

Public Document Pack



PLANNING AND DEVELOPMENT COMMITTEE

Date: Monday, 13 July 2020

Time: 6.30pm,

Location: Virtual (via Zoom)

Contact:

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

AGENDA

PART 1

1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

2. MINUTES - 18 JUNE 2020

To approve as a correct record the Minutes of the previous meeting held on 18 June 2020.

Pages 3 – 16

3. 19/00123/FPM - LAND TO WEST OF A1(M) AND SOUTH OF STEVENAGE ROAD, TODDS GREEN STEVENAGE

To consider the erection of 133 dwellings with associated landscaping, open space provision and access.

Pages 17 – 96

4. 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 97 – 112

5. 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 113 – 118

6. URGENT PART I BUSINESS

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

7. 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.

8. 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, 18 June 2020

Time: 6.30pm

Place: Virtual (via Zoom)

Present: Councillors: Simon Speller (Chair), Maureen McKay (Vice Chair), Doug Bainbridge, Sandra Barr, Michelle Gardner, Jody Hanafin, Lizzy Kelly, Graham Lawrence, John Lloyd, Graham Snell and Tom Wren

Start / End Time: Start Time: 6.30pm
End Time: 7.00pm

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

Apologies for absence were received from Councillors Liz Harrington and Sarah-Jane McDonough.

There were no declarations of interest.

2 **MINUTES - 26 MAY 2020**

It was **RESOLVED** that the Minutes of the meeting of the Planning and Development Committee held on 26 May 2020 be approved as a correct record and signed by the Chair.

3 **19/00283/FP - BARNWELL SCHOOL**

The Committee considered an application for the extension and resurfacing of playing courts, erection of 4 no. 8m high floodlights, installation of 4.5m high fencing and siting of storage container.

The application before the Committee was the same as that deferred at its meeting in March 2020. The purpose of the report was to provide further information in respect of the additional consultation that had been undertaken with local residents in respect of the hours of use following numerous objections and a call-in from Councillor Sarah Mead.

The Principal Planning Officer gave an introduction to the Committee and circulated a supporting statement from Mr Tony Fitzpatrick, Head Teacher of Barnwell Middle School.

The Committee was advised that following further consultation, the hours of use had been reduced to take into account the main reasons for objection from the residents and the application was now subject to a condition being imposed stipulating those

hours.

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:
SSL 2587 03 Rev 04; SSL 2587 04 Rev 02; SSL 2587 07 Rev 02; SSL 2587 02 Rev 01; SSL 2587 06 Rev 01; SSL 2587 01; SSL 2587 02
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. The approved hours of use as outlined in condition 4 shall be for a temporary period of 12 months only following first use of the facilities, the date of which shall first be notified in writing to the Local Planning Authority. On expiration of the 12 month period or before that date the hours of operation shall revert back to those of the school operating times.
4. The sports facility and its associated sports floodlights shall be operated in accordance with the approved Noise Management Plan and only during the following hours (excluding a 30 minute allowance for closure of the facilities after the specified times):
 - a) 08.30 and 19.00 hours Monday to Friday;
 - b) 10.00 and 15.00 Saturday.
5. No occupation shall commence of the enhanced games court until a community use agreement has been prepared and a copy of the completed agreement has been provided to the Local Planning Authority. The agreement shall apply to the sport facilities and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review the Local Planning Authority. The development shall not be used at any time other than in strict compliance with the approved agreement.
6. The games court area in regards to surfacing, fencing and line markings shall be carried out in accordance with the approved details and specification as agreed by Sport England.

4 **20/00135/FPM - CAR PARK BOUNDED BY LYTTON WAY, DANESGATE AND LONDON ROAD, STEVENAGE**

The Committee considered an application for the new bus interchange including covered bus waiting area, ancillary accommodation building which consists of a café retail unit, shop mobility store, waiting area and toilet facilities, Lytton Way bus shelters and coach stands, associated vehicle hardstanding, public realm improvements, associated highway works and external stores on London Road.

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

The Principal Planning Officer gave an introduction to the Committee. The main issues for consideration in the determination of the application were its acceptability in land use policy terms, impact on visual amenity, impact on amenities, archaeology, parking provision, means of access and highway safety, trees and landscaping, impact on the environment, development and flood risk and ecology and protected species.

Officers advised that the proposed development would create an enhanced public transport hub with improved connections to Stevenage Train Station. As such, the proposal would help to encourage a modal shift away from the private car. The proposal would also meet the requirements of delivery of a new bus facility as part of the wider regeneration programme for Stevenage Town Centre. In addition, the site is in a sustainable location and utilises a brown field site in accordance with the Council's policies and would help to support the delivery of retail and office floorspace in the town centre as well.

With regards to visual amenity, officers considered that the proposal would deliver a high quality, contemporary design bus interchange and would create a landmark feature as viewed from Lytton Way. It would not, subject to a number of appropriate conditions, have a detrimental impact on the amenities of nearby residential properties. In addition, the committee was advised that through condition, the development should not have a detrimental impact on any potential archaeological remains. Officers also advised the committee that whilst the development would result in the loss of a public car park, there would be sufficient capacity within existing car parks such as St George's Way Multi-Storey which would absorb the loss of such parking.

Officers reported that the plans and transport assessment submitted with the application identified the vehicular access and egress into the site. It was also noted that there would be additional bays on Lytton Way outside of the Arts and Leisure Centre building. The scheme also incorporates a new Toucan crossing across Lytton Way to connect the bus interchange with Stevenage Train Station. This new crossing would require the narrowing of Lytton Way to two lanes at the point of the crossing allowing pedestrians to safely cross the dual carriageway. Pedestrians would also still be able to use the footbridge and route through the Leisure Centre. The Committee was advised that the Highways Authority raised no objection to the development.

The Principal Planning Officer also advised the Committee that whilst some existing trees had been removed, sufficient replacement planting would be provided via a landscaping strategy which would be secured by a condition. The Committee was also advised that there would be, subject to conditions, no issues with contamination, would have an acceptable drainage strategy and it would not harm any local ecology or wildlife.

Members expressed concern regarding the safety for pedestrians using the Lytton Way crossing. Officers confirmed that safety aspects including those for pedestrians and also ensuring that buses were able to wait safely and not obstruct or interfere with the proposed crossing would be considered as part of the Section 278 agreement under the Highways Act 1980 between the applicant and Hertfordshire County Council.

In response to a question regarding provision for cyclists, officers confirmed that there would be improved access for cyclists in and out of the development with extensive improvements to the public realm. In relation to the additional storage area under the footbridge which runs up to the Arts and Leisure building officers confirmed that this was to replace the storage being lost which was currently provided within shipping containers and these are to be removed as part of the development proposal. Pedestrian and cycle access would remain in this area.

In relation to parking provision, it was noted that the 14 disabled parking bays which were positioned on Old London Road would be replaced by six new spaces at the northern end. Although a reduction in spaces, the proposed scheme would be more accessible to users with a disability with the provision of a disabled toilet and a Shop Mobility unit. In addition there are also disabled parking facilities across the Town. In relation to general car parking availability members were advised that there was still capacity throughout the town centre despite the reduction in numbers immediately around the proposed development. Concern was expressed that there was a potential for town centre overspill parking which could affect some parts of Bedwell Ward. Officers advised that in response to a suggestion by members they would look into the possibility of a potential CIL and/or S106 contribution towards a residents parking permit scheme in the area for future town centre developments.

The Committee was informed that following consultation with the Council's Arboricultural Manager, no concerns had been raised with regard to the required removal of trees and vegetation subject to a proposed landscaping strategy which would help to compensate for the removed trees. In response to a question, officers confirmed that a number of trees had already been removed from the site and although acceptable to the Arboricultural Manager the issue of the early removal of the trees would be addressed with the relevant Council department.

In response to a question officers advised that although this application was not a carbon neutral development, the nature of the application would help the Council's aspirations to become a carbon neutral town by 2030.

Officers also agreed that although this development was to be considered on its own merits, that they would take on board a Member's concern regarding the potential clash between this development and the previously approved planning development on the Matalan site.

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:

TV-SGP-AA-00-DR-A-2060 P5; STV-SGP-Z0-ZZ-DR-A-1000 P7; STV-SGP-Z0-ZZ-DR-A-1601 P6; STV-SGP-AA-00-DR-A-2120 P8; STV-SGP-AA-R1-DR-A-2021 P2; STV-SGP-AA-R2-DR-A-2020 P7; STV-SGP-AA-ZZ-DR-A-2800 P7; 500 P03; LA1 P6; 6301 P01; 6302 P01; 6701 P01; LONRD-01A; LONRD/02A; STV-SGP-Z0-XX-DR-A-1602; STV-SGP-Z0-XX-DR-A-1603; STV-SGP-Z0-DR-A-1001 3; STV-SGP-Z0-ZZ-DR-A-1002 P3; STV-SGP-Z0-ZZ-DR-A-1003 P2; STV-SGP-Z0-ZZ-DR-A-1004 P1; STV-SGP-Z0-ZZ-DR-A-1005 P1; STV-SGP-Z0-ZZ-DR-A-1605 P4; STV-SGP-Z1-ZZ-DR-A-2640 P6; STV-SGP-Z1-ZZ-DR-A-2600 P7; STV-SGP-Z0-ZZ-DR-A-1606; STV-SGP-Z1-ZZ-DR-A-2740 P6; STV-SGP-Z1-ZZ-DR-A-2700 P5; STV-WYG-Z0-00-DR-E-960002 P01.

- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 3 Prior to occupation of the development hereby permitted, samples of the materials to be used in the construction of the hardsurfacing areas, including roads, footpaths and bus apron, hereby permitted shall have been submitted to and approved in writing by the local planning authority. The external surfaces of the development shall be carried out in accordance with the approved details. Furthermore, all hard surfacing comprised in the details for the public realm works 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.
- 4 The external surfaces of the building, canopy and bus shelters hereby permitted shall be constructed in accordance with the details specified in the application submission.
- 5 Prior to occupation of the development hereby permitted, a detailed landscaping scheme (including street furniture) and management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be implemented in accordance with the approved details within three months of the first occupation of the building(s) or the completion of the development, whichever is the sooner. The approved scheme will thereafter be managed in accordance with the approved scheme.
- 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 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.

- 8 No development shall commence until a revised Construction Management Traffic Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction of the development shall be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall address the following:-
- (i) Phasing of the development of the site, including all highway works
 - (ii) Construction vehicle numbers, type, routing;
 - (iii) Traffic and pedestrian management requirements;
 - (iv) Construction and storage compounds (including areas designated for car parking);
 - (v) Siting and details of wheel washing facilities;
 - (vi) Cleaning of site entrances, site tracks and the adjacent public highway;
 - (vii) Timing of construction activities to avoid school pick up/drop off times;
 - (viii) Provision of sufficient on-site parking prior to commencement of construction activities;
 - (ix) Hoarding, fencing, gates and any necessary footway closures.
- 9 No drainage system relying on infiltration shall be constructed without the prior written approval of the Local Planning Authority. This drainage system shall thereafter be implemented in accordance with the approved details.
- 10 No piling using penetrative methods shall take place other than in accordance with a piling scheme which has been submitted to and approved in writing by the Local Planning Authority. The piling scheme shall be carried out in accordance with the approved details.
- 11 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. 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 the permitted development.
- 12 The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment & Drainage Strategy, produced by WYG Engineering, Job No. A114385-1, dated 14 April 2020:
- 1. Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 6 l/s up to and including the 1 in 100 year event plus 40% of climate change event.

2. The surface water run-off from the site will discharge into the existing Thames Water sewer.
3. Providing 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 providing a minimum of 294m³ (or such storage volume agreed with the LLFA) of total storage volume in SuDS features, permeable paved areas and attenuation tank.

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

13 No development shall place until a detailed surface water drainage scheme for the site based on the principles as set out in condition 12, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied. The surface water drainage scheme shall include

1. Shallow infiltration testing to be carried out to BRE Digest 365 standards to determine feasibility of discharging via infiltration in accordance with the discharge hierarchy.
2. Confirmation of Thames Water agreement that they have capacity in their network to accept the proposed flows and volumes from the development.
3. A final detailed drainage plan including the location and provided storage volumes of all SuDS features, pipe runs, invert levels, flow control structure and discharge points. If areas are to be designated for informal flooding, these should also be shown on a detailed site plan with its volume and depth.
4. Detailed, updated post development calculations/modelling in relation to surface water for all rainfall events up to and including the 1 in 100 year + 40% climate change event. This should include a total discharge rate of 6 l/s. Appropriate half drain down times for all infiltration features and the attenuation tank should be identified.
5. Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs. This should include details regarding the connection into the existing surface water sewer.
6. Final exceedance flow paths for surface water for events greater than the 1 in 100 year including climate change allowance identified on the drawing.
7. Final detailed management plan to secure the operation of the scheme throughout its life.

- 14 Prior to the commencement of development the scheme for the protection of the existing trees (other than those the removal of which have been approved as part of this permission) shall be implemented in accordance with the details specified in the Arboricultural Impact Assessment (Prepared by WYG, document reference:- A114385 revision P4, dated 09/04/2020) and shall be retained during the construction phase of the development. Within the fenced off areas, there shall be no alteration to the ground levels and they shall be kept clear of vehicles, materials, surplus soils, temporary buildings and machinery.
- 15 Prior to the occupation of the development hereby permitted, a strategy for the siting and maintenance of permanent nesting and roosting boxes within the façade and roof ledges of built structure and/or trees shall be submitted to and approved in writing by the Local Planning Authority. Nesting and roosting boxes shall be provided in accordance with the approved strategy prior to occupation of the bus interchange building.
- 16 All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development within each phase(s), are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.
- 17 No demolition, construction or maintenance activities audible at the boundary and no deliveries of construction and demolition materials shall be undertaken outside the hours 07:30 hours to 18:30 hours Mondays to Fridays, 08:30 hours to 13.00 hours on Saturdays and shall not operate on a Sunday or Bank Holiday.
- 18 If during construction of the development hereby permitted contamination that has not been previously identified has been found to be present in a particular area of the development, then no further development in that phase (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy specifically for the previously unidentified contamination to the Local Planning Authority detailing how it shall be dealt with and obtained written approved from the Local Planning Authority. The remediation strategy shall be implemented as approved.
- 19 Prior to the first occupation and/or use of the development hereby permitted a scheme for the parking of cycles including details of the design, level and siting of the proposed parking shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for that purpose.

- 20 No demolition/development shall take place/commence until an Archaeological Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:
1. The programme and methodology of site investigation and recording'
 2. The programme and methodology of site investigation and recording as suggested by the evaluation;
 3. The programme for post investigation assessment;
 4. Provision to be made for analysis of the site investigation and recording;
 5. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
 6. Provision to be made for archive deposition of the analysis and records of the site investigation;
 7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.
- 21 The demolition/development shall take place/commence in accordance with the programme or archaeological works set out in the Written Scheme of Investigation approved under condition 20
- 22 The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 20 and the provision made for analysis and publication where appropriate.
- 23 The energy efficiency and sustainability measures as detailed in the Design and Access Statement 18-014- Stevenage Bus Interchange Date 06 February 2020 Rev: P3 shall be implemented in accordance with the approved details prior to the first occupation of development. These measures shall thereafter be maintained in accordance with the manufacturer's specifications and permanently retained accordingly.
- 24 Prior to the use of the development hereby permitted, the vehicular access(es) shall be provided and thereafter retained at the position shown on the approved plan drawing number A114385-1_35_12_801 P01 Stage 3 VISIBILITY SPLAYS. 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.
- 25 Prior to the commencement of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan number A114385-1_1_35_12_801 P01 Stage 3 VISIBILITY SPLAYS. The splay shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

- 26 Prior to the first occupation/use of the development, a Car Parking Management Plan relating to public car parking (displaced by the proposed bus station), shall be submitted to and approved in writing by the Local Planning Authority. It shall include the following:-
- i. Details of car parking allocation and distribution;
 - ii. Operational details, and integration with other Stevenage Borough Council managed car parks within the town centre area;
 - iii. Monitoring required of the Car Park Management Plan shall be fully implemented before the development is first occupied or brought into use, in accordance with a timeframe agreed by the Local Planning Authority, and thereafter retained for this purpose.
- 27 Prior to the first occupation of the development hereby permitted vehicular and pedestrian (and cyclist) access to and egress from the adjoining highway shall be limited to the access(es) shown on drawing number STV-SGP-Z0-ZZ-DR-A-1000-P6 PROPOSED SITE PLAN only. Any other access(es) or egresses shall be permanently closed, and the footway and highway verge shall be reinstated in accordance with a detailed scheme to be agreed in writing by the Local Planning Authority, concurrently with the bringing into use of the new access.
- 28 Prior to the commencement of development, plans should be submitted to the Local Planning Authority, in consultation with the Highway Authority illustrating the proposed new highway boundary(ies) and/or land for dedication which shall be marked out on site prior to commencement of construction of any part of the development fronting the highway.
- 29 No development shall commence until such time as a Stopping Up Order to remove all highway rights over the land which is designated as public highway within the application boundary has been granted and all highway rights over the aforementioned land have been successfully removed.
- 30 Prior to first use of the bus station, a bus priority scheme on Lytton Way shall be implemented to the satisfaction of the Local Planning Authority, in consultations with the Highways Authority and in accordance with the scheme as illustrated on drawing number TS001-Part 1 Rev C and TS001-Part 2 Rev C.
- 31 Prior to the commencement of development, the scheme as illustrated on drawing number LONRD/03A to introduce parking restrictions and a turning head on London Road shall be implemented and retained thereafter available for that specific use.
- 32 Prior to first use of the bus station, the CCTV cameras as detailed in drawing number STV-WYG-Z0-00-DR-E-960002 P01 shall be implemented in accordance with the approved details. The CCTV system shall thereafter be permanently maintained and retained accordingly.
- 33 Within one month of the commencement of works a Site Waste Management

Plan (SWMP) addendum shall be submitted to and approved in writing by the Local Planning Authority, detailing actual waste arising's and how the waste is managed (i.e. re-used, recycled or sent off site for treatment or disposal) and where it is sent to. Further updates should be provided throughout the life of the development at an interim of two months or sooner should the level of waste be considered significant by the developer.

INFORMATIVES

Hertfordshire Highways

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-anddeveloper-information/development-management/highways-development-management.aspx>

AN2) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-anddeveloper-information/development-management/highways-development-management.aspx>

AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-anddeveloper-information/development-management/highways-development-management.aspx>

AN4) Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway

Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-anddeveloper-information/development-management/highways-development-management.aspx>

Thames Water

There are also public sewers crossing or close to the development, therefore, in order to protect the public sewers and to ensure Thames Water can gain access for future repair and maintenance, approval should be sought from Thames Water where the erection of a building would be over the line of, or would come within 3m of a public sewer.

A Groundwater Risk Management Permit from Thames Water will be required for discharging ground water into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We expect the developer to demonstrate what measures they will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 0203 577 9483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk/wastewaterquality.

Environment Agency

The developer should follow the risk management framework provided in CLR11, Model Procedures of Land Contamination, when dealing with land affected by contamination. The applicant should refer to the following sources of information and advice in dealing with land affected by contamination, especially with respect to protection of the groundwater beneath the site:

- Gov.UK – The Environment Agency's approach to Groundwater protection (2017), Technical Guidance Paper, including CLR 11 and GPLC and use MCERTS accredited methods for testing soils at the site;
- NPPF – Land affected by contamination;
- BS5930:2015 Code of practice for site investigations;
- BS10175:2011 A2:2017 Code of practice for investigation of potentially contaminated sites;
- BS ISO 5667-22:2010 Water quality, sampling, Guidance on the design and installation of groundwater monitoring points;
- BS ISO 5667-11:2009 Water quality, sampling, Guidance on sampling of groundwater's (A minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns and groundwater quality, more monitoring locations may be required to establish the conceptual model).

Community Infrastructure Levy

Stevenage Borough Council adopted a Community Infrastructure Levy (CIL) Charging Schedule at Full Council on 27 January 2020 and started implementing CIL on 01 April 2020.

This application may be liable for CIL payments and you are advised to contact the CIL Team for clarification with regard to this. If your development is CIL liable, even if you are granted an exemption from the levy, please be advised that it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (as amended) that CIL Form 6 (Commencement Notice) must be completed, returned and acknowledged by Stevenage Borough Council before building works start. Failure to do so will mean you risk losing the right to payment by instalments and a surcharge will be imposed. NB. please note that a Commencement Notice is not required for residential extensions if relief has been granted.

Stevenage's adopted CIL Charging Schedule and further details of CIL can be found on the Council's webpages at www.stevenage.gov.uk/CIL or by contacting the Council's CIL Team at CIL@Stevenage.gov.uk.

5 INFORMATION REPORT - DELEGATED DECISIONS

Noted.

6 INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS

Noted.

7 URGENT PART I BUSINESS

The Assistant Director (Planning and Regulation) updated the Committee on recent developments in respect of the North of Stevenage planning application.

8 EXCLUSION OF THE PRESS AND PUBLIC

Not required.

