Policy FP1: Climate Change;
Policy FP3: Flood risk in Flood Zones 2 and 3;
Policy FP4: Flood storage reservoirs and functional floodplain;
Policy FP7: Pollution;
Policy NH4: Green Links;
Policy NH5: Trees and woodland;
Policy NH6: General protection for open space.

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document January 2012.
Stevenage Design Guide Supplementary Planning Document January 2009.

7. APPRAISAL

- 7.1 The main issues for consideration in the determination of this application are its acceptability in land use policy terms, the impact on the character and appearance of the area; the impact

on both existing neighbouring amenities and future residential amenity; the effect of the proposals on the highway network; the adequacy of parking provision and flood risk.

7.2 Land Use Policy Considerations

- 7.2.1 The application site is not allocated in both Stevenage District Plan Second Review 1991 – 2011 (adopted 2004) and the Stevenage Borough Local Plan 2011 – 2031 Publication Draft January 2016 for residential development. Given this, as an unallocated housing site within the urban area of Stevenage the proposal is considered to be a ‘windfall’ site where Policy H7 of the District Plan (Assessment of Windfall Residential Sites) and Policy HO5 of the Emerging Local Plan (Windfall Sites) apply in this instance. Both policies set out a number of criteria against which proposals will be assessed against. Consequently, the proposal is subject to the relevant policies of the District Plan, Emerging Local Plan and the National Planning Policy Framework July 2018 (NPPF).
- 7.2.2 The NPPF states at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF also stipulates that decisions should plan an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, the Framework also sets out that sustainable development needs to be pursued in a positive way and at the heart of the framework is a “presumption on favour of sustainable development”. Paragraph 67 of the NPPF (2018) states that planning policies should identify a supply of specific deliverable sites for years one to five of the plan period, and specific deliverable sites or broad locations for grown, for years 6 to 10 and where possible, for years 11 to 15. Paragraph 73 of the same document states that “Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies”.
- 7.2.3 Taking the above issues in turn, the site is considered to be in a sustainable location. In regards to access to local facilities, the application site is located 601m from the small neighbourhood centre/shopping parade which would be constructed at Kenilworth Close. The site is also located approximately 625m from Shephallbury Park Primary School and 1.22km from The Barnwell Middle School respectively. There are also bus stops on Hertford Road (SB8 bus) and there is a designated cycle route to the north of the application site. As such, the application site is considered to have good access to local facilities and alternative forms of travel to the private car and is therefore in a highly sustainable location.
- 7.2.4 In relation to five year land supply of deliverable housing, as mentioned in paragraph 7.2.2 of this report, 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, but the supply of specific deliverable sites should in additional include a buffer (moved forward from later in the plan period) of:-
- a) 5% to ensure choice and competition in the market; or
 - b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during the year; or
 - c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.

The most up to date housing supply figures indicate that the Council is unable to meet its requirement to provide a five year supply of deliverable housing. The fact that the Council is unable to meet its requirement to meet a five year supply of housing is thus a material consideration in the assessment of the application.

- 7.2.5 The fact that the site is considered to be in a sustainable location, would constitute a sustainable form of development and the fact that the Council is currently 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 Compliance with the Council's Housing Policies

- 7.3.1 As set out above, as the site is unallocated for housing within the adopted District Plan, the application site is considered to be a 'windfall' site where policy H7 of the District Plan is of relevance. This policy sets out a number of criteria against which proposals for residential development on sites not allocated in the District Plan should be assessed against.
- 7.3.2 Firstly, the application site is not classed as previously land. This is because it forms part of a designated Green Link with the site consisting off a number of mature trees and amenity grassland. Therefore, the proposal does not accord with definition of previously developed land as set out in Annex 2 of the NPPF. The NPPF states that previously developed land is land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. The NPPF also advises that a key objective is that local planning authorities should continue to make effective use of land by re-using land that has been previously developed. Consequently, the proposed development would be contrary to criterion (a) of Policy H7. In addition, being a site which is not previously developed land, the development would affect land which would be classed as structural open space under Policy TW2 of the District Local Plan. Therefore, the proposal would also be contrary to criterion (b) of Policy H7.
- 7.3.3 In regards criterion (c) of Policy H7 this states that there should be no detrimental effect on the environment or adjoining properties. This issue will be assessed in detail in the following sections considering the impact on the character and appearance of the area and the impact on neighbouring amenity. Policy H7 also requires that there is access to local facilities and services and also excellent access to public transport network and both the pedestrian and cycle networks. As set out above, the site has good access to the public transport network and both the pedestrian and cycle networks. The site has thus been demonstrated to be in a sustainable location and as such, would comply with criterion (d) and (e) of Policy H7.
- 7.3.4 Policy H8 of the District Plan relates to the density of residential development and states that 'in general, the net density of new housing should be within a range of 30 – 50 dwellings per hectare and that higher densities (50-65+ dwellings per hectare) will be encouraged in developments in the town centre, at neighbourhood centres and other locations well served by passenger transport'. The proposal is seeking 7 units on a site of 0.30 hectares which will provide a density of approximately 24 dwellings per hectare, which is below the range set out above. However, it is recognised that the site forms part of a Green Link so the reduced density ensures the site is not overdeveloped. In addition, the development would not have a too dissimilar density to existing development's in Enjakes Close and Malvern Close.
- 7.3.5 As demonstrated above, the proposal is not strictly in accordance with Policy H7 of the District Plan. Given the aforementioned, an assessment has to be made as to whether or not the benefits of the proposed development would outweigh the impact it would have on

the area of structural open space. This is assessed in more detail under Section 7.4 of this report.

- 7.3.6 Turning to the Emerging Local Plan, this is a material consideration in the determination of this planning application. The Stevenage Borough Local Plan 2011-2031, Publication Draft 2016, Policy HO5 (Windfall Sites) also sets out a number of criteria which are similar to those set out under Policy H7 of the District Plan. However, this policy also requires developments to not prejudice the Council's ability to deliver residential development on allocated sites, and, development must not overburden existing infrastructure. Dealing with the first point, due to the siting and location of the development, it does not affect the delivery of any nearby allocated residential sites. In terms of impact on existing infrastructure, due to the limited scale of the development proposed, it would not have a detrimental impact on infrastructure such as education facilities, youth and library facilities along with health care facilities.
- 7.3.7 In respect to Policy HO9 (House types and sizes), as the proposed development seeks to deliver a mixture of three, four and five bedroomed aspirational style homes, it would be in accordance with this policy. This is because it would help to balance the structural imbalances in the existing housing stock whereby there is a lack of aspirational style homes in the Borough.

7.4 Impact on the Green Link/Structural Open Space

- 7.4.1 The application site is designated as a Green Links, which was integrated into the original design of Stevenage New Town. This link currently runs from Broadhall Way through to the water meadows and across Hertford Road. Policy EN10 of the adopted Local Plan, referring to green links, states that development proposals which would be harmful to the character of green links will not be permitted, as they are considered to be an essential part of the urban structure of the town. When assessing a development in a green link the following criteria will be used:
- the size, form, function and character of the green space directly affected;
 - the role of the green space within the green link;
 - the impact of the development proposal on the green space and the green link; and
 - the integrity of the green link.
- 7.4.2 Turning to Policy NH4 of the Emerging Local Plan (2016), this Policy states that planning permission would be granted where the development would not create a substantive physical or visual break in the Green Link and does not otherwise have a material adverse effect on the recreational, structural, amenity or wildlife value of a green link. In addition, the policy stipulates that proposals should reasonably provide extensions of, or connections to, existing Green links through the provision of on-site open space, and, reasonably contribute towards the maintenance, improvement or extension of Green Links.
- 7.4.3 In addition to the above, the site also forms part of an area of structural space. Taking this into consideration, Policy TW2 of the District Plan (2004) states that development proposals which have an unacceptable impact on the structural open space spaces of the town will not be permitted. However, when assessing the impact of a development, the following criteria will be used:-

- a. the size, form, function and character of the structural open space affected by the development proposal; and
- b. the impact of the development proposal on the structural open space.

7.4.4 In relation to the Emerging Local Plan (2016), Policy NH4 stipulates that planning permission for development of any existing part of any open space will be permitted where the loss of the open space is justified having regard to:

- i. The quality and accessibility of the open space;
- ii. The existence, or otherwise, of any interventions to improve quality or access;
- iii. Whether the open space is serving its function or purpose; and
- iv. Whether alternate space(s) would remain available for community use; and

In addition, reasonable compensatory provision is made in the terms of:

- i. Replacement provision of a similar type, size and quality;
- ii. The upgrade of other, existing open space; or
- iii. Exceptionally, a commuted sum to secure open space provision elsewhere.

7.4.5 Taking into consideration the aforementioned Policies, the proposed development would result in the reduction of an area of structural open space as well as part of an established green link. Consequently, the development would be contrary to the aforementioned policies. However, whilst the site does form part of this green link, the development ensures that a large parcel of land to the west of the site remains undeveloped. Further to this, whilst the scheme will result in an area of the green link being developed, when looking at the green link as a whole, the proposal would only reduce this link by 2.7%. In addition to this, this part of the green link is also physically segregated from the rest of the link as it is bordered by public highways on three sides (Hertford Road, Malvern Close and Ashdown Road). Added to this, the new dwellings would be seen in conjunction with existing dwellings to the east on Enjakes Close and Malvern Close which form part of the application sites eastern boundary. Therefore, the proposed development does not detrimentally impact upon the overall structural integrity of the green link in this instance as a large area of the green link will still be retained, In addition to this, the green link would still extend through the water meadows up to Broadhall Way as the proposed development would not physically break the link in this instance.

