



PLANNING AND DEVELOPMENT COMMITTEE

Date: Tuesday, 8 January 2019
Time: 6.30pm,
Location: Council Chamber
Contact: Ian Gourlay 01438 242703

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 - 4 DECEMBER 2018

To approve as a correct record the Minutes of the previous meeting held on Tuesday 4 December 2018.

Pages 3 – 36

3. 4 TOWN SQUARE, STEVENAGE

To consider the change of use from A1 (shops) and A2 (Professional & Financial Services) to Visitor Centre D1 (Non-residential Institutions) and shop front alteration.

Pages 37 – 44

4. BANK HOUSE, PRIMETT ROAD, STEVENAGE

To consider the reconfiguration of existing offices (basement, ground and first floor level) and six storey extension.

Pages 45 – 70

5. 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 71 – 84

6. INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS

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

Pages 85 – 86

7. URGENT PART I BUSINESS

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

8. 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.

9. 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, 4 December 2018

Time: 6.30pm

Place: Council Chamber, Daneshill House, Danestrete

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

Start / End Start Time: 6.30pm
Time: End Time: 9.05pm

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

Apologies for absence were received from Councillors Doug Bainbridge and Lizzy Kelly.

There were no declarations of interest.

2 **MINUTES - 6 NOVEMBER 2018**

It was **RESOLVED** that the minutes of the Planning and Development Committee held on 6 November 2018 be approved as a correct record and signed by the Chair.

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

The Committee considered an application for the proposed development of a new community centre, cycle path running through the site, associated parking and landscaping.

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

The Principal Planning Officer gave an introduction to the Committee. The main issues for consideration in the determination of the application were its acceptability in land use policy terms, the impact of the character and appearance of the area 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.

Officers advised that whilst the development did result in the loss of an area of principal open space, the overall benefits of the development would outweigh the harm in this instance. The Committee was informed that the proposal sought to deliver a development which was well designed and of high quality and would create

a landmark form of development on what was a key gateway site.

Members were also informed that 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 response to a question, Officers advised that the pro-active statement within the report was there as a Government requirement.

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:
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 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.
- 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.
- 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.
- 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.
- 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.

- 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.
- 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.
- 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.
- 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.

- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.

- 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.
- 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.
- 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.

- 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.
- 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.
- 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.
- 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.
- 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.

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 wwqriskmanagement@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.

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.

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

The Committee considered an application for the 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.

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 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.

The Chair invited Mr Rands, an objector to address the Committee. Mr Rand's objections related to the distance of the houses to the flats in Blenheim Way which would be below the 12m separation contrary to building regulations. Mr Rand also expressed concern that he would be able to look directly down from his balcony into the gardens of the proposed new houses. He also suggested that the Hertford Road through road should be upgraded to an A road.

The Chair then invited Mr Smith, also an objector, to address the Committee. Mr Smith's main objection was that the proposal was an overdevelopment of the site contrary to the Local Plan, and that there was inadequate public transport to serve the development. Mr Smith was also of the view that the development would generate an unacceptable level of overshadowing due to its size and result in substantial losses of light and privacy. Mr Smith advised that in his opinion no regard had been had by the Council on the objections and concerns received.

The Chair then asked Mr Ash Ahmed Assistant Director Housing Development, Stevenage Borough Council and applicant to respond. Mr Ahmed advised that the application was for a more structured and formal housing and retail offer than what was currently provided on the site. Private and affordable housing would be included within the scheme.

The Chair thanked Mr Rand, Mr Smith and Mr Ahmed and invited the Principal Planning Officer to continue with his presentation.

The Committee was advised that the principle of residential development had been established as being acceptable on this partial windfall site. In terms of land use, the site was considered to be in a sustainable location and would constitute a sustainable form of development. The fact that the Council was currently unable to provide a five year supply of deliverable housing sites was also a strong material consideration that significantly weighed in favour of the application. Kenilworth Close was also designated for residential development in the Emerging Local Plan.

It was advised that whilst the proposed development did result in a substantial reduction of open space, the proposed financial contributions would help to mitigate the impact of the loss of the open space. Although the scheme introduced taller buildings into the area, it was 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 contemporary modern high quality residential development. Officers were of the view that 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.

The Committee was advised that Herts County Council as Highways Authority considered the proposed access arrangements to be acceptable subject to a condition relating to the safety and operation of the highway during the construction phase. The proposal would also have adequate off-street parking in line with the Council's adopted standards as well as an appropriate level of cycle parking provision.

In response to a question regarding the provision of public transport, officers advised that any requests for funding to improve the provision of public transport would have to be made by the County Council following their own assessment.

In relation to the retail offer, the proposed development sought to replace the 4 no. retail units with units at the ground floor level within building A1.

Officers advised that an additional contribution as part of the S106 agreement would be made towards improvements at the Poplars Surgery.

It was **RESOLVED** 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;
- A financial contribution towards improvements of the Poplars Surgery

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.

- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 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.
- 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.

- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.

- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.

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.

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.

- 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
- 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.
- 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.
- 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.
- 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.
- 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.

- 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.
- 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.

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 wwqriskmanagement@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.

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.

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

The Committee considered an application for the demolition of the existing Walpole Court sheltered scheme and associated parking and the construction of 51 no. apartments and 9 no. dwellinghouses.

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. He advised that the main issues for consideration in the determination of the application were the 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.

The Chair then invited Mr Smith, an objector, to address the Committee. Mr Smith advised that his main objections were similar to the previous application. His concerns were that the block was excessive in height, the high density of the scheme and insufficient off-street parking with inadequate public transport serving the development. He was also concerned that the consultation with residents had not been carried out extensively enough.

The Chair then invited Mr Ahmed, Assistant Director Housing Development Stevenage Borough Council and applicant to respond. Mr Ahmed advised that a number of consultation events had been held including a 2 day event. 600 leaflets had been delivered and an online survey undertaken.

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

The Committee was advised that as the site was considered to be in a sustainable location, would constitute a sustainable form of development and the fact that the Council was currently unable to provide a five year supply of deliverable housing sites were strong material considerations that significantly weighed in favour of the application.

It was noted that whilst the scheme introduced a taller building into this part of the town, it was considered that the scale and form of the development, including the proposed town houses would enhance the visual amenity through the delivery of a contemporary modern, high quality residential development.

Members noted that in terms of the effect on daylight, sunlight, overshadowing, privacy and outlook officers had concluded that the levels would be acceptable for future residents in line with the Council's Design Guide SPD.

Members were advised that consultation had been undertaken with HCC as Highways Authority who had confirmed that the proposed access arrangements were acceptable but that a condition should be imposed to ensure the safety and operation of the highway would not be detrimentally affected during the construction phase.

Members again expressed concern regarding the lack of public transport provision in the area. Officers reiterated that they had to be guided by the County Council in this respect.

It was **RESOLVED:**

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.
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 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.
- 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.
- 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.

- 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.
- 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 by the Local Planning Authority prior to first occupation of the development. Any external lighting shall accord with the details so approved.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.

- 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.
- 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 of 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.
- 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.

- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.

- 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.

- 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
- 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.
- 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.

- 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.
- 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.

- 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.
- 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.

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 wwqriskmanagement@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.

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.

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

The Committee considered an application for the 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.

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

The Principal Planning Officer gave an introduction to the Committee. The main issues for consideration in the determination of this application were 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 on the proposals on the highway network, the adequacy of parking provision and flood risk.

The Chair then invited Ms Joanna Fozzard, an objector, to address the Committee. Ms Fozzard's main objections were that the development would generate additional parking problems in the area; it would have an impact on the road safety in terms of visibility and access and that the development was not in line with the Council's Green Space Strategy in terms of the substantial loss of trees and the impact on wildlife.

The Chair then invited Mr Ahmed, Assistant Director Housing Development Stevenage Borough Council and applicant to respond. Mr Ahmed advised that a full traffic audit had been undertaken which had shown there would be no risk to highway safety from the proposed development. In relation to the green space issues, Mr Ahmed advised that the area of land to the right of Ashdown Road was seen to be the more prominent area of green space.

The Chair thanked Ms Fozzard and Mr Ahmed and invited the Principal Planning Officer to continue with his presentation. The main issues for consideration in the determination of the application were 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.

The Committee was advised that as the site was considered to be in a sustainable location, it would constitute a sustainable form of development and the fact that the Council was unable to provide a five year supply of deliverable housing sites, these strong material considerations significantly weighed in favour of the application.

In response to a question, Officers advised that although part of the site was designated as a green link in the original design of Stevenage New Town, as the development was contained within a small area this would ensure that an area of open land including the arboretum along to the west of the site beyond Ashdown Road would maintain the connection with the existing green link. It was noted that the land to the opposite side of Ashdown Road was maintained by the Environment Agency.

In architectural terms, a high quality form of development would be secured for this prominent and readily visible site.

In response to concerns from Members, officers advised that the application site had no vehicular access off Hertford Road, Ashdown Road or Malvern Close. The proposed development would create new vehicular access points to serve the individual properties which had been designed in accordance with the Department for Transport (DfT) Design Guide. Due to the limited number of new properties the increase in traffic generation would be minimal. There would also be sufficient off-street parking to serve the development in line with the Council's car parking standards.

Members raised the matter of potential flooding on the site. Officers advised that whilst it was noted that part of the development site fell within Flood Zone 2 and was at risk from surface water flooding, the development had been designed to ensure that all of the dwellings were positioned outside of the zone.

It was **RESOLVED:**

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.

- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 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.
- 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.
- 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.
- 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.

- 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.
- 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.
- 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.
- 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.

- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.

- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.

- 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.
- 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.
- 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.
- 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 of 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.
- 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.
- 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.
- 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.

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.

7 **INFORMATION REPORT - DELEGATED DECISIONS**

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

8 **URGENT PART I BUSINESS**

None.

9 **EXCLUSION OF THE PRESS AND PUBLIC**

Not required.