9 URGENT PART II BUSINESS

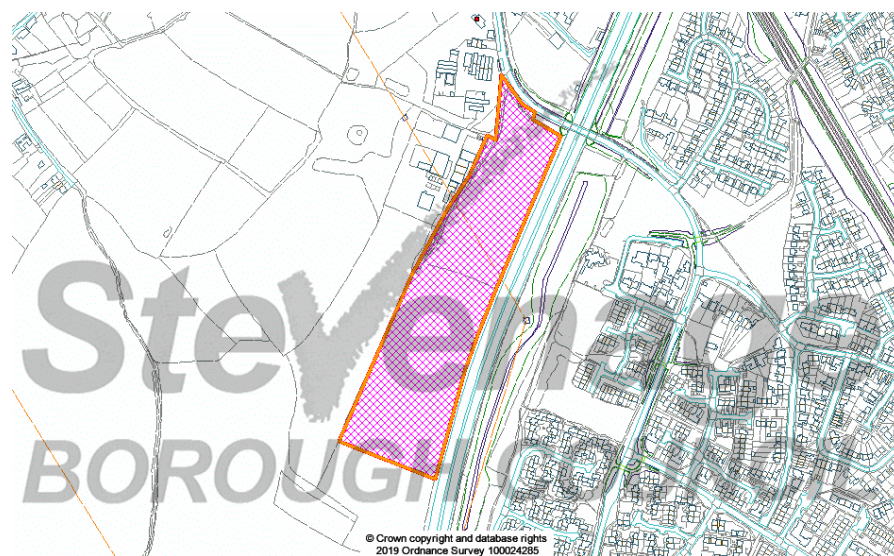
None.

CHAIR

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Meeting:	Planning and Development Committee	Agenda Item:
Date:	13th July 2020	
Author:	James Chettleburgh	01438 242266
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	James Chettleburgh	01438 242266

Application No:	19/00123/FPM
Location:	Land to west of A1(M) and south of Stevenage Road, Todds Green, Stevenage.
Proposal:	Erection of 133 dwellings with associated landscaping, open space provision and access.
Drawing Nos.:	SO01D; SO02 A; SO03; SK01 G; SK02; SK03 D; SK04 D; SK05 D; SK06 D; SK06.1; SK06.2; SK07 A; SK07.1; SK08; SK20 B; SK21 B; SK22 A; SK23 A; SK24 B; SK25 B; SK26 C; SK27 C; SK28 C; SK29 A; SK30 B; SK31 B; SK32 B; SK33 B; SK34 B; SK35 C; SK36 C; SK37 C; SK38 B; SK39 C; SK40 C; SK41 A; SK42 A; SK43 A; SK44 C; SK45 C; SK46 C; SK47 C; SK48 C; SK49 B; SK50 B; SK51 C; SK52 C; SK53 A; SK54 A; SK55 A; SK56 A; SK57 A; SK58 A; SK59 A; SK60 A; SK61; SK62; SK63; SK64 A; SK65 A; SK66 A; SK67; SK68, SK69 A; SK70; SK71 B; SK72 C; SK73 C; SK74 C; SK75 C; SK76 C; SK77; SK78; SK79; SK80; SK81; SK82; SK83; SK84; SK85; SK86; SK87; SK88; SK100; SK101; SK102; SK103; SK104; SK105; SK200A; SK201A; SK202A; SK203B; SK204B; SK205.1A; SK205.2A; SK206B; SK207B; SK208B; SK209A; SK210A; SK211B; SK212B; SK213.1A; SK213.2A; SK214A; SK215B; SK216B; LC 00331 01 G.
Applicant:	Taylor Wimpey UK Ltd
Date Valid:	26 February 2019
Recommendation:	GRANT PLANNING PERMISSION.



Plan for information purposes only

1. SITE DESCRIPTION

- 1.1 The application site is located in the north-western area of the Borough of Stevenage to the west of the A1(M) motorway and to the south of Fishers Green in Todds Green. The site is allocated in the adopted Local Plan (2019) as a West of Stevenage Safeguarded Corridor (Policy IT2) and it is a rectangular parcel of land which is approximately 5.6 hectares in area. It comprises of agricultural fields which are punctuated by mature hedgerows, trees and vegetation. The land is set down from Stevenage Road and Fishers Green due to the sloping and undulating topography of the application site and the surrounding area. The site also straddles the border with North Hertfordshire District Council.
- 1.2 To the west of the application site is Shangri-La farm which comprises a mixture of commercial and light industrial premises along with agricultural fields and paddocks. To the east, beyond the A1(M) motorway is the main urban area of Stevenage including Fishers Green Common. To the north and north-west beyond Fishers Green and Stevenage Road is the hamlet of Todds Green. The hamlet of Todds Green comprises a mixture of detached and semi-detached properties which are of varying architectural styles and designs along with farms, agricultural holdings and stables.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning application 01/00506/OP sought outline permission for the development of approximately 3,600 dwellings and business premises, shops and other uses, leisure, social and community facilities, open space and landscaping and provision of infrastructure, highways and public transport. This application was withdrawn in August 2013.
- 2.2 Planning application 01/00423/OP sought outline permission for the development of approximately 5,000 dwellings and business premises (B1 and B2); shops (A1, A2 and A3), leisure, social and community facilities (D1 and D2); open space and landscaping, provision of infrastructure, highways. This application was refused by the Secretary of State in October 2005.

3. THE CURRENT APPLICATION

- 3.1 The application before the Council seeks planning permission for the erection of 133 dwellings comprising a mixture of the following:-
- 34 no. two bedroom flats;
 - 6 no. two bedroom houses;
 - 51 no. three bedroom houses; and
 - 42 no. four bedroom houses.
- 3.2 This application also comprises the erection of a gas governor, pumping station and electricity substation. It also seeks permission for the creation of a new vehicular access road off Fishers Green with a bus loop, a Local Equipped Area for Play (LEAP), Local Area of Play (LAP), countryside green and areas of open space.
- 3.3 This application was originally determined by the Planning and Development Committee on 16 December 2019. The application was granted by the Committee subject to the completion of a S.106 legal agreement. Unfortunately, due to the global pandemic of Covid-19 and the eventual lockdown, the legal agreement could not be completed before the 1st April 2020 which is when the Council adopted a Community Infrastructure Levy (CIL). Consequently, this application is being

referred back to Planning Committee as the financial obligations to be secured as part of the legal agreement have changed.

- 3.4 A copy of the Planning Committee Report for 16 December 2019 is attached as appendix one. This report covers the previously discussed matters which remain for consideration. This current report before the Planning and Development Committee deals with the changes since that consideration was made by the Committee itself back in December 2019.

4. PUBLIC REPRESENTATIONS

- 4.1 No additional public representations have been received since the previous determination of the application.

5. CONSULTATIONS

5.1 Hertfordshire County Council Growth and Infrastructure Unit

- 5.1.1 The Growth and Infrastructure Unit are in agreement to the revised S106 obligations and CIL liability for this development.

6. RELEVANT PLANNING POLICIES

6.1 Background to the development plan

- 6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the decision on the planning application should be in accordance with the development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- The Stevenage Borough Council Local Plan 2011-2031
- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014); and
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007).

6.2 Central Government Advice

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in February 2019. This largely reordered the policy substance of the earlier 2012 version of the NPPF albeit with some revisions to policy. The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up to date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up to date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up to date development plan, reflecting the requirements of section 38(6) of the 2004 Act. The NPPF and the PPG, with which Members are fully familiar, are both material considerations to be taken into account in determining this application.

6.3 Adopted Local Plan

Policy SP1: Presumption in favour of sustainable development;
Policy SP2: Sustainable development in Stevenage;
Policy SP5: Infrastructure;

Policy SP6: Sustainable transport;
Policy SP7: High quality homes;
Policy SP8: Good design;
Policy SP11: Climate change, flooding and pollution;
Policy SP12: Green infrastructure and the natural environment;
Policy SP13: The historic environment;
Policy IT2: West of Stevenage safeguarded corridors;
Policy IT3: Infrastructure;
Policy IT4: Transport assessments and travel plans;
Policy IT5: Parking and access;
Policy IT6: Sustainable transport;
Policy IT7: New and improved links for pedestrians and cyclists;
Policy HO5: Windfall sites;
Policy HO7: Affordable housing targets;
Policy HO8: Affordable housing tenure, mix and design;
Policy HO9: House types and sizes;
Policy HO11: Accessible and adaptable housing;
Policy GD1: High quality design;
Policy HC8: Sports facilities in new developments;
Policy FP1: Climate change;
Policy FP2: Flood risk in Flood Zone 1;
Policy FP5: Contaminated land;
Policy FP7: Pollution;
Policy FP8: Pollution sensitive uses;
Policy NH5: Trees and woodland;
Policy NH6: General protection for open space;
Policy NH7: Open space standards.

6.4 Supplementary Planning Documents

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

6.5 Community Infrastructure Levy Charging Schedule

- 6.5.1 Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floorspace of a development.

7. APPRAISAL

- 7.1 The main changes that are for consideration in the determination of this application are planning obligations and community infrastructure levy liability. All other matters remain the same and is detailed in the previous report which can be found in appendix one.
- 7.2 The application is identical to that one which was determined by the Planning and Development Committee in 16th December 2019. There have been no changes to planning policy, save for the introduction of the Community Infrastructure Levy in the intervening period. Therefore, it is not the intentions of this report to revisit the planning issues which were previously debated by the Planning and Development Committee in December 2019.

7.2 Affordable housing and planning obligations

7.2.1 Policy HO7 of the adopted Local Plan (2019) stipulates that planning permission would be granted for residential development which would maximise affordable housing provision. Taking this into consideration, there is a requirement to provide 30% of new homes to be affordable on previously developed sites. In this regard, there would be a requirement to provide 40 affordable units.

7.2.2 Turning to affordable housing tenure, mix and design, Policy HO8 states that planning permission would be granted where those dwellings:

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

7.2.3 In addition to the above, paragraph 64 of the NPPF (2019) stipulates that for major developments involving the provision for housing, planning decisions should expect at least 10% of the homes to be made available for affordable home ownership (this includes shared ownership, equity loans, other low cost homes which are 20% below local market value and rent to buy). However, the aforementioned 10% requirement is part of the overall affordable housing contribution for the site.

7.2.4 The applicant has confirmed that the development would comprise of 30% affordable units. As such, the development would be policy compliant in this instance. With respect to the exact location of the affordable units, the affordable housing tenure mix, size of the units, this has been agreed with the Council's Housing Development Section.

7.2.5 In addition to affordable housing, financial contributions are also required in accordance with the Hertfordshire County Council tool kit and contributions to Stevenage Borough Council for commuted payments. Based on the number of units proposed, the following contributions would be sought and the table below provides a comparison of what would have been secured solely by S106 and the updated position now that CiL has been introduced.

Stevenage Borough Council	Financial Contribution – December 2019	Financial Contribution – Post CIL adoption.
Open outdoor sport	£8,892.18	No longer being secured
Biodiversity improvements	£10,800.00	£10,800.00
Biodiversity maintenance – 20 years	£68,176.75	£68,176.75
Total (based on current figures provided)	£87,868.93	£78,976.75
Hertfordshire County Council		
Secondary Education – towards the delivery of a new secondary free school at the	£726,138.00 (reduced down from original request of	No longer being secured

former Barnwell East Secondary School.	£1,773,188.00).	
Primary Education - towards the expansion of Mossbury Primary School.	£353,777.00	No longer being secured
Nursery Education (Early Years) - originally towards the new provision at Bunyan Baptist Church.	£48,436.00 (Project confirmed by HCC as no longer available so no obligations were sought).	Not being sought.
Library Services - towards the enhancement of the adult non-fiction area and IT area of Stevenage Central Library	£23,163.00	No longer being secured
Youth Services – towards providing kitchen facility with the café at Bowes Lyon Youth Centre.	£6,018.00	No longer being secured
Sustainable Transport – financial contributions towards the continuation of the bus service.	£510,000.00	£510,000.00
Travel Plan Contribution	£6,000.00	£6,000.00
Total	£1,625,096	£516,000
NHS England and East & North Herts CCG		
GMS GP provision.	£94,078.84	£94,078.84
Acute, mental health and community costs.	£344,595.00 (This was not considered to be CIL compliant - £0.00) – See assessment below.	Not considered CIL compliant.
Total	£94,078.84	£94,078.84
Overall Total	£1,807,043.77	£689,055.59
NOTE:- All financial obligations would be index linked.		

7.2.6 In addition, to the above, there would be a requirement to secure fire hydrants on the application site. Following negotiations with the applicant, they have agreed to pay the necessary financial contributions sought by the Council.

7.2.7 However, as advised in the Planning Committee Report for 16th December 2019, the applicant still does not agree to the financial contribution sought by the NHS in terms of the acute, mental health and community contribution which has been requested. Dealing firstly with the NHS contribution, whilst the applicant does not dispute there is a need to support and finance these fundamental services; the financial contribution which have been sought do not accord with Regulation 122 of the Community Infrastructure Levy (CIL) 2010 (as amended). For reference, Regulation 122 states:-

A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is –

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

- 7.2.8 The main area of contention is around the “Fairly and reasonably related in scale and kind to the development” test. In this regard, the NHS has not provided a formula to demonstrate how they arrived at the financial contribution they have sought. This is a requirement in order for the applicant to establish whether or not what is being sought by the NHS is “reasonable”. To date, the NHS has not been willing to provide the developer with the formula on how they have calculated the contribution they have sought for acute, mental health and community costs.
- 7.2.9 Further to the above, the financial contribution needs to be necessary such as funding a key piece of infrastructure or developing services to support the development. As such, a request to use monies to refurbish toilets and updating communal spaces is not considered to be necessary to make the development acceptable in planning terms. In addition, they have not provided any justifications or identified any particular projects towards mental health and community healthcare, e.g. seeking monies towards new capacity at Lister Hospital or Stevenage Hub.
- 7.2.10 Given the aforementioned, the financial contribution towards acute, mental health and community costs do not accord with the three tests set under Regulation 122. Therefore, as outlined in the previous committee report, the Council cannot require the developer to contribute towards the aforementioned financial obligations in this instance as to do so would be contrary to the CIL Regulations.

7.3 Community Infrastructure Levy

- 7.3.1 As indicated above, the Council adopted CIL on 1 April 2020 and the CIL Charging Schedule specifies a payment for new floorspace in line with the following rates (plus appropriate indexation):

Development Type	CIL Rate (£ per square metre)	
	Zone 1: Stevenage Central, Stevenage West Urban Extension and North of Stevenage Extension	Zone 2: Everywhere else
Residential		
Market housing	£40/m ²	£100/m ²
Sheltered housing	£100/m ²	
Extra care housing	£40/m ²	
Retail development	£60/m ²	
All other development	£0/m ²	

- 7.3.2 CIL is a non-negotiable charge. The exact charge will be determined by the Council’s CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist give an example of what these exemptions might be and will be taken into account in the calculation of the final CIL charge.
- 7.3.3 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to

be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application. Following an assessment of the proposed development, the CIL liability for this development would be £1,452,896.00 (This is calculated utilising the gross internal floor area which is generated by the proposed development and then this floor area is charged at £100 per sq.m). Even when you apply the exemptions (if agreed by the Council) on the affordable housing floorspace, the liability for this development would still be £1,130,989.00. The CIL charge for the development will be index linked based on when the development is commenced on-site. A CIL liability notice would be issued once planning permission is granted (subject to the Planning and Development Committee approving this application).

7.3.4 With regards to how the CIL monies are spent, the ultimate decision lies with Stevenage Borough Council as the collecting authority. However, Hertfordshire County Council could put forward a bid for monies which could potentially go towards the following:-

- Primary Education;
- Secondary Education;
- Nursery Education;
- Youth Facilities; and
- Libraries

7.3.5 The Council's Parks and Amenities Section could also make a bid for monies which could go towards Open Outdoor Sport Facilities. For reference, the aforementioned i.e. education, youth facilities, libraries and open outdoor sport are not site specific so they cannot be secured under a S.106 legal agreement in accordance with CIL Regs.

8. CONCLUSIONS

8.1 In summary, as set out in the Planning Committee Report for 16th December 2019, the principle of development is considered to be acceptable as it would help the Council to meet its housing requirement over the local plan period. In addition, the development would comprise of a spine road which has been designed to ensure that land within North Hertfordshire District Council could potentially be delivered in the future in accordance with Policy IT2. With regards to sustainability, through the provision of new cycle and pedestrian connections and the funding of an expanded bus service, the development would be sustainability connected to the wider urban area of Stevenage.

8.2 In terms of design, the overall quantum of development in terms of scale and size combined with the punctuation of large areas of green open space, creates a development which is semi-rural in character with dwellings being predominantly two stories in height. The retention of a significant green buffer along the western edge of the site along with an extensive level of soft landscaping would create a high quality and liveable streetscape. This would also ensure that the longer views from Todds Green towards the A1(M), whilst affected through the introduction of a residential development, would be mitigated against. In addition, through the use of a green bund, it would also reduce views of the A1(M) and the more urban backdrop of Stevenage which is deemed to be a visual enhancement in this instance. With regards to the dwellinghouses and residential apartment blocks which form the basis of this application, they are considered to be of an appropriate design for this site and have been set out in a legible street pattern through the use of the perimeter block approach.

- 8.3 With regards to impact on residential amenity, due to levels of separation between the application and the residential properties in Todds Green, it is not considered the proposed residential development would harm the amenities of residents in the hamlet of Todds Green. In relation to the amenities of future residents, all of the residential properties across the development would have acceptable living standards in terms of outlook, privacy, sunlight and daylight, private amenity space, internal floorspace standards and impact from noise. Moreover, whilst the development would result in the loss of agricultural land, it is not deemed to land which is of high quality and it is considered that the overall benefits of the development outweigh this loss.
- 8.4 Looking at the impact on the highway network, the development would not prejudice the safety and operation of the highway network and in relation to parking, the level of parking provided is in accordance with the Council's Standards. Issues relating to contamination, impact on the environment, trees, wildlife, surface and surface water drainage can be secured through conditions.
- 8.5 Finally, elements such as affordable housing, open space, children's play and development contributions can be satisfactorily addressed through the signing of a S106 legal agreement and/or through the CiL process. Accordingly, it is recommended that planning permission be granted.

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the applicant having first entered into a S106 agreement to secure/provide contributions towards:-

- The provision of 30% affordable housing;
- Biodiversity improvement works and maintenance to Fishers Green Common;
- Sustainable Transport and Infrastructure contribution;
- Travel Plan contribution;
- Trees and plants from UK nurseries;
- Secure the provision and on-going maintenance of the play areas;
- Secure the provision of a maintenance company for the development;
- GP Provision;
- Provision of fire hydrants; and
- Associated Section 278 Highway Works.

The detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor.

- 9.2 The proposal be subject to the following conditions:-

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

SO01D; SO02 A; SO03; SK01 G; SK02; SK03 D; SK04 D; SK05 D; SK06 D; SK06.1; SK06.2; SK07 A; SK07.1; SK08; SK20 B; SK21 B; SK22 A; SK23 A; SK24 B; SK25 B; SK26 C; SK27 C; SK28 C; SK29 A; SK30 B; SK31 B; SK32 B; SK33 B; SK34 B; SK35 C; SK36 C; SK37 C; SK38 B; SK39 C; SK40 C; SK41 A; SK42 A; SK43 A; SK44 C; SK45 C; SK46 C; SK47 C; SK48 C; SK49 B; SK50 B; SK51 C; SK52 C; SK53 A; SK54 A; SK55 A; SK56 A; SK57 A; SK58 A; SK59 A; SK60 A; SK61; SK62; SK63; SK64 A; SK65 A; SK66 A; SK67; SK68; SK69 A; SK70; SK71 B; SK72 C; SK73 C; SK74 C; SK75 C; SK76 C; SK77; SK78; SK79; SK80; SK81;

SK82; SK83; SK84; SK85; SK86; SK87; SK88; SK100; SK101; SK102; SK103; SK104; SK105; SK200A; SK201A; SK202A; SK203B; SK204B; SK205.1A; SK205.2A; SK206B; SK207B; SK208B; SK209A; SK210A; SK211B; SK212B; SK213.1A; SK213.2A; SK214A; SK215B; SK216B; LC 00331 01 G.

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

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

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

- 3 No development, above slab level, shall commence until a schedule and sample of the materials to be used in the construction of the external surfaces of the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

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

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

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

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

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

- 6 No removal of trees, scrubs or hedges shall be carried out on site between 1st March and 31st August inclusive in any year, unless a pre-works survey of the vegetation to be removed and surrounding vegetation, is undertaken immediately prior to removal by a suitable qualified, and approved confirmed by the local planning authority.

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

- 7 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. The scheme shall follow the recommendations identified in the BWB Noise Impact Assessment report (Ref: MCP2136) dated February 2019. 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.

REASON:- To protect the amenity of future occupiers of the development from noise from road traffic sources.

- 8 No properties shall be occupied until confirmation has been provided that either all wastewater network upgrades required to accommodate the additional flows from the development have been completed or a housing and infrastructure phasing plan

has been submitted to and approved in writing by the local planning authority in consultation with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

REASON:- The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents.

