



**PLANNING AND DEVELOPMENT COMMITTEE**

**Date: Tuesday, 18 June 2019**

**Time: 6.30pm**

**Location: Council Chamber, Daneshill House, Danestrete**

**Contact: Lisa Jerome (01438) 242203**

Members: Councillors: D Cullen (Chair), ME Gardner (Vice-Chair),  
D Bainbridge, S Barr, J Hanafin, L Harrington, L Kelly, G Lawrence,  
J Lloyd, S-J McDonough, M McKay, G Snell and T Wren.

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**AGENDA**

**PART 1**

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

**2. MINUTES - 30 MAY 2019**

To approve as a correct record the Minutes of the previous meeting of the Committee held on 30 May 2019.

Pages 3 – 30

**3. 19/00223/FP - GARAGE COMPOUND TO THE SOUTH OF 148 - 150 HYDEAN WAY**

To consider an application for the demolition of garages and construction of 3no. detached houses, including change of use of access road to residential garden land for No.148 Hydean Way.

Pages 31 – 44

**4. 19/00236/FP - LAND TO THE SIDE OF 40 AUSTEN PATHS**

To consider an application for the creation of 8 parking bays and associated footpath.

Pages 45 – 52

**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 53 – 60

**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 61 – 62

**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: Thursday, 30 May 2019

Time: 6.30pm

Place: Council Chamber, Daneshill House, Danestrete

**Present:** Councillors: David Cullen (Chair), Michelle Gardner (Vice Chair), Doug Bainbridge, Sandra Barr, Jody Hanafin, Liz Harrington, Lizzy Kelly, Sarah-Jane McDonough, Maureen McKay, Graham Snell and Tom Wren

**Start / End Time:** Start Time: 6.30pm  
End Time: 8.30pm

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

Apologies for absence were received from Cllrs G Lawrence and J Lloyd.

There were no declarations of absence.

At this juncture, Councillor M Gardner was nominated, seconded and elected as Vice-Chair of the Planning and Development Committee for the Municipal Year 2019/20.

The Chair then informed the Committee that Items 6 and 7 (Application 19/00124/FP and Application 19/00079/FP) on the agenda had been withdrawn due to legal reasons.

#### 2 **MINUTES - 3 APRIL 2019**

It was **RESOLVED** that minutes of the Planning and Development Committee meeting held on 3 April 2019 are approved as a correct record and signed by the Chair.

#### 3 **19/00197/FP - LAND AT 29 SHEPHALL WAY, STEVENAGE**

The Development Manager informed the Committee that following the approval of the Stevenage Local Plan at the Annual Council meeting on 22 May 2019, all planning applications were now based on the adopted Local Plan.

The Committee considered an application for the erection of a three storey building comprising 6no. two bed and 3no. one bed flats with associated landscaping. Members noted that the application was required to be considered by Committee as the council was the applicant and landowner. The Development Manager drew attention to the revised conditions 1, 4 and 5.

The Development Manager gave an introduction to the Committee. He advised that the main issues for consideration in the determination of this application were the principle of development in terms of land use policy, the impact on the appearance of the area, impact on neighbourhood amenity, the accessibility of the access and parking arrangements and landscaping proposals.

The Chair invited Mr Pollard, an objector to address the Committee. Mr Pollard's objections related to encroachment of the proposed development onto the wooded area, traffic volumes and privacy issues. The objector also informed the Committee that previous occupants had abandoned two separate applications for the extension of a doctors' surgery on the property. He also commented that an application for 3 dwellings had previously been approved which was more appropriate. The Chair thanked Mr Pollard and informed him that the Planning and Development Committee did not as a procedure carry out site visits prior to considering planning applications.

The Chair then invited the Assistant Director (Housing Development), on behalf of the applicant, to address the Committee. The Assistant Director informed Members that the proposed three storey development had been sympathetically designed. Following pre-application advice, the roof design of the proposed development had been modified from a flat roof to a pitched roof. The Committee was informed that the previous occupant had abandoned expansion plans due to structural failures of the building. The proposed development of 9 affordable rental units was more financially beneficial to the Council than the previous application for three houses on the property. The Assistant Director referred to a conclusion by the Council's Arboricultural and Conservation Manager that the proposed development would not have negative impact on the wooded area.

The Chair thanked the Assistant Director and invited the Development Manager to continue with his presentation. Members were advised that the land was previously occupied by a doctor's surgery and is therefore considered as previously developed. The proposed development was acceptable in land use terms. The Development Manager clarified that the provision of 9 units does not fall within the classification of a major development and there was no requirement to provide affordable housing. However, as a Council owned site, it is proposed that this development would be 100% affordable. He also confirmed that if planning permission is granted, the development could be linked to the proposed North Road scheme (Application 18/00740/FPM) to provide the affordable housing requirement generated by this development. The Development Manager advised that the internal layouts had been carefully developed to protect the privacy of neighbouring properties. He stated that the front to front separation distance of 33m was deemed to be acceptable. It was noted that the Council's adopted Design Guide does not specify a minimum front to front separation distance.

In response to Members' questions, the Development Manager commented as follows:

- The Council would retain ownership of the flats
- There would be a shared driveway with the neighbouring property
- The Highways Authority, Hertfordshire County Council, had insisted on the creation of new access to the site – on the southern side, adjacent to the

boundary with No. 15 Shephall Way

- Whilst the proposed development was clearly taller than surrounding properties, it is not considered that the proposal would harm the character and appearance of the area
- The Council's Arboricultural and Conservation Manager had not opposed the plans to remove five individual and two groups of trees within the site and five trees within the woodland
- There was self-seeding around the site
- The bin store would be located at the front of the site for easy access by future occupiers and refuse collection teams

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:  
13299-P012-D; 13299-P010-E; 13299-S001-C; ARBTECH AIA 01; 13299-P011-B; ARBTECH TPP 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 take place until a schedule and samples 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. Development shall be carried out in accordance with the approved details.
- 4 The parking, turning and servicing areas shown on drawing number(s) 13299-P010-E shall be provided, marked out and hard surfaced ready for use prior to the first occupation of the premises and shall be made of porous material, or provision shall be made to direct surface water run-off from the hardstanding to a permeable or porous area or surface within the curtilage of the site. They shall be retained in that form and kept available for those purposes thereafter.
- 5 The development hereby permitted shall not be brought into use until the new access and the repositioning of the existing access have been provided as identified on drawing number 13299-P010-E, and the footway has been reinstated to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction
- 6 The access shall be constructed in a hard surfacing material for the first 4.80 metres from the back edge of the footway.
- 7 Prior to the first use of any vehicular access, a visibility splay of 2 metres x 2 metres shall be provided, within which no obstruction shall occur above 0.6 metre or below 2.0 metres in height. The visibility splay shall be measured along each side of the driveway access and along the back edge of the footway or verge, and shall be permanently maintained thereafter.

- 8 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 0800 and 1330 on Saturdays.
- 9 Prior to the commencement of development, a detailed scheme of soft and hard landscaping and details of the treatment of all hard surfaces shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all existing trees on the land and details showing all trees to be removed, together with details of all new planting to take place including species, size and method of planting. The approved landscaping scheme shall be implemented in the first planting season following completion of the development.
- 10 Before any development commences, including any site clearance or demolition works, any trees on the site shall be protected by fencing or other means of enclosure in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority. Such protection as may be agreed shall be inspected and approved by the Local Planning Authority prior to the commencement of the work and maintained until the conclusion of all site and building operations.
- 11 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.
- 12 All hard surfacing comprised in the approved details of landscaping shall be carried out within three months of the first occupation of the building(s) or the completion of the development, whichever is the sooner.
- 13 No removal of trees, scrub or hedges, shall be carried out on site between the 1st March and 31st August inclusive in any year, unless searched beforehand by a suitably qualified ornithologist.
- 14 If during the course of development any contamination is found or suspected, works shall cease and the local planning authority shall be informed immediately. The local planning authority may request the nature and extent of any contamination to be investigated in order that a suitable remediation strategy can be proposed. The development shall not continue until any required remediation as agreed in writing by the local planning authority has been undertaken, and the local planning authority has confirmed it has been undertaken to its satisfaction.
- 15 Before development commences details of wheel cleaning facilities to be provided on site during site preparation and construction works shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be installed on site before the development

commences, including any site clearance or demolition works, and shall be retained in working order until the completion of development and all vehicles leaving the site during this period shall use these facilities.

- 16 No development shall take place until details of measures to address adaptation to climate change and energy efficiency have been submitted to and approved in writing by the Local Planning Authority. These measures shall then be implemented and permanently maintained in accordance with the approved details.

4 **19/00136/FPM - 145 SCARBOROUGH AVENUE, STEVENAGE**

The Committee considered an application for the erection of 29no. one, two and three bedroom flats over a semi-basement car park with associated landscaping. The development is at the site of a former 'Annex' community centre on Scarborough Avenue. The application was before the Committee as the Council was the applicant and landowner and this was classed as a major development.

The Principal Planning Officer gave an introduction to the Committee. The Principal Planning Officer drew attention to revised conditions 1, 12 and 16 and additional conditions 22 and 23. She advised that the main issues for consideration in the determination of this application were the acceptability of development in land use policy terms, affordable housing provision and s106 contributions, design, scale and the impact on the character and appearance of the area, amenity of occupiers, landscaping and trees, access and parking, waste, noise, drainage and climate change.

The Principal Planning Officer informed the Committee that whilst this was a Council-led scheme and the development is to be 100% affordable, to safeguard the delivery of affordable housing should circumstances change, it should be recommended that, a minimum, 25% of the units are required to be affordable. A s106 agreement was recommended to secure affordable housing and contributions toward primary and secondary education, sustainable transport improvements, improvement of children's plays pace and outdoor sports provision. The Committee was advised that development would provide 35 unallocated car park spaces and 30 cycle parking spaces. The car park spaces would be one short of the parking requirement for a development of this nature. However, the car park space provision was deemed satisfactory subject to the condition of one additional disabled car park space. It was indicated that an additional condition had been added to reflect flood risk measures.

Members sought clarification on public transport provision for the area, location of bin stores and the front to front separation distance between the proposed building and neighbouring properties. In her response, the Principal Planning Officer confirmed that HCC had requested £16,000 for the upgrading of bus stops adjacent to the site. Members were informed that HCC had the remit of negotiating bus service arrangements with providers. The Council had raised with HCC the issues of improving bus service around the site. The location of the bin store on the western boundary was not ideal but would be convenient for future occupiers and the Council's waste operatives' requirements. However, a condition would be imposed

to require details to be submitted for consideration. The separation distance from the nearest corner of the proposed building to the front elevations of the properties would measure approximately 25m and this was considered to be acceptable. It was pointed out that since the Design Guide did not specify distances for front to front relationships, separation distances were assessed on a case-by-case basis.

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;
- Sustainable transport improvement;
- The improvement of Children's plays pace and outdoor sports provision
- 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: RT18013, 001PL3 Existing Location Plan; 099PL3 Proposed Location Plan; 100PL6 Proposed Site Plan; 101PL4 Proposed Basement Floor Plan; 102PL5 Proposed Ground Floor Plan; 103PL5 proposed First Floor Plan; 104PL5 Proposed Second Floor Plan; 105PL3 Proposed Roof Plan; 110PL3 Proposed Elevations; 111PL3 Proposed Elevations; 112PL3 Proposed Elevations; 113PL3 Proposed Elevations; L001 Tree Constraint Plan; L002 Tree protection Plan.
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. The development hereby permitted shall be constructed in accordance with the materials and finishes as set out for the approved building in the application.
4. No development shall take place until details of the approved bin store have been submitted to and approved in writing by the Local Planning Authority.
5. No development shall take place above slab level until there has been submitted to and approved by the Local Planning Authority a scheme of soft and hard landscaping and details of the treatment of all hard surfaces. The scheme shall include details of all existing trees and hedgerows on the land and details showing all trees to be removed, or retained, together with details of all new planting to take place including species, size and method of planting, and boundary treatments.
6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of the development whichever is the sooner.