10 **URGENT PART II BUSINESS**

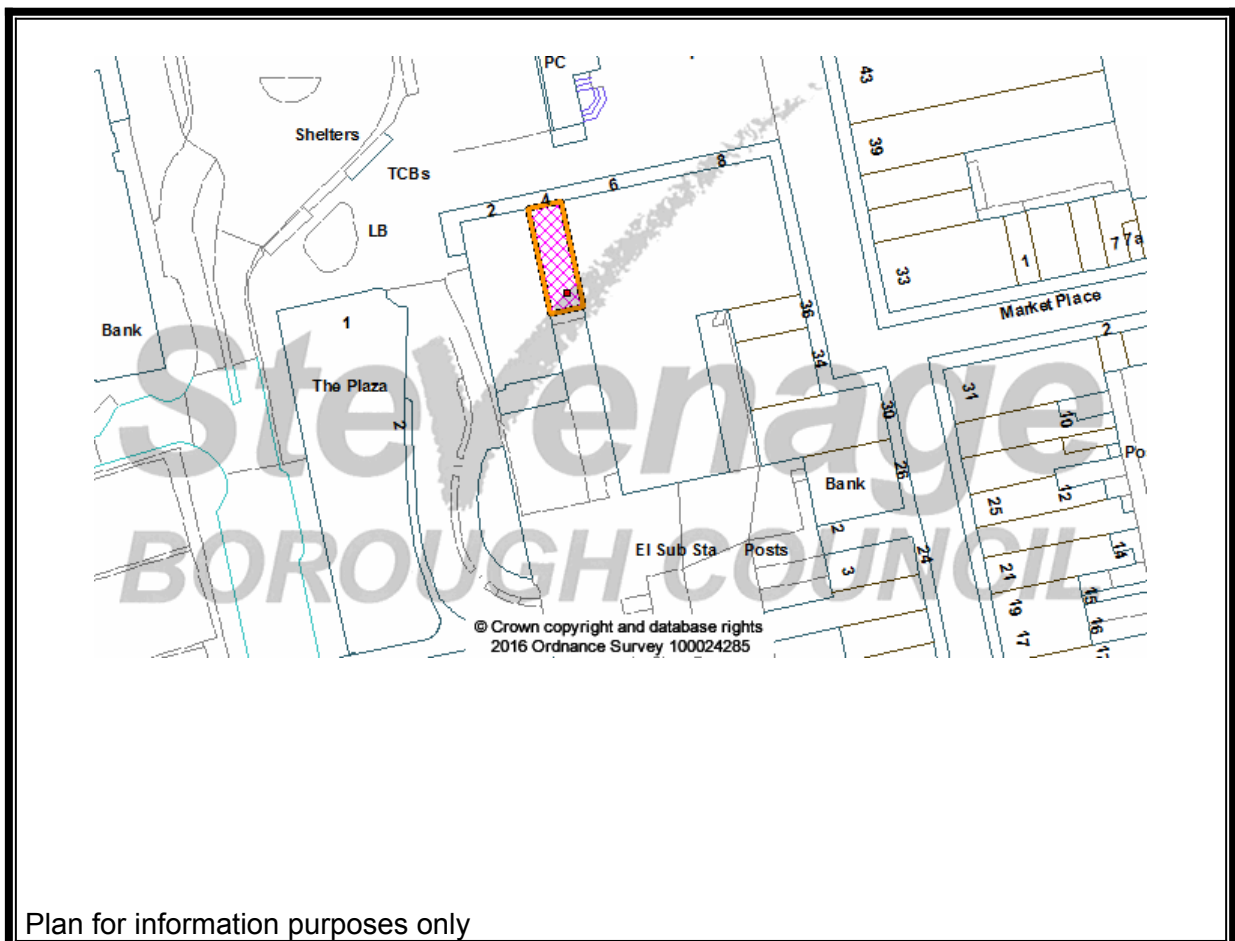
None.

CHAIR

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Meeting:	Planning and Development Committee	Agenda Item:
Date:	8 January 2019	
Author:	James Chettleburgh	01438 242266
Lead Officer:	Chris Berry	01438 242257
Contact Officer:	James Chettleburgh	01438 242266

Application No:	18/00725/FP
Location:	4 Town Square, Stevenage.
Proposal:	Change of use from A1 (shops) and A2 (Professional & Financial Services) to Visitor Centre D1 (Non-residential Institutions) and shop front alteration.
Drawing Nos.:	Site Location Plan; BS18070 – 001; Proposed Floor Plan; Proposed Visitor Centre Floor Plan v7; 1003N 02 A.
Applicant:	Stevenage Borough Council
Date Valid:	26 November 2018
Recommendation:	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site is located on the eastern side of Town Square within the designated Stevenage Town Centre and Conservation Area. The site comprises the former "Cash Generator" store which consists of a glazed shop frontage within a metal frame and associated perforated metal roller shutter. Located above the vacant store are two-storey offices which are also vacant. The building is constructed from brick with marble at ground floor level. The roof of the building is flat and is finished in felt.
- 1.2 To the front of the application site is the main Town Square which comprises the Grade II Listed Clock Tower and Surrounding pool. The clock tower is a 4 level above ground structure constructed in a reinforced concrete frame with a flat roof with Brazilian granite cladding. There is also the Grade II Listed Joy Ride which comprises a bronze mother and child sculpture set on top of a platform with stairs and railings to either side. The buildings which the application site forms part of, are generally uniform in design, being three-storeys in height with a shopping parade at ground floor level with the fenestration at first and second floor level comprising single-glazed crittall windows.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning application 01/00137/FP sought permission for the erection of a new shopfront and new air conditioning unit to the rear. This application was granted planning permission in May 2001.
- 2.2 Advertisement consent application 09/00036/AD sought consent for the installation of 1 no. illuminated fascia sign and 2 no. illuminated hanging signs. This application was not proceeded with.
- 2.3 Planning application 17/00668/FP sought permission for a change of use from A1 (shop) and A2 (financial services) to mixed use A1 (cycle hire shop), A3 (café), B1 (cycle repairs) and D1 art studio). This application was granted planning permission in November 2017.

3. THE CURRENT APPLICATION

- 3.1 The current application seeks planning permission for a change of use of the premises from Use Class A1 (shop) and A2 (Financial Services) to Use Class D1 (Visitors Centre). The centre itself would be utilised as an exhibition displaying proposals for the wider regeneration of Stevenage Town Centre. The proposed development also comprises a minor alteration to the shop front whereby the main entrance is to be re-positioned to a central position on the front.
- 3.2 This application comes before the planning committee for consideration as the applicant Stevenage Borough Council.

4. PUBLIC REPRESENTATIONS

- 4.1 As a planning application within the designated conservation area, the proposal has been publicised by way of letters to adjoining premises, site notices and a press notice. At the time of drafting this report no comments or representations had been received.

5. CONSULTATIONS

5.1 Council's Environmental Health Section

- 5.1.1 The proposal is considered to be acceptable.

5.2 Hertfordshire County Council as Highways Authority

5.2.1 No comments have been received.

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 TR1: Town Centre;
Policy TR3: Retail Frontages;
Policy TR4: Loss of Retail Floorspace;
Policy T15: Car Parking Strategy

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 SP8: Good Design;
Policy SP13: The historic environment;
Policy TC1: Town Centre;
Policy TC2: Southgate Park MOA;
Policy TC5: Central Core MOA;
Policy TC8: Town Centre Shopping Area;
Policy NH10: Conservation Areas.

6.5 Supplementary Planning Documents

Stevenage Town Centre Conservation Area Management Plan SPD (2012)
Council's Car Parking Standards SPD (2012).

7. APPRAISAL

7.1 The main issues for consideration in the determination of this application are its acceptability in land use policies terms, the visual impact on the conservation area, impact on residential amenity, car parking and highway implications.

7.2 Land Use Policy Considerations

7.2.1 Policy TR1 of the District Local Plan (2004) and Policy TC1 of the emerging Local Plan (2016) identify the application site falling within the Town Centre. TR3 of the District Plan which relates to Retail Frontage states that this area is reserved for retail use (Class A1) and other uses would be refused. However, proposals for ground floor level Class A2 and A3 or other uses appropriate in a town centre retail street will be permitted in the secondary retail frontage as defined in the proposals map. Policy TR4 of the same document states that proposals which involve the overall loss of retail (A1), food and drink (A3) and service floorspace (A2) in the town centre will be resisted except for changes to social, community, leisure and cultural uses and residential uses at first floor level and above outside of the primary retail frontages.

7.2.2 Turning to Policy TC8 of the emerging Local Plan (2016), it states that within the spatial extent of the Town Centre Shopping Area (TCSA), uses appropriate to the town centre will be permitted at ground floor level which include Use Classes A1, A2, A3, A4, C1, D1 and/or D2. In regards to designation, the site does not fall within the primary retail frontage. Consequently, criterion b. of the aforementioned states that in these locations, the benefits

to the overall vitality and viability of the town centre would need to equal or outweigh those that would be provided by an A1 or A2 use in the equivalent location. This is considered having regard to whether:-

- The proposal will retain an active frontage;
- The proposal will generate footfall equivalent to, or greater than an A1 or A2 use in the equivalent location; and
- The unit has been unsuccessfully marketed for A1 or A2 use or has remained vacant for at least six months.

7.2.3 Separate to the above, the application site is located on the edge of Major Opportunity Areas as identified under Policies TC2: Southgate Park and TC5: Central Core of the emerging Local Plan (2016). These policies set out the overall objectives for delivering regeneration to Stevenage Town Centre.

7.2.4 The proposed development seeks a change of use from Use Class A1 (shop) and A2 (financial services) to Use Class D1 (visitors centre). Taking this proposed use into consideration, as it would be classed as a Main Town Centre use as defined in Annex 2 of the National Planning Policy Framework 2018 (NPPF), the proposal would be classed as an acceptable use within the town centre. In addition, the proposed use is acceptable as defined in Policy TR1 of the District Plan (2004) and Policy TC8 of the Emerging Local Plan (2016). However, as the proposal results in the loss of A1/A2 floorspace, an assessment has to be made as to whether or not the proposal retains an active frontage, will generate footfall equivalent or greater than an A1 or A2 use and the unit has been unsuccessfully marketed for at least six months.

7.2.5 The proposed development, given the premises has remained vacant combined with the fact that the existing Barclays Bank (2 Town Square) has also remained vacant, means that the proposal would bring the premises back into use for a temporary period before the area is redeveloped as part of the wider regeneration of Stevenage Town Centre. Given this, the proposal would help to create an active frontage along this part of the Town Square. In regards to marketing, the property has not been actively marketed by the Council due to the planned regeneration of the area. However, the property has been vacant since March 2017 and therefore, the proposed development will help to bring the premises back into operation for a temporary period.

7.2.6 In terms of footfall, the proposed development as a visitors centre will be accessible to all members of the public, educational facilities such as local schools and the College as well as local businesses who wish to view the proposals for the wider regeneration of Stevenage Town Centre. Therefore, the proposed development in this regard would help to generate increased footfall which is currently limited in this part of the town centre and could help to create linked trips to other parts of the town centre generally.

7.2.7 Given the aforementioned assessment, the proposed change of use would be acceptable in land use policy terms.

7.3 Visual impact on the conservation area

7.3.1 Paragraph 127 of the National Planning Policy Framework (NPPF) 2018 stipulates that planning decisions should ensure development functions well and adds to the overall quality of the area, not just in 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. Paragraph 130 of the NPPF states that "permission should be refused for development of poor design that fails to make opportunities available for improving the character and quality of an area and the way it functions". Paragraph 193 of the same document stipulates that when

considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 195 of the NPPF goes on to state that where a proposed development will lead to substantial harm to a designated heritage asset, local planning authorities should refuse consent.

- 7.3.2 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. Policy GD1 of the emerging Local Plan (2016) generally reflects the above policy. Policy NH10 of the same document states that development proposals affecting a conservation area should have regard to the relevant Conservation Area Management Plan SPD. The Town Square Conservation Area Management Plan SPD (2012) sets out that alterations and extensions to a building should not dominate an existing building's scale or alter the composition of its main elevations.
- 7.3.3 The proposed development seeks to install a new shop front with a centralised entrance and low level stall riser with ceramic tiles. In addition, the proposal also seeks to clean the existing black granite pilasters. It is considered that the proposed alterations would improve the visual appearance of the shop front as well preserve the historic character of this part of the Town Centre Conservation Area. This is because the design is sympathetic to the existing architectural characteristics of the building.