9 The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment carried out by BWB reference TGS-BWB-ZZ-XX-RP-YE-0001_FRA dated February 2019; Sustainable Drainage Statement carried out by BWB reference TGS-BWB-ZZ-XX-RP-CD-0001_SDS dated February 2019 and Technical Note carried out by BWB reference TGS-BWB-ZZ-XX-YE-0002_TN Revision P02 S2 dated 28 June 2019 and the following mitigation measures:-

1. Limiting the surface water run-off generated by the 1 in 100 year + 40% allowance for climate change event critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
2. Provide attenuation to ensure no increase in surface water run-off for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.
3. Implement drainage strategy as indicated on the drainage strategy drawing reference TGS-BWB-XX-ZZ-DR-CD-0004 and TGS-BWB-ZZ-XX-CD-DR-0006 and to include above ground SuDS features.
4. Implemented drainage strategy to include daylighting of northern culvert with online detention basin with low flow channel for existing watercourses with detention basin as indicated on drawing TGS-BWB-XX-ZZ-DR-CD-0004.
5. Implement drainage strategy to incorporate the central watercourse with detention basin indicated on drawing TGS-BWB-ZZ-XX-CD-DR-0006.

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

10 The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment carried out by BWB reference TGS-BWB-ZZ-XX-RP-YE-0001_FRA dated February 2019; Sustainable Drainage Statement carried out by BWB reference TGS-BWB-ZZ-XX-RP-CD-0001_SDS dated February 2019 and Technical Note carried out by BWB reference TGS-BWB-ZZ-XX-YE-0002_TN Revision P02 S2 dated 28 June 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 + 40% allowance climate change event.

2. Details regarding any areas of informal flooding (events those exceeding 1 in 30 years rainfall event), this should be shown on a plan with estimated extents and depths.
3. Details of final exceedance routes, including those for an event which exceeds to 1:100 + 40% allowance climate change rainfall event.
4. Details relating to the works to be carried out on the ordinary watercourses.

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.

REASON:- To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

- 11 Upon completion of each phase of the drainage works, a complete set of as built drawings for the site drainage management should be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include:

1. Final confirmation of management and maintenance requirements
2. Provision of complete set of as built drawings for both site drainage and overland flow route management
3. Details of any inspection and sign-off requirements for completed elements of the drainage systems.

REASON:- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

- 12 Prior to the commencement of development, above slab level, a landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by the local planning authority. The content of the LEMP shall deliver the ecological units to achieve no net loss or where possible net gain to biodiversity and include the following:-

- a) Description and evaluation of features to be managed from a landscape and ecological perspective;
- b) Ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options achieving landscape and ecological aims and objectives;
- e) Prescriptions for landscape and ecological management actions;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five year period) clearly marked on plans;
- g) Details of the body or organisation responsible for implementation of the plan;
- h) Ongoing monitoring and remedial measure. The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery;
- l) Details of species specific measures as identified in the ecological report, definitively stated and marked on plans.

The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so

that the development still delivers the fully functioning biodiversity and landscape objectives of the originally approved details.

The landscaping and habitats management scheme shall be implemented in accordance with the approved details.

REASON:- In order to improve and enhance biodiversity within the development site and the surrounding so as to offset its impact.

- 13 The bat and bird box strategy as detailed in the approved plans and ecological report shall be fully installed prior to first occupation of dwelling units 16; 18; 21 to 23; 25 to 32 to 41; 46; 48 to 50; 53; 55; 56; 69; 72; 73; 83; 85; 91; 95; 114 to 116; 118 and 124 hereby permitted. The bat and bird boxes shall be retained thereafter.

REASON:- In order to enhance roosting opportunities for bats and nesting opportunities for birds.

- 14 Notwithstanding the provisions of Class A of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification), no internal or external alterations shall take place to any garage, which would preclude its use for housing motor vehicles and/or bicycles unless permission is granted on an application made to the Local Planning Authority.

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

- 15 Prior to the commencement of development (including site clearance) a Construction Management Plan/Method Statement for the construction phases shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works of construction of the development shall only be carried out in accordance with the approved statement and Hertfordshire County Council's specifications. The Demolition/Construction Management Plan/Method Statement shall address the following matters:-

- (i) Details of construction phasing programme (including any pre-construction enabling works);
- (ii) Hours of operations including times of deliveries and removal of waste which should avoid school pick up/drop off times;
- (iii) Demolition and construction works between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0830 and 1300 on Saturdays only.
- (iv) The site set-up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas;
- (v) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
- (vi) Details of the provisions for temporary car parking during construction which shall be provided prior to the commencement of construction activities;
- (vii) The location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- (viii) Screening and hoarding;

- (ix) End of day tidying procedures;
- (x) Construction and storage compounds (including areas designated for car parking);
- (xi) Siting and details of wheel washing facilities;
- (xii) Cleaning of site entrances, site tracks and the adjacent public highway;
- (xiii) Control measures to manage noise and dust;
- (xiv) Disposal of surplus materials;
- (xv) Post construction restoration/reinstatement of the working areas and access to the public highway.
- (xvi) Details of the access and highways works from Fishers Green to accommodate construction traffic.
- (xvii) Details of consultation and compliant management with local businesses and neighbours.
- (xviii) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour;
- (xix) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures;
- (xx) Details of a Site Waste Management Plan (SWMP) detailing actual waste arising and how waste is managed (i.e. re-used, recycled or sent off site for treatment or disposal) and where it is sent to. Further updated should be provided throughout the life of the development at an interim of two months or sooner should the level of waste be considered significant by the developer.

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

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

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets,
 - woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition.

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

- 17 A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.
- 18 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.
REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.
- 19 Prior to the first occupation of dwelling units 1 to 9; 25 to 32; 33 to 41 and 126 to 133 hereby permitted the approved refuse and recycle stores shall be constructed in accordance with the details submitted with this application and shall be permanently retained in the form.
REASON:- To ensure that there is sufficient refuse/recycle provision in accordance with the Council's standards and maintained for all dwellings and the development as a whole in perpetuity.
- 20 Prior to the first occupation of dwelling units 1 to 9; 25 to 32; 33 to 41 and 126 to 133; hereby permitted the approved secure cycle parking areas and public cycle parking shall be constructed in accordance with the approved details submitted with this planning application and shall be permanently retained in that form thereafter.
REASON:- To ensure that there is sufficient cycle parking provision in accordance with the Council's adopted standards is maintained for all dwellings and the development as a whole on site in perpetuity.
- 21 No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination and predicted light contours, have first been submitted to, and approved in writing the Local Planning Authority prior to first occupation of the development. Any external lighting shall accord with the details so approved.
REASON:- In order to protect the amenities and operations of neighbouring properties and to ensure any external lighting does not prejudice highway safety. In addition, to ensure the development does not have a detrimental impact on foraging bats.
- 22 The landscaping scheme as detailed in the approved drawings shall be implemented in the first available planting season prior to the first occupation of the buildings or the completion of the development, whichever is the sooner.
REASON:- To ensure a satisfactory appearance for the development.

- 23 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.
- 24 No development, including site clearance, shall commence until the trees as specified in the Arboricultural Impact Assessment, prepared by BWB (dated February 2019) to be retained on the site have been protected by fencing in accordance with the vertical tree protection fencing detailed in the Arboricultural Impact Assessment. In addition, all works which are to be undertaken within the Root Protection Areas of trees which are to be retained as specified on the aforementioned drawings shall be undertaken in accordance with the details specified in the Arboricultural Impact Assessment.
REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.
- 25 Within the areas to be fenced off in accordance with condition 24, there shall be no alteration to the ground levels and they shall be kept clear of vehicles, materials, surplus soils, temporary buildings and machinery.
REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.
- 26 Prior to the first occupation of the dwellings hereby permitted, the measures to ensure the development is adaptable to climate changes as detailed in the Energy Statement (prepared by energist dated 15th February 2019) shall have been installed and implemented across the whole development in accordance with the approved details.
REASON:- To ensure that the development is adaptable to climate change.
- 27 Prior to the commencement of development hereby permitted, the vehicular accesses shall be provided and thereafter retained at the position shown on the approved in principle drawing number General Arrangement drawing number 17 941 – SK01 revision G. The principal access road shall be provided 6.75 metres wide [except for some minor traffic calming features shown on the drawing] complete with 10.0 metres radius kerbs. Thereafter, the internal access roads connected to the principal access road shall be provided at least 5.5 metres wide completed with 8.0 metres radius kerbs to the specification of Hertfordshire County Council from the date of this permission and to the Local Planning Authority's satisfaction. Arrangement shall be made for surface water drainage intercepted and disposed of separately so that it does not discharge from on onto the highway carriageway.
REASON:- To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 28 No development shall take place until full details (in the form of scaled plans and written specifications) to illustrate the following:-
- i) roads;
 - ii) footways;
 - iii) cycleways;
 - iv) visibility splays;
 - v) access arrangements;
 - vi) parking provision in accordance with adopted standards;
 - vii) bus stops;
 - viii) turning area.

Have been submitted to and approved in writing by the Local Planning Authority. The details for i) to viii) shall thereafter be constructed in accordance with the approved details.

REASON:- To ensure suitable, safe and satisfactory planning and development of the site.

- 29 No development shall take place until a Servicing and Delivery Plan has been submitted to and approved in writing by the Local Planning Authority. The Servicing and Delivery Plan shall contain the delivery and servicing requirements, waste collection points for the proposed development, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that will be used for loading and manoeuvring of delivery and servicing vehicles, and circulation route and constructed in accordance with the approved details. Thereafter, the route shall be maintained in accordance with those approved details.

REASON:- In the interests of maintaining highway efficiency and safety.

- 30 The provision of infrastructure both within the development site and on the wider routes that the proposed public transport service will travel to facilitate the delivery of the public transport strategy, shall comprise of, but is not limited to the following:-

- 1) high quality bus stop facilities to include raised height kerbs and shelters;
- 2) real time information signs at key stops.

Details of future locations of all bus stops within the development site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development works. The bus stops will need to be clearly marked out on-site during construction of the internal road to ensure visibility for future residents and the wider community.

REASON:- To ensure proper management of the development layout in the interests of highway safety and efficiency.

- 31 Upon first occupation of any dwelling, the provision of two vouchers per dwelling entitling the residents to 12 months free bus travel within the area travelling to Stevenage Town Centre covered by a PlusBus season ticket will be made available. Residents will be able to apply for the vouchers via a scheme to be outlined in the Travel Plan to be approved. The vouchers are to be valid for exchange during the first six months following the occupation of the respective dwelling unit.

REASON:- To ensure management of a modal shift and encourage use of sustainable modes of travel within Stevenage.

- 32 A network of footways/cycleways linking all areas of the development with the railway station, bus station and Stevenage Town Centre, which shall include a toucan crossing along Fishers Green in an appropriate location close to the new junction, shall be provided prior to occupation of any dwelling. The route shall be detailed and identified on a drawing showing appropriate hard surfacing, illustrated with a minimum width of 2.0 metres where possible or shared use provision with a cycleway with a minimum width of 3.0 metre shall be submitted to, prior to the commencement of development above slab level, and approved in writing by the Local Planning Authority. The network of footways/cycleways shall be implemented in accordance with the approved details and retained thereafter.

REASON:- To ensure management of a modal shift and encourage use of sustainable modes of travel within Stevenage.

- 33 Prior to the occupation of any dwellings, full details shall be submitted to and approved in writing by the Local Planning Authority of the proposed arrangements for the future management and maintenance of the proposed streets within the development. Following the provision of such streets in accordance with the

approved details, the streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established in accordance with the approved details.

REASON:- To ensure satisfactory development of the site and to ensure the estate roads are managed and maintained thereafter, to a suitable and safe standard.

- 34 Prior to the commencement of the development, visibility splays measuring 2.4 metres x 53 metres to the north west and 2.4 metres x 54 metres to the south east shall be provided to each side of the main access onto Fishers Green and the visibility splays shall thereafter be maintained at all times free from any obstructions between 600mm and 2.0 metres above the level of the adjacent highway carriageway.

REASON:- To ensure construction of a satisfactory development and in the interests of highway safety.

- 35 Prior to the first occupation of the development hereby permitted, visibility splays measuring 2.4 metres x 43 metres shall be provided each side of each access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstructions between 600mm and 2.0 metres above the level of the adjacent highway carriageway.

REASON:- To ensure construction of a satisfactory development and in the interests of highway safety.

- 36 Prior to the commencement of each phase of the development, details of all materials to be used for hardsurfaced areas, including roads, associated drainage details, driveways and car parking areas shall be submitted to and approved in writing by the Local Planning Authority. Each phase of the development shall be carried out in accordance with the approved details.

REASON:- To ensure that internal roads, drainage and parking areas are to highway standards and requirements set by Hertfordshire County Council as Highways Authority.

- 37 Prior to the first occupation of the development hereby permitted, the gradient of the main access road shall not be steeper than 1 in 50 for the first 12m thereafter the main access and internal access roads shall not be steeper than 1 in 20.

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

- 38 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.

REASON:- To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants.

- 39 Piling or any other foundation design using penetrative methods shall not be permitted within the development other than with the express consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON:- To protect groundwater environment, including groundwater. Some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution. A piling risk assessment should be submitted with consideration of the EA guidance. Given the site's location in SPZ2 we will also

require a groundwater monitoring programme during any piling work at the site. This groundwater monitoring programme should incorporate mitigation measures to be adopted design should piling works be noted to be adversely impacting on groundwater quality beneath the site.

- 40 A scheme for managing any borehole installed within the development for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. 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 with be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of the Residential Development Plot.

REASON:- To ensure that the development does not contribute to, is not put at unacceptable levels of water pollution caused by mobilise contaminants. This is in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5: Contaminated land.

- 41 Notwithstanding the provisions of Classes B and C of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking or re-enacting that Order with or without modification) no loft conversions including dormer windows / roof extensions, or roof lights and openings shall be constructed on the dwellinghouse(s) hereby permitted unless permission is granted on an application made to the Local Planning Authority.

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 neighbouring properties from overlooking/loss of privacy and to ensure sufficient parking is available.

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 led 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.

INFORMATIVE

Hertfordshire County Council as Lead Local Flood Authority

Any works taking place within and/or over the culvert or within 3m of the top of the bank of the ordinary watercourse will require prior written consent from Hertfordshire County Council regardless of any planning permission. Any works proposed to be carried out that may affect the flow within an ordinary watercourse will require the prior written consent from the Lead Local Flood Authority under Section 23 of the Land Drainage Act 1991. This includes any permanent and or temporary works regardless of any planning permission.

Hertfordshire County Council as Highways Authority

AN1. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be

sought from the Highway Authority before construction works commence. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN3. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN4. Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 38 and 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 noted below:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN5. Rights of Way

Before commencement of the proposed development, the applicant shall contact Hertfordshire County Council's Rights of Way Service <http://www.hertfordshire.gov.uk/services/envplan/countrysideaccess/row/>

(Tel: 0300 123 4047, email at row@hertfordshire.gov.uk) to obtain their requirements for the ongoing maintenance of the surface of the Public Right of Way that routes through the site along the proposed development.

Reason: To ensure the surface of the Public Right of Way does not deteriorate as a result of an increase in vehicle movements using the access, in the interests of pedestrian safety on a Public Right of Way.

The Public Right of Way should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works.

The safety of the public using the route and any other routes to be used by construction traffic should be a paramount concern during works, safe passage past the site should be maintained at all times.

The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overflows of cement & concrete) should be made good by the applicant to the satisfaction of this Authority.

All materials should be removed at the end of the construction and not left on the Highway or Highway verges.

If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order would be required to close the affected route and divert users for any periods necessary to allow works to proceed. A fee would be payable to Hertfordshire County Council for such an order.

Reason: To ensure the surface of the Public Right of Way does not deteriorate as a result of an increase in vehicle movements using the access, in the interests of pedestrian safety on a Public Right of Way.

Arboricultural Impact

Although the Arboricultural Impact Assessment mentions the need for an arboriculturalist if any large roots are encountered, it is suggested the whole section of the fence near the tree line should be supervised. Also, as this type of work could potentially weaken the root system and therefore, the trees stability, it is also suggested a Highways England inspector would want to be aware of this matter. This also applies to the aerial part of the tree as considerable amount of their crowns would have to be cut back to accommodate the installation of the high fence.

Cadent Gas

Affected Apparatus

The apparatus that has been identified as being in the vicinity of your proposed works is:

Low or Medium pressure (below 2 bar) gas pipes and associated equipment. (As a result it is highly likely that there are gas services and associated apparatus in the vicinity).

Requirements

BEFORE carrying out any work you must:

Carefully read these requirements including the attached guidance documents and maps showing the location of apparatus.

Contact the landowner and ensure any proposed works in private land do not infringe Cadent and/or National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.

Ensure that all persons, including direct labour and contractors, working for you on or near Cadent and/or National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 – 'Avoiding Danger from Underground Services' and GS6 – 'Avoidance of danger from overhead electric power lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk>

In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken.

GUIDANCE

Excavating Safely - Avoiding injury when working near gas pipes:

<https://www.nationalgrid.com/sites/default/files/documents/24410-Excavating%20Safely%20Leaflet%20Gas.pdf>

Standard Guidance

Essential Guidance document:

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=8589934982>

General Guidance document:

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=35103>

Excavating Safely in the vicinity of gas pipes guidance (Credit card):

<https://www.nationalgrid.com/sites/default/files/documents/24413-Excavating%20Safely%20Credit%20Card%20Gas.pdf>

Excavating Safely in the vicinity of electricity cables guidance (Credit card):

<https://www.nationalgrid.com/sites/default/files/documents/24414ExcavatingSafelyCreditCardElectricity.pdf>

Community Infrastructure Levy

Stevenage Borough Council adopted a Community Infrastructure Levy (CIL) Charging Schedule at Full Council on 27 January 2020 and started implementing CIL on 01 April 2020.

This application may be liable for CIL payments and you are advised to contact the CIL Team for clarification with regard to this. If your development is CIL liable, even if you are granted an exemption from the levy, please be advised that it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (as amended) that CIL Form 6 (Commencement Notice) must be completed, returned and acknowledged by Stevenage Borough Council before building works start. Failure to do so will mean you risk losing the right to payment by instalments and a surcharge will be imposed. NB. please note that a Commencement Notice is not required for residential extensions if relief has been granted.

Stevenage's adopted CIL Charging Schedule and further details of CIL can be found on the Council's webpages at www.stevenage.gov.uk/CIL or by contacting the Council's CIL Team at CIL@Stevenage.gov.uk.

10. BACKGROUND DOCUMENTS

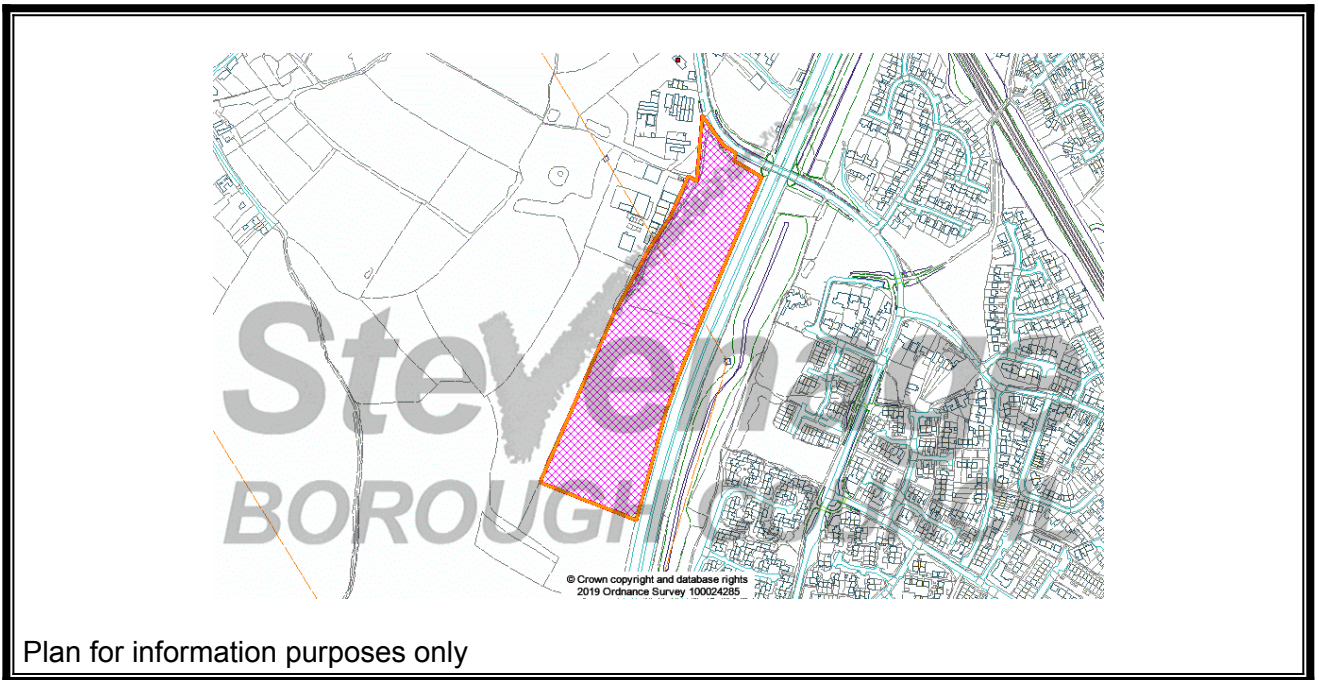
1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012 and Stevenage Design Guide adopted October 2009.