7. All hard surfacing comprised in the approved details of landscaping shall be carried out prior to the first occupation of the building or the completion of the development, whichever is the sooner.
8. 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.
9. 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.
10. No 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.
11. No development shall take place until a scheme for protecting the proposed dwellings from noise from road traffic has been submitted to and approved in writing by the local planning authority. None of the dwellings shall be occupied until such a scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.
12. The development hereby permitted shall not commence until the proposed accesses have been constructed as identified on the "in principle" general arrangement site plan number RT 18013 100 PL6 and the existing accesses have been reinstated to footway construction to the current specification of Hertfordshire County Council and to the local Planning Authority's satisfaction.
13. Before the accesses are first brought into use vehicle to vehicle visibility splays of 2.4 metres by 43 metres in a both directions shall be provided and permanently maintained, within which there shall be no obstruction to visibility between 600 mm and 2.0 metres above the footway 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.
14. Prior to the first use of the development hereby permitted 0.65 metre x 0.65 metre pedestrian visibility splays shall be provided and permanently

maintained each side of the access. They shall be measured from the point where the edges of the access way cross the highway boundary, 0.65 metres into the site and 0.65 metres along the highway boundary therefore forming a triangular visibility splay. Within which, there shall be no obstruction to visibility between 0.6 metres and 2.0 metres above the carriageway.

15. The gradient of the main access shall not be steeper than 1 in 10 from the back edge of the footway.
16. Prior to the first occupation of the development hereby permitted the car parking spaces as detailed on drawing numbers RT18013, 100PL6 and 101PL4 shall be surfaced and marked out in accordance with the approved plan and shall be made of porous material, or provision shall be made to direct surface water run-off from the hardstanding to a permeable or porous area or surface within the curtilage of the site. They shall be retained in that form and kept available for the sole use of parking for the development hereby permitted.
17. Prior to the commencement of the development, a Construction Management Plan/Method Statement shall be submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved Plan/Statement.

The Construction Management Plan/Method statement shall address the following matters:

- (i) Details of a construction phasing programme (including any pre-construction or enabling works);
  - (ii) Hours of construction operations including times of deliveries and removal of waste;
  - (iii) 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 customers;
  - (v) Details of 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 details
  - (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 access roads and the adjacent public highway and;
  - (xii) Disposal of surplus materials.
18. No development shall take place above slab level until details of Electric Vehicle Charging Points to include provision for 10% of the car parking

spaces to be designated for plug-in Electric Vehicles 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.

19. No development shall take place above slab level until details of measures to address adaptation to climate change and energy efficiency have been submitted to and approved in writing by the Local Planning Authority. These measures shall then be implemented and permanently maintained in accordance with the approved details.
20. As this is a previously developed site there may be a risk of the land containing contaminants. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority.
21. No development shall take place until details of measures to address adaptation to climate change and energy efficiency have been submitted to and approved in writing by the Local Planning Authority. These measures shall then be implemented and permanently maintained in accordance with the approved details.
22. No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Flood Risk Assessment & Drainage Strategy, prepared by Ridge & Partners LLP, dated 29 April 2019, project 9009420, version 1.0 and all supporting information. The scheme shall also include;
  1. Implementing drainage strategy based on infiltration supported by infiltration testing carried out in accordance with BRE Digest 365 at the location of the proposed SuDS features.
  2. Where infiltration is not feasible implement a drainage strategy based upon attenuation and discharge into the Thames Water surface water sewer restricted to 1l/s for rainfall events up to and including the 1 in 100 year + 40% climate change event. Confirmation from Thames should be provided to support the scheme.
  3. Provide 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.
  4. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features such as permeable paving, swales etc. reducing the requirement for any underground storage.
  5. Silt traps for protection for any residual tanked elements.
  6. Detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations to

ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.

The scheme shall be fully implemented and subsequently maintained, 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.

23. Upon completion of the drainage works for each site in accordance with the timing / phasing, 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 include;
1. Provision of complete set of as built drawings for site drainage.
  2. Maintenance and operational activities.
  3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

5 **18/00740/FPM - 12 NORTH ROAD, STEVENAGE**

The Committee considered an application for the construction of three and four storey building to comprise 21no. one and two bed flats with associated parking, landscaping, bin and cycle stores and new vehicular access. Members noted that the application was required to be considered by Committee as the council was the applicant and landowner.

The Principal Planning Officer gave an introduction to the Committee and drew attention to revised condition 1. She advised that the main issues for consideration in the determination of this application were the acceptability of development in land use policy terms, affordable housing provision and s106 contributions, design, scale and the impact on the character and appearance of the area, amenity of neighbours, amenity of occupiers, landscaping and trees, access and parking, waste, noise drainage and climate change. It was noted that the proposed development was at the site of a former residential care home.

The Chair invited Mr Chris Hughes, an objector to address the Committee. Mr Hughes's objections related to scale and height of the building, parking, highway safety, loss of privacy and appearance and design. The Chair thanked Mr Hughes and then invited the Assistant Director (Housing Development), on behalf of the applicant, to address the Committee.

The Assistant Director (Housing Development) informed the Committee that the proposal was considered to be in a sustainable location and the scheme had been amended to address the concerns of adjoining occupiers with the height being reduced and the orientation of some windows had been adjusted to address loss of privacy. He also advised that this development was required to help fund the development at Shephall Way and Scarborough Avenue which were delivering 100% affordable housing. He also confirmed that the building's designers had used the latest available maps and technology and therefore the details on the proposed plans were accurate.

The Principal Planning Officer advised Members that Condition 1 had been amended in response to feedback regarding plans for the bin and cycle stores. She highlighted that the site was on land classified as previously developed. The Principal Planning Officer indicated that the windfall site met criteria set out in Policy H05 of the adopted local plan. The Committee was informed that there would be no affordable housing on site. The six unit affordable housing provision as required by Policy H07 of the adopted local plan would be provided at Shephall Way (application ref: 19/00197/FP) or Scarborough Avenue (application ref: 19/00136/FPM). The Principal Planning Officer clarified that the adopted 2019 Local Plan did not specify housing density standards.

The Officer informed Members that the proposed new vehicular access was considered acceptable in principle and that the proposal was considered to be in a sustainable location. The height of the rear element of the building and the orientation of some windows had been adjusted to address loss of privacy and light issues raised by the occupiers of 28 Daltry Road to the rear. Members were informed that the parking provision was within HCC guidelines. The building designers had used the latest available maps and technology and therefore there details on the proposed plans were accurate.

The Principal Planning Officer concluded by stating that the redevelopment of 12 North Road with a four storey flat development of high quality design was considered acceptable and would not harm the character and appearance of the area generally. The proposal would provide adequate living accommodation, external space and parking area to satisfy the Council's adopted standards and would not result in an unacceptable loss of privacy to the occupiers of properties in Daltry Road to the rear.

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;
- Sustainable transport improvements
- The improvement of open outdoor space and children's play space;
- Securing the off-site provision of affordable housing;

The detail of which is to 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: 18003SU2.01 Existing Site Location Plan; 18003SU2.02 Location Plan; 18003WD2.01 J Proposed Site Location Plan; 18003WD2.02 F Proposed Floor Plans; 18003WD2.03 E Proposed Floor Plans; 18003WD2.04 F Proposed Elevations; 18003WD2.05 C 3D Perspective Plan; 18003WD2.06 C Street Scene Elevations; 18003WD2.07 C Proposed Section; 18003WD2.09 B Proposed Roof Plan; 18003WD2.10

### Proposed Bin and Cycle Store Plans.

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. No development shall take place above slab level until a schedule and samples of the materials, to include windows and doors, to be used in the construction of the external surfaces of the approved building, bin and cycle stores hereby permitted, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. Notwithstanding the details shown in this application the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development above slab level. The approved boundary treatments shall be completed before the use hereby permitted is commenced or before the building(s) is occupied.
5. No development shall take place above slab level until there has been submitted to and approved by the Local Planning Authority a scheme of soft and hard landscaping and details of the treatment of all hard surfaces. The scheme shall include details of all existing trees and hedgerows on the land and details showing all trees to be removed, or retained, together with details of all new planting to take place including species, size and method of planting.
6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of the development whichever is the sooner.
7. All hard surfacing comprised in the approved details of landscaping shall be carried out prior to the first occupation of the building or the completion of the development, whichever is the sooner.
8. 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.
9. No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
10. No development, including site clearance, shall commence until the trees shown to be retained on the site, as identified on drawing 18003wd2.01 revision J, have been protected by fencing in accordance with details which

have first been submitted to and approved in writing by the Local Planning.

11. Within the areas to be fenced off in accordance with condition 10, there shall be no alteration to the ground levels and they shall be kept clear of vehicles, materials, surplus soils, temporary buildings and machinery.
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 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.
14. No 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.
15. Prior to the first occupation of the development hereby permitted the vehicular access shall be provided 4.8 metres wide and thereafter retained at the position shown on the "in principle" approved drawing number 18003wd2.01 revision J in accordance with the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction. An arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
16. Prior to the first occupation of the development hereby permitted the vehicular access shall be hard surfaced as shown on the approved drawing number 18003wd2.01 revision J for the first 9.0 metres from the edge of the carriageway.
17. The gradient of access road shall not be steeper than 1 in 20 for the first 9 metres from the edge of the carriageway.
18. Prior to the first occupation of the development hereby permitted the car parking spaces as detailed on drawing number 18003wd2.01 revision J shall be surfaced and marked out in accordance with the approved plan and thereafter retained for the sole use of parking for the development hereby permitted.
19. Prior to the commencement of the development, a Construction Management Plan/Method Statement shall be submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter

the construction of the development shall only be carried out in accordance with the approved Plan/Statement.

The Construction Management Plan/Method statement shall address the following matters:

- (i) Details of a construction phasing programme (including any pre-construction or enabling works);
- (ii) Hours of construction operations including times of deliveries and removal of waste;
- (iii) 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 customers;
- (v) Details of 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 details
- (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 access roads and the adjacent public highway and;
- (xii) Disposal of surplus materials.

- 20. No development shall take place until details of Electric Vehicle Charging Points to include provision for 10% of the car parking spaces to be designated for plug-in Electric Vehicles 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.
- 21. The north-eastern facing panel of each Oriel window approved on the eastern rear elevation of the northern gable projection of the proposed building shall be glazed with obscured glass (minimum level 3 on the Pilkington scale) and shall be fixed so as to be incapable of being opened below a height of 1.7 metres above floor level, and shall be retained in that form thereafter.
- 22. The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment and SuDS Strategy in relation to proposed residential development at 12 North Road, Stevenage, SG1 4HL, prepared by Marks Heeley Ltd, Revision A, dated Nov'18 and the following mitigation measures:
  - 1. Provide attenuation (approximately 88m<sup>3</sup> of storage) to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
  - 2. Implement drainage strategy based on restricted surface water discharge



at 1.3l/s and include permeable paving with sub-base and land drains, deep cellular attenuation tanks as indicated on the Proposed Surface Water Drainage Strategy Drawing Number H12887/D1.

23. No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Flood Risk Assessment and SuDS Strategy in relation to proposed residential development at 12 North Road, Stevenage, SG1 4HL, prepared by Marks Heeley Ltd, Revision A, dated Nov'18. The scheme shall also include:
  1. Detailed engineered drawings of all the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance for climate change event.
  2. Demonstrate that the permeable paving sub-base will infiltrate (BRE Digest 365 tests) or provide detail on lining, including any necessary updated calculations.
  3. Approval from the relevant Water & Sewerage Company that they have the capacity to take the proposed volumes and run-off rates
  4. Demonstrate appropriate SuDS management and treatment and inclusion of above ground features such as permeable paving etc. and reducing the requirement for any underground storage.
24. Upon completion of the drainage works for the site and in accordance with the timing/phasing arrangement, 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 include:
  1. Provision of a complete set of as built drawings for site drainage.
  2. Maintenance and operational activities.
  3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.
25. No development shall take place until details of measures to address adaptation to climate change and energy efficiency have been submitted to and approved in writing by the Local Planning Authority. These measures shall then be implemented and permanently maintained in accordance with the approved details.