7.4 Impact on the environment and amenity

- 7.4.1 Due to the nature of the proposed development combined with the fact that there are no residential properties located in close proximity to the application site, it would not have a detrimental impact on the environment and amenities of residential properties or nearby business operators. This is supported by the Council's Environmental Health Section.

7.5 Car parking

- 7.5.1 The Council's Car Parking Standards SPD (2012) does not have a specific standard for Use Class D1 (Visitor Centres). However, the nearest relevant standard is for "miscellaneous cultural buildings" which sets out a requirement of 2 spaces plus 1 space per 30m² of public floorspace. In this regard, there would be a requirement to provide 7 parking spaces. However, the application site is located within non-residential accessibility zone 1, therefore, the Council would seek between 0% to 25% of the maximum number of parking spaces. Given this, the Council would seek a maximum provision of 2 parking spaces.
- 7.5.2 The existing building currently comprises of 4 parking spaces within the rear service yard. Given this, whilst there would be more car parking provided on site than what is required under the Parking Standards SPD, as this is an existing provision the level of parking available would be acceptable on this basis. In regards to cycle parking, there is a requirement to provide 1 long term space per 10 full time staff. Whilst it is not known how many staff will be employed at the visitor centre, cycles can be safely secured within the existing rear service yard. In addition, there is short-term cycle parking available opposite the application site. Therefore, sufficient cycle parking would be available to serve this development.

7.6 Highway Implications

- 7.6.1 The development site is currently served by an existing vehicular access positioned off The Quadrant. This is located to the rear of the site. The proposal does not seek to extend or alter this existing access including the highway which is owned by Stevenage Borough Council. In addition, the proposed development is not likely to generate a significant level of

traffic which would have a detrimental impact on highway safety. Moreover, due to the sustainable location of the site and the nature of the proposal, there is access to public transport as well as the extensive cycle network. Given this, it is considered that the proposed development would not prejudice the safety and operation of the highway network in this instance.

8. CONCLUSIONS

- 8.1 The principle of the proposed change of use would not have a detrimental impact on the function of the town centre and, therefore, is compliant with the policies in the adopted and emerging local plan. Additionally, the proposed development would preserve the historic character of the Town Centre Conservation Area. Furthermore, the proposal would not harm the overall vitality and viability of the town centre nor would it have a detrimental impact on the environment or the amenities of nearby businesses and residential properties which are located on Queensway. Moreover, the site is well served by public transport and surface car parking.
- 8.2 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:

Site Location Plan; BS18070 – 001; Proposed Floor Plan; Proposed Visitor Centre Floor Plan v7.

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 The alterations to the shopfront hereby permitted shall be carried out in accordance with the details submitted with this application.

REASON:- In order to preserve the historic character of the conservation area.

Pro-active Statement

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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 – Town Centre Conservation Area Management Plan 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:	8 January 2019	
Author:	James Chettleburgh	01438 242266
Lead Officer:	Chris Berry	01438 242257
Contact Officer:	James Chettleburgh	01438 242266

Application No:	18/00416/FPM
Location:	Bank House, Primett Road, Stevenage.
Proposal:	Reconfiguration of existing offices (basement, ground and first floor level) and six storey extension.
Drawing Nos.:	BH17-PL-A201 D1; BH17-PL-A202 C; BH17-PL-A203 A; BH17-PL-A204 A; BH17-PL-A204 A; BH-PL-A206 A; BH17-PL-A207 A; BH17-PL-A208 A; BH17-PL-A209 A; BH17-PL-A220 A; BH17-PL-A221; BH17-PL-A222 A; BH17-PL-A223; BH17-PL-A230 A; BH17-PL-A231; BH17-PL-A232; BH-PL-A233; BH17-PL-A302; BH17-PL-A301; BH17-PL-A401; BH17-PL-A404; Cycle Storage Plan; Short Term and Visitor Parking Plan .
Applicant:	Good for Food Limited
Date Valid:	20 July 2018
Recommendation:	GRANT PLANNING PERMISSION.



1. SITE DESCRIPTION

- 1.1 The application site is located on the southern side of Primett Road opposite George House. The site comprises a two-storey detached office block with a basement car park and surface car park to the front. The building is constructed from red brick at ground floor level with a hipped roof clad in grey roof tiles with two gable-end projections. On the principal elevation of the building is a glazed atrium incorporating a gable-end stone canopy supported by stone columns. At first floor level, the building is finished in stone with brick detailing below. For vertical emphasis, there is stone detailing which runs up the front elevation of the building. The fenestration detail is evenly spaced and comprises steel framed windows. The side and rear elevation of the building have been designed to reflect the architectural appearance of the principal elevation.
- 1.2 To the east of the application site is Howarde Court and to the south adjacent to George House is Townsend Mews. To the west, the site is bordered by Lytton Way (A602) and to the east is Primett Road. To the north there is the vehicle and pedestrian underpass which connects Lytton Way with Primett Road.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning application 05/00159/FP sought permission for the installation of 3 air conditioning condenser units in recessed plant wall and basement car park and alterations to elevations. This application was granted planning permission in May 2005.
- 2.2 Advertisement consent application 10/00150/AD sought permission for the erection of 3no. non-illuminated signs. This application was granted advertisement consent in June 2010.
- 2.3 Prior approval application 14/00341/CPA sought permission for the change of use of office building (Use Class B1(a)) to Residential Dwellings (Use Class C3), comprising of 10 no. 2 bed and 16 no. 1 bed flats. It was determined that prior approval was not required in August 2014.
- 2.4 Prior approval application 14/00667/CPA sought permission for the change of use from Class B1(a) (Offices) to Class C3 (Residential) comprising 10no. two bed; 17no. one bed and 3no. studio apartments. It was determined that prior approval was not required in January 2015.
- 2.5 Planning application 14/00668/FP External alterations to facilitate change of use from Class B1(a) (Offices) to Class C3 (Residential) under planning permission reference number – 14/00341/CPA. Planning permission was granted in February 2015.
- 2.6 Prior approval application 14/00702/CPA sought permission for Change of use from Office (Class B1(a)) to Residential (Class C3) with 44no. studio apartments. It was determined that prior approval was not required in February 2015.

3. THE CURRENT APPLICATION

- 3.1 The proposed development seeks to extend the existing offices (Use Class B1a) which currently has a floor area 1,802 sq.m to an office with an internal floor area of 8,085 sq.m. The proposed development also comprises an ancillary restaurant/café of the ground floor. The proposed development would measure approximately 40m in length and span 41m in width with an overall height of approximately 35m (seven storeys). The proposed basement area would comprise of the parking lobby with associated secure cycle parking area and refuse bin stores. At ground floor level there would be the main reception/lobby, ancillary café/restaurant and office floorspace. In regards to floor two through to seven these would predominantly be offices. The roof of the building comprises all of the plant and equipment associated with the development.

3.2 The building would be constructed from contrasting materials comprising a mixture of concrete board, composite white stone and terracotta tiles. The windows which would be installed within the building would be polyester powder coated aluminium double glazed windows finished in black. The building would also comprise of outdoor terraces with associated glazing. The building has been designed as dual aspect with frontages onto both Primett Road and Lytton Way.

3.3 This application comes before the Planning and Development Committee as it is classed as a Major commercial 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 16 objections have been received from numbers 5, 9, 11, 17 22, 24, 25, 27, 32, 33, 37, 38, 39, 42, 43, 44 George House, Primett Road.

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

- Loss of privacy;
- Loss of sunlight and daylight;
- Loss of views;
- Development is out of keeping with the wider area;
- The proposed development will reduce property values;
- The development during its construction phase would generate unacceptable levels of noise, dust and vehicle movements;
- The development would increase traffic on the highway network;
- Development will generate unacceptable levels of air pollution;
- There is not a need for additional offices in the town;
- The development would harm the setting of the conservation area;
- The development would appear overbearing;
- The development would pose a hazard to local residents;
- There is a greater need for housing in the town;
- The development would prejudice the safety of local residents;
- The proposed restaurant located in the building would generate unacceptable odour levels;
- The development would detrimentally impact on the domestic enjoyment of the properties in George House;
- The applicant has not undertaken a light assessment of George House;
- The development would generate unacceptable levels of overshadowing.

4.3 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, HCC Growth and Infrastructure Unit will not be seeking financial contributions for the proposed development.

5.3 Hertfordshire County Council as Lead Local Flood Authority

- 5.3.1 The County Council as the Lead Local Flood Authority consider the proposed drainage scheme to be acceptable. The drainage strategy is based on attenuation and discharge into Thames Water surface water sewer network at a restricted discharge rate. The development would also incorporate a permeable pavement and blue roof discharging into a geo-cellular tank. The proposed drainage scheme is therefore considered to be acceptable subject to conditions.

5.4 Hertfordshire Constabulary as the Crime Prevention Design Service

- 5.4.1 The applicant has involved the Police Crime Prevention Design Service since early on in the application process. Therefore, there are no concerns from a Secured by Design perspective as a Police preferred minimum security standard has been agreed.

5.5 Council's Conservation Advisor (BEAMS)

- 5.5.1 Following a review of the amended plans, the proposed incorporation of windows to the north-eastern corner is an improvement on the solid red panelling previously proposed. This would appear less visually intrusive in longer views from within the Conservation Area. However, this does not change the view that the development is an unwelcome introduction as a 'backdrop' to the Conservation Area in some views.
- 5.5.2 The new development (through its height, width and visibility above the existing roof line of the historic and more modern properties fronting the High Street) detracts from the setting of this part of the Stevenage Old Town Conservation Area and the setting of the Grade II Listed Marquis of Lorne Public House, thereby impacting upon the significance of these designated heritage assets. However, the overall level of harm is considered to be 'less than substantial' as per NPPF paragraph 196. Consequently, it will be for Stevenage Borough Council as the decision maker, to weigh up the harm vs. any public benefit.

5.6 Council's Car Parking Manager

- 5.6.1 Following an analysis of the application, there is currently capacity on normal weekdays to accommodate 98 additional cars. However, there are certain occasions when this is reduced where there are events such as Charter Fair and contract parking by rental companies. However, there are additional spaces in Church Lane South for Season Ticket use as with Primett Road South, but, all of the parking is offered on a first come first served basis.

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 contaminated land.