3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework February 2019 and Planning Policy Guidance March 2014.
7. Planning Committee Report 16th December 2019.
8. Community Infrastructure Levy 2010 (as amended).

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Meeting:	Planning and Development Committee	Agenda Item:
Date:	16 December 2019	
Author:	James Chettleburgh	01438 242266
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	James Chettleburgh	01438 242266

Application No:	19/00123/FPM
Location:	Land to west of A1(M) and south of Stevenage Road, Todds Green, Stevenage.
Proposal:	Erection of 133 dwellings with associated landscaping, open space provision and access.
Drawing Nos.:	SO01D; SO02 A; SO03; SK01 G; SK02; SK03 D; SK04 D; SK05 D; SK06 D; SK06.1; SK06.2; SK07 A; SK07.1; SK08; SK20 B; SK21 B; SK22 A; SK23 A; SK24 B; SK25 B; SK26 C; SK27 C; SK28 C; SK29 A; SK30 B; SK31 B; SK32 B; SK33 B; SK34 B; SK35 C; SK36 C; SK37 C; SK38 B; SK39 C; SK40 C; SK41 A; SK42 A; SK43 A; SK44 C; SK45 C; SK46 C; SK47 C; SK48 C; SK49 B; SK50 B; SK51 C; SK52 C; SK53 A; SK54 A; SK55 A; SK56 A; SK57 A; SK58 A; SK59 A; SK60 A; SK61; SK62; SK63; SK64 A; SK65 A; SK66 A; SK67; SK68, SK69 A; SK70; SK71 B; SK72 C; SK73 C; SK74 C; SK75 C; SK76 C; SK77; SK78; SK79; SK80; SK81; SK82; SK83; SK84; SK85; SK86; SK87; SK88; SK100; SK101; SK102; SK103; SK104; SK105; SK200A; SK201A; SK202A; SK203B; SK204B; SK205.1A; SK205.2A; SK206B; SK207B; SK208B; SK209A; SK210A; SK211B; SK212B; SK213.1A; SK213.2A; SK214A; SK215B; SK216B; LC 00331 01 G.
Applicant:	Taylor Wimpey UK Ltd
Date Valid:	26 February 2019
Recommendation:	GRANT PLANNING PERMISSION.



1. SITE DESCRIPTION

- 1.1 The application site is located in the north-western area of the Borough of Stevenage to the west of the A1(M) motorway and to the south of Fishers Green in Todds Green. The site is allocated in the adopted Local Plan (2019) as a West of Stevenage Safeguarded Corridor (Policy IT2) and it is a rectangular parcel of land which is approximately 5.6 hectares in area. It comprises of agricultural fields which are punctuated by mature hedgerows, trees and vegetation. The land is set down from Stevenage Road and Fishers Green due to the sloping and undulating topography of the application site and the surrounding area. The site also straddles the border with North Hertfordshire District Council.
- 1.2 To the west of the application site is Shangri-La farm which comprises a mixture of commercial and light industrial premises along with agricultural fields and paddocks. To the east, beyond the A1(M) motorway is the main urban area of Stevenage including Fishers Green Common. To the north and north-west beyond Fishers Green and Stevenage Road is the hamlet of Todds Green. The hamlet of Todds Green comprises a mixture of detached and semi-detached properties which are of varying architectural styles and designs along with farms, agricultural holdings and stables.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning application 01/00506/OP sought outline permission for the development of approximately 3,600 dwellings and business premises, shops and other uses, leisure, social and community facilities, open space and landscaping and provision of infrastructure, highways and public transport. This application was withdrawn in August 2013.
- 2.2 Planning application 01/00423/OP sought outline permission for the development of approximately 5,000 dwellings and business premises (B1 and B2); shops (A1, A2 and A3), leisure, social and community facilities (D1 and D2); open space and landscaping, provision of infrastructure, highways. This application was refused by the Secretary of State in October 2005.

3. THE CURRENT APPLICATION

3.1 The application before the Council seeks planning permission for the erection of 133 dwellings comprising a mixture of the following:-

- 34 no. two bedroom flats;
- 6 no. two bedroom houses;
- 51 no. three bedroom houses; and
- 42 no. four bedroom houses.

3.2 This application also comprises the erection of a gas governor, pumping station and electricity substation. It also seeks permission for the creation of a new vehicular access road off Fishers Green with a bus loop, a Local Equipped Area for Play (LEAP), Local Area of Play (LAP), countryside green and areas of open space.

3.3 This application comes before the planning and development committee as it is a major residential scheme.

4. PUBLIC REPRESENTATIONS

4.1 This planning application has been publicised by way of a site notice and neighbouring properties have been notified about the application via a letter. The application was also published in the local press. Objections have been received from the following:-

- 18 Tower Close, Little Wymondley;
- Limah, Todds Green;
- Oaklea, Todds Green;
- St Christopher, Todds Green;
- 75 Scarborough Avenue;
- The Thatched Cottage, Todds Green;
- 94 Letchmore Road;
- Highlands, Todds Green;
- Holmwood, Todds Green;
- Whitethorn, Todds Green;
- Greenfields, Todds Green;
- Whych Elms, Todds Green;
- Thornboro, Todds Green;
- 15 Kessingland Avenue;
- 8 Aldeburgh Close;
- Wymondley Parish Council

4.2 A summary of the objections received are as follows:-

- Impact on the Green Belt;
- Lack of very special circumstances;
- Lack of assessment as to the impact on the Green Belt;
- The development is in a safeguarded area taken out of the Wymondley Neighbourhood Plan area by North Hertfordshire District Council;
- Impact on highway network and highway safety;
- Impact on traffic levels in Todds Green;
- Development is out of character with Todds Green;

- The proposal has no links to existing cycle ways;
- Will the development contribute towards the existing local community of Todds Green/Wymondley?;
- Will there be any S106 contributions towards the existing community of Todd's Green and Wymondley?;
- The Travel Plan submitted is misleading and refers to an obvious desire to extend the development site further;
- The development does not reflect the design of the New Town;
- The Scheme should be reviewed by the Hertfordshire Design Review Panel;
- Construction works would have a detrimental impact on local residents;
- Air quality impacts;
- Noise impacts;
- The development would have a detrimental impact on property values;
- Flooding and surface water drainage concerns;
- Loss of the best and most versatile agricultural land;
- Impact on local views from Todds Green;
- Impact on local biodiversity and wildlife;
- The development could have a detrimental impact on local broadband services;
- Loss of open space for residents and horse riders;
- Overly dense development;
- Insufficient bus service provision for the wider area beyond the development site;
- Poor living standards for future residents;
- Insufficient mitigation measures to deal with noise;
- Would erode the green barrier between Todds Green and the A1(M);
- The proposed development should be considered in context with W5(i) and W5(ii) of North Herts Plan in terms of impact on the setting of the Green Belt;
- Proper consideration needs to be made as to the effect of the development on landscape, setting and character of the settlement (Todds Green),
- No impact assessment has been provided in terms of the developments impact on local residents;
- The proposal does not accord with the Local Development Plan;
- The applicants Traffic Assessment does not properly consider the full extent of the impact the development will actually have on the local highway network;
- The development will overburden local infrastructure such as GP surgeries and the hospital as well as local schools;
- The development will increase anti-social behaviour;
- Where will the businesses be relocated to?;
- The proposed highway works associated with the development are not considered to be acceptable;
- The transport modelling undertaken by the applicant is insufficient as it does not accurately reflect local traffic levels;
- A cumulative impact assessment of all developments coming forward needs to be undertaken.

4.3 Please note that the aforementioned is not a verbatim of the comments which have been received. A full copy of the comments received can be viewed on the Council's website.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highways Authority

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

5.2 Hertfordshire County Council Growth and Infrastructure Unit

5.2.1 Following an assessment of the proposed development for 133 units, it is recommended financial contributions should be secured in accordance with HCC Toolkit towards secondary education, nursery education, primary education, library services and youth services. In addition to this, it is recommended that a number of fire hydrants should be provided as part of the development. As such, the fire hydrants should be secured as part of any S106 Legal Agreement.

5.3 Hertfordshire County Council Archaeology

5.3.1 The site is considered to have a comparatively high potential for sub surface archaeological remains, and that the development is sufficient large enough in scale to request information be submitted predetermination in accordance with paragraph 189 of the NPPF. It was recommended that the following information comprises:

- An archaeological desk-based assessment;
- A geophysical survey;
- A trial trench evaluation.

5.3.2 Following an assessment of the documentation which was submitted during the application process, it is clear that despite the archaeological potential of nearby areas, few remains of archaeological interest have been identified by the evaluation, and those, remains of post-medieval cultivation, are of low significance. The balance of probability suggests, therefore, that no archaeological assets of significance will be impacted by the development. In this instance, there are no comments to make on the application.

5.4 Hertfordshire County Council Minerals and Waste

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

5.5 Hertfordshire County Council as Lead Local Flood Authority

5.5.1 Following a review of the technical note, it is considered that the proposed development can be adequately drained and can mitigate any potential existing surface water flood risk if carried out in accordance with the submitted drainage strategy. The soakaway testing demonstrates that the shallow ground conditions are not feasible. Therefore, the proposed rainfall event will be restricted and that the

drainage network can safely store water in a 100-year plus 40% climate change event.

- 5.5.2 The northern section of the site will be served by a detention basin online to the watercourse. The flow from the detention basin into the downstream network will be controlled by a slot weir. This will allow flows from the upstream catchment(s) to pass through at existing rates, while attenuating the runoff from the development to the equivalent greenfield rate. This approach ensures that the watercourse is opened up as far as possible. It is recommended that a number of conditions are imposed if permission were to be granted with regards to the drainage strategy.

5.6 Highways England

- 5.6.1 Highways England raises no objection to the proposal. Therefore, Highways Act 175B (consent of highway authority required for trunk road access) is not relevant to this application.

5.7 Council's Environmental Health Section

- 5.7.1 In terms of noise, following an assessment of the applicants Noise Impact Assessment, it is recommended a number of conditions be imposed if planning permission were to be granted. These conditions relate to the following:-

- Submission of details of protecting the proposed dwellings from noise from road traffic; and
- Submission of a detailed Construction Management Plan.

- 5.7.2 In regards to air quality, the assessment focusses predominantly on the impact of construction dust. As would be expected that this, as well as other nuisance caused by the construction would be suppressed, it is foreseeable that the impact of these pollutants will be managed by an efficient site. Therefore, the Council's normal planning requirements, if enforced, should automatically require the building site to be well managed, so that there should not be any significant dust production. As such, recommend a planning condition to require a construction condition to control air quality during the construction phase.

- 5.7.3 In regards to road traffic emission based on the operational phase of the development, this highlights a negligible impact due to traffic on the site. With regards to the assessment of emissions from traffic traveling along A1(M), the points raised were noted and accepted. With regards to air pollution, it is not clear how the development would meet the Council's requirements to reduce air pollution, therefore, this is a policy decision as to whether the Council accepts a standard which does not meet our policy. This is given to the acceptance by BWB that mitigation is recommended to minimise exposure of future residents of the development to elevated nitrogen dioxide concentrations. This mitigation implies the use of ventilation in residential dwellings to make them safe to live in. This reliance on ventilation does not address the safety of the living environment in and around the affected dwellings.

- 5.7.4 The report by the applicant identifies that the proposed future pollution levels to be within current guidance levels. This is agreed due to the site development work will

be minimal, as long as the site is well managed or enforced, but, there are still concerns with the future exposure of the residents of the development phase has been completed. There is no reference as to what control measures to make the area safe. Through the reliance of mechanical ventilation for the dwellings in areas of high pollution, this may render the interior safe, but it does not take into account external areas. It is noted that in order to mitigate this impact, an eco-barrier is to be used towards environmental protection of the site. However, information needs to be provided to show the effectiveness of this.

5.8 Council's Arboricultural Manager

5.8.1 There are no objections to the application from an Arboricultural view point. However, there is a concern about the impact caused to the line of trees on the west boundary by the acoustic fence. Although the Arboricultural Impact Assessment mentions the need for an arboriculturalist if any large roots are encountered, it is suggested the whole section of the fence near the tree line should be supervised. Also, as this this type of work could potentially weaken the root system and therefore, the trees stability, it is also suggested a Highways England inspector would want to be aware of this matter. This also applies to the aerial part of the tree as considerable amount of their crowns would have to be cut back to accommodate the installation of the high fence.

5.9 Council's Parks and Amenities Section

5.9.1 It is understood that the proposed development is not to be offered up for adoption by Stevenage Borough Council with regards to maintenance and upkeep of the open space, planting or play areas. In regards to the Gramm Eco barrier, the Council's Parks Section require further information regarding the future maintenance and upkeep of the proposed eco barrier. The Council's Parks Section have limited experience of such a proposed structure but would like to draw attention to some considerations that the developer should plan to address in the longer term. This will include:

- Topping up of soil once settled and managing the structure to prevent minimal exposure of the frame / structure.
- Ensuring the eco barrier (noise protection barrier) is maintained to continually provide an attractive amenity whilst also providing opportunities for wildlife.
- Some of the species selected to be planted on the eco barrier will be quick to establish and rigorous in growth. This should be managed and maintained with this in mind.
- Ensuring the eco barrier remains, at all times, safe to the public. As this is an engineered structure, we recommend seeking comments from the Council's Engineering Department.
- Consideration for the control of pests and vermin.

5.9.2 The Council's Parks Sections note that the proposals include a series of SuDS basins. However, it is not clear how accessible these areas will be and if they have the potential to additionally function as amenity space in periods of dry (i.e. a shallow scrape / deep basin with steep walls). The proposals include a number of planted areas that will be vulnerable to vehicle damage (i.e. on street corners). The developer must seek to protect such areas from vehicle damage, whilst planting is considerate to causing no visual difficulties / safety issues for vehicles / pedestrians.

5.9.3 There is opportunity to consider additional and more varied bulb planting at the site to provide a flush of spring colour for a prolonged period. This could include a mix of

crocus, snowdrop and tulip. We would also recommend bulb planting at the entrance to the site. The developer must consider how the proposed development will link with wider plans for the surrounding area (i.e. master planning). It is not clear from the application how this development will provide these 'green links/ green infrastructure' to enable this.

- 5.9.4 The Parks Section require financial contributions to put towards play and outdoor sport facilities. They would look to channel this funding towards delivering improvements to either/or Meadway Playing Fields, Skegness play area, Scarborough Avenue play area and/or Bude park.
- 5.9.5 The Council's Parks Section note the developer's intention to include an area of wildflower meadow aligned with the eco barrier. Parks would support proposals for a meadow within the scheme, however it is not clear from the plan how wide and accessible this area will be. The developer must consider how this area will be accessed for carrying out meadow maintenance i.e. a cut and clear management regime. The developer must also consider nest boxes and should liaise with Herts Middlesex Wildlife Trust (HMWT) to determine suitable options and locations.
- 5.9.6 With regards to the play area, this should be installed and completed early in the development's build stage to ensure play demand is being met whilst being considerate to resident's expectations. The play area shall meet EN1176 and EN1177 standards. A post installation inspection report of the play area should be carried out independently by an RPII registered play inspector, with any items identified for action carried out.
- 5.9.7 All equipment shall be robust, mainly of metal construction and resistant to vandalism. Some of the proposed items such as the climbing block, seesaw and slide could be vulnerable and we recommend robust alternatives. The proposed bow-top fencing will need to be checked that this conforms to play standards. A shallower bow will be required to ensure the fence does not offer a risk of a head trap. The play area does not include any conventional swing provision. As such Parks highly recommend including flat and cradle swings within the design. The play area shall be constructed on level and well-draining ground.
- 5.9.8 In relation to biodiversity improvement, following negotiations with the applicant, financial obligations would be secured via a Section 106 agreement in order to undertake necessary improvements works to Fishers Green Common which have been drawn up in conjunction with Herts and Middlesex Wildlife Trust. In addition, a financial obligation is sought for ongoing maintenance of the Common for a period of 20 years.

5.10 North Hertfordshire District Council

- 5.10.1 In the original response dated 4th April 2019, objection was raised due to a conflict with Policy IT2 and the lack of clarity in the submission regarding the future deliverability of the safeguarded land west of Stevenage. Following a review of the Transport Assessment, there is little robust evidence clarifying how the proposed development of the site takes account of the future development of the safeguarded land to the West of Stevenage. The West of Stevenage development site is anticipated to be served by three main access points, one of these is proposed to be established through the application site. The road appears that it may be sufficient for a small development of houses but strongly question whether it would be suitable to serve a yet unknown quantum of development to the West of Stevenage.
- 5.10.2 It is noted that the Highways Authority (at the time the comments were received from North Hertfordshire District Council) is objecting to the proposal and they are

clearly not satisfied that the proposed highways arrangements are able to adequately serve the proposed development itself let alone take account of the deliverability of the safeguarded land to the West of Stevenage.

- 5.10.3 North Hertfordshire District Council view is that the only way the applicant would be able to clearly demonstrate how the development of the site would not compromise the ability to develop the safeguarded land would be to provide a masterplan for the entire West of Stevenage strategic site in order to demonstrate an overall strategy. This will need to include reference to the strategic road layout of the wider site and how this would connect with the existing network.

5.11 Police Crime Prevention Design Officer

- 5.11.1 Following correspondence with the applicant since pre-application, they are intent on achieving the Police preferred minimum security standard that is Secured by Design.

5.12 Environment Agency

- 5.12.1 The site is an area of groundwater sensitivity, being partly within a Source Protection Zone 2 (SPZ 2). Therefore, it is recommended that the requirements of the NPPF and Planning Practice Guidance are followed. This means that all risks to ground water and surface waters from contamination need to be identified so that appropriate remedial action can be taken. This should be in addition to the risk to human health that the Council's Environmental Health Department will look at. It is expected that reports and Risk Assessments to be prepared in line with the Environment Agency Guidance.

- 5.12.2 In order to protect groundwater quality from further deterioration:

- No infiltration-based sustainable drainage systems should be constructed on land affected by contamination, as contaminants can remobilise and cause ground pollution;
- Piling, or any other foundation designs using penetrative methods, should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution; and
- Decommission of investigative boreholes to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies, in line with paragraph 170 of the National Planning Policy Framework.

5.13 Thames Water

- 5.13.1 Following initial investigations, Thames Water has identified an inability of the existing foul water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a position for foul water networks but have been unable to do so in the time available and as such Thames Water request that a condition be added to any planning permission. With regards to water supply, this area is covered by Thames Water.

5.14 NHS East and North Hertfordshire Clinical Commissioning Group

- 5.14.1 Despite premises constraints, GP Practices are not allowed to close their lists to new registrations without consultation with, and permission from, the East and North Herts Clinical Commissioning Group. We expect such applications to increase as the new developments in the area go live. Even when surgeries are significantly constrained East and North Herts CCG and NHS England would not wish an individual patient to be denied access to their nearest GP surgery. Patient lists are therefore only closed in exceptional circumstances.
- 5.14.2 However, when a large number of new dwellings and registrations is planned the preferred option is to try and find a way to absorb those significant demands upon surgeries by providing additional resources, e.g. re-configuring, extending or relocating the practice to provide sufficient space to increase clinical human resources and clinical services and thus keep the patient lists open. A developer contribution under these circumstances is considered fair and reasonable.
- 5.14.3 'Constrained' means a practice working to over-capacity for the size of their premises and the clinical space available to provide the required services to their patients. A practice in this situation would usually need to be re-configured, extended or even relocated to absorb a significant number of new registrations.
- 5.14.4 Patients are at liberty to choose which GP practice to register with as long as they live within the practice boundary and NHS England cannot prescribe which surgery patients should attend. However the majority of patients choose to register with the surgery closest and/or most easily accessible to their home for the following reasons; quickest journey, non-car dependent (public transport or walking distance), parking provision if a car journey is necessary, easy access during surgery hours, especially for families with young children and for older adults.
- 5.14.5 Therefore, financial contributions are sought towards the provision of GP Practices of £94,078.84, it is proposed to focus the monies on Stanmore Medical Group's 4 sites particularly the Poplars Surgery, Magpie Crescent which at 36.8 patients per m² is very constrained (22 patients per m² is considered constrained) and has no capacity for any rise in patient numbers. The Stevenage Hub and King George Surgery which are 1.4 miles from this development, whilst not currently constrained at 15.38 patients per m² it is 3rd in line and given its position in the town centre will be most likely to see a very significant rise in patient registrations. Therefore, the digitalisation of patient records in any practices directly affected by this development would release rooms to increase clinical capacity by way of reconfiguration. A trigger point of on occupancy of the 50th dwelling is requested. NHS England and the East and North Herts Clinical Commissioning Group reserve the right to apply for S106 money retrospectively and the right to amend and request that this be reflected in any S106 agreement.
- 5.14.6 In addition, it is vital to consider the impact of developments and additional residents on community and mental healthcare. Therefore, a financial contribution of £344,595 would be sought towards acute, mental health and community costs. In terms of mental health and community health costs, £50,702 would be focused towards the Stevenage Hub. In terms of acute costs £294,523 would be towards Lister Hospital which includes refurbishment works.