6 **19/00124/FP - LAND BOUNDED BY BRAGBURY LANE, PEMBRIDGE GARDENS AND BLENHEIM WAY, STEVENAGE**

Application 19/00124/FP - Land Bounded by Bragbury Lane, Pembridge Gardens

and Blenheim Way, Stevenage was withdrawn for legal reasons.

7 **19/00079/FP - LAND BOUNDED BY BRAGBURY LANE, PEMBRIDGE GARDENS AND BLENHEIM WAY, STEVENAGE**

Application 19/00079/FP - Land Bounded by Bragbury Lane, Pembridge Gardens and Blenheim Way, Stevenage was withdrawn for legal reasons.

8 **19/00167/FPM - AIRBUS DEFENCE AND SPACE, GUNNELS WOOD ROAD, STEVENAGE**

The Committee considered the application for the demolition of existing office building and associated works and erection of new office building including the cladding the recladding of the existing factory building façade and associated works including landscaping, car parking and cycle parking.

The Development Manager gave an introduction to the Committee and drew attention to the revised Condition 17. Members noted that the application was required to be considered by the Committee as it was classed as a major application.

He advised that the development for replacement offices represented an acceptable use in the Gunnels Wood employment area and was in accordance with the Council's employment policies. He also confirmed that the proposal represented a high quality development which, being located toward Gunnels Wood Road and using high quality materials and glazing, would create a statement building. The Development Manager went on to confirm the proposal would not harm residential amenity or the existing operating conditions of nearby businesses. With regard to highway safety and car parking, the Officer confirmed that no additional car parking was proposed to serve the building and the additional floorspace created. He advised that in a highly sustainable location such as this zero car parking accorded with the Council's adopted standards. With regard to highway safety, the Development Manager confirmed that Hertfordshire County Council (HCC) as Highway Authority were raising no objection, but had requested financial contributions of £6,000.00 toward the evaluation and monitoring of the Travel Plan submitted with the application and £24,000.00 to upgrade the bus stop to the front of the site. He confirmed that the applicant had agreed to pay these contributions. With regard to the request of HCC for an additional contribution of £33,860.00 toward further sustainable development projects, the Officer advised that as the requirement was based on only limited increased traffic movements to and from the site, and HCC were not objecting to the proposal on highway safety grounds, this request was unreasonable and failed the tests as set out in the NPPF for seeking s106 obligations.

Members welcomed redevelopment plans at Airbus Defence and Space. The Committee expressed concerns that HCC was asking some developers to upgrade bus stops without insisting on improvements to bus services. Officers reassured the Committee that SBC had raised the issue of improving bus services in meetings with HCC.

It was **RESOLVED** that planning permission be granted subject to the applicant having first entered into and completed a unilateral undertaking under S106 of The Town and Country Planning Act 1990 to secure financial contributions towards:-

- Improvements to the bus stop to the front of the site;
- Monitoring and evaluation of the Travel Plan;

The detail of which is to 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:

AIR001/007, AIR-BDP-XX-XX-DR-L-99-1003 P4, AIR-BDP-XX-XX-DR-L-99-1001 P06, AIR-BDP-XX-00-DR-A-99-1001 P05, AIR-BDP-XX-01-DR-A-99-1001 P05, AIR-BDP-XX-02-DR-A-99-1001 P05, AIR-BDP-XX-03-DR-A-99-1001 P05, AIR-BDP-XX-XX-DR-A-99-3001 P05, AIR-BDP-XX-XX-DR-A-99-3002 P05, AIR-BDP-XX-XX-DR-A-99-2001 P05, AIR-BDP-XX-XX-DR-L-99-1002 P07, AIR-BDP-XX-XX-DR-L-99-1004 P01.

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. No development shall take place above slab level until a schedule and samples of the materials to be used in the construction of the external surfaces of the approved COB 2.0 office building (Phase 1), hereby permitted, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. No work shall commence on the Factory Building recladding (Phase 2) until details of materials have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
5. Prior to occupation of the COB 2.0 office building (Phase 1), hard and soft landscaping details and surfacing details of the car park and pedestrian areas within that Phase are to be submitted to and approved by the Local Planning Authority. The scheme shall include details of all existing trees and hedgerows on the land and details showing all trees to be removed, or retained, together with details of all new planting to take place including species, size and method of planting. Development shall be carried out in accordance with the approved details.
6. Prior to commencement of the rear car park (Phase 3), hard and soft landscaping details and surfacing details of the car park and pedestrian areas within that Phase are to be submitted to and approved by the Local Planning Authority. The scheme shall include details of all existing trees and

hedgerows on the land and details showing all trees to be removed, or retained, together with details of all new planting to take place including species, size and method of planting. Development shall be carried out in accordance with the approved details.

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of the development whichever is the sooner.
8. All hard surfacing comprised in the approved details of landscaping shall be carried out prior to the first occupation of the building or the completion of the development, whichever is the sooner.
9. 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.
10. No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
11. 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.
12. As this is a previously developed site there may be a risk of the land containing contaminants. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority.
13. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.
14. Piling, deep foundations and other intrusive groundworks (investigation boreholes, tunnel shafts, ground source heating and cooling systems etc.) using penetrative methods can result in risks to potable supplies from, for example, pollution/turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. None of these penetrative methods shall be carried out other than with the written consent of the LPA. The development shall be carried out in accordance with the

approved details.

15. A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority prior to construction above slab level. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of any part of the permitted development.
16. The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment & Drainage Strategy, Doc No: AIR-BDP-XX-XX-RP-C-980001, Job No: P2008334, Rev: P01, dated January 2019 and the following mitigation measures for Phase 1 (COB 2.0 project):
  1. Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
  2. Implement drainage strategy based on oversized pipes, restricted discharge with a 50% betterment to current discharge rates and a petrol interceptor for treatment.
17. Within 4 months of the grant of this planning permission the final design of the drainage scheme shall be completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Flood Risk Assessment & Drainage Strategy, Doc No: AIR-BDP-XX-XX-RP-C-980001, Job No: P2008334, Rev: P01, dated January 2019. The scheme shall also include:
  1. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + climate change event.
  2. Demonstration of appropriate SuDS management and treatment.
18. Prior to any works on site for Phase 3 (including demolition of the existing COB 1.0 building) a full detailed surface water drainage strategy is to be completed and sent to the LPA for approval. The scheme shall also include:
  1. A drainage strategy which includes a commitment to providing appropriate SuDS in line with the non-statutory national standards, industry best practice and HCC Guidance for SuDS.
  2. Detailed calculations of existing/proposed surface water storage volumes and flows with initial post development calculations/ modelling in relation to surface water are to be carried out for all rainfall events up to and including

the 1 in 100 year including an allowance for climate change.

3. Evidence that if the applicant is proposing to discharge to the local sewer network, they have confirmation from the relevant Water and Sewerage Company that they have the capacity to take the proposed volumes and run-off rates.
4. If surface water is to be discharge via a surface water sewer. The applicant will need to propose an appropriate surface water discharge rate, the discharge rate should be at the greenfield runoff rate for the site, or no worse than 50% betterment.
5. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + climate change event.
6. Demonstration of appropriate SuDS management and treatment.

The scheme shall subsequently be implemented in accordance with the approved Phase 2 detailed surface water drainage strategy.

19. Upon completion of the drainage works for the site and in accordance with the timing/phasing arrangement, 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 include:
  1. Provision of a complete set of as built drawings for site drainage.
  2. Maintenance and operational activities.
  3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.
20. Within one month of the grant of this permission, a Construction Management Plan/Method Statement shall be submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan/Statement.

The Construction Management Plan/Method statement shall address the following matters:

- (i) Details of a construction phasing programme (including any pre-construction or enabling works);
- (ii) Hours of construction operations including times of deliveries and removal of waste;
- (iii) 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 customers;  
(v) Details of 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 details  
(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 access roads and the adjacent public highway and;  
(xii) Disposal of surplus materials.

21. No 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.
22. Prior to the removal of the current on-site cycle parking (commencement of Phase 3) hereby approved, details of the proposed on site cycle and Motor cycle parking shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
23. Prior to occupation of the COB 2.0 office building (Phase 1), additional details to support the approved Travel Plan or an updated Travel Plan should be submitted to and approved by the Local Planning Authority. These additional details will include the following:
  - Measures to promote sustainable travel;
  - The Travel Plan co-ordinator; and
  - Appropriate monitoring programme.
24. Prior to the use of the parking facilities provided as Phase 3 of this development, the Electric Vehicle Charge Points as identified on drawing AIR-BDP-XX-XX-DR-L-99-1004 P01 shall be provided at the site and made available for use and permanently retained thereafter.

9 **19/00194/FP - CHRIS FOSTER HOUSE, 5 DITCHMORE LANE, STEVENAGE**

The Committee considered an application for the variation of Condition 1 (Site Plan) attached to the Planning permission 18/00107/FP to amend access and parking layout.

The Development Manager gave an introduction to the Committee. Members were informed that when considering applications of this type, local planning authorities

are entitled to consider only the question of the conditions to which planning permission should be granted and must leave the original permission intact. Since the other conditions imposed on the original granted planning permission for this development remain relevant, the only issue for consideration in the determination of this application is how the variation of the condition referred to above would impact on the approved scheme and whether any additional conditions are warranted. The Committee was advised that the main issues for consideration in the determination of this application were the acceptability of the changes to the scheme in respect of the visual amenities of the area, highway safety and car parking provision, as permitted under the original grant of planning permission.

It was confirmed that no objections had been received at the time of drafting the report. The Development Manager informed Members that some of the Sycamore trees that were earmarked for removal were not in good health and that the planting of replacement trees would be acceptable.

The reasons for the amendments were as follows:

- Accessing the parking provision through the site rather than via Fairlight Close so as to reduce conflict with vulnerable residents who occupied bungalows at the rear
- Locating the bin store to the side of the property rather than the front
- Replacement of tandem parking to front with two demarked bays to improve the usefulness of the parking provision to the front
- Parking bays to the rear of the property to provide level access into the property
- Southern boundary treatment to be set in from the site boundary to allow a verge along Fairlight Close, opening up access to properties at the rear and improving visibility for using this access
- Removal of the dilapidated wall and serrated railings between the two properties thereby opening up the site
- Co-locating the electrical intakes at the rear of the site to allow for easier installation and ongoing maintenance access

The Committee was advised that the proposal would have an acceptable impact on the character and appearance of the area and the Old Town Conservation Area within which the site lies. The proposed scheme would adversely affect the operation or safety of the local highway network and would result in an over-provision of parking.

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: 17047wd2.01J, 17047wd2.02B, 17047wd2.03C, 17047wd2.05, 17047su1.01A, 17047su1.02, 17047su1.03, 17047su1.04A.
2. The materials to be used in the construction of the development hereby permitted shall be as previously agreed under ref 18/00759/COND.