5.8 UK Power Networks

- 5.8.1 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

5.9 Thames Water

5.9.1 No comment

5.10 Hertfordshire County Council Mineral and Waste Section

5.10.1 No comment.

5.11 Affinity Water

5.11.1 No comment.

5.12 Environment Agency

5.12.1 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 E7: Employment uses outside employment areas and homeworking;
Policy T6: Design Standard;
Policy T12: Bus Provision;
Policy T13: Cycleways;
Policy T14: Pedestrians;
Policy T15: Car Parking Strategy;
Policy EN27: Noise Pollution;
Policy EN29: Light Pollution;
Policy EN36: Water Conservation;
Policy EN38: Energy Conservation and Supply;

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 SP3: A strong, competitive economy;
Policy SP5: Infrastructure;
Policy SP6: Sustainable Transport;
Policy SP8: Good Design;
Policy SP11: Climate Change, Flooding and Pollution;
Policy SP13: The historic environment;
Policy EC7: Employment development on unallocated sites;
Policy TC13: Retail impact assessments;
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 GD1: High Quality Design;
Policy FP1: Climate Change;
Policy FP2: Flood Risk in Flood Zone 1;
Policy FP7: Pollution;
Policy NH10: Conservation areas.

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, impact on the character and appearance of the conservation area, impact on amenities, means of access and highway safety, trees and landscaping, impact on the environment, development and flood risk.

7.2 Land Use Policy Considerations

Employment

7.2.1 The application site, given its location, does not fall within a designated employment area as defined by the proposals maps in the Stevenage District Plan Second Review 1991 – 2011 adopted 2004 (hereby referenced as the adopted Local Plan (2004)) and the Stevenage Borough Local Plan 2011 – 2031, publication draft January 2016 (hereby referred to as the emerging Local Plan (2016)). Notwithstanding this, the development site, given that it is currently occupied by Offices, would be classed as an employment use outside of an employment area under Policy E7 of the adopted Local Plan (2004) and Policy EC7 of the Emerging Local Plan (2016). In reference to Policy E7, it states that development proposals should not result in the loss of existing employment uses in residential areas unless it can be demonstrated that they are no longer viable or the existing activity has an adverse impact on the local environment. However, mixed use redevelopments of existing employment uses in residential areas may be acceptable providing the employment floorspace lost is adequately replaced. Turning to Policy EC7, this stipulates that planning permission for the loss of employment land on sites not allocated for any specific purpose would be granted where:-

- i. There is sufficient suitable employment land available elsewhere;
 - ii. The proposal provides overriding benefits against other objectives or policies in the plan;
- or
- iii. 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.

7.2.2 The proposed extension and refurbishment works to the existing office building would help to enhance the limited available Office space within the district of Stevenage. The proposal would also provide a modern, high quality office development which would help to address the current shortfall in employment floorspace (especially modern, high quality office spaces) within the Borough. To support this case, the Council's Employment Technical Paper dated December 2015 which forms part of the evidence base for the Emerging Local Plan, outlines that it is forecasted, as set out under paragraph 2.54 of this Technical Paper that there will be a requirement to provide 30 hectares of employment land over the plan period between 2011-2031. However, through the undertaking of the SLAA (Strategic Land Availability Assessment) it can be seen that a total of 19.4 hectares of land has been

identified on the supply side. Therefore, the opportunities identified will therefore deliver 56% of the required quantum employment (paragraphs 3.40 to 3.42). The aforementioned Employment Technical Paper was updated in December 2016. A synthesis of the supply-side and demand-side data suggests that there is insufficient land available to meet the trend-based requirement for at least 30ha. The opportunities identified will deliver approximately 62% of the required quantum of employment land, resulting in a shortfall of approximately 11.5ha (paragraphs 3.10 and 4.4).

- 7.2.3 Given the above evidence base, it has been established that Stevenage can only accommodate about half of its predicted employment growth over the Local Plan period (this has included the release of Green Belt land in order to meet the necessary demand). Therefore, the Council has had to rely on neighbouring authorities to support the necessary employment growth which would be generated over the local plan period. Emerging Local Plan Policy SP3 criterion e. identifies that we as the Council will work with Central Bedfordshire and North Hertfordshire District Council and paragraph 5.23 sets out that there is a shortfall of employment land of 11.5ha. Consequently, the provision of an additional 6,283 sq.m of office floor space (0.6 hectares) would help to meet some of this shortfall.
- 7.2.4 Taking the above into consideration combined with the fact that the proposed development does not seek a reduction or the loss of an existing established employment use, it is considered that the proposed development would accord with the policies set out in the adopted Local Plan (2004) and Emerging Local Plan (2016) along with the aims and objective set out in the National Planning Policy Framework (2018).

Retail impact and the sequential test

- 7.2.5 The NPPF reaffirms the Government's objectives for ensuring the vitality and viability of town centres. For proposals that are not in an existing centre, the NPPF states that a sequential test must be undertaken giving preference to town centre sites and then edge of centre sites before consideration is given to out of centre sites. For reference, under Annex 2: Glossary of the NPPF, offices are identified as main town centre uses. Additional to this, the NPPF states that for proposals of this nature (above the default threshold of 2,500m² – if there is no locally set threshold) an impact assessment must be undertaken which has to consider the following:-
- a) the impact of the development on existing, committed and planning public investment in a centre or centres in the catchment area of the proposal; and
 - b) the impact of the development on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment.
- 7.2.6 The Planning Practice Guidance (PPG) (2014) reaffirms the 'town centre first' principle, that compliance with the sequential and impact tests does not guarantee that permission will be granted and that the Local Planning Authority will have to take into account all material considerations in reaching a decision. With regards to the sequential test, the PPG states that the applicant must demonstrate flexibility. A town centre site does not have to accommodate precisely the scale and form of the proposed development and consideration should be given to the contribution that more central sites are able to make.
- 7.2.7 The relevant adopted Local Plan Policies TR5 and TR6 of the Stevenage District Plan Second Review 1991 – 2011 adopted 2004, which relate to retail development, were not saved from September 2007. However, emerging Policy TC13: Retail impact assessments states that for main town centre uses, an impact assessment is required for any proposal in excess of 300m² for main town centre uses located outside of the town centre. This policy goes onto state that this should include an assessment of:

- i. The impact of the proposal on existing, committed and planned public and private investment in centres in the catchment area; and
- ii. The impact of the proposal on town centre vitality and viability, including consumer choice and trade in the Town Centre and wider area, up to five years from the time that the application is made. For major schemes, where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time that the application is made.

- 7.2.8 Dealing with the sequential assessment, it is necessary to be clear that the proposal is to extend the existing office building by 6,283 sq.m of floor space. Given this, whilst the proposed development is classed as a “main town centre” use and falls on a site which is not within the defined boundary of Stevenage Town Centre, the use of the site as Offices has already been established. Consequently, it would be unreasonable to require the applicant to undertake a comprehensive “sequential assessment” in this instance.
- 7.2.9 Turning to impact on the town centre, as the proposal is in excess of 300m², in line with Policy TC13 of the Emerging Local Plan (2016), an impact assessment is required. Consequently, account should be taken of the impact the proposal would have on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal. However, this policy was drawn up under the superseded National Planning Policy Framework (2012) which stated under paragraph 26, “when assessing applications for retail, leisure and office development outside of town centres.....local planning authorities should require an impact assessment if the development is over a proportionate, locally set threshold”.
- 7.2.10 The requirement to assess the impact of office developments has now been dropped under the National Planning Policy Framework (2018). The NPPF now states under paragraph 89 “when assessing applications for retail and leisure development outside town centres”. Given this, as the Emerging Local Plan (2016) has not been formally adopted due to the holding direction placed by the Ministry of Housing, Communities and Local Government and the NPPF is national policy, the Council is unable to assess the impact the development would have on the town centre. Therefore, it has to be determined that the development would not have a detrimental impact on the vitality and viability of the town centre in this instance.

7.3 Visual impact on the conservation area and the setting of a listed building

- 7.3.1 In terms of design, Paragraph 127 of the National Planning Policy Framework (NPPF) 2018 stipulates that planning decisions should ensure development functions 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. Paragraph 130 of the NPPF states that “permission should be refused for development of poor design that fail to make available opportunities available for improving the character and quality of an area and the way it functions”.
- 7.3.2 Turning to the impact on the setting of the Old Town Conservation Area and the Marquis of Lorne which is a Grade II Listed Building, paragraphs 193 to 196 of the NPPF have to be considered in the determination of this planning application. This is because, as established through case law, if there is any harm to these heritage assets, great weight has to be given as to the impact the development may have on these assets. Dealing with Paragraph 193, it stipulates that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial

harm to its significance. Paragraph 194 sets out that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification which includes grade II listed buildings. Paragraph 195 sets out that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. In reference to paragraph 196 of the NPPF (2018), this sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

- 7.3.3 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. Policy GD1 of the emerging Local Plan (2016) generally reflects the above policy. Policy NH10 of the same document states that development proposals affecting a conservation area should have regard to the relevant Conservation Area Management Plan SPD.
- 7.3.4 The Conservation Area Management Plan for the Old Town identifies that the High Street comprises of medieval burgage plot layout which include a number of carriage entrances. There are a number of listed buildings within the conservation area which include a 16th century hall house at 94-98 High Street, Inns and Public Houses such as the Red Lion, The White Lion (now the Mulberry Tree) and The Marquis of Lorne. There is also Middle Row/Baker Street which is the old market area and The Cromwell Hotel along with clusters of 15th and 16th Century buildings through to Victorian properties which run along the length of the High Street. The buildings along the High Street are generally two to three storeys in height.
- 7.3.5 The application site, which falls just outside of the Old Town Conservation Area, comprises a modern two-storey office building with basement car parking. The building is constructed from red brick at ground floor level with a hipped roof clad in grey roof tiles with two gable-end projections. On the principal elevation of the building is a glazed atrium incorporating a gable-end stone canopy supported by stone columns. At first floor level, the building is finished in stone with brick detailing below. For vertical emphasis, there is stone detailing which runs up the front elevation of the building. The fenestration detail is evenly spaced and comprises steel framed windows. The side and rear elevations of the building have been designed to reflect the architectural appearance of the principal elevation. The building is set back from Primett Road by a hardsurfaced car park.
- 7.3.6 To the south of the application site is George House which is a modern five storey building operated by McCarthy and Stone. To the east of the application is the modern residential development at Howarde Court which is two and three-storeys in height. There are also modern offices which front onto Primett Road. Beyond these buildings is the historic core of the Old Town Conservation Area. To the north of the application site is Primett Road surface car park and to the west beyond Lytton Way is Monument Court which is a seven storey modern residential development.
- 7.3.7 Given the above, the existing building is set within a modern context with the application building itself not overtly contributing positively to the conservation area, especially given the presence of the surface car park which does not create a positive high quality environment.