5.15 Campaign to Protect Rural England (CPRE)

- 5.15.1 Object to the isolated unsustainable development. The proposal would be contrary to the emerging local plan and premature in that it relates to a potentially much larger development, but as yet uncommitted, development in the current designated

Green Belt to the West of Stevenage. CPRE has objected to the release of all Green Belt land to the west of the A1(M) as inappropriate and because very special circumstances have not been demonstrated. The North Herts Local Plan, is submitted but not approved and the emerging Stevenage Plan, subject to a holding direction, has safeguarded this land as an access corridor (Policy IT2) in the event that the wider land release is approved.

- 5.15.2 When the Council assessed the site in December 2015 as part of its Green Belt Review, the site (Ref 629) wasn't allocated for residential development but for access. If developed in isolation for residential the assessment said:

“development would be unsustainable due to its separation from existing facilities within the urban area”.

- 5.15.3 The scheme is therefore, unsustainable as it is being developed in isolation. The application would be contrary to emerging Local Plan Policy HO2 which requires masterplanning of whole site at outline stage prior to the submission of any detailed proposals. No large-scale Masterplanning for the West of Stevenage site has taken place.

- 5.15.4 It would appear the scheme has not been Design Reviewed and it is demonstrably the case that it lacks the necessary strategic design approach. Furthermore, it totally undermines a masterplan approach and represents a poor quality piecemeal approach to the west of Stevenage area.

- 5.15.5 The Local Plan allocation is premised on the provision of access to a wider masterplanned scheme. The lack of any through access, which would potentially be delivered as part of a wider masterplan scheme, means that it would not be possible to deliver new passenger transport services to the proposed development. No new active travel routes are proposed to connect the site with the main town nor are cycling routes provided within the proposed layout.

- 5.15.6 Stevenage Local Plan safeguarded the site to provide a sustainable travel corridor (para 8.15). Two strategic vehicle access points in the local plan are proposed for west of Stevenage but the Todds Green site is not proposed as one of them (Policy IT1). The Local Plan states (para 8.15) that the existing road network in this area will not support a significant access point but the site could provide a sustainable transport corridor.

- 5.15.7 The development would provide a play area, severed from housing by the main access road, but otherwise no new services or facilities, so residents would have to make inconvenient and longer journeys to the existing town east of the A1M, with greater dependency on the private car to access them.

- 5.15.8 The Travel Plan aims to increase sustainable travel modes by 15% over a period of time but due to the site's isolation, lack of local services, patterns of high car use will become established from the outset. The site is highly constrained by its close proximity to the A1(M) due to noise and air pollution. The submissions suggest highly compromised living conditions with few external gardens achieving reasonable tranquillity and with mechanical ventilation proposed for dwellings where NO2 concentrations exceed desired levels. The provision of a substantial and dominant noise barrier 9m high itself will be visually poor, create a prison like enclosure and it is unrelieved by any associated wide and open landscaped areas.

- 5.15.9 It is worth considering the layout of housing areas east of the A1(M) in Stevenage which were generally done with a setback of at least 50-60m with wide landscape

verges. These were done at a time when traffic levels were much lower and knowledge of the harm from road traffic, noise and air pollution was less well understood.

- 5.15.10 If the site were being considered, as identified in emerging policy under a masterplan for a wider area, with aspiration to high quality place making, the qualitative deficiencies due to air and noise would on design grounds alone lead to a very different approach to layout and placemaking, more in tune with aspirations of the NPPF "*The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work* (NPPF para 124).
- 5.15.11 The development of the site is a poor design approach and unsustainable development contrary to the NPPF. By way of comparison the Masterplanning exercise underway for the village of Knebworth, just 2km south of Stevenage and close to the A1M, as part of its Neighbourhood Plan, systematically identified constraints of noise and air pollution and proposed new development areas that are kept well away from the A1M (see pages 47 to 51 of the Knebworth Aecom Masterplanning and Design Report).
- 5.15.12 Even if the NPPF presumption in favour of Sustainable Development applies, due to the lack of a 5 year housing land supply, and this may be related to the current holding direction on the Local Plan, the development should not be approved. By its isolated location, the environmental constraints of the site and the poor design quality of the proposal it represents unsustainable development contrary to the NPPF.

5.16 Cadent Gas

- 5.16.1 An assessment has been carried with respect to Cadent Gas Limited, National Grid Electricity Transmission plc's and National Grid Gas apparatus. It is identified that there are apparatus in the vicinity of the development which is a Low or Medium (below 2 bar) gas pipe and associated equipment. Therefore, construction needs to be carried out in accordance with relevant regulations.

5.17 Sport England

- 5.17.1 The proposed development does not fall within either our statutory remit or non-statutory remit, therefore, Sport England has not provided a detailed response in this case.

5.18 Herts and Middlesex Wildlife Trust

- 5.18.1 The details set out in the Ecological report are considered to be acceptable. However, this is subject to conditions on the provision of bat and bird boxes along with the submission of a landscape and ecological management plan (LEMP) as well as a landscape and habitat management scheme to be approved by the Council.

5.19 Hertfordshire County Council Public Health Service

- 5.19.1 The NPPF, in its planning objective 8b, sets out that *the planning system has a social objective to support strong, vibrant and healthy communities and to support communities' health and social wellbeing*. This has been retained from the previous NPPF and should be seen as an equal consideration to

environmental and economic objectives. Paragraph 91 requires planning to aim to achieve healthy places which enable and support healthy lifestyles, especially where this would address identified local health and wellbeing needs (Para 91c). Paragraph 92b sets out that planning decisions should take into account and support the delivery of local strategies to improve health, social and cultural wellbeing for all sections of the community.

- 5.19.2 For all development proposals we recommend that applicants refer to the Hertfordshire Health and Wellbeing Planning Guidance and Public Health England's Spatial Planning for Health evidence resource. This sets out our expectation of developers in terms of the delivery of healthy development and communities and focusses on the principle of 'designing in' health and wellbeing as an essential part of the planning process. In doing so, this recognises the *wider determinants of health* as a diverse range of social, economic and environmental factors which influence people's mental and physical health, and would demonstrate that an application for development has been *positively prepared*.
- 5.19.3 In regards to local health profile, the health of people in Stevenage is varied compared to the England average. Life expectancy for males and females is lower than the England average^{4t}. However, health inequalities exist; about 16% (2,900) of children live in low income families⁴, whilst the difference in life expectancy between the most and least deprived areas of the District is 7.4 years for men and 2.5 years for women⁴. Across the Borough there are clear local health priorities: income deprivation, the percentage of inactive adults, prevalence of overweight and obesity in year 6 children, percentage of people who reported having a limiting long-term illness or disability, and premature mortality are all significantly worse in Stevenage compared to the Hertfordshire averages⁵. These health priorities can be both positively and negatively influenced by the built environment. We are therefore keen to understand how the proposed development will work to provide local opportunities to improve such challenges and look to the planning authority to consider this when determining the application.
- 5.19.4 Exposure to excessive noise and poor air quality are public health concerns. Exposure to excessive noise can have a detrimental effect on mental and physical health. Evidence of the non-auditory effects of environmental noise exposure on public health is growing. Observational and experimental studies have shown that noise exposure leads to annoyance, disturbs sleep and causes daytime sleepiness, affects patient outcomes and staff performance in hospitals, increases the occurrence of hypertension and cardiovascular disease, and impairs cognitive performance in schoolchildren.
- 5.19.5 Poor air quality is a Public Health concern and it is important to understand how population *exposure* to it is considered in planning applications. Children, older adults and people in poorer health are a health sensitive group to the effects of air pollution. The Local Health Profile for Stevenage shows there are higher than average numbers of the population living in deprivation and adult population with a limiting long-term illness or disability. This means a local population that is potentially more vulnerable to the effects of air pollution.
- 5.19.6 It is important that this proposal demonstrates how it will limit exposure to poor air quality to existing communities during the construction phase. Crucially, this proposal must also demonstrate satisfactorily to the planning authority how it will

minimise the operational exposure to poor air quality for its new community – the future occupants.

- 5.19.7 To mitigate against the negative health impacts of exposure to excessive noise and poor air quality, we strongly encourage the planning authority to give serious consideration to the issues raised by Stevenage Borough Council's Environmental Health team in their submitted responses. We recommend the development proposals have regard for the National Institute for Health and Care Excellence (NICE) 2017 Guidance on Outdoor Air Pollution, as well as the 2019 Quality Standard (QS181) which covers road-traffic-related air pollution and its impact on health. The Quality Standard describes high-quality actions in priority areas for improvement, with Quality Statement 2 focussed on planning applications.
- 5.19.8 We support the response from Hertfordshire Highways (9th November 2019) to require active and sustainable travel infrastructure to be built prior to first occupation of dwellings with appropriate way markings. This is to encourage modal shift to active and sustainable travel behaviours. In November 2019, Herts County Council adopted a Health Impact Assessment Position Statement. This sets out when an HIA should be undertaken and the frameworks to use for each stage of the HIA process. It includes guidance on the quality assurance framework that will be used to assess how well an HIA has been undertaken.
- 5.19.9 While we note it is late in the planning application process to seek an HIA for this development, the planning authority may wish to consider whether one would be required if the applicant cannot satisfy the Environmental Health concerns for this development site.

5.20 UK Power Networks

- 5.20.1 No comment.

5.21 Natural England

- 5.21.1 No comment.

6. RELEVANT PLANNING POLICIES

6.1 Background to the Development Plan

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

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

Policy SP1: Presumption in favour of sustainable development;
Policy SP2: Sustainable development in Stevenage;
Policy SP5: Infrastructure;
Policy SP6: Sustainable transport;
Policy SP7: High quality homes;
Policy SP8: Good design;
Policy SP11: Climate change, flooding and pollution;
Policy SP12: Green infrastructure and the natural environment;
Policy SP13: The historic environment;
Policy IT2: West of Stevenage safeguarded corridors;
Policy IT3: Infrastructure;
Policy IT4: Transport assessments and travel plans;
Policy IT5: Parking and access;
Policy IT6: Sustainable transport;
Policy IT7: New and improved links for pedestrians and cyclists;
Policy HO5: Windfall sites;
Policy HO7: Affordable housing targets;
Policy HO8: Affordable housing tenure, mix and design;
Policy HO9: House types and sizes;
Policy HO11: Accessible and adaptable housing;
Policy GD1: High quality design;
Policy HC8: Sports facilities in new developments;
Policy FP1: Climate change;
Policy FP2: Flood risk in Flood Zone 1;
Policy FP5: Contaminated land;
Policy FP7: Pollution;
Policy FP8: Pollution sensitive uses;
Policy NH5: Trees and woodland;

Policy NH6: General protection for open space;
Policy NH7: Open space standards.

6.4 Supplementary Planning Documents

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

7. APPRAISAL

7.1 The main issues for consideration in the determination of this application are its acceptability in land use policy terms, affordable housing and planning obligations, visual impact of the development, impact on archaeological remains, impact upon neighbouring amenity, impact on upon the future amenity of residents, parking provision, highway implications, impact on the environment, development and flood risk, trees and landscaping, ecology and protected species and loss of agricultural land.

7.2 Land Use Policy Considerations

Council's Housing Policies

- 7.2.1 The NPPF states at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF also stipulates that decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, the Framework also sets out that sustainable development needs to be pursued in a positive way and at the heart of the framework is a "presumption on favour of sustainable development".
- 7.2.2 Paragraph 61 of the 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. Paragraph 68 of the NPPF sets out that small and medium sites can make an important contribution to meeting housing requirements in an area, and this includes supporting the development of windfall sites.
- 7.2.3 Paragraph 67 of the NPPF (2019) states that planning policies should identify a supply of specific deliverable sites for years one to five of the plan period, and specific deliverable sites or broad locations for growth, for years 6 to 10 and where possible, for years 11 to 15. Paragraph 73 of the same document states that "Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies".
- 7.2.4 Paragraph 117 of the NPPF stipulates that planning policies and decisions should promote the effective use of land in meeting the need for homes such as through the use of brownfield sites (previously developed land) and the development of underutilised land.
- 7.2.5 Turning to the adopted Local Plan (2019), as the site is not designated for residential development it would be classed as a windfall site. Taking this into consideration, Policy SP7 (High quality homes) states that the Council needs to be provide 7600 new homes over the local plan period of which 1,950 homes would be

provided through windfall sites. Turning to the specific policy on windfall development sites, (Policy HO5 of the Local Plan), this outlines a set of criteria that must be met for a development to be considered acceptable. These criteria state 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.

- 7.2.6 Taking the above issues in turn, the application site is not classified as previously developed land being a greenfield site. Therefore, the proposed development of this Greenfield site does not accord with the definition of previously developed land set out in Annex 2 of the NPPF. The NPPF states that previously developed land is land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. The NPPF also advises that a key objective is that local planning authorities should continue to make effective use of land by re-using land that has been previously developed. As such, the proposed development is not in accordance with adopted Local Plan (2019) Policy HO5 criterion a. Therefore, an assessment has to be undertaken to determine whether or not the benefits of this development outweigh the loss of this area of green open space. This will be considered in more detail in subsequent sections of the committee report.
- 7.2.7 Criterion b. of Policy HO5 also requires that there is access to local facilities and that residential proposals include opportunities to access alternative forms of travel to private motorised transport. In this regard, the site is separated, quite significantly, from the rest of the town and its facilities by the A1(M). At its furthest point, it is over 2,000 metres to the nearest Primary School (Woolenwick), 1,600 metres to Thomas Alleyne Secondary School and 1,300 metres to the nearest supermarket. In regards to community facilities, none are proposed on the development site.
- 7.2.8 In order to improve the sites sustainability and connectivity to the town, through negotiations with Hertfordshire County Council as Highways Authority, the existing bus services (Arriva Routes 8 and 9) would be diverted and extended into the development site. The site itself would comprise of a new bus stop where all properties on-site will be within 400m of the new stop. In addition, the developer has agreed a financial contribution to fund an extra bus and to subsidise the operation of the service. In terms of the bus route itself, it would connect the application site to Stevenage Town Centre and Old Town. The bus route also passes Filey Close which comprises a small neighbourhood centre.
- 7.2.9 With regards to pedestrians and cyclists, the developer will be looking to create a toucan (signal controlled) crossing in proximity to the site access on Fishers Green with a widened footway. This would then connect to an internal footpath which would run along the spine road. The site has, therefore, through these measures, been demonstrated to be sustainable.
- 7.2.10 In regards to criterion c. of Policy HO5 which requires development to not have a detrimental impact on the environment and the surrounding properties, these matters would be dealt with in later sections of this committee report. In regards to residential development on allocated sites as defined in the adopted Local Plan, the development site would not be located on an allocated site with Stevenage West falling outside the application site. Therefore, the development would not affect the delivery of these allocated sites for residential development and, therefore, accords with criterion d. of Policy HO5. With regards to the impact of the development on existing infrastructure, this is considered in more detail in the Affordable Housing and Financial Obligations section of this report.

- 7.2.11 With respect to the five year land supply of deliverable housing, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements, but the supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:-
- a) 5% to ensure choice and competition in the market; or
 - b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
 - c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.
- 7.2.12 The most up to date housing supply figures indicate that the Council is able to meet its requirements to provide a 5 year land supply as defined in the adopted Local Plan. The fact that the Council can meet its 5 year land supply of housing is thus a material consideration in the assessment of this application. However, as set out above, as the application site is considered to be a 'windfall' site, it will help to meet the Council's overall housing need over the local plan period in this instance.
- 7.2.13 In respect to Policy HO9 (House types and sizes) of the Adopted Local Plan (2019), as the proposed development seeks to deliver a mixture of 2, 3 and 4 bedroom dwellings, it would be in accordance with this policy as it would add to the overall mix of housing which is required to meet the objectively assessed need over the local period.
- 7.2.14 Given the aforementioned assessment, subject to the development not having a detrimental impact on the character of the area and neighbouring amenities, the principle of the residential development here is acceptable.

West of Stevenage Safeguarded Corridor

- 7.2.15 The application site is allocated in the Stevenage Borough Local Plan (2019) as forming part of the West of Stevenage Safeguarded Corridor under Policy IT2. This policy states that the areas around Meadway and south of Todd's Green, as shown on the policies map, are safeguarded. As such, planning permission will only be granted for any development proposals which would not physically inhibit or otherwise prejudice comprehensive development within North Hertfordshire District in the period beyond 2026.
- 7.2.16 As set out in the emerging North Hertfordshire Plan (2016), it will be increasingly challenging to continue finding sites for development. This site could provide around 3,000 new homes (paragraphs 8.11 and 8.12 of the Stevenage Borough Local Plan, 2019). However, development of this scale will not be able to rely upon access points as detailed under Policy IT1 of the Local Plan. These access points are Meadway and Bessemer Drive which are further to the south of the site. Therefore, a major access road will be needed to link this site to the town's road network.
- 7.2.17 Given the aforementioned, the new spine road running through the application site has been designed to accommodate two way flows of traffic including larger vehicles such as buses. This would mean a new link between the application development

site and the future land to the West of Stevenage could be established via this arterial road. In addition, the development layout has been designed so that the residential roads could connect into a potential future development to the west in North Hertfordshire. Therefore, whilst the proposal would involve a substantial development of residential properties on the site, the development has been designed to ensure it accords with Policy IT2 through the provision of a main spine road which could link to a wider development of the area.

7.3 Affordable housing and planning obligations

7.3.1 Policy HO7 of the adopted Local Plan (2019) stipulates that planning permission would be granted for residential development which would maximise affordable housing provision. Taking this into consideration, there is a requirement to provide 30% of new homes to be affordable on previously developed sites. In this regard, there would be a requirement to provide 40 affordable units.

7.3.2 Turning to affordable housing tenure, mix and design, Policy HO8 states that planning permission would be granted where those dwellings:

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

7.3.3 In addition to the above, paragraph 64 of the NPPF (2019) stipulates that for major developments involving the provision for housing, planning decisions should expect at least 10% of the homes to be made available for affordable home ownership (this includes shared ownership, equity loans, other low cost homes which are 20% below local market value and rent to buy). However, the aforementioned 10% requirement is part of the overall affordable housing contribution for the site.

7.3.4 The applicant has confirmed that the development would comprise of 30% affordable units. As such, the development would be policy compliant in this instance. With respect to the exact location of the affordable units, the affordable housing tenure mix, size of the units, this has been agreed with the Council's Housing Development Section.

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

Stevenage Borough Council	Financial Contribution
Open outdoor sport	£8,892.18
Biodiversity improvements	£10,800.00
Biodiversity maintenance – 20 years	£68,176.75
Total (based on current figures provided)	£87,868.93
Hertfordshire County Council	

Secondary Education – towards the delivery of a new secondary free school at the former Barnwell East Secondary School.	£1,773,188
Primary Education – towards the expansion of Mossbury Primary School.	£353,777.00
Nursery Education (Early Years) – originally towards the new provision at Bunyan Baptist Church.	£48,436.00
Library Service – towards the enhancement of the adult non-fiction area and IT area of Stevenage Central Library	£23,163.00
Youth Services – towards providing kitchen facility with the café at Bowes Lyon Youth Centre.	£6,018.00
Sustainable Transport – financial contributions towards the continuation of the bus service.	£510,000.00
Travel Plan Contribution	£6,000.00
Total	£2,721,182.00
NHS England and East & North Herts CCG	
GMS GP provision.	£94,078.84
Acute, mental health and community costs.	£344,595.00
Total	£438,673.84
Overall Total	£3,247,724.77
NOTE:- All financial obligations would be index linked.	

7.3.6 In addition, to the above, there would be a requirement to secure fire hydrants on the application site. Following negotiations with the applicant, they have agreed to pay the necessary financial contributions sought by the Council. In addition, they also agree to the obligations sought by Hertfordshire County Council with respect to the following:-

- Primary Education;
- Library Services;
- Youth Services;
- Sustainable Transport;
- Travel Plan Contribution; and
- Provision of fire hydrants.