3. Prior to the first occupation of the dwellings hereby permitted the parking spaces and turning facilities identified on drawing 17047wd2.01J shall be constructed, hard-surfaced and made ready for use to serve the occupants of those properties unless otherwise agreed in writing by the Local Planning Authority. The spaces shall be permanently retained in that form thereafter.
4. No 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 0900 and 1330 on Saturdays.
5. Notwithstanding the details shown in this application, prior to the occupation of the dwellings hereby permitted, the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments shall be completed before the use hereby permitted is commenced or before the buildings are first occupied and thereafter permanently retained.
6. All areas for parking, delivery and storage areas associated with the construction of the development must be provided on land which is not public highway and the use of such areas must not interfere with the use of the public highway.
7. The development hereby permitted shall not be occupied until details of the bin and cycle stores as identified on drawing 17047wd2.01J have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and these facilities shall be provided prior to the first occupation of the dwellings.
8. The first floor window proposed in the north elevation of flat 4 serving the kitchen/dining area (nearest to the lounge) shall be fitted with obscure glazing and shall be fixed so as to be incapable of being opened below a height of 1.7 metres above finished floor level and shall be retained in that form thereafter.
9. On completion, the dwellings shall meet the following criteria, either:
  - i. with windows open for ventilation or
  - ii. with windows closed and with mechanical purge and background ventilation, sufficient to comply with the current Building Regulations.

		<b>Noise Level (dB)</b>
Daytime Noise (07:00 - 23:00)	Inside living areas	< 35 LAeq (16 hours)

Night-time Noise (23:00 - 07:00)	Inside bedrooms	< 30 LAeq (8 hours) < 45 L <sub>Amax,Fast</sub>
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Where mechanical purge ventilation is required to achieve the above standards with windows closed, this shall be designed so as to ensure that the ventilation system itself does not produce unacceptable levels of noise within each dwelling. All schemes for ventilation shall comply with the current edition of Approved Document F to the Building Regulations.

10. The development hereby permitted shall not be occupied until there has been submitted to and approved by the Local Planning Authority a scheme of soft and hard landscaping and details of the treatment of all hard surfaces. The scheme shall include details of all existing trees and hedgerows on the land and details showing all trees to be removed, or retained, together with details of all new planting to take place including species, size and method of planting.
11. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of the development whichever is the sooner.
12. All hard surfacing comprised in the approved details of landscaping shall be carried out prior to the first occupation of the building or the completion of the development, whichever is the sooner.
13. 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.
14. No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
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.

10 **19/00195/FP - 3 AND 4 DITCHMORE LANE, STEVENAGE**

The Committee considered an application for the variation of Condition 1 (Site Plan) attached to planning permission reference number 15/00080/FP to amend access and parking layout.

The Development Manager gave an introduction to the Committee. Members were

informed that when considering applications of this type, local planning authorities are entitled to consider only the question of the conditions to which planning permission should be granted and must leave the original permission intact. The Committee was advised that the main issues for consideration in the determination of this application were the acceptability of the changes to the scheme in respect of the visual amenities of the area, highway safety and car parking provision, as permitted under the original grant of planning permission.

In response to a question, the Development Manager confirmed that the telegraph post at the front of the property would be removed. It was confirmed that no objections had been received at the time of drafting the report.

The Committee was advised that the proposal was minor in nature and would have an acceptable impact on the character and appearance of the area and the Old Town Conservation Area within which the site lies. The proposed scheme would not adversely affect the operation or safety of the local highway network and would result in an over-provision of parking.

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: 12005wd3. 10 Rev L, 12005 wd2.02P1, 12005 wd12005 wd2.02P12.01P1, 12005 wd2.20P1, 12005 wd2.21P1, 12005 wd2.22P1, 12005 wd2.23P2
2. The materials to be used in the construction of the external surfaces of the extensions and external alterations to facilitate the conversion of the properties to flats hereby permitted shall match the materials used in the construction of the original properties to the satisfaction of the Local Planning Authority.
3. Prior to the first occupation of the dwellings hereby permitted the parking spaces and turning facilities identified on drawing 12005wd3. 10 Rev L shall be constructed, hard surfaced and made ready for use to serve the occupants of those properties unless otherwise agreed in writing by the Local Planning Authority. The spaces shall be permanently retained in that form thereafter.
4. No 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 0900 and 1330 on Saturdays.
5. Notwithstanding the details shown in this application, prior to the occupation of the dwellings hereby permitted, the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments shall be completed before the use hereby permitted is first occupied and thereafter permanently retained.

6. All areas for parking, delivery and storage areas associated with the construction of the development must be provided on land which is not public highway and the use of such areas must not interfere with the use of the public highway.
7. The development hereby permitted shall not be occupied until details of the bin and cycle stores as identified on drawing 12005wd3. 10 Rev L have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and these facilities shall be provided prior to the first occupation of the dwellings.
8. On completion, the dwellings shall meet the following criteria, either:
  - i. with windows open for ventilation or
  - ii. with windows closed and with mechanical purge and background ventilation, sufficient to comply with the current Building Regulations.

		<b>Noise Level (dB)</b>
Daytime Noise (07:00 - 23:00)	Inside living areas	< 35 LAeq (16 hours)
Night-time Noise (23:00 - 07:00)	Inside bedrooms	< 30 LAeq (8 hours) < 45 L <sub>Amax,Fast</sub>

Where mechanical purge ventilation is required to achieve the above standards with windows closed, this shall be designed so as to ensure that the ventilation system itself does not produce unacceptable levels of noise within each dwelling. All schemes for ventilation shall comply with the current edition of Approved Document F to the Building Regulations.

9. The development hereby permitted shall not be occupied until there has been submitted to and approved by the Local Planning Authority a scheme of soft and hard landscaping and details of the treatment of all hard surfaces. The scheme shall include details of all existing trees and hedgerows on the land and details showing all trees to be removed, or retained, together with details of all new planting to take place including species, size and method of planting.
10. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of the development whichever is the sooner.

11. All hard surfacing comprised in the approved details of landscaping shall be carried out prior to the first occupation of the building or the completion of the development, whichever is the sooner.
12. 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.
13. No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
14. 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.

11 **INFORMATION REPORT - DELEGATED DECISIONS**

Report noted.

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

Report noted.

13 **URGENT PART I BUSINESS**

None.

14 **EXCLUSION OF THE PRESS AND PUBLIC**

Not required.

15 **URGENT PART II BUSINESS**

None.

**CHAIR**

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**Meeting:** Planning and Development Committee      **Agenda Item:**

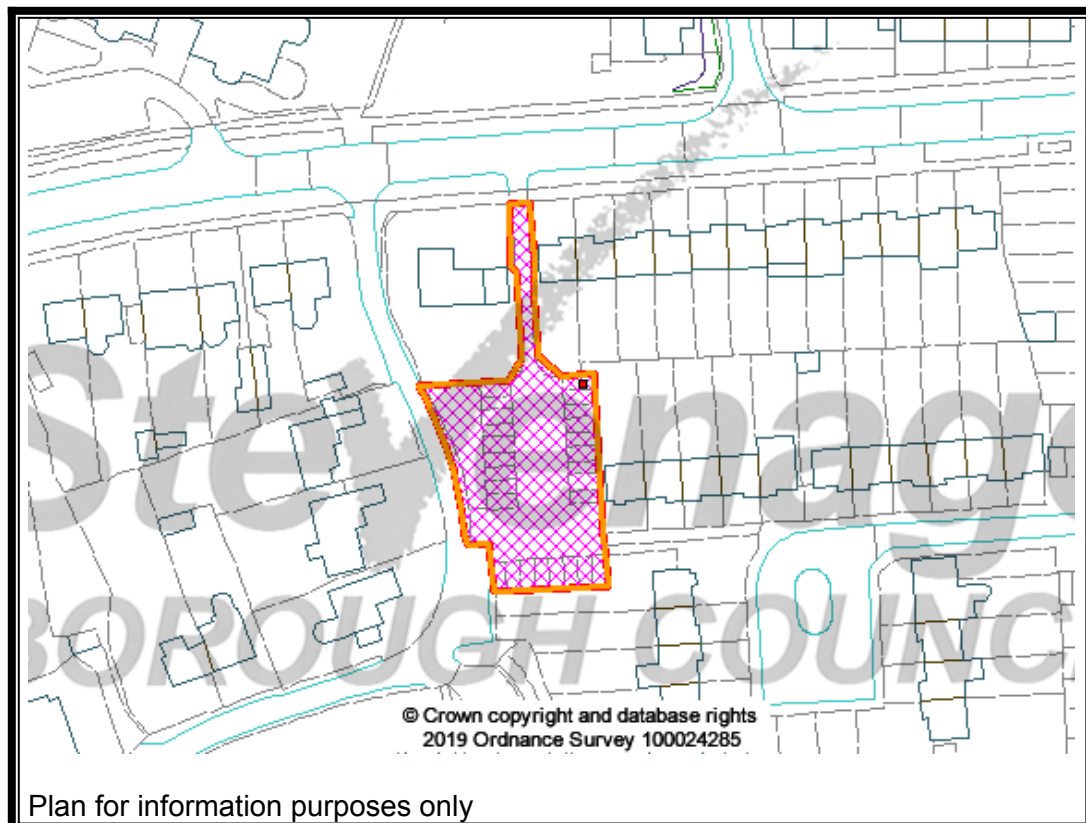
**Date:** 18 June 2019

**Author:** Rebecca Elliott      01438 242836

**Lead Officer:** Chris Berry      01438 242257

**Contact Officer:** Rebecca Elliott      01438 242836

Application No:	19/00223/FP
Location:	Garage Compound to the South of 148-150 Hydean Way, Stevenage
Proposal:	Demolition of garages and construction of 3no.detached houses including change of use of access road to residential garden land for No.148 Hydean Way.
Drawing Nos.:	542-C-028-900-01; 542-C-028-900-02; 542-C-028-900-02; 542-C-028-900-04; 542-C-028-900-05A; 542-C-028-900-06A; 542-C-028-900-07 P; 542-C-028-900-07; 542-C-028C900-10; 542-C-028C900-10; 542-C-028C900-10; 542-C-028-900-13A; 542-C-028-900-14; 542-C-028-900-15; 542-C-028-900-15; 542-C-028-900-17; 542-C-028-900-18; 542-C-028-900-19.
Applicant:	Stevenage Borough Council
Date Valid:	11 April 2019
Recommendation:	GRANT PLANNING PERMISSION



## **1. SITE DESCRIPTION**

- 1.1 The application site is formed of three existing garage blocks within the garage compound to the south of 148-150 Hydean Way. The site is currently accessed by a single road located between No's 148 and 150. The site is bounded to the west by Shephall Green and a large mature hedge and tree belt. To the east and south are residential properties off Rudd Close. The south western corner of the site is located in the Shephall Green Conservation Area, with the Grade II Listed St Mary's Church sited due south of the site and off this stretch of Shephall Green as it proceeds north to join Hydean Way.
- 1.2 Three detached properties to the west of the site and Shephall Green front the western boundary of the site. The area is characterised by semi-detached and terraced dwellings of buff brick and dark tile construction to and from the north west, moving clockwise round to Rudd Close to the south. Properties located off Shephall Green are predominantly detached with larger plot sizes and of varying age and materials.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 There is no planning history for this site.

## **3. THE CURRENT APPLICATION**

- 3.1 The current application seeks planning permission for the demolition of the 26 garages in this compound and the erection of three detached dwellings with new accesses created off Shephall Green, including associated landscaping works, change of use of the existing compound access to residential garden for No.148 Hydean Way and diversion of the existing pedestrian access through the garage compound to the south of the site.
- 3.2 The application comes before the Planning and Development Committee as Stevenage Borough Council is the applicant.