7.4.6 Turning to ecological and wildlife value, it has been established within the Preliminary Ecological Report and Phase 1 Habitat Survey submitted as part of this application that the application site is classed as having low ecological value with no protected species being identified. This is due to the site having a poor semi-improved grassland, ruderal vegetation and no evidence of protected species on site. In addition, the site is not designated as a wildlife site or is a nationally significant of importance such as a SSSI (Site of Special Scientific Interest) or a AONB (Area of Outstanding Natural Beauty). Further to this, as set out in the Arboricultural Impact Assessment, apart from the Oak Tree on the site which is to be retained, a number of trees on this site are of limited amenity value. Therefore, it can be concluded that the site is of limited wildlife and amenity value.

7.4.7 Looking into the recreational value of the Green Link, whilst the land at Malvern Close was not included in the 2006 Open Space Study, the Council's Parks and Amenities Section did advise that this study identified an overall surplus of natural/semi-natural land in the Broadwater Area. Given this, the reduction in this area of open space/Green Link would help to reduce the overall surplus of natural/semi-natural land in the area. Added to this, the Parks and Amenities Section consider that this part of the green link provides little amenity/recreational value for the local community. This is because the site does not

comprise of any play equipment, a woodland walk or other facilities which can be enjoyed by the local community. In addition to this, the site is only used as a cut through for pedestrians or for dog walkers. Consequently, the site does not have any recreational value in this instance either.

- 7.4.8 In regards to the justification for the development of seven aspirational homes on this site, the applicant has advised that the monies generated from this development would help to fund the proposed development at The Bragbury Centre (Planning Reference:- 18/00398/FPM). The development at The Bragbury Centre on Hertford Road would provide a mixture of independent living (sheltered) apartments, affordable social housing and apartments as well as general needs housing. This development would in essence would help meet the Council's needs in terms of affordable housing and sheltered living accommodation.
- 7.4.9 Further to the above, in order to compensate and mitigate a reduction of the Green Link/structural open space, the applicant is offering a financial contribution of £25,000 which would be utilised to improve the arboretum which is located due west of the application site. In addition, the applicant has agreed to provide suitable high quality landscaping which would be secured via a condition as well as provide biodiversity improvements such as the provision of bat and bird boxes. It is recommended that these improvements are secured via the imposition of a condition if planning permission were to be granted.
- 7.4.10 Taking into account both the current and emerging policy, it is considered that the development will not have a detrimental impact upon the function of the green link and complies with both policy EN10 of the adopted local plan, and policy NH4 of the emerging local plan. The development, because of it being contained within a small area of the green link, would also ensure an area open land which includes the arboretum along to the west of the site beyond Ashdown Road which maintains the connection with the existing green link.

7.5 Impact on the Character and Appearance of the Area

- 7.5.1 The area is characterised by a variety of residential properties in terms of architectural design. The design and scale of properties in the area varies from large detached houses with gable-end or hip-end roofs, terraced dwellinghouses which are uniform in design set in regimented building lines and regular shaped plots through to 1960's style semi-detached properties which are orientated around an area of structural open space.
- 7.5.2 The architects have adopted a varied design approach into the architectural detailing of the proposed dwelling units across the application site. The proposed five bedroomed properties pick up on the design characteristics of the properties in Enjakes Close. This is because they have an L-shaped footprint with a 1½ storey garage wing with accommodation above with dormer windows positioned above the integral garage. These properties would have standard ridge heights, symmetrically aligned and evenly spaced uPVC casement windows and doors. These properties would also comprise of a brick chimney breast with a light framed porch canopy positioned above the main entrance. However, there is a slight variation to the design of these houses where plot 7 comprises a two-storey bay window feature on the principal elevation. In addition, the roof over the garage on plot 1 is gable-end whereas the roof over the garage on plot 7 is a hip-end style roof. These properties would be constructed from facing stock buff brick, concrete tiled roofs and external cladding on the garage wings. The garage doors would be timber
- 7.5.3 The proposed three bedroom detached property in plot 2 would comprise of a gable-end roof with a brick chimney. On the principal elevation would be a two-storey wing with a gable-end wing with an integral garage at ground floor level and a light framed canopy porch over the main entrance. The property would also comprise a flat roofed rear wing with associated balcony at first floor level. The window and door design is symmetrical and

evenly spaced comprising or recessed uPVC casement windows. On the rear roof slope of the property is a small dormer window serving the bedroom. The roof also comprises 2 no. roof lights serving internal corridors and rooms.

- 7.5.4 The houses in plots 3 and 4 are semi-detached three bedroom dwellings. These properties comprise of a combination roof which consists of a gable-end and Jerkinhead. The roof also incorporates a small rear dormer window, a number of roof lights and 2 no. brick chimneys. On the principal elevation there would be 2 no. gable-end roof wings with associated integral garages with timber doors. The property on the right hand side also comprises a larger gable-end roof in which this roof combined with the varied roof design helps to add variety and interest into the architectural form. The front entrances to the properties comprise of light framed porch canopies and to the rear of the properties there is a two-storey gable-end wing and a single-storey wing with a balcony. These features help to break up the visual form of the semi-detached properties. The semi's themselves would be constructed from facing buff brick with the roof clad in concrete inter-locking tiles. The fenestration detailing of this part of the development reflects the fenestration design utilised in plot 2.
- 7.5.5 Turning to the houses in plots 5 and 6, these detached properties would be identical in architectural appearance. These properties would have a main gable-end roof with a 1 ½ storey garage wing with an integral garage at first floor level with a dormer window above. The roof of the garage wing would be a hip-end style roof and is set slightly down from the main roof. On the principal elevation of these properties would be a two-storey bay window with a light framed porch canopy above the main entrance. The fenestration detailing comprises of recessed uPVC casement windows and doors with the garage door finished in timber. The roof of these properties would also be clad in concrete inter-locking tiles.
- 7.5.6 In terms of layout, the properties have been positioned to front onto the highway. This reflects the overall pattern of development in the immediate area. In addition, the properties are set in large spacious plots similar to the existing development in Malvern Close and Enjakes Close. The building heights of the properties have been designed to reflect the building of properties located within the aforementioned estates. In terms of scale and mass, the properties would be well articulated with clearly defined projecting and recessed features with varying roof designs and styles.
- 7.5.7 Overall, in architectural terms, the proposed development would be varied and ad hoc with no standardisation with the exception being the use of materials. This is an approach which secures a high quality form of development on this prominent and readily visible site. In addition, each component of the scheme is designed to reflect existing housing elements of properties in the area to deliver aspirational homes which meet the requirements under Policy HO9 of the Emerging Local Plan (2016).

7.6 Impact upon Neighbouring Amenity

Daylight

- 7.6.1 BRE "Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice" in terms of light from the sky/daylight, provides guidance on the effects of new development on existing buildings. The guide states that "in designing a new development....it is important to safeguard the daylight to nearby buildings. A badly planned development may make adjoining properties gloomy and unattractive". Guidance is further provided to establish whether or not an existing building receives enough skylight, when a new development is constructed. The guidance sets out that an angle should be measured to the horizontal subtended by the new development at the centre of the lowest window. If this angle is less than 25 degrees for the whole of the development then it is likely to have a substantial effect on the diffuse skylight enjoyed by the existing building.

- 7.6.2 In regards to number 1 Enjakes Close, the proposed dwellinghouse within plot 1 is located approximately 25m from the ground floor window which currently serves a living room. Turning to number 2 Enjakes Close, the dwellinghouse in plot 1 would be positioned approximately 24m from the dining room window. In relation to the proposed development in plot 2, this would be positioned 26m from the same window serving 2 Enjakes Close. In relation to 3 Enjakes Close, the only window affected by the proposed dwellinghouses in plots 3 and 4 is a kitchen window. In this regard, the proposed dwellinghouses would be sited approximately between 24m to 26m from the aforementioned kitchen window.
- 7.6.3 Given the aforementioned separation distances, the proposed development would not subtend the 25 degree line of the referenced windows in numbers 1 to 3 Enjakes Close. Notwithstanding this, it is noted that plot 7 be located at its closest point, approximately 9m from the living room window located on the rear extension of number 3 Enjakes Close. However, this separation distance increases to 14m due to the orientation of plot 7 in correspondence with 3 Enjakes Close. Therefore, due to the proximity of the development to the aforementioned property there is a potential it could affect the level of daylight received.
- 7.6.4 The living room window affected by the development is full height. Given this, in line paragraph 2.2.6 of the BRE Guide, it states that in the case of a floor-to-ceiling window such as a patio door, a point of 1.6m above ground level on the centre line of the window may be used. In line with this guidance, the centre line of the living room to the proposed development in plot 7, there would be a separation distance of approximately 13.8m. Consequently, the proposed development due to the level of separation would not impact on the level of daylight which is received at 3 Enjakes Close.