7.3.7 However, they do not agree with the financial contributions which have been sought for education in terms of secondary and nursery (early years) provision. In addition to this, the applicant does not agree to the financial contribution sought by the NHS in terms of the acute, mental health and community contribution which has been requested. Dealing firstly with the NHS contribution, whilst the applicant does not dispute there is a need to support and finance these fundamental services; the financial contribution which have been sought do not accord with Regulation 122 of the Community Infrastructure Levy (CIL) 2010 (as amended). For reference, Regulation 122 states:-

A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is –

- (a) necessary to make the development acceptable in planning terms;*
- (b) directly related to the development; and*
- (c) fairly and reasonably related in scale and kind to the development.*

- 7.3.8 The main area of contention is around the “*Fairly and reasonably related in scale and kind to the development*” test. In this regard, the NHS has not provided a formula to demonstrate how they arrived at the financial contribution they have sought. This is a requirement in order for the applicant to establish whether or not what is being sought by the NHS is “reasonable”. To date, the NHS has not been willing to provide the developer with the formula on how they have calculated the contribution they have sought for acute, mental health and community costs.
- 7.3.9 Further to the above, the financial contribution needs to be necessary such as funding a key piece of infrastructure or developing services to support the development. As such, a request to use monies to refurbish toilets and updating communal spaces is not considered to be necessary to make the development acceptable in planning terms. In addition, they have not provided any justifications or identified any particular projects towards mental health and community healthcare, e.g. seeking monies towards new capacity at Lister Hospital or Stevenage Hub.
- 7.3.10 Given the aforementioned, the financial contribution towards acute, mental health and community costs do not accord with the three tests set under Regulation 122. Therefore, the Council cannot require the developer to contribute towards the aforementioned financial obligations in this instance as to do so would be contrary to the CIL Regulations.
- 7.3.11 Turning to the education contributions which have been sought by Hertfordshire County Council (HCC), it is important to note that HCC is currently reviewing its education policy, including pupil yield modelling, as part of a wider review of their Planning Obligations Toolkit which they have gone out to consultation on. Given this, the County Council are reviewing the financial obligations liability for education on a case by case basis until they have an adopted position.
- 7.3.12 The applicant as part of this application has submitted an Education Impact Assessment to demonstrate why certain obligations which have been sought by the County Council are not deemed reasonable. Firstly, with respect to secondary education, the County Council calculates, as advised for this particular development, that in order to provide a new school at the former Barnwell East site, the cost for a new 8FE (Form Entry) school would be £44,669,742.00. This equates to £5,583,718.00 per FE. As the development, according to the County’s Growth and Infrastructure Unit (GIU) would generate a peak child yield of 0.4 FE, the County would be seeking a financial contribution of £2,233,487.00 (£5,583,178 x 0.40).
- 7.3.13 However, it is argued in the Education Assessment that when applying the County Council’s own Children’s Services Child Yields to the dwelling mix, the development would only equate to a requirement of 0.19FE and not 0.4FE. Therefore, they argue that using the value of 0.19FE for secondary education would meet the requirements of the CIL regulations of being fairly and reasonably related in scale and kind to the development. In terms of construction of a new 8FE school, following an assessment against the National Cost Benchmark document, which is considered to be a robust document to use to calculate the costs of construction, this document sets out a cost of £30,574,206.00 for a new 8FE secondary school. Consequently, this equates to £3,821,775.00 per FE. Therefore, the applicant, as

also detailed in their Education Assessment, is willing to offer a financial contribution of £726,138.00 (£3,821,775.00 x 0.19) towards secondary education. Following a thorough appraisal of the applicant's Education Assessment, it is considered that this financial contribution which has been offered would meet the CIL regulations of being fairly and reasonably related in scale and kind to the proposed development.

- 7.3.14 Notwithstanding the above, Hertfordshire County Council very recently advised the Council that the Department for Education (DfE) was now looking to deliver a Free School at the former Barnwell East Site. Consequently, the County Council has now revised their calculations for secondary education for this scheme. In this regard, the County has advised that the development would generate, based on the Hertfordshire Demographic Model (which is not formally adopted at the time of drafting this report), 74 school places. In terms of costs, the average cost of providing a school place at a free school is £23,962.00. As such, the County Council are now seeking a financial contribution of £1,733,188.00 (£23,962.00 x 74). However, at the time of drafting this report, the County Council do not have details of the overall build costs for the proposed Free School which would have to be factored in when calculating financial obligations. Given this position, the County Council were still reviewing the applicant's offer.
- 7.3.15 Looking at nursery education, as set out above, the County Council is seeking a financial contribution of £48,436.00. Notwithstanding this, they recently advised the Council that the project at the Bunyan Baptist church, as originally sought, is no longer available. In addition, they have not, since the date of publishing report, identified any suitable project sites in Stevenage for nursery education. Consequently, as there is no particular project to link the application site to in terms of nursery (early years) education, such contribution would not meet Reg 122 of CIL. Therefore, it would be unreasonable to secure obligations towards nursery education in this instance.
- 7.3.16 Given the aforementioned, the matter of secondary education still needs to be resolved with Hertfordshire County Council. At the time of publication of this report, the County Council was still reviewing the applicant's offer. As such, officers will be looking to provide a verbal update to the Planning and Development on the night of the meeting.

7.4 Visual impact of the development

- 7.4.1 In terms of design, Paragraph 127 of the NPPF 2019 stipulates that planning decisions should ensure development functions well and adds to the overall quality of the area, not just in the short term but over the lifetime of the development. It also sets out that development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping is sympathetic to local character and history, including the surrounding built environment and landscape setting. Paragraph 130 of the NPPF states that "permission should be refused for development of poor design that fail to make available opportunities available for improving the character and quality of an area and the way it functions".
- 7.4.2 Policy SP8 of the adopted Local Plan (2019) requires new development to achieve the highest standards of design and sustainability which can deliver substantial improvements to the image and quality of the town's built fabric. Policy GD1 of the Local Plan generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.

- 7.4.3 Policy HO5: windfall sites require residential development on unallocated site to not have a detrimental impact on the environment and on surrounding properties. The Council's Design Guide SPD 2009 generally reflects the aforementioned policies whereby it seeks development to respect surrounding buildings in terms of scale, massing, height and design. As such, it encourages good design as it can enhance the appearance of places.
- 7.4.4 As detailed under paragraph 1.1 of this report, the application site comprises of agricultural fields which are punctuated by mature trees, hedgerow and vegetation. The land is set down from Stevenage Road/Fishers Green and the hamlet of Todds Green due to the sloping topography of the area which slopes down on a gentle gradient from north to south. Along the eastern boundary of the site is the A1(M) and beyond the strategic highway is the main urban area of Stevenage. To the west is Shangri-La farm which comprises of industrial and commercial premises along with agricultural fields and paddocks. To the south of the site is rolling agricultural fields and to the north is the main hamlet of Todds Green which comprises a mixture of residential premises, along with farmsteads and stables.
- 7.4.5 Turning to the proposed development, as detailed under paragraph 3.1 of this report, it would comprise a mixture of two bedroom, three bedroom and four bedroom properties. With regards to the 34 no. two bedroom apartments, these would be set within 4 separate residential blocks which are positioned across the site and would be three storeys in height. In terms of the proposed dwellinghouses, they are predominantly detached or semi-detached and would range between 2 storeys to 2.5 storeys. It is also considered that the overall range of building heights reflects those in the area.
- 7.4.6 Looking at the proposed dwellinghouses, these would predominantly be constructed from red brick with plain tiled roofs. They would generally comprise of light weight storm porch canopies above the main entrance with arched brick detailing above the ground floor windows. Some of the detached properties (Type G) would comprise of ground floor bay windows in order to add variety and interest into the design of the dwellings. With regards to the proposed type I dwellings, these properties also comprise of a two-storey wing to the rear which comprises of a gable-end roof. The proposed projecting wing would measure 6.89m in length, span 5.18m in width with an eaves height of 4.84m with an overall roof height of 7.41m. The proposed wing itself comprises an open plan kitchen diner at ground floor with the master bedroom with en-suite bathroom above.
- 7.4.7 In relation to the proposed residential apartment blocks, there would be four detached apartments blocks located across the development site. One of the blocks would be located at the northern-end of the site adjacent to the proposed gas governor and pumping station. The second and third blocks would be located in close proximity to the central green and would front onto the main spine road. The final block would be located at the southern end of the site adjacent to the spine road. These buildings incorporate gable features in the roof with a centralised entrance door serving the lobby with a pitched roof canopy with timber detailing above. On Apartment Block A which is located at the northern end of the site, there would also be two sets of projecting balconies supported by a steel frame with glazed balustrades.
- 7.4.8 The proposed town houses (2.5 storeys) would comprise of dormer windows and roof lights in order to serve the habitable accommodation in the roof. The dormer windows located on the forward facing roof slopes, would measure approximately 1.64m in width by 2.65m in height with an overall projection of 2.70m. The dormer windows would also be set down 1m from the ridge. Consequently, these windows have been designed to appear proportionate in scale and form within the roof slope

and as such, not appear overly dominant in the street scene. On the rear roof slope, there would be 2 no. roof lights which would serve the en-suite bathroom and master bedroom. These roof lights are of a limited size so as to not appear dominant in the rear roof slope.

- 7.4.9 Given the aforementioned, the overall range of building heights and variation of architectural detailing on the residential properties combined with the pepper potting of the various properties across the development site would help to add variety and interest in the street scene. In terms of site layout, the residential properties are set out in a perimeter block/back-to-back arrangement with their respective frontage orientated towards the main highway. The properties would appear to be well-spaced with large areas of green corridors which comprise of areas of soft landscaping and water features. These green spaces are also attractive and highly accessible for all users. In addition, due to the variety in the size and scale of the perimeter blocks combined with the mixture of dwelling types, this also helps to create variety and interest across the development site as viewed from the public realm.
- 7.4.10 Further to the above, the larger detached properties have been placed on the corners which helps to define the street. The development has also been designed with a clear and legible street network which is highly permeable for pedestrians and cyclists. This is due to the perimeter block arrangement comprising of small residential blocks which helps to create a more permeable form of development. In addition, the dwellings along the spine road have their primary frontages orientated towards this road which helps to clearly define the main streetscape of the development. Moreover, the perimeter blocks have been designed in a way to define the hierarchy of streets from the main spine road down to the shared surface areas.
- 7.4.11 The buildings have also been orientated to have active frontages and no dead spaces, in order to create a safe pedestrian scaled environment. The public spaces would also be overlooked by residential properties in order to increase natural surveillance. The properties located on the corners also overlook both streets with the windows positioned to ensure good surveillance.
- 7.4.12 The development also seeks to retain the vast majority of existing vegetation including the site's boundaries in order to provide a clearly defined area of green infrastructure. The internal landscaping framework utilises the creation of green corridors which also incorporates areas of recreation. The retained landscaping edges would be maintained as part of the development in order to enhance its overall structure. This is crucial in order to minimise the impact of the development on longer views from Todds Green as well as the setting of the Green Belt in North Hertfordshire. The landscaping strategy also helps to create and an attractive street frontage by softening the appearance of the development as a whole.
- 7.4.13 In terms of the impact on the longer views from Todds Green, it is fully appreciated that the development would urbanise an area of established green space. As such, it is noted that this green space acts as a buffer between the hamlet of Todds Green and the A1(M). However, this area of space is of limited quality and is poorly maintained. As such, the development does seek to improve this area of green space through the creation of high quality green corridors and recreational spaces.
- 7.4.14 Further to the above, the applicant is looking to retain and enhance the existing tree and vegetation belts which would soften the development's impact. Further to this, the applicant is looking to install a green bund with soft landscaping which would help to obscure views of the A1(M) which is of benefit. In addition, the applicant is proposing a development which is of lower density to a traditional Stevenage

neighbourhood in order to lessen the development's impact. The development would also deliver policy compliant provision of affordable housing as well as an enhanced bus service which is considered to be a significant benefit which compensates for the harm of the development on the longer views from Todds Green.

- 7.4.15 Turning to the proposed bin stores, garages, cycle stores, gas governor and substation, these structures are of a limited size and scale against the backdrop of the built form of the development. In addition, these parts of the development have been designed to reflect the overall visual appearance of the apartment blocks and dwellinghouses so as to not appear out of character. As such, these elements would have an acceptable appearance as viewed from the public realm.
- 7.4.16 Given the aforementioned assessment, it is considered that the proposed development, combined with its overall benefits, would not substantially harm the longer views from Todds Green. The development has been designed to a high standard, with a pedestrianised environment, a clearly defined street layout and high quality areas of green infrastructure and recreation provision. The dwellings themselves, due to the variation of architectural design and being pepper potted across the development with varying ridge heights and widths, help to add variety and interest into the architectural form.

7.5 Impact on archaeological remains

- 7.5.1 The NPPF paragraph 128 states that "*In determining applications...Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation*".
- 7.5.2 Paragraph 129 notes that "*Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal*".
- 7.5.3 Following consultation with HCC Historic Environment Advisor, it was advised that the site was part of the site area of the West of Stevenage proposal in 2002. Two trial trenches were dug in the site and each contained the remains of an archaeological feature (ditch). Targeted archaeological investigations across the rest of the West of Stevenage site found archaeological remains dating from the Bronze Age to medieval periods. These included a cluster a few 100m to the west of the current site which included prehistoric features (HER4405, 4406) and a Roman chalk quarry (HER11534).
- 7.5.4 The course of a Roman road runs along the east side of the A1 which itself runs along the eastern boundary of the current site (HER4635). The hamlet of Fishers Green lies to the east and this may date from the medieval period (HER12371). The site therefore has the potential to contain heritage assets with archaeological interest which may be a constraint on development.
- 7.5.5 Given the above, the applicant undertook an Archaeological Assessment of the development site. This included the undertaking of a desktop assessment (prepared by BWB) and the undertaking of trial trenches (by WYAS Archaeological Services). These assessments identified that there were no archaeological features identified

apart from evidence of medieval farming. As these were not considered to be significant, Hertfordshire County Council Archaeology advised that on the balance of probability there are no archaeological assets of significance which will be impacted upon by the development. Consequently, it is not considered the proposed development would have a detrimental impact on any archaeological remains as the probability of any on-site is low.

7.6 Impact upon Neighbouring Amenity

7.6.1 In regards to the impact of the proposed development on the nearest residential properties within Todds Green, the nearest property to the development site is the Thatched Cottage on Stevenage Road. Following an assessment of the development in terms of site layout, the nearest new property would be a residential block of apartments (Plots 1 to 9) located over 139m from the Thatched Cottage.

7.6.2 Given the level of separation combined with the change in land levels, where the land slopes down from Fishers Green by approximately 2m, the development would not have a detrimental impact on the level of privacy or outlook of this nearest residential property in this instance. With regards to noise, in order to reduce the level of impact on the amenities of the nearest residential properties from construction noise, a condition would be imposed to restrict the hours of construction on-site. In addition, a condition would be imposed requiring the applicant to provide a detailed Construction Management Plan. This will need to set out what mitigation measures will be put in place to control noise levels from various construction activities. Therefore, with this condition in place, the Council's Environmental Health Section does not raise any concerns with the proposed development in terms of impact on existing residents.

7.7 Impact upon the future amenity of residents

7.7.1 In considering a residential scheme of this nature it is also important to ensure that living conditions for any future occupiers are appropriate. Looking at private amenity space, there is a requirement to provide for flatted developments, 50 sq.m of amenity space for schemes of up to 5 units, plus an additional 10sq.m for every additional unit above 5. In regards to residential dwellinghouses, the standards set out that the private garden area should be a minimum of 50 sq.m in area with a minimum depth of 10m.

7.7.2 Looking at the proposed residential blocks, for block one (Plots 1 to 9) and block three (Plots 33 to 41), there would be a requirement to provide 90 sq.m. In relation to residential blocks two (Plots 25 to 32) and four (Plots 126 to 133) there would be a requirement of 80 sq.m of amenity space at each block. The proposed development does not seek to provide any private amenity space for the residential blocks of flats. However, these flats will have easy and direct access to areas of open space such as the Countryside Green, Central Green, the local area of play (LA) and locally equipped area of play (LEAP). Therefore, with access to these areas of public space, they would compensate for the lack of private amenity space. In addition, block one comprises of external balconies which will serve two apartments on the first and second floor levels of the building.

7.7.3 Turning to the proposed dwellinghouses, following an assessment of the proposed development, all of the dwellinghouses across the site would have sufficient private garden areas in accordance with the Council's Guidance. Further, the majority of private garden spaces serving the dwellinghouses exceed the Council's requirements in terms of both area and length.

- 7.7.4 Looking at privacy and outlook, Chapter 5 of the Council's Design Guide SPD (2009) sets out that privacy and outlook are important aspects of residential environments. Therefore, the position of dwellings, and the arrangement of rooms and windows, should not create significant overlooking of other dwellings windows or private garden areas, nor should they lead to any overbearing impacts. In this regard, the Design Guide sets out minimum separation distances be achieved unless the design of new buildings and/or disposition of windows mitigates against overlooking. In this regard, between new two storey dwellings, the minimum back-to-back separation is 20m and back-to-side separation of 12m. Where dwellings are over two-storeys in height, the back-to-back separation is increased to 30m and the back-to-side separation is 20m. The design guide does not have any standards with regards to separation distances for frontages of dwellings.
- 7.7.5 The proposed development has been laid out to ensure that there is sufficient separation distances between properties in line with the Council's Standards. There are some properties where the back-to-side separation distance is approximately 1m below standard. However, the properties where their respective rear windows face onto the flank elevation of a neighbouring property, these properties have been designed to not comprise any side windows which serve habitable rooms. Furthermore, the development has been designed so that the properties looking onto the side of a neighbouring property would only overlook driveways and garages which are not private spaces. This ensures that the privacy of properties are protected and at the same time there is still sufficient space for acceptable outlook.
- 7.7.6 In relation to the proposed town houses (House Types E and G), the dormer windows are positioned in the front roof slope which would overlook a particular road and where there is still sufficient separation between these properties and those located opposite. As such, they would not result in any direct overlooking of private garden areas or create an unacceptable living environment from a privacy perspective.
- 7.7.7 Turning to the proposed apartment blocks, these have been oriented and designed to ensure windows (kitchens and bathrooms) overlook the parking courtyard areas with the bedrooms and living rooms overlooking areas of open space. This ensures that the apartment blocks do not directly overlook the private spaces of neighbouring dwellinghouses.
- 7.7.8 In relation to the provision of outdoor sport and children's play space, it is noted that the development would provide an area of children's play within the development site. Therefore, in accordance with CIL regulations, it would not be reasonable to seek financial contributions towards children's play. However, to ensure these play areas are delivered for use by future residents, a mechanism would be embedded into the S106 legal agreement requiring these areas of play to be brought in an acceptable timeframe. In addition, the legal agreement will set out how these areas of play will be managed and maintained for future residents.
- 7.7.9 With respect to outdoor sport, due to the constrained nature of the site, the proposed development does not comprise of any areas dedicated to outdoor sport such as playing fields. Therefore, and following discussions with the Council's Parks and Amenities Section, financial contributions would be sought as part of this application which would be secured via a Section 106 agreement. The monies, as advised by the Council's Parks and Amenities Section, would go towards improvements to outdoor sport facilities at Meadway Playing Fields.
- 7.7.10 With regard to the requirements for new residential properties to meet Nationally Described Space Standards as defined by Policy GD1 of the adopted Local Plan (2019), all of the proposed dwellinghouses and flats in regards to internal floorspace

areas and bedroom sizes would be in accordance with the Nationally Described Space Standards. In terms of Category 2 accessible housing, Policy HO11 requires 50% of dwellings to meet this standard. The whole development has been designed to meet Category 2 accessible and wheelchair standards.

Noise impact

- 7.7.11 With respect to noise, Policy FP8: Pollution Sensitive Uses stipulates that planning permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed pollution generating uses. Taking this policy into consideration, it is appreciated the application site does lie in close proximity to existing commercial and industrial premises which currently operate in the immediate area at Shangri-La Farm. In addition, the site is also bordered by the A1(M) motorway. As such, the noise generated from these noise emitting sources could have a detrimental impact on the amenities of future occupiers of the residential development in this instance.
- 7.7.12 Given the aforementioned, and following consultation with the Council's Environmental Health Section, they have advised that the Noise Impact Assessment and associated Technical Note which has been submitted is considered to be acceptable. This is because the assessment recommends a 9m high acoustic barrier between the sites eastern boundary with the A1(M) in order to reduce road noise. In addition, it is recommended a 2.5m high barrier around the outdoor living space of Plot 127 is also installed. There is also a requirement to provide appropriate glazing and ventilation in order to create an appropriate level of protection to future noise sensitive receptors. In terms of noise from the industrial area, the impact assessment identifies that noise would be imperceptible above background noise levels and as such would not harm the amenities of future residents. This is supported by the Environmental Health Section.
- 7.7.13 In view of the above, the Council's Environmental Health Section has recommended a number of conditions be imposed on any grant of permission. This is to ensure that the amenities of future residents are protected from nearby noise sources. The conditions, as set out under paragraph 5.8.1 of this report, are recommended as following:-
- Submission of details of protecting the proposed dwellings from noise from road traffic; and
 - Submission of a detailed Construction Management Plan.

7.8 Parking Provision

- 7.8.1 Policy IT5 of the adopted Local Plan (2019) states that planning permission will be granted where proposals comply with the parking standards set out in the plan. The Council's Car Parking Standards SPD (2012) sets out the maximum amount of off-street parking for residential development based on the number of bedrooms. The proposed development would comprise the following accommodation schedule:
- 40 no. two bedroom units (1.5 parking spaces);
 - 51 no. three bedroom units (2 parking spaces);
 - 42 no. four bedroom units (2.5 parking spaces).
- 7.8.2 Taking into consideration of the above, there would be a requirement to provide 267 off-street parking spaces. Given, the application site is not located within a residential accessibility zone the Council would seek the maximum number of car parking spaces to serve the development in this instance. With parking provision specifically, in order to count as a parking space, they would need to measure 2.4m

by 4.8m. In relation to garages, these would need to measure internally 3m by 6m in order to be counted as a parking space.