## **4. PUBLIC REPRESENTATIONS**

- 4.1 The application has been publicised by neighbour letters, the posting of two site notices, one to the pedestrian entrance of the garages off Rudd Close and the second at the pedestrian entrance on to Shephall Green. An advertisement has been placed in the local newspaper.
- 4.2 A petition raising objections has been received from the occupiers of 17, 18 and 19 Shephall Green.
- 4.3. The objections raised have been summarised in the below list –
- Loss of the hedgerows and trees along Shephall Green and within the Conservation Area;
  - Lack of acknowledgement for biodiversity and geological conservation, and biodiversity gain;
  - Highways implications;
  - Inadequate parking provision;
  - Loss of proposed landscaping;
  - Loss of Victorian street lamp posts;
  - Diversion of public right of way, safety and anti-social behaviour;
  - Parking to front of plot 3;



## **5. CONSULTATIONS**

### **5.1 Hertfordshire County Council Highways**

5.1.1 Hertfordshire County Council as Highway Authority has considered that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways subject to the inclusion of planning conditions and a highway informative. Given the proposal involves a slight increase to the parking provision along Shephall Green this is considered not to have a significant impact on the local highway network. There is an increase to the parking provision along Shephall Green nevertheless there is a large reduction to the overall site. There is no requirement for a turning area as Shephall Green is not a busy classified road. Vehicle to vehicle inter-visibility and pedestrian visibility are acceptable.

### **5.2 Council's Arboricultural Officer**

5.2.1 No objections raised from an arboriculture view point. Main concerns would be the protection, as much as possible, of the mature hedgerow to the front of the proposed properties, and the inevitable loss of two trees to facilitate the development. The poor condition mature Ash tree to the north of the site and the leaning Plum stem to the south of the site.

### **5.3 Council's Historic Buildings and Conservation Area Consultants (B.E.A.M.S)**

5.3.1 The application proposes the demolition of the existing garages on the site and the construction of 3 new dwellings. The application site is to the east side of Shephall Green and the western boundary of the application site falls within the boundary of the Shephall Green Conservation Area, this western boundary is currently lined with trees and shrubs which effectively screens the garage site from the Conservation Area and helps enforce the semi-rural character of Shephall Green Conservation Area in contrast to the more heavily built up 'new town' development which surrounds it to north and east.

5.3.2 New development within, and, adjacent to Conservation Areas is expected to preserve and enhance the character and appearance / setting of that area. The garages are in a poor condition and the site does not add anything positive to the areas character. The demolition of the garages and replacement with dwellings is considered acceptable in principle, the dwellings follow a similar design and 2-storey scale to those opposite the site although they are set much further forward / closer to the lane. Regrettably the proposed new development will result in the loss of the tall hedgerow / boundary which encloses this side of the Green and gives it a semi-rural character. The loss of this is considered to harm the character / appearance of the Conservation Area.

5.3.3 Due to the constraints of the site the dwellings cannot be moved further back however it is recommended there is a condition requiring details of the landscaping to the frontage and the provision of a good quality hedge boundary. The scheme as a whole, whilst detracting slightly from the character and appearance of the Conservation Area, will also provide some local enhancement and the construction of 3 new dwellings will be a positive. The proposal is considered to result in less than substantial harm to the significance of the Shephall Green Conservation Area (as per NPPF, para. 196) and the decision maker should weigh the low level of harm identified against any public benefits of the proposal.

5.3.4 A landscaping condition and a condition requiring details of external construction materials are recommended.

### **5.5 Environmental Health**

5.5.1 No comments to make on the proposals.

## **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 Borough Local Plan 2011-2031 (2019) (Adopted Local Plan).

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.

### **6.2 Central Government Advice**

6.2.1 A revised National Planning Policy Framework (NPPF) was published in February 2019. 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**

- SP1 Presumption in Favour of Sustainable Development
- SP2 Sustainable Development in Stevenage
- SP5 Infrastructure
- SP6 Sustainable Transport
- SP7 High Quality Homes
- SP8 Good Design
- SP11 Climate Change, Flooding and Pollution
- IT5 Parking and Access
- HO5 Windfall Sites
- HO9 House Types and Sizes
- HO11 Accessible and Adaptable Housing

GD1 High Quality Design  
FP1 Climate Change  
NH5 Trees and Woodland  
NH7 Open Space Standards

## **7 APPRAISAL**

7.1 The main issues for consideration in the determination of this application are the acceptability of the development in land use policy terms; design, scale and the impact on the character and appearance of the area; amenity of neighbours; amenity of future occupiers and access and parking.

### **7.2 Acceptability in Land Use Policy Terms**

7.2.1 The principle of residential development within urban areas is set out in both national and local policy. Paragraph 61 of the National Planning Policy Framework (NPPF) 2019 requires that the planning system should deliver, inter alia, a mix of housing particularly in terms of tenure and price to support a wide variety of households in all areas.

7.2.2 Policy HO5 of the adopted Local Plan (2019) is for windfall housing sites and states that permission will be granted where: the site is on previously developed land or is a small, underused urban site; there is good access to local facilities; there will be no detrimental impact on the environment and the surrounding properties; proposals will not prejudice the Council's ability to deliver residential development on allocated sites; and, the proposed development would not overburden existing infrastructure.

7.2.3 The proposals would see the demolition of the existing redundant garage compound and thus would be on previously developed land. The Hyde Large Neighbourhood Centre is in close proximity to the east of Hydean Way, with Peartree School to the north of Hydean Way, and the Red Lion Pub to the west of the site. The impact on the environment and surrounding properties is discussed later in this report.

7.2.4 Evidence has been provided from the Garage Management team in support of the demolition of the garage compound and the need to not re-provide the garages/parking elsewhere as they are not in use. Furthermore, there has been no demand for the garages and there is availability in other compounds within the area. This evidence is considered acceptable.

7.2.5 The redevelopment of the site with housing is, therefore, considered to be acceptable in land use policy terms.

### **7.3 Design, Scale and Impact on the Character and Appearance of the Area**

7.3.1 The existing garage compound is well screened from the public realm at its three connections with surrounding roads. To the north the narrow access road is lined with hedging, precluding views from Hydean Way in to the site. To the south east properties in Rudd Close provide screening of the site from the highway, with pedestrian access only, and to the west the site is screened by the large mature hedgerow marking the boundary with Shephall Green.

7.3.2 The proposed views of the site from Hydean Way and Rudd Close are considered to be enhanced by the development. The existing access is to be closed off and the access road converted to garden land to be utilised by The Old Vicarage at 148 Hydean Way. From Rudd Close pedestrian access would still be provided to Shephall Green, although diverted further south along the boundary of the site. The construction of the dwelling on plot 3 would be visible from Rudd Close, but this is considered more aesthetically pleasing than the existing garages.

- 7.3.3 The biggest change is along Shephall Green, and due to this side of the site being located in the conservation area has the greatest impact on the character and appearance of the area. This in particular relates to the loss of the existing hedgerow along the western boundary for a length of approximately 14m.
- 7.3.4 The three dwellings have been designed to reflect the character and architecture of the three detached properties on the western side of Shephall Green and opposite the proposed frontage of the site. The two storey side gable dwellings would have attached single storey garages. House type A which is proposed on plots 1 and 3 with cat-slide roof detailing and flat roof front dormer. The dwellings would be constructed of facing brick with flat grey/black concrete roof tiles and white upvc fenestration. House type B on plot 1 has two 2 storey projecting bay windows mirrored on each side of the front entrance, which would be detailed with cladding. Full details are to be agreed, and would be subject to a condition to seek samples of materials. This would also ensure they are of a high quality to enhance the appearance of the development.
- 7.3.5 Due to constraints on the site with regard impact on the amenity of neighbouring properties to the rear, the proposed dwellings cannot be sited any further in to the site. Each property has a modest frontage, with room for landscaping. The scale and design of each dwelling is considered to be sympathetic to the surrounding area and neighbouring properties opposite. The replacement of the existing garage compound, which has a negative impact on the character and appearance of the area and adjacent conservation area, with three well designed houses is welcomed.
- 7.3.6 The main concern relating to the impact of the development on the environment and the surrounding area is the loss of the large mature hedgerow and trees along the western boundary of the site. This would equate to approximately 14m of hedgerow. Whilst it would be preferable to retain as much of the hedgerow as possible, consideration of acceptable highway visibility levels and the construction phase of the development is such that most, if not all of the hedge, will have to be lost.
- 7.3.7 The Council's Historic Buildings and Conservation Area Consultants (B.E.A.M.S) have assessed the application and advise that the loss of the hedgerow is regrettable and will harm the character and appearance of the conservation area. However, in considering the whole proposal, the demolition of the garages and replacement with high quality housing outweighs this harm. It is, therefore, considered that the proposal would result in less than substantial harm to the significance of the conservation area.
- 7.3.8 It is noted that the hedgerow does provide a high level of amenity along this stretch of Shephall Green. The Council's Tree Manager has also raised concerns over its loss. However, from a planning stand point, hedges are not development if they are not protected, which this one is not. Its removal could, therefore, take place without the need for planning permission. Whilst the loss is regrettable, it is considered a substantial replacement landscaping plan can be conditioned, with emphasis placed on creating a hedgerow aspect across the frontage of the three dwellings. This will be subject to maintenance of visibility splays for the driveways, but an enhanced planting scheme can be achieved.
- 7.3.9 In conclusion, it is considered the replacement of the garage compound with three high quality designed dwellings is considered acceptable and negates the harm caused from the loss of the hedgerow fronting Shephall Green.

#### **7.4 Amenity of Neighbours**

- 7.4.1 The impact of the proposal on the amenity of neighbouring properties is most prominent for those properties to the east and rear of the site at 22 and 31 Rudd Close.

- 7.4.2 No.22 Rudd Close lies due east of the site. The side boundary of the property forms the majority of the rear garden boundaries for the proposed dwellings. Plot 1 would face on to the northern end of the garden of No.22 and plot 2 would face the side of the property and immediate amenity space to the rear of the No.22. Finally, plot 3 would partially face on to the frontage of No.22, the pedestrian access from Rudd Close to Shephall Green and the rear garden of No.31 Rudd Close.
- 7.4.3 The Council's adopted Local Plan (2019) and adopted supplementary planning document 'Stevenage Design Guide' outlines the acceptable minimum separation distances between existing and new development in terms of privacy and outlook. The relationship of the proposed dwellings to No.22 Rudd Close is a back to side orientation. The minimum standard is a 15m separation from a back to side elevation. The rear windows of plot 1 would be sited approximately 12.2m from the boundary with No.22. Given the dwelling would not overlook the actual premises, and, therefore, habitable windows, it is considered a garden depth of 12.2m is sufficient to not cause a loss of privacy to the garden of No.22.
- 7.4.4 The rear windows of plot 2 at ground floor would be 9.8m from the boundary and 10.6m from the side elevation of No.22. Given these windows would directly face the proposed boundary they are not considered to cause any undue loss of privacy. At first floor level the nearest window would be approximately 13.3m from the shared boundary and 14.1m from the side boundary of No.22. There are two first floor windows on the side elevation of No.22 that serve a bathroom/en-suite (where the window is obscure glazed), and the landing. Based on the small size of the window and at only 0.9m below the required 15m, on balance, it is not considered that the proposed dwelling (plot 2) would unduly overlook No.22 such that a loss of privacy would occur to warrant refusing the application. In terms of outlook, the separation distance is given to protect the views of the property facing on to the side elevation of the neighbour. In this case, this would be protecting the amenity of the proposed occupiers of plot 2 and the distance of 14.1m is considered acceptable given future occupiers would be aware of the relationship.
- 7.4.5 Plot 3 would abut the proposed diverted footpath, which would also follow the boundary of the rear garden of No.31. The orientation of No.31 and plot 3 is that of a rear to rear relationship. However, due to the footpath positioning and existing cut-in of both gardens, the rear elevation of plot 3 overlooks the land to the side of No.31, and the rear elevation of No.31 overlooks the footpath and its own garden. The separation distance required for a back to back relationship is 25m. Given the obtuse angle at which each rear elevation would view the corresponding property, the proposed distance of 16m is considered acceptable in this case.
- 7.4.6 The Council do not have separation distances for front to front relationships. As a minimum the proposed houses would be approximately 20m from the properties to the west of Shephall Green (17,18 and 19). This is considered acceptable given the outlook across the highway and front garden areas.