Sunlight

- 7.6.5 The BRE "Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice" under section 3.2, states that an obstruction to sunlight may become an issue if some part of a new development is situated within 90 degrees of due south of a main window wall of an existing building. In addition, in the section drawn perpendicular to the existing window wall, the new development subtends an angle 25 degrees to the horizontal from the centre of the lowest window to a main living room. It is important to note that bedrooms and kitchens are considered to be less important, although care should be taken not to block out too much sun.
- 7.6.6 Taking into consideration the above, in regards to number 1 Enjakes Close, all of the development is located due north of this property. In terms of number 2 Enjakes Close, the main living window and kitchen window are located to the rear/eastern side of this property. Therefore, the proposed development would not affect the level of sunlight received to this property. In regards to 3 Enjakes Close, the window on the western elevation at ground floor level serves the kitchen. However, this window appears to be secondary as a further kitchen window is on the rear elevation of the existing extension orientated to the north.
- 7.6.7 Notwithstanding the above, for completeness an assessment has been made as to the potential impact the development may have on this particular window. Therefore, part of the development in Plot 1 falls within 90 degrees of due south of the kitchen window on the side of 3 Enjakes Close. Notwithstanding this, the development in plot 1 is sited over 31m from this window. Therefore, due to the significant separation distance, the residential property in plot 1 would not subtend the 25 degree amenity line in this instance. Turning to the living room window of 3 Enjakes Close, as this is orientated to the north, no additional assessment has to be undertaken as to the potential impact of the development on this property.

- 7.6.8 Given the aforementioned assessment, the proposed development would not erode the level of sunlight which is currently received by neighbouring properties within Enjakes Close.

Privacy and outlook

- 7.6.9 Chapter 5 of the Design Guide SPD (2009) states that privacy is an important aspect of residential environments to ensure that a reasonable degree of privacy for residents is provided, both within their habitable rooms and garden areas. Therefore, the position of dwellings and the arrangement of their rooms and windows, should not create significant overlooking of other dwellings or private garden areas, nor should they lead to overbearing impacts or adversely affect the residential amenities of neighbouring properties. Therefore, the guide sets out the minimum separation distances should be achieved between buildings.
- 7.6.10 Taking these separation standards into consideration, looking at plot 1, the proposed rear elevation faces onto the front elevation of number 1 Enjakes Close. Given this, the Council does not have separation distance standard from rear to front elevations in the Design Guide. Therefore, a professional judgement has to be made as whether or not the proposed dwellinghouse in Plot 1 would harm the privacy and outlook of the aforementioned property.
- 7.6.11 As set out in paragraph 7.6.2, the proposed dwelling would be approximately 25m from number 1 Enjakes Close. Given this, there would be a substantial separation distance between the existing and proposed dwellings to ensure there would not be any loss of outlook. In addition, whilst it is noted that there is a balcony area, this would overlook the shared driveway of Enjakes Close. In addition, there are no habitable room windows on the side elevation of the 1 ½ storey garage serving number 1 Enjakes Close which the proposed balcony would look onto. Therefore, the overall privacy of this property would not be detrimentally affected by the proposed development. In regards to the impact on number 2 Enjakes Close, due to the separation distance of 24m between the proposed dwellinghouse in plot 1 and the aforementioned property, there would be no substantive overlooking or loss of privacy to this property.
- 7.6.12 Turning to the impact on 2 Enjakes Close, the proposed rear elevation of the development in plots 2, 3 and 4 would be positioned between 24m to 26m from the front elevation of 2 Enjakes Close. Given this level of separation combined with the fact that the dwellinghouses in the aforementioned plots generally overlook the shared driveway of Enjakes Close, they would not appear overbearing or result in an unacceptable loss of privacy to number 2 Enjakes Close.
- 7.6.13 In regards to the impact on 3 Enjakes Close, the proposed dwellinghouses in plots 5 and 6 do not back on or side onto this property. In addition, the proposed dwellinghouses in plots 4 and 5 are located between 17m to 28m from the aforementioned property. Given this, combined with the fact these properties would not overlook any habitable rooms or the private garden area of number 3 Enjakes Close, they would not have a detrimental impact on the amenity of the owner/occupiers of the aforementioned property.
- 7.6.14 In relation to the development in Plot 7, there would be a separation distance of approximately 9m from the rear elevation of number 3 Enjakes Close and the rear elevation of Plot 7. Given this, the proposed development would not comply with the 25m separation distance which is set out in the Council's Design Guide SPD. However, the proposed dwellinghouse within plot 7 sits at angle which does not directly look onto the rear elevation of number 3 Enjakes Close. In addition, there are no rearwards facing habitable room windows on the 1 ½ storey garage wing attached to plot 7. Given this, the proposed rear elevation of the development does not directly overlook the private garden area or habitable rooms of number 3 Enjakes Close.

- 7.6.15 Further to the above, due to the orientation of the proposed dwellinghouse in plot 7, the majority of the rear elevation of 3 Enjakes Close would look onto the side elevation of the garage wing. Given this, the Council's back to side separation standard is 15m. Taking this standard into consideration, the separation distance between the aforementioned property and the garage wing of plot 7, would be between 9m to 14m. Whilst this is below the Council's Standards, as set out above, there are no habitable windows in the development which would directly overlook the private garden area/habitable rooms of number 3 Enjakes Close. In addition, whilst it is noted that there is a small window on the side elevation serving bedroom 1, this window is only secondary and a condition can be imposed to ensure that it is obscurely glazed and non-opening as measured 1.7m from finished floor level safeguarding the privacy of the aforementioned property.
- 7.6.16 In addition to the above, as the proposed dwellings sits at an angle away from number 3 Enjakes Close, where the separation distance increases, the development would not harm the outlook of this property either. This is because firstly, the most affected area at first floor level is a bedroom and this is dual aspect with a window to side and rear. Further to this, the main bedroom window at first floor level is not directly affected by the development.
- 7.6.17 With respect to the impact on the approved development (17/00711/FP) on the land adjacent to the application site, whilst there is an extant permission in place, the approved development has not yet been implemented. Therefore, a comprehensive assessment as to the likely impact the proposed dwellinghouse in plot 7 may have on the approved development on the land adjacent to the application site is difficult to quantify. However, based on an initial assessment of the approved plans attached to planning permission 17/00711/FP, the proposed development would not directly overlook the private garden area of habitable rooms of this property. In addition, due to the orientation of the proposed development in combination with the approved plans, the proposal would not result in a detrimental impact on any potential level of sunlight or daylight to this property.
- 7.6.18 Given the aforementioned assessment, despite the concerns raised by local residents as to the impact the development may have on privacy and outlook, it can be determined that the proposed development would not result in a significant loss of privacy or outlook such as to warrant refusal of planning permission.

7.7 Future residential amenity

Outlook, privacy, sunlight and daylight

- 7.7.1 In regards to outlook, the proposed development has been laid out in a way to ensure that each respective property would have an acceptable outlook. This is because each dwellinghouse would sit comfortably within the 45 degree amenity line as drawn from the centre point of habitable rooms (at both ground and first floor level) as taken from each respective property. In addition, as set out under section 7.6 (impact upon neighbouring amenity), there would be more than adequate separation distances to ensure the outlook of future occupiers is not affected by the positioning of existing properties in both Malvern Close and Enjakes Close.
- 7.7.2 In regards to the outlook of plot 5, it is noted that its respective rear elevation would look onto the side elevation of plot 4. Given this, the Council's Design Guide SPD stipulates that there should be a minimum separation distance of 12m. Taking this standard into consideration, there would be a separation distance of 11m between the windows serving bedrooms 2 and 3 of plot 5 at first floor level and the flank elevation of plot 4.
- 7.7.3 Given the aforementioned, there would be a shortfall of 1m in terms of separation distance. Notwithstanding, whilst there is a shortfall, it would be minimal and consequently, it is not considered that the outlook would be adversely affected.

- 7.7.4 In terms of privacy, each individual dwellinghouse would have an acceptable level of privacy due to the separation distances between the proposed development and the existing properties in Malvern Close and Enjakes Close. In addition, the properties in Enjakes Close are also set away from the private garden areas of each individual plot. In regards to the privacy of plot 4, it is noted that the proposed dwellinghouses within plots 6 and 7 sit at 90 degree angles to plot 4. Given this, these dwellinghouses would directly overlook the private garden of the aforementioned plot. Notwithstanding this, the dwellinghouses within plots 6 and 7 would be set over 12m from the private garden area of plot 4 which would ensure that there would be adequate privacy levels.
- 7.7.5 Turning to the siting and positioning of windows, it is noted that some of the windows on the flank elevations of the proposed dwellinghouses at first floor level overlook the private passageway of their respective neighbouring property. Given this, conditions would be imposed to ensure that these respective windows are obscurely glazed and non-opening as measured 1.7m from finished floor level.
- 7.7.6 In relation to sunlight and daylight, an assessment has been undertaken in line with BRE:- Site Layout Planning for Daylight and Sunlight, A Good Practice Guide (2011). In line with this guidance, due to the siting of the proposed dwellinghouses combined with their separation distances with the existing properties in Enjakes Close and with each other, the respective 45 degree amenity lines as drawn in elevation form from main habitable windows for each property would not be affected. Consequently, there would be an acceptable level of sunlight and daylight to each individual property. Furthermore, due to the size of the overall plots and position of existing dwellinghouses in Enjakes Close and the orientation of the garden areas, these would receive more than sufficient annual probable sunlight hours in line with the BRE Guide.
- 7.7.7 Given the aforementioned assessment, it is concluded that the level of outlook, privacy, sunlight and daylight would be acceptable for future residents of the development in line with the Council's Design Guide SPD (2009).

Private amenity space

- 7.7.8 The Council's Design Guide States that in the case of new dwellings, the minimum standard should normally be 50 square metres. In addition, each dwelling should normally have a minimum garden depth of 10m. However, for larger detached dwellinghouses, there will generally be a requirement to provide larger gardens. Taking this into consideration, the private garden area for each property is set out in the table 1 below.

Table 1:- Size of private garden areas per plot.

Plot number	Area of private garden (sq.m)	Length of private garden (metres)
1	334	13
2	131	16
3	115	17
4	154	19
5	98	10
6	120	12
7	279	16

- 7.7.9 Taking into consideration the above, the proposed dwellinghouses would have more than sufficient private amenity space to serve the future occupiers of the development.