- 7.3.8 The proposed development seeks to extend the existing offices (Use Class B1a) which currently has a floor area 1,802 sq.m to an office with an internal floor area of 8,085 sq.m. The proposed development also comprises an ancillary restaurant/café of the ground floor. The proposed development would measure approximately 40m in length and span 41m in width with an overall height of approximately 35m (seven storeys). The proposed basement area would comprise of the parking lobby with associated secure cycle parking area and refuse bin stores. At ground floor level there would be the main reception/lobby, ancillary café/restaurant and office floorspace. In regards to floor two through to seven these would predominantly be offices. The roof of the building comprises all of the plant and equipment associated with the development.
- 7.3.9 The proposed development adopts a contemporary modern design with an atrium which spans from the ground floor level to the roof. The ground floor level is recessed and bordered by green space with a two-storey colonnade along the eastern and northern aspects of the development. The new building would comprise of a box feature on the western elevation. The proposal comprises outdoor terraces across the upper floors with the building having a staggered floorplate with the highest part of the development positioned towards Lytton Way in order to reduce the impact on the Old Town Conservation Area to the east. The terraces are defined by obscure glazed balustrades with planters behind and the main entrance to the building comprises of a cantilevered copper box which is positioned above the double height lobby entrance. The western elevation of the building comprises of solid block work punctuated by copper boxes and slim line windows along with a glazed external lift shaft in order to break up the visual mass of this elevation.
- 7.3.10 Given the above, the proposed development has a well-defined top, middle and bottom with distinctive window patterns through the building. The use of outdoor terraces, the recessing of the ground floor level via the cantilevered upper floors, staggering of the floors, copper boxes, and use of brick work in order to frame the windows help to add more modulation to the built form of the office development. In addition, the proposed development would create a more active frontage onto Primett Road.
- 7.3.11 Notwithstanding the above, due to the building's height, it would be visible interspersedly from view points along the High Street whilst the existing building is not. In addition, as the application site lies adjacent to the Old Town Conservation Area and is located within 75m to the west of the Marquis of Lorne which is a Grade II Listed Building. Therefore, an assessment has to be made as to whether or not the development will have substantial harm on the significance of the heritage assets in question. It is noted that whilst the development is not within the curtilage of the listed building or falls within the defined boundary of the conservation area, it could be argued that it would still have an element of non-physical indirect harm on the aforementioned heritage assets.
- 7.3.12 With due regard to the above and assessing the development's impact on the setting of the conservation area and listed building, it is important to firstly consider the overall setting of the development site in context with these heritage assets. Firstly, as set out in paragraph 7.3.6 of this report, there is the existing modern five storey development at George House located due south of the site which also lies 72m west of the listed building. To the south of the Marquis of Lorne along the High Street is the modern Townsend Mews development which comprises a modern development of between 2 ½ to 4 storey's in height. The Games Yard development which lies off Primett Road adjacent to George House also comprises a four to five storey building and immediately to the rear of the Marquis of Lorne is the modern development of Howarde Court and Ireton Close. Additionally, there are modern office developments which front onto Primett Road which form the edge of the conservation area.
- 7.3.13 Taking the above into consideration, the proposed development in terms of its modern design would not be out of character due to the eclectic mix of modern architecture in the immediate vicinity of the site and more importantly, lie either within or border the

conservation area and already affect the setting of the listed building. In addition, these buildings would help to screen the bulk of the development from viewpoints along the conservation area. In terms of the proposed development, it has also been designed with a staggered built footprint in order to reduce the overall impact on the setting of the heritage assets. The part of the proposal fronting Primett Road would be four storeys with the tallest part of the development i.e. the seventh storey fronting onto Lytton Way. This reflects the height of the development located across Lytton Way which is Monument Court which is between six to seven storeys in height.

7.3.14 Consequently and as advised by the Council's Conservation Advisor, the development will generate an element of harm, but this is deemed to be less than substantial harm to the significance of the designated heritage assets. However, in line with paragraph 196 of the NPPF (2018), as it has been established that there would be less than substantial harm, it is still harm to the significance of the heritage assets and as such, an assessment needs to be made as to whether the public benefits the development will have outweigh this harm including, where appropriate, securing its optimum viable use. It can be concluded that the overall public benefit of the development does outweigh the harm. This is because firstly, as established under paragraph 7.2.2, there is a significant shortfall in employment to support the growth of Stevenage over the Emerging Local Plan period. This significantly weighs in favour of the application as it would help to generate additional employment opportunities for the town. In addition to this, the site is already an office development and, as such, the proposal would help to secure the optimum viable use of the site by increasing the level of office space available within the application site.

7.3.15 Given the aforementioned assessment, on balance, it is considered that the proposed development would not generate substantial harm to the setting of the Old Town Conservation Area or the Marquis of Lorne public house as the overall benefits of the development would outweigh this harm. In addition, the proposal would provide a high quality, contemporary modern development on a key gateway site and as such, it would not have a detrimental impact on the visual amenities of the wider street scene.

7.4 Impact upon Neighbouring Amenity

Privacy and outlook

7.4.1 Whilst the Council does not have a specific standard for commercial development in terms of privacy and outlook, Chapter 5 of the Design Guide SPD (2009) for new dwellings does provide a useful guide for separation distances to ensure a development does not affect the privacy and outlook of existing residential developments. This guide 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 for the new buildings and/or disposition of windows to mitigate against overlooking.

7.4.2 Turning to the impact on the owner/occupiers of properties in George House, as the side elevation of this development faces onto the southern (side) elevation of the proposed office development, there is no set separation distance guidance for side-to-side elevations in the SPD. Therefore, a professional judgement has to be made as to the impact the development may have on the owner/occupiers who reside in George House. The proposed development at ground to third floor level would have a separation distance of approximately 13m to 15m. This is not too dissimilar to the existing situation whereby Bank House as it currently stands, is positioned approximately 14m from the side elevation of George House. Additionally, the floors of the proposed office building combined with the window positioning have been designed to ensure that there is no direct overlooking onto the northern elevation of George

House. Furthermore, the outdoor terrace areas would comprise of 1.8m tall screens with toughened obscure glass with planters behind to again ensure there is no direct overlooking of the properties within George House.

- 7.4.3 In regards to the upper floor levels (floors four to seven), these stagger back from the edge of the development site which increases the level of separation to approximately between 19m to 27m to the properties in George House. This helps to ensure the development does not result in direct overlooking of the properties in the aforementioned building. Moreover, the development has been designed in a way to ensure that it is not overbearing, due to its staggered nature, to the owner/occupiers of George House. Therefore, it can be summarised that the proposed development would not harm the privacy or appear overbearing to the existing occupiers of George House.
- 7.4.4 With respect to the impact on numbers 6 to 20 Howarde Court, as the proposed eastern elevation (front) of the building faces onto the western (rear) elevation of the properties in this development, there is no front to rear elevation separation distance standard set out in the Design Guide. Therefore, a professional judgement has to be made as to whether or not the proposed development would harm the privacy and outlook of the occupiers of the aforementioned development. Looking at the existing situation, there is currently a separation distance of approximately 27m. In regards to the proposed development before the Council, the ground and first floor levels would be positioned approximately 27m from the properties in Howarde Court. Therefore, the overall impact from the floors would be no worse than the current situation.
- 7.4.5 Turning to the proposed development at second floor level, the nearest part of the development (proposed meeting room), would be located 19m from the rear elevation of Howarde Court. However, at this level, the proposed development would look onto the roof level of the aforementioned building which comprises dormer windows. Following an assessment of the approved floor plans for Howarde Court (03/00065/FP), the dormer windows appear to serve internal hallways, large open plan kitchen/dining rooms/living rooms and a bedroom to one of the properties which is dual aspect. Consequently, whilst there is potential loss privacy at this level, there is enough separation distance combined with the overall design of the development to ensure that the level of overlooking is such that there are insufficient grounds to warrant refusal in this instance. Moreover, as the building has a staggered footprint whereby the upper levels are stepped back from Primett Road, the proposal would not appear overbearing to the occupiers in Howarde Court.
- 7.4.6 In relation to the impact on the properties located within Monument Court which is positioned across Lytton Way, there would be a separation distance of over 45m. Given the significant level of separation between the two developments, it is considered that the proposed development would not harm the outlook or the privacy of the occupiers within Monument Court.
- 7.4.7 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

- 7.4.8 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.

- 7.4.9 In regards to the impact on the properties within Howarde Court and George House, it has been established that the development would subtend the 25 degrees as taken from the relevant habitable room windows. Given this, in line with the BRE Guide there is a requirement to undertake an analysis of the Vertical Sky Component (VSC) which is the ratio of the direct sky illuminance falling on the vertical wall at a reference point. The guide states that for good levels of daylight, the VSC of a window needs to be 27%, then a comparison of existing and proposed levels of VSC have to be calculated. In addition, good levels of skylight can be achieved if VSC are within 0.8 times their former value. However, if these levels fall below this standard, then a calculation of the no-skyline test has to be undertaken to calculate the percentage of a room which can receive direct sunlight.
- 7.4.10 Following an assessment of the proposed development, it has been established that all of the rooms within Howarde Court would receive more 27% VSC following the erection of the development. In addition, the applicant has also undertaken an Average Daylight Factor (ADF) assessment which also demonstrates that following completion of the development, the rooms within Howarde Court would still receive sufficient daylight in line with the BRE guide.
- 7.4.11 In relation to the impact on George House, any windows which serve circulation spaces have not been considered as defined by the BRE Guide as these do not serve habitable rooms. However, an assessment has to be made as to the impact the development may have on living rooms, dining rooms and kitchens, however, bedrooms should also be analysed but are less important. Dealing with the apartments located on the junction of Primett Road and Lytton Way, the windows serving bedroom 2 and the main window serving the open plan living rooms/dining room are positioned on the western elevation of the building. Given this, the development would not affect the level of light which is currently being received in these rooms.
- 7.4.12 Notwithstanding the above, it is noted that the kitchen window and the window serving bedroom 1 would look onto the southern elevation of the proposed office development. However, due to the design of the proposed development where the upper levels are staggered back, the VSC levels achieved in these rooms would exceed the 27% standard set out in the BRE Guide. Turning to the area of George House which is located on the junction of Primett Road and The Games Yard, the ground floor level of the building is the secure refuse area, cycle store and plant room. In terms of the property located on the fourth floor, due to its design with the main windows looking out towards the Games Yard combined with the fact it has a large outdoor terrace, the level of daylight which is received in this property would be acceptable. However, the most likely affected properties within this part of George House are located on the first, second and third floor levels.
- 7.4.13 Dealing with the most affected properties within George House, it is noted that the open plan living room/dining rooms are dual aspect with additional windows on the eastern elevation of the building are orientated towards The Games Yard. Consequently, there would be sufficient daylight being received in these rooms. However, the most affected rooms would be the 2 bedrooms and kitchen within each of the properties. Following an assessment of these rooms individually, due to the level of separation between George House and the proposed development, combined with the overall design of the development where the upper floors are staggered, the VSC levels would still exceed the 27% standard as set out in the BRE Guide.
- 7.4.14 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

- 7.4.15 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.
- 7.4.16 Turning to the impact on the properties in George House, as the development is located due north of the aforementioned building, it would not result in any loss of sunlight to the occupiers of this development. In relation to the impact on the development at Monument Court, due to the level of separation, the proposed development would not result in a loss of the level of sunlight (Annual Probable Sunlight Hours - APSH) which is currently received.
- 7.4.17 In relation to the impact on the properties in Howarde Court, following an assessment of the proposed development, the living rooms windows located on the western elevation of the building would be affected by the development. This is because the new development would subtend an angle 25 degrees to the horizontal from the centre of the lowest window to a main living room. Therefore, the applicant has undertaken a full sunlight assessment of the properties in Howarde Court which are affected by the development. This assessment has identified that all of the affected rooms would still receive more than 371.5 hours of sunlight in the summer months and over 74.3 hours of sunlight in the winter months which accords with the BRE Guide. Therefore, the level of sunlight these properties would receive would be acceptable in this instance.
- 7.4.18 Given the aforementioned assessment, it is concluded 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

- 7.4.19 As set out in paragraph 7.4.16, as the development is located north of George House, it would not generate an unacceptable level of overshadowing to these properties. In respect to the development at Monument Court, due to the significant level of separation, the development would not cause an overshadowing to these properties. With regards to the impact on Howarde Court, due to the separation distance between the development and the aforementioned building, combined with its overall design, it would not generate an unacceptable level of overshadowing to the existing building.