## **7.5 Amenity of Future Occupiers**

- 7.5.1 The adopted local plan outlines prescribed space standards for new dwellings, which are nationally prescribed standards, as set out in the Department for Communities and Local Government document 'Technical housing standards - nationally described space standards' 2015.
- 7.5.2 The minimum internal sizes of the dwellings are well above the minimum standards for a two storey three bedroom house. The above standards also look at room size standards for bedrooms, in determining how many persons the unit can accommodate and also in terms of acceptable living environments. These standards state that a double bedroom is considered at 11.5 square metres minimum and that where a second bedroom is proposed it should have a minimum of 7.5 square metres to be considered a single. The dwellings have all been designed with room sizes which meet these standards.

- 7.5.3 External amenity space is also important for future occupiers. The Council's design guide suggests a minimum of 50 square metres for a terraced or semi-detached dwelling, with a 10m depth. Detached dwellings would typically provide larger gardens because of the additional space around the dwelling. Each proposed rear garden is well over the 50 square metres. The rear garden of plot 3 is a maximum of 8m in depth, however, given its greater width and area above the recommended 50 square metres, the size is considered acceptable.
- 7.5.4 The petition of objection submitted highlights that the existing parking area to the south of the site would see cars parked to the front of plot 3. Indeed, due to the shape of the south western corner of the site there is potential for cars to park to the front of the kitchen and living room windows of this dwelling. The living room window can be protected by adequate landscaping to the frontage. However, due to the constraints on site the kitchen window would be open to light glare from cars using their lights. Given the window does not serve a habitable room this is not considered to be of sufficient harm to warrant a refusal.

## **7.6 Access and Parking**

- 7.6.1 The existing garage compound access off Hydean Way is sited between No's 148 and 150 Hydean Way. The single lane access currently serves 26 garages. The proposed plan shows the closing off of this access and the lane included in the residential garden of No.148. Each proposed dwelling would have its own driveway access off Shephall Lane.
- 7.6.2 Hertfordshire County Council as the local highway authority raise no objections to the proposals subject to the imposition of conditions and an informative. Vehicle to vehicle and pedestrian visibility can be achieved in accordance with current standards, and the increased number of cars on the highway from the development is not considered to overburden the highway. This is particularly so given the number of cars that could previously have used the 26 garages on the existing site.
- 7.6.3 Parking provision in this area of Stevenage does not fall within one of the Council's residential parking zones as outlined in the adopted parking standards Supplementary Planning document (SPD). As such, 100% of the required provision should be provided on site.
- 7.6.4 The Council's adopted parking standards require two parking spaces on site for a three bedroom dwelling. Each dwelling shows a single driveway and single garage to accommodate two spaces on each plot. This accords with current standards and meets the requirements of Policy IT5 of the adopted local plan.
- 7.6.5 Each property has adequate space to accommodate cycle storage, either within the rear garden or the garage.

## **7.7 Other Matters**

### **7.7.1 Waste**

- 7.7.1.1 There is sufficient space for each property to provide adequate bin storage within the rear garden areas with access to plots 1 and 2 from the front and to plot 3 from the side via the adjoining footpath.

### **7.7.2 Climate Change**

- 7.7.2.1 Policy SP11 of the emerging Local Plan specifies the Council's position on climate change and energy conservation. Much of this can be addressed through building techniques and the materials proposed. However, it is recommended that a condition be imposed to any grant of permission to secure this.

### **7.7.3 Footpath Diversion**

7.7.3.1 The proposed block plan shows the existing pedestrian access from Rudd Close to Shephall Green through the garage compound being diverted along the southern boundary of the site. This would create a “dog leg” in the path, as it follows the existing boundary line of No.31 Rudd Close. Objections have been raised that the proposed footpath diversion would cause safety issues due to the levels of people currently using the garage access, and because of likely anti-social behaviour.

7.7.3.2 It is considered that the revised footpath through the site and between two houses is acceptable, and there are no suitable alternatives which would not result in issues impacting on the site layout or impact on neighbour amenity. Additionally, removing this access from Rudd Close to Shephall Green is not possible because of its current level of use, and the alternative route out on to Hydean Way being too long as a replacement. Therefore, whilst the dog leg is not the ideal solution, the provision of the footpath link outweighs its removal.

### **7.7.4 Removal of Permitted Development Rights**

7.7.4.1 It is considered necessary and reasonable in this case to remove certain permitted development rights from each plot to help protect against neighbour amenity, future occupier amenity and maintaining acceptable parking provision standards.

7.7.4.2 In respect of plot 1, it is considered appropriate to remove permitted development rights for loft conversions, including roof lights and dormer windows to protect against possible further overlooking of properties to the rear of the site, and the provision of additional bedrooms within the property without the availability to provide further parking spaces to meet the Council's adopted parking standards. The proposed garage and driveway will be protected for the purposes of parking also.

7.7.4.3 Similarly it is proposed the rights for plot 2 would see the removal of the ability to undertake a loft conversion with roof lights or dormer windows for the same reasons. Furthermore, due to the projection of the rear elevation beyond the rear elevation of the dwelling on plot 1, it is considered reasonable to remove permitted development rights for extensions to protect against any further extensions being built in close proximity of the boundary of plot 1. This is largely due to the possibility of a 4m deep extension being possible and the plot orientated due south of plot 1.

7.7.4.4 Lastly, in terms of plot 3, it is considered appropriate to remove permitted development rights for loft conversions with roof lights and/or dormer windows because of the possible impact on parking provision. Furthermore, given the smaller garden size of this plot, albeit above standard, it is considered appropriate to remove rights to erect extensions and outbuildings. This would ensure a good level of garden is maintained for the property and future occupants, which is considered important given its location adjacent the conservation area.

## **8 CONCLUSIONS**

8.1 It is considered that the redevelopment of existing garage compound, including its demolition and the erection of three detached dwellings is acceptable. The design is considered to be of a high quality and would enhance the character and appearance of the conservation area, outweighing the harm caused by the proposed loss of the hedgerow fronting Shephall Green. The amenity of neighbouring properties is preserved, and acceptable amenity is proposed for the future occupiers of the development. There are no highways implications and an acceptable level of parking provision is proposed. Subject to appropriate conditions being imposed, the application is recommended for approval.

## 9 RECOMMENDATION

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: 542-C-028-900-01; 542-C-028-900-02; 542-C-028-900-02; 542-C-028-900-04; 542-C-028-900-05A; 542-C-028-900-06A; 542-C-028-900-07 P; 542-C-028-900-07; 542-C-028C900-10; 542-C-028C900-10; 542-C-028C900-10; 542-C-028-900-13A; 542-C-028-900-14; 542-C-028-900-15; 542-C-028-900-15; 542-C-028-900-17; 542-C-028-900-18; 542-C-028-900-19.

**REASON:-** For the avoidance of doubt and in the interests of proper planning

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

**REASON:-** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

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

4. Notwithstanding the details shown in this application the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development above slab level. The approved boundary treatments shall be completed before the use hereby permitted is commenced or before the building(s) is occupied.

**REASON:-** To ensure a satisfactory standard of development in the interests of amenity and that it has an acceptable appearance.

5. No development shall take place above slab level until there has been submitted to and approved by the Local Planning Authority a scheme of soft and hard landscaping and details of the treatment of all hard surfaces. The scheme shall include details of all existing trees and hedgerows on the land and details showing all trees to be removed, or retained, together with details of all new planting to take place including species, size and method of planting.

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

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of the development whichever is the sooner.

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

7. All hard surfacing comprised in the approved details of landscaping shall be carried out prior to the first occupation of the building or the completion of the development, whichever is the sooner.

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

8. 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.

9. No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or



- lopped within five years of the completion of development without the written approval of the Local Planning Authority.
- REASON:-** To ensure the protection of those trees which should be retained in the interests of visual amenity.
10. No removal of trees, scrubs or hedges shall be carried out on site between 1<sup>st</sup> March and 31<sup>st</sup> August inclusive in any year, unless searched before by a suitably qualified ornithologist.
- REASON:-** Nesting birds are protected from disturbance under the Wildlife and Countryside Act 1981 (As amended).
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. No 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.
13. The development hereby permitted shall not be brought into use until the proposed accesses have been constructed as identified drawing number 542-C-028 900 02, the existing access to the garage compound along Hydean Way has been closed, and the footway has been reinstated to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.
- REASON:-** In the interests of highway safety and amenity.
14. Before the proposed accesses are first brought into use a minimum of 0.65 metre x 0.65 metre pedestrian visibility splays shall be provided and permanently maintained to each side of the accesses. They shall be measured from the point where the edges of the access way cross the highway boundary, 0.65 metre into the site and 0.65 metre along the highway boundary, therefore forming a triangular visibility splay within which there shall be no obstruction to visibility between 600 mm and 2.0 metres above the footway level.
- REASON:-** To provide adequate visibility for drivers entering and leaving the site.
15. Before the accesses are first brought into use vehicle to vehicle visibility splays of 2.4 metres by 36 metres in both directions shall be provided and permanently maintained within which there shall be no obstruction to visibility between 600 mm and 2.0 metres above the footway level. These measurements shall be taken from the intersection of the centre line of the permitted access with the edge of the carriageway of the highway respectively into the application site and from the intersection point along the edge of the carriageway.
- REASON:-** To provide adequate visibility for drivers entering and leaving the site.
16. The accesses shall be 3.0 metres wide.
- REASON:-** So that vehicles may enter and leave the site with the minimum of interference to the free flow and safety of other traffic on the highway and for the convenience and safety of pedestrians and disabled people.
17. The new accesses shall be constructed in a hard surfacing material for the first 4.8 metres from the edge of the highway. This area of hardstanding and the remaining driveway areas shall be made of a porous material, or provision shall be made to direct surface water run-off

water from the hardstanding to a permeable or porous area or surface within the curtilage of the dwellinghouse.

**REASON:-** To prevent loose material from passing onto the public highway which may be detrimental to highway safety, in the interest of visual amenity and to ensure the development is sustainable and accords with the aspirations of Class F, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

18. The parking provision hereby approved and as shown on Drawing number 542-C-028 900 02 within the garages and driveways shall be constructed and made ready for use prior to the occupation of the approved dwelling. The provision shall thereafter be retained for the purposes of parking in perpetuity.

**REASON:-** To ensure adequate off-street parking is provided in accordance with the Council's adopted Parking Standards Planning Document, preventing additional cars from parking on-street and in the interests of highway safety.

19. No development shall take place until details of measures to address adaptation to climate change and energy efficiency have been submitted to and approved in writing by the Local Planning Authority. These measures shall then be implemented and permanently maintained in accordance with the approved details.

**REASON:-** To ensure the development is adaptable to climate change through provision of energy and water efficiency measures.

20. Notwithstanding the details pursuant to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Statutory Instrument revoking or re-enacting that Order, the provisions of Article 3(1) and Classes B and C of Part 1, Schedule 2 to the said Order (relating to enlargements and alterations to the roof) shall not apply to the dwelling on plot 1 to which this permission relates and no such development shall be carried out without the permission of the Local Planning Authority being first obtained.

**REASON:-** To enable the Local Planning Authority to fully consider the effects of development normally permitted by that Order to safeguard the amenities of the locality in accordance with policies SP8, GD1 and IT5 of the adopted Stevenage Borough Local Plan 2011-2031 (2019).

21. Notwithstanding the details pursuant to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Statutory Instrument revoking or re-enacting that Order, the provisions of Article 3(1) and Classes A, B and C of Part 1, Schedule 2 to the said Order (relating to enlargements to the dwellinghouse and enlargements and alterations to the roof) shall not apply to the dwelling on plot 2 to which this permission relates and no such development shall be carried out without the permission of the Local Planning Authority being first obtained.