Gross internal floor area

- 7.7.10 Policy GD1 of the Emerging Local Plan (2016) relates to High Quality Design and it sets out the minimum gross internal floor areas for dwellings which are in line with the Government's nationally described space standards. Following an assessment of the proposed floor plans, the three, four and five bedroom dwellings would meet the minimum internal floor standards set out in the Emerging local Plan. Given this, there would be adequate living space standards for any future occupiers of the development.

7.8 Impact on the Highway Network

- 7.8.1 The application site currently has no vehicular access off Hertford Road, Ashdown Road or Malvern Close. The proposed development seeks to create 4 no. vehicular access points off Ashdown Road and three access points off Malvern Close. Each of the access points created would serve an individual property. Both of these roads are unclassified local access roads with a speed restriction of 30mph.
- 7.8.2 The new access points have been designed in accordance with the Department for Transport (DfT) Manual for Streets and Herefordshire County Council (HCC), Roads in Hertfordshire Design Guide. Given this, the access points would all have a wide envelope of visibility. In terms of pedestrian visibility, again all of the residential access points would have adequate pedestrian visibility splays in line with Manual for Streets as well as HCC Roads Design Guidance. In regards to the proposed footpath access which runs from Ashdown Road through Malvern Close, this has been designed to HCC Standards as set out in the Roads in Hertfordshire Design Guide and Manual for Streets. This would mean that there is sufficient width for pedestrians (including persons who are disabled) to safely travel along this new footpath.
- 7.8.3 In terms of accessibility for emergency vehicles, the proposal is within the statutory building regulation distance of 45 metres to all parts of the development. Furthermore, due to the layout of the development, refuse and recycling would be taken kerbside with easy access for the refuse collection teams. In addition, as Malvern Close is an established road, refuse collection vehicles can safely manoeuvre within the Close and would be able to exit out onto Ashdown Road in a forward gear.
- 7.8.4 In terms of traffic generation, due to the limited size and scale of the proposed development comprising seven dwellings, it would generate a very limited increase in vehicular traffic on the local highway network. Given this, the existing highway network has sufficient capacity to cope with the limited increase in demand. This is supported by HCC who have assessed the development using TRICS (Trip Rate Information Computer System) which identifies a total peak generation of vehicle traffic on weekday at peak periods of between 3 to 4 new trips on the highway.
- 7.8.5 Following consultation with HCC as Highways Authority, they consider that the proposed access arrangement which would serve the development to be acceptable. In addition, they consider that the proposed footpath access into Malvern Close which would connect to the existing footpath in Ashdown Road would help to improve the safety of pedestrians who are entering and leaving Malvern Close on foot. Furthermore, they consider that the limited increase traffic the development would generate would not prejudice the safety and operation of the highway network. However, HCC recommends that if planning permission were to be granted, a condition should be imposed requiring details of a Construction Management Plan/Statement to be submitted to the Council for its approval prior to the commencement of development. In addition, conditions should be imposed to ensure that there would acceptable visibility splays for the new access roads and gradients.
- 7.8.6 In regards to construction on the highway to create the new access points and footpath, HCC as Highways Authority recommend that the developer enters into a Section 278

Agreement under the Highways Act. This is in order to ensure the works to be undertaken on the highway meet current standards.

7.9 Parking provision

- 7.9.1 The Parking Provision Supplementary Planning Document sets out the base standard of 2 spaces for a three bedroom unit and 2.5 spaces for a four or more bedroom unit, which would equate to 16 parking spaces. Given the application site is not located within a residential accessibility zone, the maximum level of off-street parking would be required in this instance. Where a development comprises of a garage, in order for a garage to be classed as a parking space, the minimum size requirement would be 6m by 3m.
- 7.9.2 Taking the aforementioned standards into consideration, the parking provision for each individual plot is set out in table 2 below.

Table 2:- Number of parking spaces per plot.

Plot number	Number of bedrooms	Number of parking spaces provided (including integral garages)
1	5	4 (including 2 garage spaces)
2	3	2 (including 1 garage space)
3	3	2 (including 1 garage space)
4	3	2 (including 1 garage space)
5	4	2 (including 1 garage space)
6	4	2 (including 1 garage space)
7	5	4 (including 2 garage spaces)

- 7.9.3 Following an assessment of table 2, there would be 18 parking spaces which would be more than sufficient to serve the proposed development. In addition, all of the garage spaces are in accordance with the Council's Standards for garages. With regard to cycle parking, the minimum standard for residential development is 1 long term space per unit. Given this, due to the overall size of each properties respective gardens as well as the size of the integral garages, there would be sufficient space within each respective plot to secure a bicycle. Consequently, there would be sufficient cycle parking to serve the development in line with the Council's Standards.
- 7.9.4 In summary, it is considered that there would be sufficient off-street parking to serve the development in line with the Council's Car Parking Standards SPD (2012).

7.10 Trees and Soft Landscaping

- 7.10.1 The application where the proposed dwellinghouses would be located comprises of a number of mature trees. Given this, in order to facilitate the construction of the proposed development, it would result in the removal of 19 no. category B (Trees of moderate quality) trees and 3 no. category C (Trees of low quality). The trees to be removed comprise a mixture of Poplars a Crack Willow and a Field Maple. The proposal also seeks the removal of a group of trees which comprises an Elm, Holly, Elder, Hawthorn, Blackthorn and Hazel which are a parcel of predominantly self-set scrub.
- 7.10.2 In addition to the above, the proposed development would encroach on the root protection area of the English Oak where part of a driveway is to be constructed. Given this, the applicants Arboricultural Impact Assessment (prepared by Aspect Arboriculture, report reference:- 9628_AIA.001 dated September 2018) sets out that the driveway should be constructed using a reduced dig basis in order to minimise the potential disturbance within

the trees root environment. In addition, the driveway should be founded on a cellular confinement system with the driveway installed under an arboricultural watching brief.

- 7.10.3 In addition to the works within the root protection areas and the removal of a number of trees, there would also be a requirement to prune back/undertake crown reduction of the English Oak by 1m in order to provide sufficient spatial separation between the tree and the proposed dwellinghouse and associated driveway. In regards to trees which are to be retained, the Arboricultural Impact Assessment sets out that during the construction phase of development, tree protection barriers will need to be installed prior to the commencement of any development. In addition, it is recommended that these barriers remain in place during the construction phase of the development.
- 7.10.4 In relation to mitigation, the Arboricultural Impact Assessment recommends that through discussions with the Council's Arboricultural Manager, additional planting within the public open space located immediately to the northwest of the application area could be undertaken via the allocation of funds. In addition, the Assessment recommends a landscape architect is appointed to provide a scheme for replacement planting which is compatible with the wider network of green infrastructure. The measures suggested are to ensure the development to accords with Policy EN13 of the District Plan (2004) and Policy NH5 of the Emerging Local Plan (2016).
- 7.10.5 Following consultation with the Council's Arboricultural Manager, the Arboricultural Impact Assessment submitted with the planning application is considered to be acceptable. However, in regards to landscaping i.e. the species of proposed trees in the rear gardens of the dwelling units, it is recommended a condition be imposed to ensure there is a balance between the benefits of screening and amenity against any inconvenience which maybe caused to properties in Enjakes Close.
- 7.10.6 In addition to the above, the Council as applicant is offering a financial contribution of £25,000 which would go towards improvements to the arboretum. This will allow the Council to provide suitable replacement tree planting to offset the loss of the trees which are to be removed as part of the development. In addition, the financial contribution would also help to improve biodiversity within the immediate vicinity of the development. This would be combined with the fact that the applicant is also looking to provide bird and bat boxes along with a landscaping scheme which would comprise of native species which would be beneficial to local wildlife.

7.11 Impact on Ecology

- 7.11.1 The application site is identified as a greenfield site which comprises of hedgerows, tall ruderal vegetation, semi-improved grassland with scattered trees. The wider environment is generally urban in nature comprising of residential premises which is punctuated by a green corridor which comprises an arboretum as well as Stevenage Brook. The applicant has undertaken a preliminary ecological assessment to ascertain whether or not the site species that receive legal protection at either UK and/or European Level. The survey comprised a desktop study of records from the multi-agency geographic information for the countryside, Herts Environmental Records Centre (HERC) and ordnance survey maps. A Phase 1 habitat survey was also undertaken by the Ecologists.
- 7.11.2 The survey identified that there are no habitats of high value to legally protect species on site. In addition, it was identified that the site was not suitable for badgers, great crested newts, otters, water voles, hazel dormouse, notable plants or invertebrates of significance. In regards to bats, there are trees on site that were considered suitable for localised foraging and commuting bats, but at a limited level. However, in order to protect foraging bats, it is recommended in the Ecological Report that sensitive lighting design in the final

scheme will be required to ensure there are no impacts on foraging bats. Furthermore, it is recommended that bat boxes should also be incorporated into the final development scheme. In this regard, it is recommended a condition be imposed to require details of bat boxes to be installed to be agreed by the Council.