External lighting

- 7.4.20 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, 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.

7.5 Impact on the highway network

- 7.5.1 The application site is currently accessed off Primett Road which is a local service road off Lytton Way (A602). The proposed development would seek stop-up the existing vehicle access off Primett Road and to create a new vehicular access near the underpass/slip road.

This access would serve the proposed basement car park which would service the office development. The access would be the main access and egress but traffic directed one way. The access point into the basement car park and egress point are both 3m in width with the main road through the car park being 6.45m in width. The new access, given its design, would meet the specifications set out in the Department for Transport (DfT) Manual for Streets and Hertfordshire County Council (HCC) Highways Design Guide as there would be adequate vehicle-to-vehicle visibility and inter-visibility lines.

- 7.5.2 In terms of traffic generation, the proposed development would change the amount of office space being delivered on the site. Given this, the applicant's transport consultant has produced a transport assessment which incorporates details of proposed traffic generation for weekdays using TRICS (Trip Rate Information Computer System). Looking at the existing development, the gross external floor area of the building is 4,357 sq.m. The proposed development would have a gross external floor area 13,138 sq.m. This would equate to an uplift of 8,781 sq.m and as such, the existing office represents 33.2% of the proposed floorspace. The applicant also undertook a survey on a weekday for a 6 hour survey period of between 07:00 to 10:00 and 16:00 to 19:00. This is to help form some base data for the modelling.
- 7.5.3 Taking the aforementioned into consideration, the proposed development would generate 108 arrivals in the AM Peak (08:00 – 09:00) of which 36 (33.2%) of these arrivals would be existing. Therefore, the proposed development would generate an additional 72 arrivals during the AM peak. In regards to departures, the proposed development would generate 122 trips in the PM peak (17:00 – 18:00) of which 41 (33.2%) of these trips would be existing. Consequently, there would be an additional 81 departures on the highway network during the PM peak period.
- 7.5.4 In assessing trip distribution, the proposed development would generate during the AM and PM peaks 2 arrivals and 2 departures every minute. The development can only be accessed by north-bound traffic on Lytton Way (A602) via the access slip road in order to park in the basement. The remainder of vehicles would park in the nearby surface car parks and as such, these can be accessed via Lytton Way in both north-bound and south-bound traffic through to Primett Road. Some vehicles would also access the car parks via Drapers Way. This would split up the vehicle distribution of the development and this is a similar situation when persons depart from the development site. Furthermore, as the site is in a sustainable location, employees would also access the site via bus or by bicycle up from the train station.
- 7.5.5 In terms of servicing the building, the daily trip generation of the proposed development would be between 24 to 25 trips of which 4 to 5 of these trips would be during peak hours. The Transport Assessment identifies that there would be an increase of 8 service vehicle movements during the day or around 1-2 trips during the peak hours. Therefore, this increase is considered negligible from a highways perspective. Following consultation with Hertfordshire County Council as Highways Authority, it is considered that the level of traffic generated by the new development would not have a significant impact on Primett Road, Lytton Way or the wider highway network. However, as part of the planning application, the applicant has submitted an initial Travel Plan to encourage a modal shift from the use of the private car to more sustainable forms of travel. Through consultation with the Highways Authority, it is recommended a condition be imposed requiring a Full Travel Plan be submitted with all the relevant surveys undertaken using TRICS. In order to monitor the Travel Plan, the Highways Authority has also recommended a financial contribution of £6,000 which has been agreed with the developer. In addition, a financial contribution of £133,952 has also been secured in order to make improvements to sustainable transport infrastructure in Stevenage Town Centre as well as improvement to the local cycle network.
- 7.5.6 Further to the above, as the proposed development would have a relatively low trip generation compared with the existing baseline traffic generated by the existing

development, there would not be a significant impact on the highway network. However, in regards to construction traffic, as this could potentially have an impact on the highway, it is recommended a condition be imposed if planning permission were to be granted. This condition would require the submission of a Construction Management Plan/Method Statement to ensure construction traffic, the siting of cabins, storage of construction equipment etc. does not prejudice the safety and operation of the highway network.

7.5.7 Turning to highway safety, the applicant has undertaken a review of accident data which is set out in the applicant's Highway Safety Audit. Following a review of this data, it has been demonstrated by the applicant that the development would be unlikely to exacerbate existing accident concerns.

7.5.8 In summary, subject to a S106 Agreement securing the relevant monetary contributions, and imposition of conditions, the proposed development, as advised by HCC as the Highways Authority, would not have a detrimental impact on the safety and operation of the highway network. In addition, any works to be undertaken on the highway would have to be agreed via a S278 Agreement of the Highways Act with the County Council.

7.6 Parking Provision

7.6.1 Policy T15 of the Local Plan (2004) states that car parking provision should be made at, or below, the maximum provision which is specified in the Council's adopted standards. Policy IT5 of the emerging Local Plan (2016) states that planning permission will be granted where proposals comply with the parking standards set out in the plan.

7.6.2 The Council's Car Parking Standards SPD (2012) sets out the maximum number of parking spaces which would be required to support the proposed development. The relevant parking requirements for the development proposal would be 1 space per 30m² gross floor area which is to be created. Given the proposal seeks to create an additional gross floor area (the total floor area inside the building envelope) of 10,316 sq.m (increase of 7,922 sq.m of gross floor area over the existing building). Given this, there would be a requirement to provide 344 parking spaces. However, as the site is located within non-residential accessibility zone 2, the base car parking standards can be reduced 25% to 50% of the maximum number of spaces which are required.

7.6.3 Taking into consideration of the above, there would be a requirement to provide between 87 spaces to 173 parking spaces. The proposed basement car park would provide 48 parking spaces which equates to a shortfall of between 39 parking spaces to 125 parking spaces. Therefore, the proposal could result in on-street parking which could potentially prejudice highway safety. However, through negotiations with the Council's Car Parking Manager, the applicant would be looking to secure 98 permits on a monthly basis to use the nearby Primett Road car park. The Council's Car Parking Manager has advised that there is sufficient capacity within the Primett Road Car Park which can accommodate the additional parking that is required. In addition, during event days such as the Charter Fair, the Car Parking Manager has confirmed that permit holders would have access to the car parks on Church Lane as well.

7.6.4 In addition to the above, the site is accessible by public modes of transport with bus stops easily accessible along the High Street. Furthermore, the applicant is providing 70 secure cycle parking spaces within the basement area which exceeds the Council's Cycle Standards set out in the Parking Standards SPD. This will help to encourage a modal shift as the site is easily accessible to the local cycle network which connects the development site to Stevenage Train Station. This would help in part to compensate the shortfall in parking provision within the development. In addition to this, a financial contribution of £133,952 has been secured towards sustainable transport infrastructure in the town centre which could also fund improvements to the wider cycle network.

7.7 Development and flood risk

7.7.1 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.

7.8 Land contamination

7.8.1 The site generally comprises of the existing office building, surface car parks and an electricity substation. The applicant has therefore undertaken a Preliminary Environmental Risk Assessment to determine what levels of contamination there may be on-site. The Assessment identified low to moderate risk from the substation along with potential pollutants such as hydrocarbons. In addition, there is also the potential for ground water to be contaminated.

7.8.2 Taking into consideration of the above, as the assessment is only preliminary, the Council's Environmental Health Section recommends the imposition of a capture all condition regarding contamination. 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 would ensure that not only the health of persons using the site are protected, but also that the wider environment such as surface groundwater is not affected by any potential contaminants if they are found.

7.9 Other Matters

Sustainable construction and climate change

7.9.1 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.

7.9.2 As part of the application submission, the applicant has provided an Energy Statement to demonstrate how the development would be adaptable to climate change. It is set out in the Statement that development has an optimised design in order to balance thermal control from within and outside the building. The proposal also utilises large amounts of glazing in order to best respond to the annual sun path which helps to reduce the reliance on artificial lighting. In addition, the building has been designed with areas of overhang to provide shading in order to help to reduce the overheating of certain parts of the building.

- 7.9.3 The proposed development also comprises energy efficient mechanical ventilation systems and air source heat pumps, thermally efficient walls (including internal walls) which would be air tight. Furthermore, energy efficient lighting with dimming controls and photovoltaic panels would be provided on the roof. The development would also utilise efficient water appliances and systems. Finally the proposed development would have a suitable drainage system to ensure the development does not overload the existing sewer network.
- 7.9.4 Given the above, 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

- 7.9.5 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.

Odour

- 7.9.6 Some concerns have been raised by residents that the proposed development is likely to generate increased issues of odour from the restaurant area. Whilst these concerns are noted, 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.

UK Power Networks objection

- 7.9.7 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.

Electric Vehicle Charging Points

- 7.9.8 Comments from HCC Highways have been received regarding the requirement to secure electric vehicle (EV) charging points. In regards to EV's, 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. It has been advised by the applicant that they are willing to consider EV points as part of the parking provision with the basement.

Loss of views

- 7.9.9 Whilst concerns have been raised about the loss of views, this is not considered to be a material planning consideration. However, an assessment has been undertaken to determine whether or not the development would harm the outlook and amenities of nearby residential properties. This assessment is set out in Section 7.4 of this report.

Noise

- 7.9.10 It is noted that concerns have been raised in regards to noise, especially during the construction phase of the development. Therefore, if planning permission were to be granted, a condition could be imposed restricting the hours of construction accordingly.

Dust, air pollution and construction traffic

- 7.9.11 Concerns have been raised that during the construction phase of the development, there may be issues regarding dust, air pollution and construction traffic. In regards to dust and construction traffic, it has been recommended by the Highway Authority that a construction management plan condition should be imposed. This will require details on construction traffic management to be submitted to and approved by the Council as the Local Planning Authority. In terms of dust, a condition can also be imposed requiring the applicant to provide details of how they will manage dust to ensure residents nearby are not affected during the construction phase of development. In terms of air pollution, the Council's Environmental Health Section has not raised any concerns and the site does not fall within an Air Quality Management Area.