**REASON:-** To enable the Local Planning Authority to fully consider the effects of development normally permitted by that Order to safeguard the amenities of the locality in accordance with policies SP8, GD1 and IT5 of the adopted Stevenage Borough Local Plan 2011-2031 (2019).

22. Notwithstanding the details pursuant to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Statutory Instrument revoking or re-enacting that Order, the provisions of Article 3(1) and Classes A, B, C and E of Part 1, Schedule 2 to the said Order (relating to enlargements to the dwellinghouse and alterations to the roof, and outbuildings) shall not apply to the dwelling on plot 3 to which this permission relates and no such development shall be carried out without the permission of the Local Planning Authority being first obtained.

**REASON:-** To enable the Local Planning Authority to fully consider the effects of development normally permitted by that Order to safeguard the amenities of the locality in accordance with policies SP8, GD1 and IT5 of the adopted Stevenage Borough Local Plan 2011-2031 (2019).

## **Informatives**

Construction standards for new/amended vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.

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/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

## **Pro-active Statement**

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. 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.

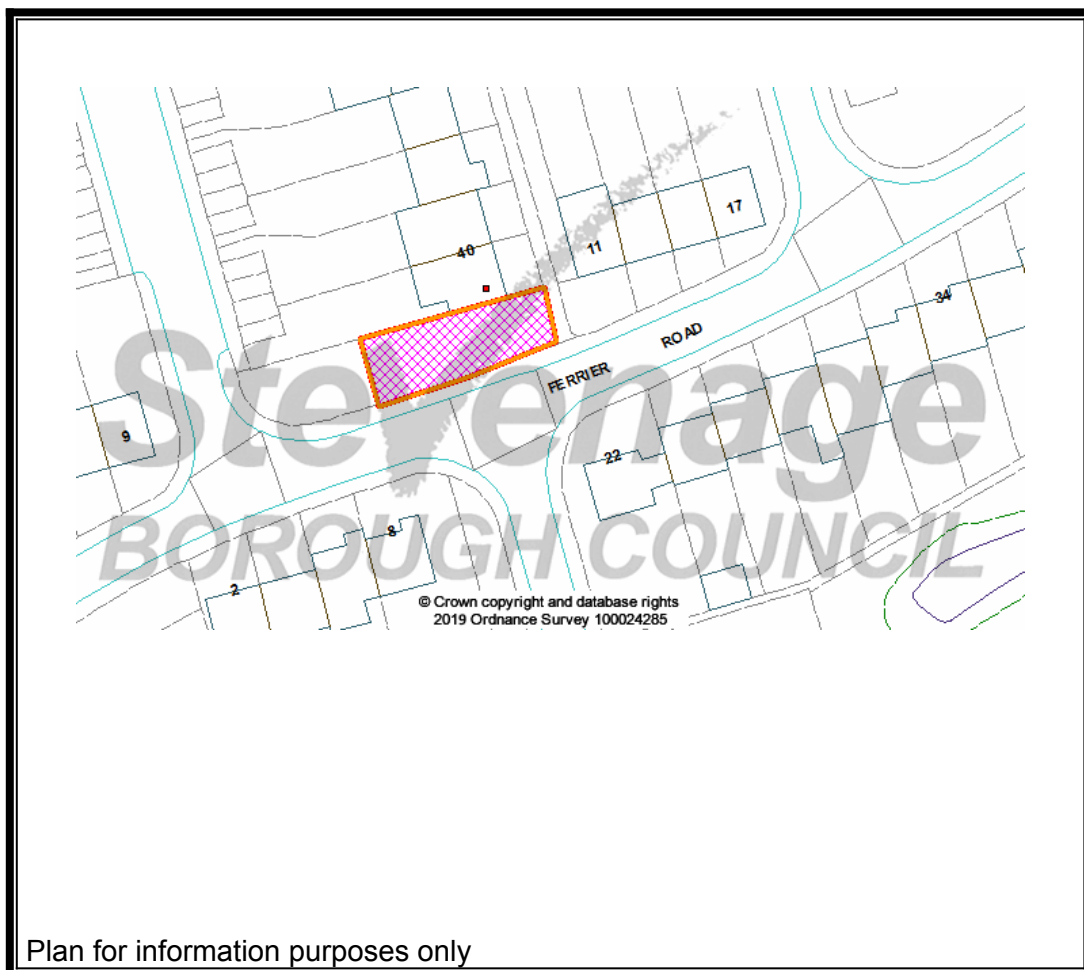
## **10 BACKGROUND DOCUMENTS**

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Emerging Stevenage Local Plan 2011-2031.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012.
4. Hertfordshire County Council Local Transport Plan LTP4 2018-2031
5. Central Government advice contained in the National Planning Policy Framework February 2019 and the National Planning Policy Guidance 2014, as amended.
6. Responses to consultations with statutory undertakers and other interested parties referred to in this report.

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**Meeting:** Planning and Development Committee      **Agenda Item:**  
**Date:** 18 June 2019  
**Author:** James Chettleburgh      01438 242266  
**Lead Officer:** Chris Berry      01438 242257  
**Contact Officer:** James Chettleburgh      01438 242266

Application No:	19/00236/FP
Location:	Land to the side of 40 Austen Paths, Stevenage
Proposal:	Creation of 8 parking bays and associated footpath.
Drawing Nos.:	R162.
Applicant:	Steve Bentley (Stevenage Borough Council)
Date Valid:	18 April 2019
Recommendation:	GRANT PLANNING PERMISSION



## **1. SITE DESCRIPTION**

- 1.1 The application site is located off Ferrier Road opposite the junction of Christie Road and abuts the southern wall of 40 Austen Paths. The site which spans 25m in width and 6m in depth comprises an area of public amenity land and highway verge. To the north of the application site lies the terrace of 22 to 40 Austen Paths and to the west lies the terrace of 11 to 17 Ferrier Road. To the east of the site lies the spur road off Ferrier Road which serves Austen Paths. To the south either side of the junction of Christie Road are numbers 8 and 22 Ferrier Road which are end of terrace properties.

## **RELEVANT PLANNING HISTORY**

- 2.1 There is no relevant planning history associated with the site.

## **2. THE CURRENT APPLICATION**

- 3.1 The current application seeks planning permission to utilise the existing amenity land/grassed verge to create 8 parking bays. The area of soft landscaping, including the land which borders the application site is approximately, 336sq.m in area. The proposed development would result in a reduction of soft landscaping by approximately 150 sq.m or 44%. The rest of the amenity land, including the trees would be retained as part of the development.
- 3.2 The application comes before the planning committee for determination as the land owner is Stevenage Borough Council and the works are proposed on behalf of the Council by the Engineering Services Section.

## **3. PUBLIC REPRESENTATIONS**

- 4.1 The proposal has been publicised by way of letters to adjoining premises and a site notice was displayed on a nearby lamp post. No comments or representations have been received.

## **5. CONSULTATIONS**

### **5.1 Hertfordshire County Council Highways**

- 5.1.1 The proposed parking is to be accessed from Ferrier Road via dropped kerbs. The road is designated as unclassified with a restricted speed limit of 30 mph. The pedestrian and vehicle visibilities would be acceptable in highways terms and the parking bays measuring 2.4m by 4.8m accord with Hertfordshire Design Guide. The proposed parking area and footpath will however, have to be constructed under a Section 278 agreement.
- 5.1.2 In terms of traffic generation, the proposed development is small scale and would not significantly increase the trip rates to the area. Also, the proposal would not have an unreasonable impact on the safety and operation of the highway network. As such, the Highways Authority considers the proposed development to be acceptable subject to conditions and a highways informative regarding section 278 requirements.

### **5.2 Council's Parks and Amenities Section**

- 5.2.1 There are no objections to the proposal. The proposed development will result in the loss of amenity space, so request improvements to nearby spaces are carried out to offset the loss.

### **5.3 Council's Arboricultural and Conservation Manager**

- 5.3.1 There is no objection to the proposed development. However, as the proposed parking bays fall within the root protection area of the nearby Ash Trees, it is recommended that the crowns of these trees are reduced by 20% prior to the commencement of works.

## **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 Borough Local Plan 2011-2031 (2019) (Adopted Local Plan).

- 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.

### **6.2 Central Government Advice**

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in February 2019. 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**

SP1 Presumption in favour of sustainable development  
SP2 Sustainable development in Stevenage  
SP8 Good design  
GD1 High Quality Design  
IT5 Parking and Access

## **6.4 Supplementary Planning Documents**

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

## **7 APPRAISAL**

7.1 The main issues for consideration in the determination of this application are the impact of the loss of this piece of amenity land on the character and appearance of the area, the impact on neighbour amenity and the acceptability of the new parking in highway safety terms.

### **7.2 Impact upon the Character and Appearance of the Area**

7.2.1 The application site forms land in the ownership of the Borough Council and constitutes a small area of landscaped open space as defined by policy NH6 of the Local Plan. Policy NH6 states that for development of any existing, unallocated open space, permission will be permitted where:

a. The loss of the open space is justified having regard to:

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

b. Reasonable compensatory provision is made in the form of:

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

7.2.2 It is considered that the proposed development, whilst it reduces the overall size of the amenity area by 44%, does not compromise the recreational use of the open space for local residents and has limited visual amenity value. In addition, the scheme has been designed to ensure a large area of amenity space is retained to ensure the sense of openness on this part of Ferrier Road is maintained. In addition, there are still large areas of amenity space within the area such as the parcel of open space to the north-east along Ferrier Road. Further to this, as the land is currently not used for any particular purpose, it is considered that the proposal would not harm the form or function of the open land, nor that it needs to be re-provided

7.2.3 Turning to the impact on trees, whilst the proposed development does not involve the removal of any trees, the development works would be located in close proximity to the root protection area of existing trees. Given this, the Council's Arboricultural Manager has recommended the trees in regards to their crown should be reduced by 20%. This is to ensure that during the construction phase of the parking areas, the trees are not detrimentally affected by any associated development works. In addition, the works would improve the overall appearance of the trees which would benefit the visual amenities of the street scene.

### **7.3 Impact on Amenity**

7.3.1 The properties most affected by the proposed parking area would be No. 40 Austen Paths, which lies north of the application site and number 11 Ferrier Road to the north-east. However, it is not considered that the proposed parking area for 8 spaces would significantly worsen the



noise and disturbance generated to an unacceptable level. This is because the parking area lies adjacent to the existing trafficked highway which already generates an element of noise.

- 7.3.2 In addition to the above, the proposed car parking area is set away from habitable rooms of the nearest properties whereby it is positioned approximately 3m south of the flank elevation and private garden area of 40 Austen Paths and over 9m from the nearest habitable rooms of 11 Ferrier Road. As such, when vehicles are parking their headlights would not shine directly into habitable rooms which would generally affect the living standards of the aforementioned properties. Consequently, the proposed development would not harm the amenities of the nearest residential properties in this instance.

#### **7.4 Highway Safety implications**

- 7.4.1 With regard to access and highway safety, the proposal involves the creation of 8 parking bays which would be split into two (3 spaces and 5 spaces) due to the positioning of an existing light column. The three space parking bay area would span approximately 7.2m in width and the five space parking bay area would span 12m. These parking bays would be split via a 1.4m wide highway verge with associated kerbing. All of the parking bays have been designed to meet the standards which are set out in the Department for Transport (DfT) Manual for Streets and Hertfordshire County Council's Highways Design Guidance. Therefore, they would be of a sufficient size to accommodate a standard car. In addition, the parking bays have been designed to ensure there is the necessary vehicle-to-vehicle visibility splays to ensure vehicles can safely manoeuvre into and out of the spaces without prejudicing highway safety.
- 7.4.2 Following consultation with the County Council as Highway Authority, they have raised no objection to the proposal in terms of highway safety as the parking bays meet all the necessary highways standards. In addition, they consider the parking area would be located on a local access road with the capacity to accommodate the new spaces. Consequently, the County Council does not consider the development would prejudice the safety and operation of the highway network. Hertfordshire County Council are recommending a condition be imposed requiring the submission of a construction management plan. However, this is considered unreasonable in that the scale of the development is minor in nature. In addition, there would be limited construction works associated with the creation of the parking bays so such a condition is not deemed necessary. Further, any works on highways land is controlled via a Section 278 agreement under the Highways Act. Therefore, it is recommended that this condition is reasonable.
- 7.4.3 Notwithstanding the above, it is recommended a condition be imposed requiring the development to be constructed in accordance with the details specified in the plan. In terms of provision and maintenance, the new spaces would be provided and maintained by the Council's Engineering Services Section.