- 7.11.3 In addition, due to the presence of scattered trees and hedgerows, these are considered suitable for nesting habitats for breeding birds during the breeding season. As birds are protected, a condition would be imposed to protect nesting birds and for trees to only be removed at certain times of the year. In addition, a condition should be provided to require the provision of bird boxes in order to help to improve nesting opportunities.
- 7.11.4 Turning to the ecological value of the site itself, the Ecological Assessment concluded that the site is considered to have a low ecological value with the exception of scattered trees (Trees T1 and T2), which may increase in value if bats are found. Therefore, a condition should be imposed requiring these trees to be checked by an arborist to confirm absence of roosting bats prior to felling/pruning activities. In the event a bat roost is found, the Condition will require work must stop immediately and contractors should contact a licenced ecologist. If bats are found, all work must stop and contact with the local Natural England office will be made. No works likely to affect bats should continue until Natural England have been consulted, and it may then be necessary to obtain a European Protected Species Licence.
- 7.11.5 Following consultation with Herts and Middlesex Wildlife Trust (HMWT), they have assessed the ecology aspects of the proposal and are satisfied with the assessment and the mitigation measures proposed. However, it is recommended that conditions be imposed on the grant of planning permission regarding external lighting, protection of birds and bats as well as the applicant submitting an ecological method statement in relation to reptiles.
- 7.11.6 In terms of improving biodiversity the applicant will provide bird and bat boxes throughout the scheme. In addition to this, there would be a requirement to provide suitable replacement landscaping, which would be secured by condition, to ensure that there is acceptable re-planting of native species at the site including replacement tree planting. Furthermore, in order to compensate for the loss of trees at the site, the applicant has agreed to pay a financial contribution of £25,000 in order to undertake improvement works to the arboretum located adjacent to the application site. This financial contribution will be secured through a S106 Unilateral Undertaking with the applicant which the applicant has agreed too.
- 7.11.7 Given the aforementioned assessment, it is considered that with the mitigation measures set out above, the proposed development would not have a detrimental impact on any flora or fauna and would provide biodiversity enhancements.

7.12 Development and Flood Risk

- 7.12.1 Predominantly, the majority of the application site lies within Flood Zone 1. However, part of the northern section of the application site falls within Flood Zone 2 due to the proximity to Stevenage Brook as identified in the Level 1 Strategic Flood Risk Assessment (SFRA) (2007) (updated in 2016). Given this, Policy FP3 (Flood Risk in Flood Zone 2 and 3) of the Emerging Local Plan (2016) applies. This policy sets out that planning permission would be granted where it can be demonstrated the development does not affect the functional floodplain, that a sequential approach is taken at site level, an appropriate fluvial flood risk assessment is submitted, provision of SuDS is maximised so as to not increase flood risk, a natural buffer adjacent to any water course is included as part of the development, it can be demonstrated that flood resilient and flood resistant construction can be designed into the proposed development scheme.

- 7.12.2 Given part of the site falls within flood zone 2 (medium probability of flooding) combined with the fact that the proposed development would be classed as “more vulnerable development” (as defined by the Environment Agency), local planning authorities should seek opportunities to reduce the overall level of flood risk in the area through the layout and form of the development, and the appropriate application of sustainable drainage techniques.
- 7.12.3 In addition to the aforementioned, the northern half of the site is at risk of flooding in the event of a failure of the Fairlands Valley Lakes Flood Storage Reservoir (FSR). This is identified in the Environment Agency Flood Risk Maps and the Council’s SFRA. Therefore, an assessment has to be made as to whether or not there would be unacceptable level of flooding within the development if the FSR was to fail.
- 7.12.4 Taking into consideration the above, the applicant has submitted a Surface Water Drainage Strategy (including Flood Risk Assessment) as part of this application submission. The drainage strategy demonstrates based upon climate change, the flood level in the Stevenage Brook would not be high enough to flood the development site in this instance.
- 7.12.5 Turning to risks of flooding from FSR failure, it is acknowledged in the FRA that Broad Oak Way reservoir is downstream from the Fairlands Valley Reservoir, and therefore, there is a potential cumulative effect in the event of a failure. However, the FRA does correctly point that the Environment Agency online Risk of Flooding for Reservoirs data does not specify which reservoirs have been mapped or which reservoirs are the source of the extent at any particular location. However, whilst the consequences of a reservoir to fail would be high, there is an extremely low probability of this to likely to occur. Therefore, the reservoir risk in the FRA has been considered as low which accords with the findings set out in the Council’s SFRA. In addition, there is no statutory requirement under current planning legislation or law of any requirements to mitigate a potential failure of a reservoir.
- 7.12.6 In regards to surface water flood risk, the FRA focused on the maps which have been produced by the Environment Agency. This mapping demonstrates that the risk to the development site is very low.
- 7.12.7 Taking into consideration of the above and following the Environment Agency Standing Advice in relation to flooding, the scheme has been designed to ensure that all of the dwellings are located within Flood Zone 1 (low probability of flooding). In addition, the modelling demonstrates that dwellings themselves are not at risk from fluvial flooding in the present day as well as taking into consideration climate change. In addition, the development has been designed so that all dwellings are out of the area at risk of flooding from surface. In addition, the driveways which would be constructed on this part of the development would be permeable in order to not exacerbate the extent of flooding if such an even occurred.
- 7.12.8 Given the aforementioned assessment, whilst it is noted that part of the development site falls within Flood Zone 2 and is at risk from surface water flooding, the development has been designed to ensure that all of the dwellings are positioned outside of this zone to areas of low risk. In addition, any parts of the development which do fall within the Floodzone have been designed to ensure that they would not exacerbate flooding. Moreover, the overall drainage scheme for the development would generally ensure the development does not generate any potential flooding downstream. Consequently, the proposed development is considered to be acceptable.

7.13 Other Matters

Sustainable construction and climate change

7.13.1 Policy EN36 of the District Plan states that development proposals will be encouraged to reduce water consumption and run-off by using suitable water conservation and storage measures such as the use of rainwater, water efficient devices and by recycling water. Policy EN38 of the same document states that development proposals will be expected to demonstrate that methods of maximising energy efficiency and supplying of energy in the development need to be considered. Policy FP1 of the Emerging Local Plan (2016) stipulates that planning permission will be granted for developments that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:

- Ways to ensure development is resilient to likely variations in temperature;
- Reducing water consumption to no more than 110 litres per person per day, including external water use;
- Improving energy performance of buildings;
- Reducing energy consumption through efficiency measures;
- Using or producing renewable or low carbon energy from a local source; and
- Contributing towards reducing flood risk through the use of SuDS or other appropriate measures.

7.13.2 The applicant has not provided sufficient details to demonstrate whether or not the proposed development would be adaptable to climate change. However, if planning permission were to be granted, a condition could be imposed requiring details of measures to ensure the development is adaptable to climate change to be submitted to the Council for its approval.

Impact on the Horse and Pony Route

7.13.3 To the north of the application along Malvern Close is a designated Horse and Pony Route as established under the Policy L23 of the District Local Plan (2004). In this regard, the aforementioned policy states that any reduction to the existing horse and pony route, as shown on the proposals map will not be permitted. Taking this into consideration, it appears that the proposed development is unlikely to have a detrimental impact on the established Horse and Pony route.

Impact on property values

7.13.4 Concerns have been raised about the impact that the development would have on property values. However, despite the concerns raised, it has long been established through planning case law that in the assessment of planning applications, it is the conventional tests of impact on planning policies and amenity harm to neighbouring uses or the character of an area as a whole that is the deciding issue and not any possible consequential effects on nearby property values.

Noise

7.13.5 Policy EN27 of the District Plan (2004) states that for noise sensitive uses, these will only be permitted if they are located where they will not be subjected to unacceptably high levels of noise generating uses. Policy FP8 of the emerging Local Plan (2016) stipulates that permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed, pollution generating uses.

- 7.13.6 Taking the aforementioned policy into consideration, concerns have been raised by local residents that during the construction phase of development it would generate unacceptable noise levels. Given this, in order to control the level of noise which could be generated during the construction phase, a condition could be imposed restricting the hours of construction in terms of noise which is audible at the site boundary. With this condition in place, the Council's Environmental Health Section has not raised any particular concerns with respect to noise.

External lighting

- 7.13.7 In regard to external lighting, the applicant has not submitted any details of lighting which would be installed on the development or around the application site. However, to ensure that any external lighting does not affect the amenities of nearby residential properties, prejudices highway safety or have a negative impact on protected species such as bats, it is recommended a condition be imposed to any permission granted in order to deal with external lighting. This condition will require details of any external lighting to be installed to be submitted to the Council as Local Planning Authority for its approval prior to it first being installed.

8. CONCLUSIONS

- 8.1 The principle of residential development on this windfall is considered to be. Whilst the site is classed as greenfield, the development is considered to be in a sustainable location and as the Council does not have a 5 year supply of housing, this weighs in favour of the planning application. Furthermore, whilst the proposal would impact on the green link, it is considered that the part of the link affected has a low ecological and wildlife value and provides no recreational benefits to the community. In addition, the development itself does not break the overall flow of the green link and the development's overall benefits would outweigh the loss of this part of the green link in this instance.
- 8.2 Further to the above, the proposed development in terms of its design, size and scale, would not be too dissimilar to existing properties in Malvern Close and Enjakes Close. Furthermore, the high quality design of the development would not harm the visual amenities of the street scene. In addition to this, the development would not have a detrimental impact on residential amenity, prejudice highway safety and would have sufficient parking in line with the Council's Standards.
- 8.3 It is also considered that the development would not have a detrimental impact from an ecological or arboricultural perspective as the development has been designed in a way to ensure that the dwellings would not be affected in the event of a flooding event.
- 8.4 Given the above, the proposed development accords with the Policies contained within the adopted Local Plan (2004), the Council's Emerging Local Plan (2016), the Council's Supplementary Planning Documents, the NPPF (2018) and NPPG (2014).