8. CONCLUSIONS

- 8.1 In summary, the principle of office development on this site is acceptable and it would help to deliver employment space which the evidence base of the Emerging Local Plan identifies there is a need for. The development has been carefully designed so as not to have a detrimental impact on the setting of the Old Town Conservation and the nearby Grade II Listed Building as well as the wider street scene. Furthermore, the proposed development would not have a detrimental impact on the amenities of neighbouring properties and the development would not prejudice highway safety.
- 8.2 Additionally, whilst there is a shortfall in parking on-site, an agreement has been reached with the Council's Car Parking Manager to secure permits to allow staff to park within the nearby Council owned car parks. Further to this, the site is deemed to be in a sustainable location with the provision of secured cycling facilities for staff. In addition, the site is accessible to the High Street where there are local facilities for future employees including bus stops and nearby cycleway. The development would have an acceptable drainage strategy and subject to conditions, issues with contamination would be carefully controlled.
- 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 applicant having first entered into and completed a S106 legal agreement to secure/provide financial contributions towards:-
- A financial contribution towards sustainable transport infrastructure in Stevenage Town Centre and cycle network; and
 - The cost of assessing and evaluating the Travel Plan.

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:

BH17-PL-A201 D1; BH17-PL-A202 C; BH17-PL-A203 A; BH17-PL-A204 A; BH17-PL-A204 A; BH-PL-A206 A; BH17-PL-A207 A; BH17-PL-A208 A; BH17-PL-A209 A; BH17-PL-A220 A; BH17-PL-A221; BH17-PL-A222 A; BH17-PL-A223; BH17-PL-A230 A; BH17-PL-A231; BH17-PL-A232; BH-PL-A233; BH17-PL-A302; BH17-PL-A301; BH17-PL-A401; BH17-PL-A404; Cycle Storage Plan; Short Term and Visitor Parking Plan.

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 The development hereby permitted shall be constructed in accordance with the materials and finishes as set out in the application.

REASON:- To ensure the finished appearance of the development enhances the visual amenities of the area, including the setting of the Conservation Area.

- 4 Notwithstanding the details specified in the application submission, no 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.

8 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 of 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.

9 No development, including site clearance or demolition works, shall commence until a scheme of dust control measures has been submitted to and approved in writing by the Local Planning Authority and shall be adhered to throughout the construction period. Dust and airborne particles from operations on site shall be minimised by spraying with water or by carrying out of other such works that maybe necessary.

REASON:- In order to protect the amenities of nearby residential properties and to protect the wider environment.

10 The development hereby permitted shall not be occupied until the proposed access has been constructed as identified on drawing number BH17-PL-A201 C1 the existing access 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.

- 11 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.
- 12 Prior to the first occupation of the development 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 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 occupation of the development 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.
- 14 Prior to the first occupation of the development hereby permitted the basement car parking area shall have been fully constructed, surfaced and permanently marked out. The car parking areas so provided shall be maintained and retained permanently and shall be used for no other purpose at any time.
REASON:- To ensure that adequate parking is provided 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.
- 15 No development shall take place (excluding demolition and site clearance) 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.
- 16 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy, prepared by Create Consulting Engineers Ltd, Ref. JJ/CS/P17-1397/02, dated 4 June 2018 and the following mitigation measures detailed within the drainage strategy:
1. Limiting the surface water run off generated by the 1 in 100 year + 40% for climate change critical storm to a maximum rate of 12.0 l/s.
 2. Implementing appropriate drainage strategy based on attenuation and discharge into Thames Water surface water sewer, including SuDS features as indicated on drawing title Proposed Ground flood plan (Permeable paving area), Project number BH17-PL-A202, date 16/03/18; Proposed Roof plan (Blue roof), project number BH17-PL-A210 date 16/03/18 and Proposed basement plan (Geocellular storage), project number BH17PL-A201, date 16/03/18.
 3. 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% climate change event.

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 and storage of surface water from the site. In addition, to reduce the risk of flooding to the proposed development and future occupants.

17 No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The scheme shall also include;

1. Updated surface water drainage calculations and modelling for all rainfall events up to and including the 1 in 100 year + climate change event, including the whole site area.

2. Clarification as to where the drain at the entrance of the basement will be connecting and supporting calculations.

3. Updated full detailed surface water drainage plan showing the proposed discharge point to Thames Water sewer, the location of the proposed SuDS features, the pipe runs, size and node numbers.

4. Detailed engineered drawings of the proposed SuDS features including their, size, volume, depth and any inlet and outlet features including any connecting pipe runs, node numbers along with all corresponding detailed calculations/modelling.

5. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

6. In case of informal flooding within the site this should be shown on a plan including extent and depth.

7. Exceedance flow paths for surface water for events greater than the 1 in 100 year + climate change.

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

18 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.

19 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.

20 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 19, 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.

21 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.

22 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.

23 Within 6 months of implementing the permission hereby approved, the applicant shall submit a final Travel Plan with the object of reducing staff travelling to the development by private car which shall be implemented after its approval by the Local Planning Authority.

REASON:- To encourage a modal shift from the private car to more sustainable forms of transport.

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 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.

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:

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 : 18/00345/FPH
Date Received : 21.06.18
Location : 12 Gorleston Close Stevenage Herts SG1 2JS
Proposal : Demolition of garage and erection of part two storey, part single storey side extension to form an annexe.
Date of Decision : 11.12.18
Decision : **Planning Permission is GRANTED**

2. Application No : 18/00498/FPH
Date Received : 11.08.18
Location : 38 Grove Road Stevenage Herts SG1 3NU
Proposal : Single storey rear extension
Date of Decision : 06.12.18
Decision : **Planning Permission is GRANTED**

3. Application No : 18/00573/FP
Date Received : 17.09.18
Location : 79 Four Acres Stevenage Herts SG1 3PJ
Proposal : Change of use from public amenity land to residential driveway
Date of Decision : 13.12.18
Decision : **Planning Permission is GRANTED**

4. Application No : 18/00584/FPH
Date Received : 20.09.18
Location : 21 Whomerley Road Stevenage Herts SG1 1SP
Proposal : Proposed two storey side extension
Date of Decision : 27.11.18
Decision : **Planning Permission is REFUSED**

For the following reason(s);

1. The proposed development by reason of its overall size, scale and lack of subservience to the application property, will be detrimental to the character and appearance of the application property as well as the visual amenities of this part of Whomerley Road. It would therefore, be contrary to Policies TW8 and TW9 of the Stevenage District Plan Second Review 1991 - 2011 (adopted 2004), Policy GD1 of the Stevenage Borough Local Plan 2011 - 2031 Publication Draft, January 2016, the Stevenage Design Guide SPD (2009), the National Planning Policy Framework (2018) and Planning Practice Guidance (2014).
2. Planning Permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted pro-actively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.
3. The proposed development does not make adequate provision for car parking in accordance with the Council's adopted standards. This is likely to result in on-street parking to the detriment of highway safety. This is contrary to Policy T15 of the Stevenage District Plan Second Review 1991 - 2011 (adopted 2004), Stevenage Borough Local Plan 2011 - 2031 Publication Draft, January 2016, the Council's Car Parking Standards SPD (2012), the National Planning Policy Framework (2018) and Planning Practice Guidance (2014).

5. Application No : 18/00587/FP
Date Received : 24.09.18
Location : 40 Archer Road Stevenage Herts SG1 5HA
Proposal : Change of use of adopted highway land to private residential amenity space.

- Date of Decision : 28.11.18
- Decision : **Planning Permission is GRANTED**
6. Application No : 18/00590/FPH
- Date Received : 24.09.18
- Location : 41 Whitney Drive Stevenage Herts SG1 4BQ
- Proposal : Single storey rear extension, new window to existing front elevation and new dormer to existing roof.
- Date of Decision : 11.12.18
- Decision : **Planning Permission is GRANTED**
7. Application No : 18/00595/AD
- Date Received : 27.09.18
- Location : ASDA Stores Ltd Monkswood Way Stevenage Herts
- Proposal : Proposed signage to Timpson pod to include 3 fascia signs and 4 panel signs
- Date of Decision : 22.11.18
- Decision : **Advertisement Consent is GRANTED**
8. Application No : 18/00598/FPH
- Date Received : 28.09.18
- Location : 7 The Brambles Stevenage Herts SG1 4AU
- Proposal : Proposed two storey front and rear extensions, alterations to garage, dormer window, fenestrations and weatherboard.
- Date of Decision : 23.11.18
- Decision : **Planning Permission is GRANTED**
9. Application No : 18/00599/CLPD
- Date Received : 29.09.18
- Location : 148 Letchmore Road Stevenage Herts SG1 3PT
- Proposal : Certificate of Lawfulness for a loft conversion with a flat roof rear dormer
- Date of Decision : 12.12.18
- Decision : **Certificate of Lawfulness is APPROVED**

10. Application No : 18/00600/CLEU
Date Received : 01.10.18
Location : 80 Kymswell Road Stevenage Herts SG2 9JS
Proposal : Certificate of Existing Lawful Use for the continued use of the premises as a HMO (use Class C4)
Date of Decision : 26.11.18
Decision : **Certificate of Lawfulness is REFUSED**

For the following reason: -

1. It is considered on the balance of probabilities that the use of the premises as a House in Multiple Occupancy within Use Class C4 of the Town and Country Planning (Use Classes) Order 1987 has not occurred for a period of 10 years. Therefore, for the purposes of S.171B of the Town and Country Planning Act 1990 it is considered that the use of the premises for C4 purposes is not lawful.

11. Application No : 18/00606/FPH
Date Received : 02.10.18
Location : 83 Torquay Crescent Stevenage Herts SG1 2RH
Proposal : Single storey front extension
Date of Decision : 28.11.18
Decision : **Planning Permission is REFUSED**

For the following reason:-

1. Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted pro-actively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.
2. The proposed extension by virtue of its forward projection would be visually discordant and intrusive to the detriment of the visual amenities of the street scene and the character and appearance 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), Policy GD1 of the Stevenage Borough Local Plan 2011 - 2031 Publication

12. Application No : 18/00607/AD
Date Received : 02.10.18
Location : Former John Lewis Plc Cavendish Road Stevenage Herts
Proposal : 3no. illuminated free standing signs & 1no illuminated fascia sign.
Date of Decision : 26.11.18
Decision : **Advertisement Consent is GRANTED**

13. Application No : 18/00608/FPH
Date Received : 03.10.18
Location : 63 Carters Close Stevenage Herts SG2 9QA
Proposal : Garage conversion
Date of Decision : 30.11.18
Decision : **Planning Permission is REFUSED**

For the following reason:-

1. Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted pro-actively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.
2. The proposal, if permitted, would by virtue of the loss of the existing garage serving the property result in an inadequate provision for parking within the site to serve the application property. This would be likely to lead to the parking of vehicles on the adjacent highway to the detriment of highway safety and neighbour amenity, contrary to policies T15 and T16 of the Stevenage District Plan Second Review 1991-2011, policy IT5 of the Emerging Local Plan, the NPPF and the NPPG, and the Council's Car Parking Standards SDP (2012).