#### **7.5 Other matters**

- 7.5.1 In regards to the comments raised by the Council's Parks and Amenities Section they have suggested that to off-set the impact of the development, they recommend some improvements to nearby spaces in the area. Notwithstanding this, Stevenage Borough Council is the land owner of not just the application site, but a number of open spaces in the area. Consequently, the Council's Engineering Section in conjunction with the Council's Parks and Amenities Section can agree between them what improvements should be undertaken on nearby areas of open space in order to off-set any impact the development has on the structural open space.

## 8 CONCLUSIONS

- 8.1 The proposed change of use of this area of land and the creation of the additional parking facilities is not considered to harm the form and function of the structural open space or be detrimental to the character and appearance of the area. Furthermore, the works would not harm the amenities of the occupiers of adjoining premises or cause any detriment to highway safety. It is, therefore, recommended that planning permission be granted.

## 9 RECOMMENDATIONS

- 9.1 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: R162.  
**REASON:-** For the avoidance of doubt and in the interest 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 materials to be used in the construction of the new parking spaces hereby permitted shall be as specified on the drawings and application details forming part of this application.  
**REASON:-** To ensure the development has an acceptable appearance
4. No 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 0900 and 1330 on Saturdays.  
**REASON:-** To safeguard the amenities of the occupiers of neighbouring properties.
5. The development hereby permitted shall not be brought into use until the proposed access and surfacing work has been constructed as identified on drawing number R162 to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.  
**REASON:-** In the interests of highway safety and amenity.
6. Prior to the commencement of the development hereby permitted, the crowns of the Ash trees which are affected by the development hereby permitted shall be reduced by 20%.  
**REASON:-** To ensure that the development does not have a detrimental impact on the retained trees during the construction phase of development.

### INFORMATIVE

#### Hertfordshire County Council as Highways Authority

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/businessanddeveloper-information/development-management/highways-developmentmanagement.aspx> or by telephoning 0300 1234047.

## **Pro-active Statement**

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process 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) Order 2015.

## **10 BACKGROUND DOCUMENTS**

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012 and Stevenage Design Guide adopted October 2009.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
5. Central Government advice contained in the National Planning Policy Framework February 2019 and Planning Policy Guidance March 2014.

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**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 : 18/00708/AD  
Date Received : 16.11.18  
Location : 37 High Street Stevenage Herts SG1 3AR  
Proposal : Applied lettering, logo sign and hanging sign to front elevation and free standing post mounted sign to rear of premises  
Date of Decision : 17.05.19  
Decision : **Advertisement Consent is GRANTED**
  
2. Application No : 19/00012/COND  
Date Received : 11.01.19  
Location : 85 - 103 Queensway Town Centre Stevenage Herts  
Proposal : Discharge of condition 12 (Drainage Strategy) attached to planning permission reference 18/00268/FPM  
Date of Decision : 20.05.19  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

3. Application No : 19/00076/COND  
Date Received : 05.02.19  
Location : 4 Fishers Green Stevenage Herts SG1 2JA  
Proposal : Discharge of conditions 3 (materials); 4 (landscaping) and 10 (Boundary Treatments) attached to planning permission reference number 18/00709/FP  
Date of Decision : 22.05.19  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
4. Application No : 19/00140/FPH  
Date Received : 04.03.19  
Location : 3 Stebbing Farm Kessingland Avenue Stevenage Herts  
Proposal : Single storey rear extension  
Date of Decision : 24.05.19  
Decision : **Planning Permission is GRANTED**
5. Application No : 19/00141/LB  
Date Received : 04.03.19  
Location : 3 Stebbing Farm Kessingland Avenue Stevenage Herts  
Proposal : Listed building consent for a single storey rear extension  
Date of Decision : 24.05.19  
Decision : **Listed Building Consent is GRANTED**
6. Application No : 19/00184/FP  
Date Received : 21.03.19  
Location : Aspect One Gunnels Wood Road Stevenage Herts  
Proposal : Retention of new cladding to front entrance and enhancements to existing elevations.  
Date of Decision : 17.05.19  
Decision : **Planning Permission is GRANTED**

7. Application No : 19/00186/FPH  
Date Received : 22.03.19  
Location : 20 Featherston Road Stevenage Herts SG2 9PN  
Proposal : Single and Two Storey Rear Extension  
Date of Decision : 23.05.19  
Decision : **Planning Permission is GRANTED**
8. Application No : 19/00187/FPH  
Date Received : 22.03.19  
Location : 21 School Close Stevenage Herts SG2 9TY  
Proposal : Two Storey side extension  
Date of Decision : 20.05.19  
Decision : **Planning Permission is GRANTED**
9. Application No : 19/00188/FPH  
Date Received : 22.03.19  
Location : 8 Granby Road Stevenage Herts SG1 4AR  
Proposal : Single storey rear extension and conversion of garage  
Date of Decision : 17.05.19  
Decision : **Planning Permission is REFUSED**

For the following reason(s);

The proposed two-storey side extension, by virtue of the crown roof design, would be detrimental to the architectural composition of the application property as well harm the character and appearance of the area. It would therefore, be contrary to Policies TW8 and TW9 of the Stevenage District Plan Second Review 1991 to 2011 (adopted 2004), Policies SP8 and GD1 of the Stevenage Borough Local Plan 2011-2031 Publication Draft, January 2016, Chapter 6 of the Council's Design Guide SPD (2009), the National Planning Policy Framework 2019 and the Government's Planning Practice Guidance (2014).

10. Application No : 19/00191/FP  
Date Received : 22.03.19  
Location : Broom Barns School Homestead Moat Stevenage Herts  
Proposal : Conversion of existing parking area into a playground and creation of new parking area  
Date of Decision : 23.05.19  
Decision : **Planning Permission is GRANTED**
11. Application No : 19/00192/FPH  
Date Received : 26.03.19  
Location : 20 Essex Road Stevenage Herts SG1 3EX  
Proposal : Two storey rear extension and single storey side extension including garage conversion  
Date of Decision : 23.05.19  
Decision : **Planning Permission is GRANTED**
12. Application No : 19/00196/FP  
Date Received : 27.03.19  
Location : 25 Harefield Stevenage Herts SG2 9NG  
Proposal : Erection of 2 bed dwelling with new access and associated car parking.  
Date of Decision : 20.05.19  
Decision : **Planning Permission is GRANTED**
13. Application No : 19/00199/TPTPO  
Date Received : 28.03.19  
Location : 5 Chestnut Walk Stevenage Herts SG1 4DD  
Proposal : Reduction of 2no. Sycamore Trees (T12, and T13) by 25% protected by TPO 85  
Date of Decision : 20.05.19  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**



14. Application No : 19/00201/RM  
Date Received : 29.03.19  
Location : 7 Chouler Gardens Stevenage Herts SG1 4TB  
Proposal : Reserved matters application for access, appearance, landscaping and scale pursuant to outline application reference number 18/00704/OP  
Date of Decision : 24.05.19  
Decision : **Reserved Matters are APPROVED**
15. Application No : 19/00204/FPH  
Date Received : 02.04.19  
Location : 41 Salisbury Road Stevenage Herts SG1 4PF  
Proposal : Single storey rear extension  
Date of Decision : 20.05.19  
Decision : **Planning Permission is GRANTED**
16. Application No : 19/00205/FPH  
Date Received : 02.04.19  
Location : 141 Derby Way Stevenage Herts SG1 5TL  
Proposal : Single storey front extension  
Date of Decision : 31.05.19  
Decision : **Planning Permission is GRANTED**
17. Application No : 19/00213/FP  
Date Received : 07.04.19  
Location : 417 Wisden Road Stevenage Herts SG1 5JS  
Proposal : Change of use from public amenity land to residential garden and erection of two storey front extension.  
Date of Decision : 04.06.19  
Decision : **Planning Permission is GRANTED**

18. Application No : 19/00215/FPH  
Date Received : 08.04.19  
Location : 41 Basils Road Stevenage Herts SG1 3PY  
Proposal : Single storey side and rear extension  
Date of Decision : 20.05.19  
Decision : **Planning Permission is GRANTED**
19. Application No : 19/00216/CPAS  
Date Received : 08.04.19  
Location : Flamingo Produce Cockerell Close Stevenage Herts  
Proposal : Installation of 3,900 roof mounted Solar PV panels  
Date of Decision : 23.05.19  
Decision : **Prior Approval is NOT REQUIRED**
20. Application No : 19/00217/FP  
Date Received : 08.04.19  
Location : ASDA Stores Ltd Monkswood Way Stevenage Herts  
Proposal : Erection of a single storey modular retail (Use Class A1) unit in car park  
Date of Decision : 04.06.19  
Decision : **Planning Permission is GRANTED**
21. Application No : 19/00218/AD  
Date Received : 08.04.19  
Location : ASDA Stores Ltd Monkswood Way Stevenage Herts  
Proposal : 3no. internally illuminated fascia signs, 4no. non illuminated panel signs and 1no. non illuminated frosted vinyl sign  
Date of Decision : 04.06.19  
Decision : **Advertisement Consent is GRANTED**

22. Application No : 19/00221/FPH  
Date Received : 11.04.19  
Location : 85 Drakes Drive Stevenage Herts SG2 0EZ  
Proposal : Proposed front porch  
Date of Decision : 31.05.19  
Decision : **Planning Permission is GRANTED**
23. Application No : 19/00222/FPH  
Date Received : 11.04.19  
Location : 7 The Noke Stevenage Herts SG2 8LH  
Proposal : Part two storey, part single storey rear extension  
Date of Decision : 05.06.19  
Decision : **Planning Permission is GRANTED**
24. Application No : 19/00232/TPCA  
Date Received : 15.04.19  
Location : Land To The Rear Of 62 - 72 Barnwell Barnwell Stevenage Herts  
Proposal : Removal of 1no. Hornbeam (T1)  
Date of Decision : 28.05.19  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
25. Application No : 19/00289/COND  
Date Received : 14.05.19  
Location : 103 Queensway Town Centre Stevenage Herts  
Proposal : Discharge of Condition 19 (Site Investigation) attached to planning permission 18/00268/FPM  
Date of Decision : 23.05.19  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

26. Application No : 19/00299/COND  
Date Received : 15.05.19  
Location : 132 Shephall View Stevenage Herts SG1 1RR  
Proposal : Discharge of Conditions 3 (Materials), 7 (Boundary Treatments) and 10 (Climate Change Adaptations) attached to planning permission 18/00404/FP  
Date of Decision : 24.05.19  
Decision : **The Condition(s)/Obligation(s) cannot be discharged but are deemed Acceptable**

Please note that the condition(s) cannot be discharged given that a breach of planning control has occurred in this instance. However, the Local Planning Authority would not seek any enforcement action against the breach at this time. Notwithstanding this, the Local Planning Authority still reserves the right to undertake enforcement action if a further breach of the condition(s) occurs at a later date.

The case officer's letter is attached providing further information.

## **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

**Date:** Tuesday 18 June 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 None.

**2. DECISIONS AWAITED**

2.1 None.

**3. DECISIONS RECEIVED**

3.1 None.

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