- 7.8.3 Following an assessment of the proposed development, there would be the provision of 230 parking spaces on driveways and courtyards serving the apartment blocks. In addition, there would also be 75 garage spaces. This would equate to 305 parking spaces which exceeds the Council's maximum level. However, the applicant has designed the development to ensure that each individual property would have the relevant sufficient parking in order to discourage on-street parking.
- 7.8.4 In regards to the parking bays and garages themselves, all of the parking spaces on the driveway would be tandem spaces all measuring 2.4m by 4.8m. In addition, the courtyard parking spaces have also been designed to accord with current Manual for Streets standards. In relation to the garages, these would all comply with the Council's adopted Parking Standards SPD (2009). Therefore, all of the designated parking bays for the residential properties would be of a sufficient size to park a motor-vehicle in this instance.
- 7.8.5 Turning to visitor parking provision, the Council's Parking Standards SPD (2009) sets out that there is a requirement to provide 0.5 parking spaces per dwellinghouse. This would equate to a requirement of 67 (rounded up from 66.5) parking spaces. The proposed development is seeking to provide 57 visitor parking spaces so there is a shortfall of 10 spaces for visitors. However, as there is an overprovision of parking across the development site, this would absorb the overall shortfall in visitor parking. In addition, the visitor parking areas have been pepper potted across the development site so they are in within walking distance to all of the properties within the development site.
- 7.8.6 In regards to cycle parking, the Council's Parking Standards SPD stipulates that 1 long-term cycle parking space should be provided per unit if no shed or garage is provided. Taking this requirement into consideration, 133 cycle parking spaces would need to be provided in this instance. Dealing specifically with the dwellinghouses, a number of properties comprise of garages which could be used to store a bicycle. However, where a garage is not provided a number of properties have sufficient and accessible garden areas to safely secure a bicycle. Looking specifically at the apartment blocks, these would comprise of cycle stores which are positioned in close proximity to the blocks lobby entrance or are incorporated into the building. Each store is of a sufficient size to meet the needs for each residential block in accordance with the Council's standards.
- 7.8.7 Given the aforementioned assessment, there would be sufficient off-street parking to serve the development. In addition, there would be sufficient secure cycle parking provision across the development site in accordance with the Council's Standards.

7.9 Highway implications

- 7.9.1 The application proposes that the site would be accessed via one vehicular access point at the northern end of the site off Fishers Green. This access would be 17m wide at the junction with Fishers Green and would maintain a 6.75m width through the site. The design also includes the provision of a 3.0m wide footway on both sides of the carriageway. In addition, it is proposed that there will be links from the site to the existing public footpath and cycleway network. There would also be links into the Public Rights of Way network which will be enhanced or diverted to form a new route through the development site. The new vehicle access itself has been designed to meet the Department for Transport (DfT) Manual for Streets and Hertfordshire County Council's: Roads in Hertfordshire Design Guidance.

- 7.9.2 With regards to vehicle-to-vehicle inter visibility as taken from the individual access point off Fishers Green, this has been designed in accordance with the Department for Transport (DfT) Manual for Streets and Herefordshire County Council (HCC), Road in Hertfordshire Design Guide. In terms of all of the residential access points which are located off the main spine road, these would also have adequate pedestrian and vehicle visibility splays in accordance with current guidance. In terms of road safety, Hertfordshire County Council as Highways Authority has advised that the applicant would be required to provide a Stage 2 Road Safety Audit to support the proposed access to the site. This would be required as part of any Section 278 Agreement stage which is dealt with through the Highways Act.
- 7.9.3 In relation to vehicle manoeuvrability, the applicant has provided as part of this application submission swept path analysis as part of their Transport Assessment. The plans depicting the swept path analysis display that tracking is accommodated within the site for refuse vehicles, emergency vehicles (ambulance and fire tender) and the average motor car. In terms of accessibility for emergency vehicles, the proposal is within the statutory building regulation distance of 45 metres to all parts of the building from the principal and internal road. In addition, the geometrical layout of the development's associated roads would accommodate the swept path of larger vehicles.
- 7.9.4 With respect to Public Rights of Way, there are a number of footpath routes which either border or run through the site. Along the western boundary between the application site and Shangri-La farm lies footpath route 21 and to the south of the application site are footpath routes 88 and 58. Through the centre of the application site is footpath route 89 which runs up to the A1(M). The proposed development does not seek to extend or alter the public rights of way route 21 which runs along the western boundary. However, the proposal will require the diversion and/or reconfiguration of routes 58 and 89 but they will not be removed and will be available as public rights of way. As such, Hertfordshire County Council as Highways Authority has recommended an informative be attached if permission were to be granted. This informative will require the applicant to liaise with the County Council's Rights of Way Section to ensure that the routes remain unobstructed, are safe to use (including during the construction phase) and are not deteriorated as a result of development. Any adverse effects to the routes will need to be made good by the applicant and agreed by the County Council.
- 7.9.5 Looking at traffic generation, the applicant's transport consultant has produced a transport assessment which incorporates details of proposed traffic generation for weekdays. The assessment also comprises a future year assessment model in order to inform the potential future impact of the development on the surrounding highway network. In regards to the traffic generation, the peak periods the assessment focused on were 08:00-09:00 AM and 17:00-18:00 PM. The model utilised to predict the amount of traffic which would be generated was via TRICS (Trip Rate Information Computer System) with a base model of private residential development in a similar location.
- 7.9.6 In order to establish existing traffic flows, the applicant undertook traffic surveys at the following junctions:
- Fishers Green – Automatic Traffic Counts;
 - Clovelly Way/Gunnels Wood Road/Bridge Road West roundabout – Manual Traffic Count and Queue lengths assessment.

The counts were undertaken over a 7-day period on the week commencing 14th January 2019. Turning counts and queue lengths were also recorded at the Clovelly Way/Gunnels Wood Road/Bridge Road West roundabout on the 15th January 2019.

- 7.9.7 The modelling identified that firstly, as the application site is unoccupied agricultural land, no trip assessment has been undertaken for the existing land use. In regards to the proposal, the modelling identifies the development would generate between 08:00-09:00 AM Peak 15 arrivals and 67 departures resulting in 82 two-way trips. With respect to peak traffic between 17:00-18:00 PM Peak, there would be 50 arrivals and 26 departures resulting in 76 two-way trips. Taking this into consideration, it equates to 1.36 vehicle trips per minute in the AM Peak and 1.26 vehicle trips per minute at the PM peak. In regards to trip distribution, the Transport Assessment has reviewed how the development would affect the local highway network including the main roundabout of Clovelly Way/Gunnels Wood Road/Bridge Road West.
- 7.9.8 The data collected from the surveys undertaken in January 2019 along with existing traffic distribution derived from the survey data and origin / destination data from the Census has been used to distribute the vehicle trips generated from the proposed development. The census results show that 43% of residents work within Stevenage, 10% work in London, 33% work in East of England and the remaining 15% work in the rest of the UK. Through online route planning software, it identified that trips to Stevenage, East Hertfordshire, Welwyn Hatfield, St Albans, Central Bedfordshire and London will arrive/exit the site via Fishers Green (east) (towards Stevenage) and the remaining trips to North Hertfordshire and Luton will arrive/exit the site via Fishers Green (west) (through Todds Green). Trips to all other destinations have been distributed evenly across the various routes.
- 7.9.9 Looking at the vehicle trip distribution of the development during the AM travelling peak period, 90% of trips will travel to the east of Fishers Green and 10% via the west and throughout the PM travelling peak period, 85% will be from the east and 15% from the west of Fishers Green. In terms of impact on the highway network, the proposed development is expected to commence in 2020 with completion programmed for 2025. In accordance with Department for Transport Guidance on Transport Assessments, the future assessment year has been considered as five years after the date of the planning application.
- 7.9.10 However, in order to properly consider the impact on the wider highway network, the applicant has undertaken various modelling of the network in order to demonstrate whether or not the development would have a “severe” impact. This modelling also incorporates vehicle trip distribution combined with the future year’s assessment. Therefore, the applicant has utilised the modelling data (COMET model) undertaken by Hertfordshire County Council which was prepared for the Local Plan along with utilisation of the National Transport Model (NTM) which factors local highways conditions using TEMPRO (Trip End Model Presentation Programme).
- 7.9.11 The results of the modelling demonstrate that the site access will operate within capacity in future years with traffic growth and all development traffic added. It has been identified that the development traffic will not have a ‘severe’ impact on the Clovelly Way/Gunnels Wood Road junction. In addition, the modelling has also demonstrated that the development would not have a severe impact on Fishers Green/Stevenage Road as you travel through Todds Green. This is supported by Hertfordshire County Council as Highways Authority.
- 7.9.12 Looking at accessibility of the site, the nearest bus stop to the site is located along Fishers Green Road adjacent to Corton Close. This bus stop is currently served by Arriva bus routes 8 and 9. The applicant is looking to introduce a bus turnabout loop as part of the internal road layout. This would allow for routes 8 and 9 to be extended into the development site. In order to fund the extended/diverted service,

the applicant has agreed a financial contribution of £510,000. This contribution will pay for an additional vehicle, to support an extension to bus services daily.

- 7.9.13 In order to encourage a modal shift and usage of the extended bus route, it has been negotiated with the applicant to provide two vouchers per dwelling entitling the future residents to 12 months free bus travel within the area travelling to Stevenage Town Centre covered by a PlusBus season pass. Looking at cycling and walking routes, in order to connect to the existing network, the applicant is looking to provide a toucan crossing on Fishers Green with proposed footway widening to 2.5m across the bridge. The new crossing and associated works would be secured via a Section 278 Agreement of the Highways Act 1980. The requirement to deliver the new pedestrian and cycle connections would also be secured via condition.
- 7.9.14 The applicant has also provided a detailed Travel Plan outlining measures to encourage residents to more sustainable forms of travel. This will include the use of literature, signage and promotional events to raise awareness. Therefore, in order to monitor the progress of the Travel Plan the County Council has sought a financial contribution of £6,000 which would be secured as part of any S106 legal agreement.
- 7.9.15 Turning to construction traffic and associated activities, to ensure these do not prejudice the safety and operation of the highway network, a number of conditions would be imposed if permission were to be granted. These conditions would require the applicant to provide a suitable access road for construction traffic as well as submit a Construction Management Plan. The details of this Management Plan will need to be agreed by the Highways Authority prior to the commencement of development works on site.
- 7.9.16 Dealing with the impact of the development on the A1(M) motorway, including junctions 7 and 8, following correspondence from Highways England, they do not raise any concerns with the development in terms of impact on the operation of the strategic highway network.
- 7.9.17 In summary, subject to a S106 Agreement securing the relevant financial obligations and the imposition of conditions, the proposed development as advised by Hertfordshire County Council would not have a detrimental impact on the safety and operation of the highway network.

7.10 Development and Flood Risk

- 7.10.1 The application site is located within Flood Zone 1 within the Environment Agency's flood risk map. Flood Zone 1 is defined as land having less than 1 in 100 annual probability of flooding, therefore, all developments are generally directed to Flood Zone 1. Notwithstanding this, the application which has been submitted to the Council is classified as a Major, therefore, in line with the Town and Country Planning (General Development Procedure) (England) Order 2015, the applicant has provided a Sustainable Urban Drainage Strategy as detailed under paragraph 5.5.1 of this report.
- 7.10.2 Following consultation with Hertfordshire County Council as Lead Local Flood Authority, they consider the proposed drainage scheme to be acceptable. These conditions, if permission was to be granted, will require the drainage scheme to be delivered in accordance with the approved details, to provide details of a final design for the drainage scheme and to submit a complete set of as built drawings.

7.11 Impact on the environment

- 7.11.1 The application site currently comprises agricultural fields which are punctuated and bordered by mature trees and vegetation. Therefore, the potential risk for contaminants being identified on the site is very low. However, part of the development site could be made up ground from when the A1(M) motorway was constructed. In addition, the site does lie adjacent to Shangri-La farm which has commercial and industrial activities which take place on this site. Therefore, there is always the potential contaminants could have found a pathway which flows into the application site.
- 7.11.2 Given the above, if permission was to be granted, a condition should be imposed requiring a watching brief be kept during initial site preparation works to identify any potentially contaminated materials likely to be present. If any contaminants are identified, then further conditions would require the applicant at that point to submit a remediation strategy which has to be approved by the Council. With these conditions in place, they would ensure that the future health of residents is not detrimentally affected by potential contaminants on the site. It would also help to protect the wider environment.

Groundwater

- 7.11.3 The site is an area of groundwater sensitivity, being partly within Source Protection Zone 2 (SPZ 2). Therefore, it is recommended that the requirements of the NPPF and Planning Practice Guidance are followed. This means that all risks to ground water and surface waters from contamination need to be identified so that appropriate remedial action can be taken. Therefore, the applicant would be expected to prepare reports and risk assessments in line with the Environment Agency Guidance. In addition, as advised by the Environment Agency, in order to protect groundwater quality from further deterioration:
- No infiltration-based sustainable drainage systems should be constructed on land affected by contamination, as contaminants can remobilise and cause ground pollution;
 - Piling, or any other foundation designs using penetrative methods, should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution;
 - Decommission of investigative boreholes to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies, in line with paragraph 170 of the National Planning Policy Framework.
- 7.11.4 With regards to drainage, the applicant has confirmed in their Flood Risk and Drainage Assessments that soakaway testing was undertaken across the site. These investigations demonstrated that the shallow ground conditions were not suitable for infiltration techniques. Therefore, the proposed development does not seek to provide infiltration based drainage systems in this instance. However, in order to protect ground water from any future infiltration drainage systems, a condition would be imposed to any permission issued.
- 7.11.5 In terms of piling and investigative boreholes, again it is recommended conditions be imposed to manage the use of piling and borehole investigation. This is to ensure that groundwater is protected from penetrative measures and to mitigate any risk of impact to controlled waters.

Air quality and air pollution

- 7.11.6 Policy FP7 of the adopted Local Plan (2019) states that all development proposals should minimise, and where possible, reduce air, water, light and noise pollution.

Policy FP8 of the same document stipulates that planning permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed, pollution generating uses.

- 7.11.7 Looking at air quality and air pollution specifically, the development is not located within or close proximity to an Air Quality Management Area (AQMA) with the nearest AQMA being located in the district of North Hertfordshire. However, this AQMA is over 3.6km from the application site. In terms of the impact of the development on air quality, the applicant's air quality consultant undertook two assessments, one assessment focused on the construction phase and the second assessment looked at the operational phase. Dealing firstly with the construction phase of development, it is noted there would be a number of activities which will affect local air quality. These include dust emissions and exhaust emissions from plant, machinery and construction traffic.
- 7.11.8 In order to mitigate the construction phase, the applicant would be looking to develop and implement a stakeholder communication plan that includes community engagement. They would also look to implement a Dust Management Plan which will include the recording of any complaints and to identify causes in order to take action. They will also look to plan the site layout to ensure machinery and dust causing activities are located away from receptors as far as possible. During construction, solid barriers or screens would be erected around dusty activities.
- 7.11.9 The applicant will also look at covering and removing stockpiles of materials which can potentially generate dust issues. They would also look to reduce the use of diesel and petrol powered generators and use main electricity or battery powered equipment where possible. In addition, maximum speed limits would be imposed and ensure all vehicles switch engines off when stationary. Specialist tools would be fitted with or in conjunction suitable dust suppression techniques such as water. The applicant would also look to avoid the use of bonfires or burning of waste and look at using enclosed chutes and conveyors. In terms of bulk cement and other powder materials, these would be delivered in enclosed lorries and tankers and stores in silos. The applicant has also specified they will be using water assisted dust sweeper(s) on the access and local roads, to remove as necessary, any materials tracked out of the site.
- 7.11.10 Following consultation with the Council's Environmental Health Section, they do not raise any concerns with the proposed mitigation measures to be in put place during construction. However, if permission were to be granted, a condition would be imposed requiring the applicant to submit a detailed construction management plan. This would look in more detail at the routing of construction traffic, location and storage of materials along with further details of site hoardings and location of any wheel washing facilities which would be required. This is to ensure that the development does not result in having a detrimental impact on the amenities of nearby residents or commercial/industrial operators.
- 7.11.11 With regards to air pollution relating to the future operation of the site, the applicant undertook a detailed operational phase road traffic assessment. The assessment predicts the impact of the development on local air quality and also predicts air pollutant concentrations (both nitrogen dioxide (NO₂) and particular matter (PM₁₀ and PM_{2.5}) across the development site as a whole. This assessment concludes that the impact on local air quality was predicted to be negligible. Following consultation with the Council's Environmental Health Section, they agree with the findings of the report and do not consider it would result in an increased concentration of pollutants.

- 7.11.12 In relation to pollutant concentrations and the impact on future residents, it is noted that concerns have been raised by the Council's Environmental Health Section in relation to impact on human health. This is because, as detailed in the applicants initial Air Quality Assessment through their sensitivity analysis, it was predicted that there would be elevated nitrogen dioxide (NO₂) levels at some of the residential areas. However, the concentrations predicted in the assessment are below the relevant air quality objectives in accordance with the Institute of Air Quality Management (IAQM) and Environmental Protection UK (EPUK) guidance. Further analysis identifies that it is likely there would be some reduction in pollutant concentration up to 2023.
- 7.11.13 Notwithstanding the aforementioned, all of the predicted concentrations of pollutants are below and unlikely to exceed Defra guidance with regards to nitrogen oxide and particulate matter. Consequently, the concentrations predicted at outdoor areas, are considered to be within legal limits and as such, it would be unreasonable to request any additional mitigation measures for the outdoor area. In addition, the concentrations are predicted to be below the relevant short term concentrations at the rear facades, and therefore gardens of the proposed dwellinghouses. Consequently, the level of mitigation in terms of fixed windows and mechanical ventilation (only on rear facades where required) is deemed to be acceptable in this instance. This is because these measures are merely seeking to reduce exposure of future residents to "potentially" elevated pollutant concentrations, but, these concentrations are predicted to be below guidelines in terms of air quality.
- 7.11.14 With reference to the eco-barrier as mentioned by the Council's Environmental Health Section, the applicant's air quality consultant has confirmed that this was not required to deal with air quality. This barrier specifically deals with noise which is generated by traffic on the A1(M) and this is dealt within in detail in section 7.7 of this report. In regards to a request by the Environmental Health Section to assess the impact of the commercial premises to the west, the air quality consultant identified, via a Technical Update, that there were no exhaust stacks identified and emissions from vehicles had already been considered as part of the modelling on air pollution in the originally submitted Air Quality Assessment.
- 7.11.15 In terms of reducing air pollution, the Council's Environmental Health Section has advised that the applicant has not provided sufficient evidence to demonstrate the Council's requirements have been met. However, it is important to note that Policy FP7 does not state that developments must reduce air pollution, it merely states all developments should minimise and where possible reduce air pollution. The air quality assessment submitted by the application identifies that with regards to construction phase emissions, these can be mitigated against through effective measures and that the impact of development generated vehicle emissions on local air quality is negligible. Further to this, and as set out in Section 7.9 of this report, the applicant's through their Travel Plan (which includes an extension to the bus route) are looking to encourage the use of sustainable transport in order to minimise the use of the private car. Therefore, the applicant has clearly demonstrated that they have looked at a number of options in order to minimise the impact from air pollutants.
- 7.11.16 Given the aforementioned assessment, whilst it is noted that there were some concerns raised by the Environmental Health Section in terms of impact on human health, there are insufficient grounds to warrant refusal in this instance. This is due to adequate mitigation measures being put in place and any potential increase in air pollutants, which has been thoroughly modelled by the applicant, are predicted to be below legal limits.

7.12 Trees and landscaping

- 7.12.1 Policy NH5 of the adopted Local Plan (2019) states that development proposals will be expected to protect and retain individual trees within the development site and should include new planting where appropriate.
- 7.12.2 The development contains a number of trees. There are 19 individual trees, 7 tree groups and 5 native hedgerows. There are also a number of trees which form the site's western boundary which runs parallel with the public right of way. The proposed development would result in the removal of one tree (T5) which is located on the western boundary centrally within the site and a very dense blackthorn hedge (G6). However, the tree and hedgerow identified for removal are generally considered to be of low value. In addition, the proposed development seeks to retain the remainder of the existing trees and hedgerows across the application site and these would be incorporated into the proposed soft landscaping scheme.
- 7.12.3 Following consultation with the Council's Arboricultural Manager, he has not raised any concerns with regards to the removal of these trees and vegetation. However, he advises that some of the proposed works could potentially weaken the root system and therefore, the trees stability. This also applies to the aerial part of the trees as a considerable amount of their crowns would have to be cut back in order to accommodate the installation of the acoustic fence. It is considered that this requirement could be detailed as an informative if planning permission were to be granted.
- 7.12.4 With regards to proposed landscaping, the applicant is looking to plan an extensive level of soft landscaping in order to mitigate the level of impact on the overall rural character. The landscaping scheme indicates a significant number of trees are to be planted across the site which would comprise of the following tree species:-
- Field Maple;
 - Common Alder;
 - Silver Birch;
 - Downy Birch;
 - Hornbeam;
 - Wild Cherry;
 - Callery Pear;
 - Rowan/Mountain Ash;
 - Small leaved lime; and
 - Oak.
- 7.12.5 The applicant is also looking to provide wildflowers as part of a wetland meadow, grasses, flowering lawn mixture, shrub bed planting, native hedgerow planting, amenity grassland areas as part of a wider landscaping strategy for the development site. There would also be the provision of climbers and wall plants across the development as well. The applicant is also looking to provide a landscaped green bund which would incorporate a mixture of shrubs. Consequently, it is considered that the proposed landscaping scheme would enhance the overall character and appearance of the development as well mitigate the impact on long views from Todds Green towards the A1(M).