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the applicant first entering into a S106 Unilateral Undertaking to secure/provide the following financial contribution:-
- £25,000.00 towards improvements of the arboretum located on Hertford Road.

The detail of which be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor and subject to the following conditions:-

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
- 17010.SU1.01 A; 17010.SU1.02 A; 17010.wd2.01 E; 17010.wd2.10 D; 17010.wd2.11 D; 17010.wd2.12 D; 17010.wd2.13 D; 17010.wd2.14 D; 17010.wd2.101 D; 17010.wd2.102 D; 17010.wd2.103 D; 17010.wd2.104 D; 17010.wd2.105 D, 17010.wd2.201 C, 17010.wd2.202 C.
- 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 development, above slab level, shall commence until a schedule and sample of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
- REASON:-** To ensure the finished appearance of the development enhances the visual amenities of the area.
- 4 Notwithstanding the details specified in the application submission, no public realm landscaping works shall commence until a scheme of soft and hard landscaping and details of the treatment of all hard surfaces has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all new planting to take place including species, size and method of planting as well as details of landscape management (including long term design objectives, management responsibilities and maintenance responsibilities for all landscape areas). The approved landscaping scheme shall be implemented within the first available planting season following the first occupation of the buildings or the completion of the development whichever is the sooner.
- REASON:-** To ensure a satisfactory appearance for the development.
- 5 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.
- 6 No demolition or construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0830 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority. These times apply to work which is audible at the site boundary.
- REASON:-** To safeguard the amenities of the occupiers of neighbouring properties.
- 7 No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination and predicted light contours, have first been submitted to, and approved in writing the Local Planning Authority prior to first occupation of the development. Any external lighting shall accord with the details so approved.
- REASON:-** In order to protect the amenities and operations of neighbouring properties and to ensure any external lighting does not prejudice highway safety. In addition, to ensure the development does not have a detrimental impact on foraging bats.
- 8 A watching brief must be kept during initial site preparation works to identify any potentially contaminated materials likely to be present. In the event contamination is found during site

clearance and/or construction phase of the development, undertake an appropriate investigation and provide a remediation strategy which is to be submitted to and approved in writing by the Local Planning Authority. This investigation and assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets,
- woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems.

REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.

- 9 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 8, which is subject to the approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition.

REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.

- 10 A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.

- 11 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.

- 12 No removal of trees, scrubs or hedges shall be carried out on site between 1st March and 31st August inclusive in any year, unless searched before by a suitably qualified ornithologist.

REASON:- Nesting birds are protected from disturbance under the Wildlife and Countryside Act 1981 (As amended).

- 13 No development, including site clearance, shall commence until the trees as specified on drawing number 9628 TPP 01 (Arboricultural Impact Assessment, prepared by Aspect

Arboriculture, Report reference 9628_AIA.001 dated September 2018) to be retained on the site have been protected by fencing in accordance with the vertical tree protection fencing detailed in the Arboricultural Impact Assessment. In addition, all works which are to be undertaken within the Root Protection Areas of trees which are to be retained as specified on drawing number 9628 TPP 01 shall be undertaken in accordance with the details specified in the Arboricultural Impact Assessment.

REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.

- 14 Within the areas to be fenced off in accordance with condition 13, there shall be no alteration to the ground levels and they shall be kept clear of vehicles, materials, surplus soils, temporary buildings and machinery.

REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.

- 15 No development shall take place, above slab level, until a scheme for the provision of bird boxes have been submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the development hereby permitted, the boxes shall be installed in accordance with the approved scheme and retained thereafter.

REASON:- To increase roosting opportunities for birds and to compensate for lost opportunities for nesting birds.

- 16 No development shall take place, above slab level, until a scheme for the provision of bat boxes have been submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the development hereby permitted, the boxes shall be installed in accordance with the approved scheme and retained thereafter.

REASON:- To increase roosting opportunities for bats.

- 17 Prior to the first occupation of the dwellinghouses hereby permitted, the parking areas as shown on drawing number 17010.wd2.01 E shall be surfaced (in either a porous material or provision shall be made for suitable surface water drainage within the development site) and marked out accordingly and shall not thereafter be used for any purpose other than the parking of vehicles for the development hereby approved.

REASON:- To ensure adequate parking provision at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety along the adjacent highway, or the amenities and convenience of existing local residents.

- 18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification), no internal or external alterations shall take place to any garage, which would preclude its use for housing motor vehicles without the prior written approval of the Local Planning Authority.

REASON:- To ensure that alterations are not carried out which would preclude the use of the garages for the parking of motor-vehicles and to ensure the development remains in accordance with the Council's adopted Parking Standards.

- 19 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification), there shall be no installation of dormer windows to the dwellinghouses hereby permitted.

REASON:- In order to protect the amenities of residential properties in Enjakes Close as well as protect the amenities of future owner/occupiers of the development.

- 20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification) there shall be no additional hardsurfacing areas laid out or constructed in the front garden areas of plots 5 to 7.

REASON:- To ensure the development does not exacerbate through surface water runoff any potential flooding due to this part of the development falling with Flood Zone 2 of the Stevenage Brook.

- 21 The window to be installed on the eastern elevation at first floor level of plot 7 which serves bedroom 1 shall be obscurely glazed (at level 3 or above of the Pilkington Scale of Obscurity) and fixed shut at 1.7m as measured from finished floor level.

REASON:- In order to protect the amenities of the occupiers at 3 Enjakes Close.

- 22 The windows to be installed on the eastern elevation at first floor level of plots 5 and 6 which serve bedroom 2 and the en-suite bathroom shall be obscurely glazed (at level 3 or above of the Pilkington Scale of Obscurity) and fixed shut at 1.7m as measured from finished floor level.

REASON:- In order to protect the amenities of future neighbouring occupiers of the development.

- 23 The window to be installed on the northern elevation at first floor level of plot 4 which serves the bathroom shall be obscurely glazed (at level 3 or above of the Pilkington Scale of Obscurity) and fixed shut at 1.7m as measured from finished floor level.

REASON:- In order to protect the amenities of future neighbouring occupiers of the development.

- 24 The window to be installed on the northern elevation at first floor level of plot 2 which serves a bathroom shall be obscurely glazed (at level 3 or above of the Pilkington Scale of Obscurity) and fixed shut at 1.7m as measured from finished floor level.

REASON:- In order to protect the amenities of future neighbouring occupiers of the development.

- 25 The window to be installed on the northern elevation at first floor level of plot 1 which serves a bathroom shall be obscurely glazed (at level 3 or above of the Pilkington Scale of Obscurity) and fixed shut at 1.7m as measured from finished floor level.

REASON:- In order to protect the amenities of future neighbouring occupiers of the development.

- 26 No development shall take place, above slab level, until details of measures which help to reduce energy and water consumption to ensure the development is adaptable to climate change, have been submitted to and approved in writing by the local planning authority. The measures shall thereafter be installed in accordance with the approved details.

REASON:- To ensure the development is adaptable to climate change.

- 27 Before the accesses are first brought into use, vehicle-to-vehicle visibility splays of 2.4 metres by 43 metres in both directions shall be provided and permanently maintained, within which there shall be no obstruction to visibility between 600mm and 2m above the carriage level. These measurements shall be taken from the intersection of the centre line of the permitted access with the edge of the carriageway of the highway respectively into the application site and from the intersection point along the edge of the carriageway.

REASON:- To provide adequate visibility for drivers entering and leaving the site.

- 28 Before the driveways to the proposed dwellings are first brought into use, 0.65m x 0.65m pedestrian visibility splays shall be provided and permanently maintained to each side. These visibility splays shall be measured from the point where the edges of the access way cross the highway boundary, 0.65m into the site and 0.65m along the highway boundary, therefore, forming a triangular visibility splay, within which, there shall be no obstruction to visibility between 600mm and 2m above the carriage level.

REASON:- To provide adequate visibility for drivers entering and leaving the site.

- 29 Prior to the first occupation of the development hereby permitted, the proposed accesses shall be constructed as identified on drawing number 17010.wd2.01 E and the existing verge has been reinstated to current and to the Local Planning Authority's satisfaction.
REASON:- In order to protection highway safety and the amenity of other users of the public highway.
- 30 The gradient of accesses shall not be steeper than 1 in 20 for the first 5 metres from the back edge of the adjacent footway.
REASON:- To ensure a vehicle is approximately level before being driven off and on to the highway.
- 31 Prior to the commencement of development, a Construction Management Plan/Method Statement shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved statement. The Construction Management Plan/Method Statement shall address the following matters:-
- (i) Details of construction phasing programme (including any pre-construction demolition or enabling works);
 - (ii) Hours or operations including times of deliveries and removal of waste;
 - (iii) The site set-up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas;
 - (iv) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
 - (v) Details of the provisions for temporary car parking during construction;
 - (vi) The location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
 - (vii) Screening and hoarding;
 - (viii) End of day tidying procedures;
 - (ix) Construction and storage compounds (including areas designated for car parking);
 - (x) Siting and details of wheel washing facilities;
 - (xi) Cleaning of site entrances, site tracks and the adjacent public highway; and
 - (xii) Disposal of surplus materials.
- REASON:-** To minimise the impact of construction vehicles and to maintain the amenity of the local area.
- 32 No development shall take place, including site clearance, until an Ecological Working Method Statement setting how reptiles which may be present on site are protected has been submitted to and approved in writing by the Local Planning Authority. The Ecological Method Statement shall thereafter be strictly adhered to during the clearance phase of the development.
REASON:- In order to protect reptiles during site clearance.