14. Application No : 18/00610/FPH
Date Received : 04.10.18

Location : 24 Ellis Avenue Stevenage Herts SG1 3SA

Proposal : Single Storey Front Extension

Date of Decision : 28.11.18

Decision : **Planning Permission is GRANTED**

15. Application No : 18/00611/FP

Date Received : 04.10.18

Location : 24 Ellis Avenue Stevenage Herts SG1 3SA

Proposal : Construction of new 3 no bed end of terrace house

Date of Decision : 28.11.18

Decision : **Planning Permission is REFUSED**

For the following reason: -

1. Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted pro-actively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.
2. The proposed development by reason of its overall size, width and lack of subservience to the application property would result in a development which would enclose the space between No 24 and 26 Ellis Avenue which would be detrimental to the character and appearance of the application property and the visual amenities of this part of Ellis Avenue generally. It would therefore, be contrary to Policies TW8 and TW9 of the Stevenage District Plan Second Review 1991 - 2011 (adopted 2004), Policy GD1 of the Stevenage Borough Local Plan 2011 - 2031 Publication Draft, January 2016, the Stevenage Design Guide SPD (2009), the National Planning Policy Framework (2018) and Planning Practice Guidance (2014).
3. The proposed development by virtue of its two storey height and proximity to No.26 Ellis Avenue would result in the overlooking of the private rear garden of this adjoining property from the proposed first first bedroom windows. The development would, therefore, be harmful to the amenities currently enjoyed by the occupiers of this property contrary to Policies TW8 and TW9 of the Stevenage District Plan Second Review 1991 - 2011 (adopted 2004), Policy GD1 of the Stevenage Borough

16. Application No : 18/00613/FPH
Date Received : 04.10.18
Location : 21 Franklins Road Stevenage Herts SG1 3BN
Proposal : Single storey front, rear and side extension with alterations to front elevation including new driveway and access
Date of Decision : 26.11.18
Decision : **Planning Permission is GRANTED**

17. Application No : 18/00615/FP
Date Received : 04.10.18
Location : 132 Shephall View Stevenage Herts SG1 1RR
Proposal : Proposed two bedroom dwelling and conversion of existing dwelling into 2no.flats inc part double and part single storey extension
Date of Decision : 27.11.18
Decision : **Planning Permission is REFUSED**

For the following reason(s);

1. Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council acted pro-actively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.
2. The internal amenity space of both the proposed flats in the converted dwelling would be below the nationally described space standards set out in Appendix C of the Stevenage Borough Local Plan 2011-2031 Publication Draft January 2016 and would thus be contrary to emerging policy GD1 of the Stevenage Borough Local Plan 2011-2031 which requires proposals to at least meet the nationally described space standards. This would lead to unsatisfactory living conditions for future occupiers of the proposed residential accommodation.

18. Application No : 18/00617/FPH
Date Received : 05.10.18
Location : 1 Speke Close Stevenage Herts SG2 0NQ
Proposal : Single storey side extension
Date of Decision : 30.11.18
Decision : **Planning Permission is GRANTED**
19. Application No : 18/00618/FP
Date Received : 05.10.18
Location : 20 To 30 Plash Drive Stevenage Herts SG1 1LW
Proposal : Removal of existing hanging tiles and installation of insulated render.
Date of Decision : 26.11.18
Decision : **Planning Permission is GRANTED**
20. Application No : 18/00620/FPH
Date Received : 08.10.18
Location : 44 Broadwater Crescent Stevenage Herts SG2 8EG
Proposal : Single storey front extension
Date of Decision : 23.11.18
Decision : **Planning Permission is GRANTED**
21. Application No : 18/00622/FPH
Date Received : 08.10.18
Location : 52 Oaks Cross Stevenage Herts SG2 8LR
Proposal : Single storey front and side extension
Date of Decision : 22.11.18
Decision : **Planning Permission is GRANTED**
22. Application No : 18/00623/TPTPO
Date Received : 08.10.18
Location : 5 Woodfield Road Stevenage Herts SG1 4BP
Proposal : Removal of dead boughs and selective pollardisation of limbs to reduce height of 5no. Lime trees (T11, T12, T13, T14, T15),

1no. Beech tree (T10) and 1no. Sycamore tree (T8) protected by a Tree Preservation Order 82

Date of Decision : 11.12.18

Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**

23. Application No : 18/00626/TPTPO

Date Received : 09.10.18

Location : 34A Fellowes Way Stevenage Herts SG2 8BW

Proposal : Reduce Beech (T1 and T2) due to excessive shading protected by Tree Preservation Order 43

Date of Decision : 04.12.18

Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**

24. Application No : 18/00627/FP

Date Received : 09.10.18

Location : 35A & 35B Gonville Crescent Stevenage Herts SG2 9LX

Proposal : Variation of condition 1 attached to planning permission reference number 13/00589/FP to amend off road parking layout.

Date of Decision : 06.12.18

Decision : **Planning Permission is GRANTED**

25. Application No : 18/00628/AD

Date Received : 09.10.18

Location : Old Red Lion PH Hydean Way Shephall Green Stevenage

Proposal : Retention of 1no. externally illuminated lettering sign; 2no. internally illuminated totem signs; 1no. non-illuminated totem sign; 1no. non-illuminated amenity panel sign; 1no. non-illuminated entrance sign; 1no. externally illuminated entrance sign; 2no. brass lanterns; 2no. externally illuminated 'V' directional panel signs; 2no. externally illuminated directional signs and 1no. non-illuminated information panel.

Date of Decision : 03.12.18

Decision : **Advertisement Consent is GRANTED**

26. Application No : 18/00629/FPH

Date Received : 10.10.18

- Location : 8 Barley Croft Stevenage Herts SG2 9NP
- Proposal : Single storey rear extension
- Date of Decision : 05.12.18
- Decision : **Planning Permission is GRANTED**
27. Application No : 18/00635/TPTPO
- Date Received : 12.10.18
- Location : 1-14 The Grange And 1-9 Olde Swann Court Stevenage Herts SG1 3WB
- Proposal : Various works to trees T2, T3, T5, T7, T9, T10, T12, T13 and T14 protected by Tree Preservation Order No.61
- Date of Decision : 05.12.18
- Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
28. Application No : 18/00639/FP
- Date Received : 12.10.18
- Location : Solutions House Crompton Road Stevenage Herts
- Proposal : Replacement of asbestos roof cladding
- Date of Decision : 30.11.18
- Decision : **Planning Permission is GRANTED**
29. Application No : 18/00640/FPH
- Date Received : 15.10.18
- Location : 3 Humber Court Stevenage Herts SG1 3XS
- Proposal : Single storey rear extension
- Date of Decision : 11.12.18
- Decision : **Planning Permission is GRANTED**
30. Application No : 18/00641/FP
- Date Received : 16.10.18
- Location : Tapi Carpets, Unit 1B Roaring Meg Retail Park London Road Stevenage
- Proposal : Installation of new auto doors

- Date of Decision : 11.12.18
- Decision : **Planning Permission is GRANTED**
31. Application No : 18/00644/FPH
- Date Received : 17.10.18
- Location : 1 Langthorne Avenue Stevenage Herts SG1 3ND
- Proposal : Following demolition of existing garage extension and conservatories, to erect a single-storey side extension.
- Date of Decision : 11.12.18
- Decision : **Planning Permission is GRANTED**
32. Application No : 18/00646/TPTPO
- Date Received : 17.10.18
- Location : 23 Boswell Gardens Stevenage Herts SG1 4SB
- Proposal : Felling of Oak tree T1 covered by TPO 110.
- Date of Decision : 18.12.18
- Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
33. Application No : 18/00649/FPH
- Date Received : 19.10.18
- Location : 4 Nursery Cottage Symonds Green Lane Stevenage Herts
- Proposal : Single storey rear extension
- Date of Decision : 11.12.18
- Decision : **Planning Permission is GRANTED**
34. Application No : 18/00654/CLPD
- Date Received : 23.10.18
- Location : 292 Grace Way Stevenage Herts SG1 5AN
- Proposal : Certificate of lawfulness for a Garage conversion, including alterations to the roof
- Date of Decision : 26.11.18
- Decision : **Certificate of Lawfulness is APPROVED**
35. Application No : 18/00655/FPH

- Date Received : 23.10.18
- Location : 210 Grace Way Stevenage Herts SG1 5AQ
- Proposal : Single storey front extension
- Date of Decision : 18.12.18
- Decision : **Planning Permission is GRANTED**
36. Application No : 18/00661/TPTPO
- Date Received : 24.10.18
- Location : 1 Clements Place Rectory Lane Stevenage Herts
- Proposal : Removal of deadwood of the crown of Common Yew Tree (T2) protected by Tree Preservation Order 92
- Date of Decision : 12.12.18
- Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
37. Application No : 18/00664/CPAR
- Date Received : 25.10.18
- Location : 38 Queensway Town Centre Stevenage Herts
- Proposal : Prior approval for the change of use from shop (Use Class A1) to restaurant/cafe (Use Class A3)
- Date of Decision : 12.12.18
- Decision : **Prior Approval is NOT REQUIRED**
38. Application No : 18/00671/FPH
- Date Received : 26.10.18
- Location : 45 Oakfields Stevenage Herts SG2 8NE
- Proposal : Single storey rear extension
- Date of Decision : 12.12.18
- Decision : **Planning Permission is GRANTED**
39. Application No : 18/00675/FPH
- Date Received : 29.10.18
- Location : 155C Valley Way Stevenage Herts SG2 9DD
- Proposal : Single storey side extension

Date of Decision : 12.12.18

Decision : **Planning Permission is GRANTED**

40. Application No : 18/00677/FP

Date Received : 30.10.18

Location : 4A Haycroft Road Stevenage Herts SG1 3JJ

Proposal : Erection of 3 bedroom single storey dwelling

Date of Decision : 18.12.18

Decision : **Planning Permission is GRANTED**

41. Application No : 18/00678/FPH

Date Received : 31.10.18

Location : 59 Lime Close Stevenage Herts SG2 9QB

Proposal : First floor side and rear extension

Date of Decision : 18.12.18

Decision : **Planning Permission is GRANTED**

42. Application No : 18/00683/FPH

Date Received : 05.11.18

Location : 206 Broadwater Crescent Stevenage Herts SG2 8ER

Proposal : Front porch extension

Date of Decision : 18.12.18

Decision : **Planning Permission is GRANTED**

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.

Meeting: Planning and Development
Committee

Agenda Item:

Date: Tuesday 8 January 2019

INFORMATION REPORT - APPEALS / CALLED IN APPLICATIONS

Author – Linda Sparrow 01438 242837

Lead Officer – Chris Berry 01438 242257

Contact Officer – David Rusling, 01438 242270

1. APPEALS RECEIVED

- 1.1 17/00543/FP. 4 Fishers Green, appeal against refusal of planning permission for the demolition of existing dwelling and erection of 4no. three bedroom dwellings and relocation of vehicular access.
- 1.2 18/00158/FP. 71 Valley Way, appeal against refusal of permission for a two storey side extension to create 1no. one bed terraced dwelling.

2. DECISIONS AWAITED

- 2.1 None.

3. DECISIONS RECEIVED

- 3.1 None.

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