- 33 No development shall take place, until geotechnical surveys have been conducted to demonstrate that infiltration SuDS can be installed on-site with the finalised geotechnical report being submitted to and approved in writing by the Local Planning Authority.

REASON:- To ensure that the drainage system can be accommodated on-site in order to reduce the risk of flooding within the area and further down Stevenage Brook.

- 34 No trees shall be removed/pruned until (in line with the Bat Conservation Trust Good Practice Guidelines (2016)) all features with the potential to support roosting bats (T1 and T2 of the Phase 1 Habitat Plan, 2592,EC,DS,001, Rev 0) have been checked by a suitably qualified arboriculturalist to confirm absence of roosting bats prior to felling/pruning activities.

In the event that bat roosts are found in the vegetation (including trees) before or during removal works, work must stop immediately and contractors should contact a licenced ecologist. If bats are found, all work must stop and contact with the local Natural England office will be made. No works likely to affect bats should continue until Natural England have been consulted, and it may then be necessary to obtain a European Protected Species Licence.

REASON:- All bats and their roosts are legally protected by the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010. If bats are present it is illegal to intentionally or recklessly kill, injure or take any individuals or to deliberately capture or disturb individuals. It is an offence to intentionally or recklessly damage or destroy a roost, to obstruct a roost, and to disturb an individual whilst occupying the roost.

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 2015.

INFORMATIVE

Hertfordshire County Council as Highways Authority

Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website. <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

Prior to commencement of the development the applicant is advised to contact HCC on 0300 1234 047 to arrange a site visit to agree a condition survey (video or photographic) of the surrounding areas of public highway network and the road network likely to be used for delivery vehicles to the development. Under the provisions of Section 59 of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of traffic associated with the development. Considering the structural

stability of the carriageway along the Ashdown Road and other construction routes that which may be used. Herts County Council may require an Officer presence during movements of the larger loads, or videoing of the movements may be considered.

Flood Risk

In line with Appendix A of Stevenage Borough Council's Strategic Flood Risk Assessment (2016), it is recommended that all future owner/occupiers of the development are signed up to the flood risk alert system. This is to ensure that in the event of a flood from Stevenage Brook residents can safely exit the site accordingly.

10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage District Plan Second Review 1991-2011.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012.
4. Stevenage Borough Local Plan 2011-2031 Publication Draft.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework July 2018 and Planning Policy Guidance March 2014.

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Meeting: Planning and Development
Committee

Agenda Item:

Date: 04.12.2018

IMPORTANT INFORMATION - DELEGATED DECISIONS

Author – Technical Support 01438 242838

Lead Officer – Chris Berry 01438 242257

Contact Officer – Dave Rusling 01438 242270

The Assistant Director of Planning and Regulation has issued decisions in respect of the following applications in accordance with his delegated authority:-

1. Application No : 18/00164/FP
 Date Received : 26.03.18
 Location : 8 Windsor Close Stevenage Herts SG2 8UD
 Proposal : Single storey side and rear extensions
 Date of Decision : 15.11.18
 Decision : **Planning Permission is GRANTED**

2. Application No : 18/00417/FP
 Date Received : 12.07.18
 Location : Longmeadows Symonds Green Lane Stevenage Herts
 Proposal : Variation of Conditions 1 (Approved Plans), 14 (Proposed Access), 18 (Width of Access) and 20 (Parking Areas) attached to planning permission 16/00645/FP
 Date of Decision : 30.10.18
 Decision : **Planning Permission is GRANTED**

3. Application No : 18/00432/CLED
Date Received : 18.07.18
Location : 8 Windsor Close Stevenage Herts SG2 8UD
Proposal : Certificate of Lawfulness for the provision of residential accommodation and care to people in need of care under Class C2 of the Use Classes Order 1987.
Date of Decision : 15.11.18
Decision : **Certificate of Lawfulness is APPROVED**
4. Application No : 18/00511/FPH
Date Received : 17.08.18
Location : 40 Fishers Green Stevenage Herts SG1 2JA
Proposal : Single storey rear extension
Date of Decision : 09.11.18
Decision : **Planning Permission is GRANTED**
5. Application No : 18/00530/CLEU
Date Received : 28.08.18
Location : Unit O Shangri La Farm Todds Green Stevenage
Proposal : Certificate of Lawfulness for continued use of storage and distribution
Date of Decision : 09.11.18
Decision : **Certificate of Lawfulness is APPROVED**
6. Application No : 18/00533/FPH
Date Received : 28.08.18
Location : 8 Marlborough Road Stevenage Herts SG2 9HP
Proposal : Single storey front and rear extensions
Date of Decision : 26.10.18
Decision : **Planning Permission is GRANTED**

7. Application No : 18/00537/FPH
Date Received : 29.08.18
Location : 1 Rookwood Drive Stevenage Herts SG2 8PJ
Proposal : Demolition of existing single storey side extension & erection of a two storey front extension, single storey front porch & a single storey side extension
Date of Decision : 31.10.18
Decision : **Planning Permission is GRANTED**
8. Application No : 18/00540/FP
Date Received : 30.08.18
Location : 24 Dovedale Stevenage Herts SG2 9EJ
Proposal : Change of use from public amenity land to residential garden
Date of Decision : 25.10.18
Decision : **Planning Permission is GRANTED**
9. Application No : 18/00542/FP
Date Received : 30.08.18
Location : 251 Telford Avenue Stevenage Herts SG2 0AU
Proposal : Change of use from public amenity land to residential garden and hardstand for vehicle
Date of Decision : 25.10.18
Decision : **Planning Permission is GRANTED**
10. Application No : 18/00547/FPH
Date Received : 06.09.18
Location : 9 Flinders Close Stevenage Herts SG2 0NE
Proposal : Single storey rear and side extension
Date of Decision : 25.10.18
Decision : **Planning Permission is GRANTED**

11. Application No : 18/00548/FPH
Date Received : 06.09.18
Location : 1 Park Close Stevenage Herts SG2 8PX
Proposal : Demolition of garage, utility room and erection of single storey annexe and associated works
Date of Decision : 16.11.18
Decision : **Planning Permission is GRANTED**
12. Application No : 18/00549/FP
Date Received : 06.09.18
Location : 172 York Road Stevenage Herts SG1 4HQ
Proposal : Change of use from adopted highway and amenity land to residential
Date of Decision : 01.11.18
Decision : **Planning Permission is GRANTED**
13. Application No : 18/00550/AD
Date Received : 07.09.18
Location : Unit 6A & 6B Roaring Meg Retail Park London Road Stevenage
Proposal : 2 x Internally Illuminated fascia signs (6500mm x 4035mm) to front elevation and 3 no Logo signs in existing totem sign (340mm x 1600mm)
Date of Decision : 31.10.18
Decision : **Advertisement Consent is GRANTED**
14. Application No : 18/00552/FPH
Date Received : 10.09.18
Location : 228 York Road Stevenage Herts SG1 4HJ
Proposal : First floor rear extension
Date of Decision : 06.11.18
Decision : **Planning Permission is REFUSED**

For the following reason(s);

1. The proposed first floor rear extension would by reason of its overall size, scale and depth appear bulky and result in an incongruous form of development which would be detrimental to architectural composition of the application property and the visual amenities of this part of York Road. It would therefore, be contrary to Policies TW8 and TW9 of the Stevenage District Plan Second Review 1991 - 2011 (adopted 2004), Policies SP8 and GD1 of the Stevenage Borough Local Plan 2011 - 2031, Publication Draft (2016), the Council's Design Guide SPD (2009), the National Planning Policy Framework (2018) and the Planning Practice Guidance (2014) (as amended).

2. The proposed first floor rear extension would by reason of its overall size, height, siting and length of projection in relation to number 230 York Road constitute an unneighbourly and overdominant form of development resulting in an unacceptable loss of outlook. The proposal is therefore contrary to Policies TW8 and TW9 of the Stevenage District Plan Second Review 1991 - 2011 (adopted 2004), Policies SP8 and GD1 of the Stevenage Borough Local Plan 2011 - 2031, Publication Draft (2016), the Council's Design Guide SPD (2009), the National Planning Policy Framework (2018) and the Planning Practice Guidance (2014) (as amended).

3. The proposed first floor rear extension would introduce a window in the north flank elevation which would directly overlook the rear garden of No.226 York Road, resulting in an unacceptable loss of privacy to the occupiers of this property. The proposal is thus contrary to the Stevenage Design Guide Supplementary Planning Document adopted 2009, policy TW9 of the Stevenage District Plan Second Review 1991-2011, policy GD1 of the Emerging Stevenage Borough Local Plan 2011-2031 Publication Draft January 2016 and the design advice set out in the National Planning Policy Framework (2018) and the Planning Practice Guidance (2014) (as amended).

4. The proposed development does not make adequate parking provision for parking to serve the extended property in accordance with the Council's adopted standards. This is likely to result in on-street parking to the detriment of highway and pedestrian safety and is contrary to Policy T15 of Stevenage District Plan Second Review 1991 - 2011, Policy IT5 of the Stevenage Borough Local Plan 2011 - 2031 publication draft 2016, the Council's Car Parking Standards SPD (2012), the National Planning Policy Framework (2018) and Planning Practice Guidance (2014) (as amended).

5. The proposed extension by virtue of its excessive depth and the introduction of a first floor window in the rear elevation serving the new bedroom would result in an unacceptable loss of privacy to the occupier of No.250 York Road to the rear. The proposal is thus contrary to the Stevenage Design Guide Supplementary Planning Document adopted 2009, policy TW9 of the Stevenage District Plan Second Review 1991-2011, policy GD1 of the Emerging Stevenage Borough Local Plan 2011-2031 Publication Draft January 2016 and the design advice set out in the National Planning Policy Framework (2018) and the Planning Practice Guidance (2014) (as amended).

15. Application No : 18/00555/FPH
 Date Received : 10.09.18
 Location : 47 Sparrow Drive Stevenage Herts SG2 9FB
 Proposal : Garage Conversion
 Date of Decision : 05.11.18
 Decision : **Planning Permission is GRANTED**
16. Application No : 18/00556/FPH
 Date Received : 10.09.18
 Location : 81 Fishers Green Road Stevenage Herts SG1 2PP
 Proposal : Single storey rear extension
 Date of Decision : 26.10.18
 Decision : **Planning Permission is GRANTED**
17. Application No : 18/00561/CLPD
 Date Received : 11.09.18
 Location : 48 Derby Way Stevenage Herts SG1 5TR
 Proposal : Certificate of lawfulness for a proposed garage conversion
 Date of Decision : 26.10.18
 Decision : **Certificate of Lawfulness is APPROVED**
18. Application No : 18/00562/FPH
 Date Received : 12.09.18
 Location : 51 Stanmore Road Stevenage Herts SG1 3QA
 Proposal : Single storey rear extension
 Date of Decision : 26.10.18
 Decision : **Planning Permission is GRANTED**

19. Application No : 18/00563/FPH
Date Received : 12.09.18
Location : 48 Derby Way Stevenage Herts SG1 5TR
Proposal : Single storey side extension.
Date of Decision : 26.10.18
Decision : **Planning Permission is GRANTED**
20. Application No : 18/00564/FPH
Date Received : 12.09.18
Location : 169 Fairview Road Stevenage Herts SG1 2NE
Proposal : Single storey rear and side extension
Date of Decision : 31.10.18
Decision : **Planning Permission is GRANTED**
21. Application No : 18/00568/FPH
Date Received : 14.09.18
Location : 68 Leaves Spring Stevenage Herts SG2 9BH
Proposal : Front porch infill extension
Date of Decision : 31.10.18
Decision : **Planning Permission is GRANTED**
22. Application No : 18/00570/FPH
Date Received : 17.09.18
Location : 110 Valley Way Stevenage Herts SG2 9DE
Proposal : Part double and part single storey rear extension
Date of Decision : 07.11.18
Decision : **Planning Permission is GRANTED**

23. Application No : 18/00572/FPH
 Date Received : 17.09.18
 Location : 28 Fishers Green Stevenage Herts SG1 2JA
 Proposal : Proposed retractable enclosure over existing swimming pool
 and construction of a replacement single storey outbuilding.
 Date of Decision : 12.11.18
 Decision : **Planning Permission is GRANTED**
24. Application No : 18/00574/FPH
 Date Received : 18.09.18
 Location : 6 Green Close Stevenage Herts SG2 8BP
 Proposal : Retention of garden shed at bottom of the garden
 Date of Decision : 31.10.18
 Decision : **Planning Permission is GRANTED**
25. Application No : 18/00576/FPH
 Date Received : 18.09.18
 Location : Anson 137 Hertford Road Stevenage Herts
 Proposal : Proposed two storey side extension
 Date of Decision : 09.11.18
 Decision : **Planning Permission is GRANTED**

26. Application No : 18/00577/FPH
Date Received : 18.09.18
Location : 26A Fishers Green Stevenage Herts SG1 2JA
Proposal : Freestanding Car port
Date of Decision : 09.11.18
Decision : **Planning Permission is REFUSED**

For the following reason(s);

The proposed car port by virtue of its forward position and height would be visually discordant and intrusive when viewed along Fishers Green which would be detrimental to the visual amenities of the area generally. The proposal is, therefore, contrary to Policies TW8 and TW9 of the Stevenage District Plan Second Review 1991-2011 (adopted 2004), Chapter Six of the Stevenage Design Guide SPD (2009), Policy GD1 of the Emerging Local Plan (2011-2031) and the advice in NPPF (2018) and NPPG (2014)(as amended) which relates to good quality design.
27. Application No : 18/00578/CLPD
Date Received : 18.09.18
Location : 47 Boxfield Green Stevenage Herts SG2 7DR
Proposal : Single storey rear extension
Date of Decision : 07.11.18
Decision : **Certificate of Lawfulness is APPROVED**
28. Application No : 18/00580/FP
Date Received : 19.09.18
Location : East Of England Ambulance Service NHS Trust 4 - 5 Hyatt Trading Estate Babbage Road Stevenage
Proposal : Single storey side extension
Date of Decision : 08.11.18
Decision : **Planning Permission is GRANTED**

29. Application No : 18/00591/FPH
 Date Received : 19.09.18
 Location : 47 Chapman Road Stevenage Herts SG1 4RJ
 Proposal : Single storey rear extension
 Date of Decision : 13.11.18
 Decision : **Planning Permission is GRANTED**
30. Application No : 18/00582/FPH
 Date Received : 20.09.18
 Location : 108 Mobbsbury Way Stevenage Herts SG2 0JA
 Proposal : Two storey rear and single storey front extensions
 Date of Decision : 13.11.18
 Decision : **Planning Permission is GRANTED**
31. Application No : 18/00585/FPH
 Date Received : 21.09.18
 Location : 56 Beane Avenue Stevenage Herts SG2 7DL
 Proposal : Single storey rear and front extensions
 Date of Decision : 13.11.18
 Decision : **Planning Permission is GRANTED**
32. Application No : 18/00586/FPH
 Date Received : 21.09.18
 Location : 74 Mobbsbury Way Stevenage Herts SG2 0HX
 Proposal : Proposed rear conservatory
 Date of Decision : 29.10.18
 Decision : **Planning Permission is GRANTED**

33. Application No : 18/00592/HPA
Date Received : 24.09.18
Location : 95 Fairview Road Stevenage Herts SG1 2NP
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 4.2m, for which the maximum height will be 3.7m and the height of the eaves will be 2.65m.
Date of Decision : 31.10.18
Decision : **Prior Approval is NOT REQUIRED**
34. Application No : 18/00594/FPH
Date Received : 26.09.18
Location : 27 Franklins Road Stevenage Herts SG1 3BN
Proposal : First floor side extension, part single storey, part two-storey rear extension and porch extension.
Date of Decision : 15.11.18
Decision : **Planning Permission is GRANTED**
35. Application No : 18/00609/HPA
Date Received : 03.10.18
Location : 129 Verity Way Stevenage Herts SG1 5PP
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 5.9 metres, for which the maximum height will be 3 metres and the height of the eaves will be 3 metres
Date of Decision : 15.11.18
Decision : **Prior Approval is NOT REQUIRED**
36. Application No : 18/00625/AD
Date Received : 09.10.18
Location : Retail Park South Roaring Meg Retail Park Monkswood Way Stevenage
Proposal : Retention of 1no. non-illuminated freestanding fascia sign
Date of Decision : 21.11.18
Decision : **Advertisement Consent is GRANTED**

37. Application No : 18/00631/HPA
Date Received : 10.10.18
Location : 47 Burymead Stevenage Herts SG1 4AY
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 4 metres, for which the maximum height will be 2.5 metres and the height of the eaves will be 2.5 metres
Date of Decision : 20.11.18
Decision : **Prior Approval is NOT REQUIRED**
38. Application No : 18/00645/COND
Date Received : 17.10.18
Location : 13 Hitchin Road Stevenage Herts SG1 3BJ
Proposal : Discharge of conditions 3 (materials); 6 (adaption to climate change) and 9 (boundary treatments) attached to planning permission reference number 18/00274/FP
Date of Decision : 31.10.18
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
39. Application No : 18/00647/HPA
Date Received : 17.10.18
Location : 20 Elder Way Stevenage Herts SG1 1SD
Proposal : Single storey rear extension which will project beyond the rear wall of the original house by 4.04m for which the maximum height will be 3.224m and the height to the eaves will be 2.135m.
Date of Decision : 20.11.18
Decision : **Prior Approval is NOT REQUIRED**

40. Application No : 18/00658/CC
 Date Received : 22.10.18
 Location : Kolak Snack Foods 5 - 6 Bessemer Drive Stevenage Herts
 Proposal : Variation of condition 2 to amend plans for installation of concrete plinth and erection of tanks and associated equipment
 Date of Decision : 12.11.18
 Decision : **This Council Raises NO OBJECTION to the Development Proposed**
41. Application No : 18/00668/CLPD
 Date Received : 23.10.18
 Location : 20 Minerva Close Stevenage Herts SG2 7RA
 Proposal : Certificate of lawfulness for single storey rear extension
 Date of Decision : 20.11.18
 Decision : **Certificate of Lawfulness is APPROVED**
42. Application No : 18/00670/NMA
 Date Received : 25.10.18
 Location : 9 Bragbury Lane Stevenage Herts SG2 8TJ
 Proposal : Non material amendment to approval 18/00229/FPH to reduce the side extension to comprise a conservatory only
 Date of Decision : 12.11.18
 Decision : **Non Material Amendment AGREED**

BACKGROUND PAPERS

1. The application files, forms, plans and supporting documents having the reference number relating to these items.
2. Stevenage District Plan Second Review 1991-2011.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012 and the Stevenage Design Guide adopted October 2009.
4. Stevenage Borough Local Plan 2011-2031 Publication Draft.
5. Responses to consultations with statutory undertakers and other interested parties.
6. Central Government advice contained in the National Planning Policy Framework July 2018 and National Planning Policy Guidance March 2014 (as amended).
7. Letters received containing representations.