7.13 Ecology and Protected species

- 7.13.1 The application site is identified as greenfield land and currently comprises of improved grassland, scrub, tall ruderal plants, hawthorn hedges and trees. The surrounding area comprises greenfield land and Todds Green to the north-west which comprises of industrial, commercial and residential premises. To the east lies

the A1(M) motorway and the wider urban area of Stevenage. The applicant has undertaken a Phase 1 Habitat Survey to assess the potential for the site and adjoining habitats to have species that receive legal protection at either UK and/or European level.

- 7.13.2 The survey comprised a desk top study from Hertfordshire Biological Records Centre and from the multi-agency Geographical Information for the Countryside (MAGIC) along with Ordnance Survey and Aerial imagery. A field survey was also undertaken along with a Bat Survey and Great Crested Newt Survey.
- 7.13.3 The survey identified that the majority of the site is sub-optimal habitat for Great Crested Newts with the improved grassland unlikely to provide a substantial abundance of invertebrate prey or vegetative cover. In addition, there are no ponds within the development site. In addition, there was no evidence of badgers such as hairs, latrines, footprints or setts and no features potentially suitable to support roosting bats observed on-site including within mature trees. Furthermore, there was no evidence of reptiles or water voles. In terms of impact, as the development site is a considerable distance from any designated sites, it is considered that the proposed development would not have a detrimental impact on these sites. Consequently, it was concluded that the development site as a whole has a low ecological value.
- 7.13.4 In regards to birds, these are protected by the Wildlife and Countryside Act 1981. It is considered that there is a suitable foraging and nesting habitat on the site, particularly within the boundary trees and scrub. Consequently, as birds are protected, a condition would be imposed to protect nesting birds and for trees to only be removed at certain times of the year.
- 7.13.5 Given the above, it is considered that the proposal would not have a detrimental impact on protected species, in terms of both flora and fauna. However, the ecology report does recommend that appropriate root protection zones are maintained during the construction phase for all retained trees. With regards to Great Crested Newts, whilst none were identified on site, there is the potential for them to be in the area due to ponds in the nearby area. Therefore, it will be necessary to survey those ponds with connectivity to the site. However, if they are identified to be present, they can be adequately mitigated for within the development. This would be secured through a Natural England Mitigation Licence.
- 7.13.6 In addition to the above, it is recommended that any trenches dug as part of construction works should be covered at night, or left with a ramp or sloping end, to prevent mammals from falling in and becoming trapped. Similarly, any should be capped off at night. In terms of bats, the Ecology Report recommends a dark corridor is maintained along the boundary to reduce disturbance to commuting and foraging bats. Provision of integrated bat boxes on buildings or attached to any trees should be included. This can be secured via the imposition of a condition.
- 7.13.7 In relation to birds, opportunities for nesting birds should be incorporated into the development. This can include the provision of integrated nesting boxes. The provision of these bird boxes can also be secured via condition. With regards to net gain in biodiversity which is a requirement under the NPPF (2019), the applicant is looking to provide a number of trees, shrub beds, meadows and water features in order to improve biodiversity of the development.
- 7.13.8 Following negotiations with the applicant in conjunction with the Council's Parks and Amenities Section, they have also agreed to fund the schedule of biodiversity improvement works in order to off-set the impact of the development on biodiversity

in accordance with the NPPF. The improvement works, which have been agreed, relate to Fishers Green Common and the works to be funded are as follows:-

- Improvement works of the pond - £5,000;
- Plug plants - £100;
- Pollarding, tree works and cutting back vegetation - £3,500;
- Interpretation Signage - £1,000;
- Nesting boxes - £200;
- Access improvements - £500;
- Way marking - £500

7.13.9 In addition to the above, the applicant has also agreed to pay a financial contribution towards the on-going maintenance of the common for a period of 20 years. Following consultation with Herts and Middlesex Wildlife Trust (HMWT) they consider the findings of the Ecological Report to be acceptable. Therefore, it is concluded that the proposed development would result in a net-gain in biodiversity with these improvements secured either through condition (landscaping strategy, bat and bird boxes) or through the S106 agreement (financial obligations). In addition, the proposed development would not have a detrimental impact on local ecology in this instance.

7.14 Loss of agricultural land

7.14.1 A substantial part of the application site is farmland and paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by “recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystems services, including the economic and other benefits of the best and most versatile agricultural land” (paragraph 170b). Footnote 53 of the NPPF sets out that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of higher quality.

7.14.2 Taking the aforementioned into consideration, the applicant has submitted an Agricultural Land Classification assessment. This determined the quality of the application site in accordance with the requirements of the NPPF (2019). The map data produced by MAGIC (see paragraph 7.13.2 for reference) identifies the application site as comprising Grade 3b agricultural land (good to moderate). The land itself has been used for limited arable purposes and is of limited agricultural benefit to the local economy.

7.14.3 Further to the above, the site itself is only 5.6 hectares in area, so does not result in a significant development of agricultural land, being below the 20 hectare threshold set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

7.14.4 In summary, whilst the proposed development would result in the loss of agricultural land, this land is considered to be of poorer quality. In addition, the overall benefits of the development with the provision of affordable housing and an extended bus service as well helping to meet the Council's housing requirements, would outweigh the loss of the agricultural land in this instance. Moreover, Natural England has been consulted on the application and at the time of drafting this report, no objections have been raised.

7.15 Other Matters

Green Belt

- 7.15.1 It is noted that a number of objections have been raised regarding the proposed development having a detrimental impact on the openness of the Green Belt. However, the application site was not previously allocated as falling within the metropolitan green belt under the Stevenage District Plan Second Review 1991 – 2011 (2004) or currently allocated as Green Belt in the Stevenage Borough Local Plan 2011 to 2031 (adopted 2019).

Impact on property values

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

Design Review and Masterplanning of the site

- 7.15.3 In regards to the undertaking of a design review, there is no statutory requirement for the Council to request a design review is undertaken on a particular application. In addition, there are no specific policies in the adopted Local Plan relating to this application site which formally requires the applicant to submit a masterplan for this site.

- 7.15.4 Notwithstanding the above, any future development of Stevenage West as set out in the adopted Local Plan (Policy HO2), would require a masterplan to be submitted. As such, if this site is to form part of the wider Stevenage West development, then it would need form part of the masterplan at this time.

Impact on broadband services

- 7.15.5 The impact a development may have on existing broadband services and infrastructure is not material planning consideration. As such, any impacts on service will be between the developer, the relevant broadband provider and local residents.

Loss of land of dog walkers and horse riders

- 7.15.6 Whilst it is appreciated land would be lost for dog walkers and horse riders, the land is in private ownership and not an area of public open space. However, the applicant is looking to provide enhanced public rights of way along with new areas of open space. This would allow for continued access to the wider countryside for dog walkers and horse riders. In addition, the areas of new open space and play areas which would form part of the development would be publicly accessible to local residents.

Loss and re-location of business premises

- 7.15.7 The proposed development does not seek a reduction in the provision of existing employment premises in Shangri-La Farm. This is because these premises fall outside of the application site boundary.

Impact assessment on local residents

- 7.15.8 There is no statutory requirement for the applicant to undertake an impact assessment in regards to a particular development on local residents. However, they do have to undertake assessments such as noise and air quality to determine whether or not the development would have an impact on them. In addition, there is a requirement to consider the impact on local residents in terms of privacy and outlook. Assessments regarding the aforementioned aspects are set out in detail in this committee report. In addition, it is recommended a number of conditions are imposed to limit the impact the development would have on residents in regards to construction.

Wymondley Neighbourhood Plan

- 7.15.9 Wymondley Parish Council published a Neighbourhood Plan in June 2016. As such, local planning authorities are required to take this Plan into account when considering development proposals. However, the application site falls outside of the Wymondley Parish Council boundary and falls within the jurisdiction of Stevenage Borough Council. Therefore, this application only needs to be assessed in accordance with the Council's own specific policies along with policies set out in the National Planning Policy Framework (2019) and the Government's Planning Practice Guidance.

Sustainable construction and climate change

- 7.15.10 Policy FP1 of the adopted Local Plan (2019) stipulates that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:

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

- 7.15.11 Taking the aforementioned policy into consideration, the applicant has submitted an Energy Statement as part of the planning application to demonstrate the development's adaptability to climate change. This sets out that the buildings would comprise of energy efficient fabric and insulation to all heat loss floors, walls and roofs. The properties would also have double-glazed windows throughout; have high air tightness, efficient building services (high efficiency heating systems with thermostatic controls) and low-energy lighting. In addition, the applicant has specified that the provisions of solar PV arrays on the roofs are feasible and will be adopted across the development. With regards to water consumption, the applicant has set out that there would be the installation of water efficient appliances, low flush toilets and controlled flow rates for water taps, baths and showers. The applicants calculation demonstrate a water consumption of 110 litres per person per day can be achieved,

- 7.15.12 Turning to sustainable construction, Hertfordshire County Council as Minerals and Waste Authority recommended the applicant submit a SWMP (Strategic Waste Management Plan). This is to ensure that materials used in construction consist of the development are properly recycled where possible. It is recommended that if

planning permission were to be granted, a condition could be imposed requiring the applicant to submit a SWMP prior to the commencement of development.

- 7.15.13 Given the above, and subject to conditions, it would ensure the development is designed in order to be adaptable to climate change as well as ensure a suitable waste management plan is provided.

Waste and Recycling

- 7.15.14 The Design Guide (2009) states, provision should be made within new development for the storage and collection of waste from a site. The submitted plans indicate that there would be sufficient refuse facilities which will serve the proposed residential properties. As such, a condition would be imposed requiring the refuse and recycle facilities are constructed in accordance with the approved details.

Crime Prevention/anti-social behaviour/security

- 7.15.15 In regards to crime prevention and designing out crime, the Police Crime Prevention Design Advisor does not raise any concerns with the proposed development. This is because the applicant has agreed the development would be constructed to Secure by Design Standards.

Health Impact of the development

- 7.15.16 In regards to health impact of the development, in order to improve opportunities for future local residents, the development would comprise of large areas of public open space and recreation space. The development would also seek to connect to existing cycle and footpath network, including public rights of way in order to encourage healthy exercise and activities as well as creating wider accessibility to the countryside. Turning to the points raised by HCC Public Health on noise and air quality, this is already considered in detail in the report and sufficient mitigation measures would be put in place.
- 7.15.17 In relation to the recommendation of submitting a Health Impact Assessment for this development, there is no statutory requirements for the applicant to do so. In addition, the health impacts of the development have been thoroughly considered by the applicant through the relevant assessments and these have been assessed in detail as set out in this committee report. Therefore, it is not considered reasonable to request the applicant submit a Health Impact Assessment for this particular development especially at such a late stage in the application process.

8. CONCLUSIONS

- 8.1 In summary, the principle of development is considered to be acceptable as it would help the Council to meet its housing requirement over the local plan period. In addition, the development would comprise of a spine road which has been designed to ensure that land within North Hertfordshire District Council could potentially be delivered in the future in accordance with Policy IT2. With regards to sustainability, through the provision of new cycle and pedestrian connections and the funding of an expanded bus service, the development would be sustainability connected to the wider urban area of Stevenage.
- 8.2 In terms of design, the overall quantum of development in terms of scale and size combined with the punctuation of large areas of green open space, creates a development which is semi-rural in character with dwellings being predominantly two stories in height. The retention of a significant green buffer along the western edge

of the site along with an extensive level of soft landscaping would create a high quality and liveable streetscape. This would also ensure that the longer views from Todds Green towards the A1(M), whilst affected through the introduction of a residential development, would be mitigated against. In addition, through the use of a green bund, it would also reduce views of the A1(M) and the more urban backdrop of Stevenage which is deemed to be a visual enhancement in this instance. With regards to the dwellinghouses and residential apartment blocks which form the basis of this application, they are considered to be of an appropriate design for this site and have been set out in a legible street pattern through the use of the perimeter block approach.

- 8.3 With regards to impact on residential amenity, due to levels of separation between the application and the residential properties in Todds Green, it is not considered the proposal residential development would harm the amenities of residents in the hamlet of Todds Green. In relation to the amenities of future residents, all of the residential properties across the development would have acceptable living standards in terms of outlook, privacy, sunlight and daylight, private amenity space, internal floorspace standards and impact from noise. Moreover, whilst the development would result in the loss of agricultural land, it is not deemed to land which is of high quality and it is considered that the overall benefits of the development outweigh this loss.
- 8.4 Looking at the impact on the highway network, the development would not prejudice the safety and operation of the highway network and in relation to parking, the level of parking provided is in accordance with the Council's Standards. Finally, issues relating to contamination, impact on the environment, trees, wildlife, surface water drainage, affordable housing, open space, children's play and development contributions can be satisfactorily addressed through conditions or a S106 legal agreement. Accordingly, it is recommended that planning permission be granted.

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the applicant having first entered into a S106 agreement to secure/provide contributions towards:-
- The provision of 30% affordable housing;
 - Open outdoor sport;
 - Biodiversity improvement works to Fishers Green Common;
 - Primary and Secondary Education;
 - Library services;
 - Youth services;
 - Sustainable Transport and Infrastructure;
 - Trees and plants from UK nurseries;
 - Secure the provision and on-going maintenance of the play areas;
 - Secure the provision of a maintenance company for the development;
 - GP Provision;
 - Provision of a fire hydrant; and
 - Associated Section 278 Highway Works.

The detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor.

- 9.2 The proposal be subject to the following conditions:-

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

SO01D; SO02 A; SO03; SK01 G; SK02; SK03 D; SK04 D; SK05 D; SK06 D; SK06.1; SK06.2; SK07 A; SK07.1; SK08; SK20 B; SK21 B; SK22 A; SK23 A; SK24 B; SK25 B; SK26 C; SK27 C; SK28 C; SK29 A; SK30 B; SK31 B; SK32 B; SK33 B; SK34 B; SK35 C; SK36 C; SK37 C; SK38 B; SK39 C; SK40 C; SK41 A; SK42 A; SK43 A; SK44 C; SK45 C; SK46 C; SK47 C; SK48 C; SK49 B; SK50 B; SK51 C; SK52 C; SK53 A; SK54 A; SK55 A; SK56 A; SK57 A; SK58 A; SK59 A; SK60 A; SK61; SK62; SK63; SK64 A; SK65 A; SK66 A; SK67; SK68, SK69 A; SK70; SK71 B; SK72 C; SK73 C; SK74 C; SK75 C; SK76 C; SK77; SK78; SK79; SK80; SK81; SK82; SK83; SK84; SK85; SK86; SK87; SK88; SK100; SK101; SK102; SK103; SK104; SK105; SK200A; SK201A; SK202A; SK203B; SK204B; SK205.1A; SK205.2A; SK206B; SK207B; SK208B; SK209A; SK210A; SK211B; SK212B; SK213.1A; SK213.2A; SK214A; SK215B; SK216B; LC 00331 01 G.

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

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

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

- 3 No development, above slab level, shall commence until a schedule and sample of the materials to be used in the construction of the external surfaces of the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

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

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

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

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

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

- 6 No removal of trees, scrubs or hedges shall be carried out on site between 1st March and 31st August inclusive in any year, unless a pre-works survey of the vegetation to be removed and surrounding vegetation, is undertaken immediately prior to removal by a suitable qualified, and approved confirmed by the local planning authority.

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

- 7 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. The scheme shall follow the recommendations identified in the BWB Noise Impact Assessment report (Ref: MCP2136) dated February 2019. 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.

REASON:- To protect the amenity of future occupiers of the development from noise from road traffic sources.

- 8 No properties shall be occupied until confirmation has been provided that either all wastewater network upgrades required to accommodate the additional flows from the development have been completed or a housing and infrastructure phasing plan has been submitted to and approved in writing by the local planning authority in consultation with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

REASON:- The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents.

- 9 The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment carried out by BWB reference TGS-BWB-ZZ-XX-RP-YE-0001_FRA dated February 2019; Sustainable Drainage Statement carried out by BWB reference TGS-BWB-ZZ-XX-RP-CD-0001_SDS dated February 2019 and Technical Note carried out by BWB reference TGS-BWB-ZZ-XX-YE-0002_TN Revision P02 S2 dated 28 June 2019 and the following mitigation measures:-

1. Limiting the surface water run-off generated by the 1 in 100 year + 40% allowance for climate change event critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
2. Provide attenuation to ensure no increase in surface water run-off for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.
3. Implement drainage strategy as indicated on the drainage strategy drawing reference TGS-BWB-XX-ZZ-DR-CD-0004 and TGS-BWB-ZZ-XX-CD-DR-0006 and to include above ground SuDS features.
4. Implemented drainage strategy to include daylighting of northern culvert with online detention basin with low flow channel for existing watercourses with detention basin as indicated on drawing TGS-BWB-XX-ZZ-DR-CD-0004.
5. Implement drainage strategy to incorporate the central watercourse with detention basin indicated on drawing TGS-BWB-ZZ-XX-CD-DR-0006.

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

- 10 The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment carried out by BWB reference TGS-BWB-ZZ-XX-RP-YE-0001_FRA dated February 2019; Sustainable Drainage Statement carried out by BWB reference TGS-BWB-ZZ-XX-RP-CD-0001_SDS dated February 2019 and Technical Note carried out by BWB reference TGS-BWB-

ZZ-XX-YE-0002_TN Revision P02 S2 dated 28 June 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 + 40% allowance climate change event.
2. Details regarding any areas of informal flooding (events those exceeding 1 in 30 years rainfall event), this should be shown on a plan with estimated extents and depths.
3. Details of final exceedance routes, including those for an event which exceeds to 1:100 + 40% allowance climate change rainfall event.
4. Details relating to the works to be carried out on the ordinary watercourses.

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.

REASON:- To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

- 11 Upon completion of each phase of the drainage works, a complete set of as built drawings for the site drainage management should be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include:

1. Final confirmation of management and maintenance requirements
2. Provision of complete set of as built drawings for both site drainage and overland flow route management
3. Details of any inspection and sign-off requirements for completed elements of the drainage systems.

REASON:- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

- 12 Prior to the commencement of development, above slab level, a landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by the local planning authority. The content of the LEMP shall deliver the ecological units to achieve no net loss or where possible net gain to biodiversity and include the following:-

- a) Description and evaluation of features to be managed from a landscape and ecological perspective;
- b) Ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options achieving landscape and ecological aims and objectives;
- e) Prescriptions for landscape and ecological management actions;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five year period) clearly marked on plans;
- g) Details of the body or organisation responsible for implementation of the plan;

- h) Ongoing monitoring and remedial measure. The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery;
- l) Details of species specific measures as identified in the ecological report, definitively stated and marked on plans.

The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity and landscape objectives of the originally approved details.

The landscaping and habitats management scheme shall be implemented in accordance with the approved details.

REASON:- In order to improve and enhance biodiversity within the development site and the surrounding so as to offset its impact.

- 13 The bat and bird box strategy as detailed in the approved plans and ecological report shall be fully installed prior to first occupation of dwelling units 16; 18; 21 to 23; 25 to 32 to 41; 46; 48 to 50; 53; 55; 56; 69; 72; 73; 83; 85; 91; 95; 114 to 116; 118 and 124 hereby permitted. The bat and bird boxes shall be retained thereafter.

REASON:- In order to enhance roosting opportunities for bats and nesting opportunities for birds.

- 14 Notwithstanding the provisions of Class A of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification), no internal or external alterations shall take place to any garage, which would preclude its use for housing motor vehicles and/or bicycles unless permission is granted on an application made to the Local Planning Authority.

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

- 15 Prior to the commencement of development (including site clearance) a Construction Management Plan/Method Statement for the construction phases shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works of construction of the development shall only be carried out in accordance with the approved statement and Hertfordshire County Council's specifications. The Demolition/Construction Management Plan/Method Statement shall address the following matters:-

- (i) Details of construction phasing programme (including any pre-construction enabling works);
- (ii) Hours of operations including times of deliveries and removal of waste which should avoid school pick up/drop off times;
- (iii) Demolition and construction works between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0830 and 1300 on Saturdays only.
- (iv) The site set-up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas;

- (v) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
- (vi) Details of the provisions for temporary car parking during construction which shall be provided prior to the commencement of construction activities;
- (vii) The location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- (viii) Screening and hoarding;
- (ix) End of day tidying procedures;
- (x) Construction and storage compounds (including areas designated for car parking);
- (xi) Siting and details of wheel washing facilities;
- (xii) Cleaning of site entrances, site tracks and the adjacent public highway;
- (xiii) Control measures to manage noise and dust;
- (xiv) Disposal of surplus materials;
- (xv) Post construction restoration/reinstatement of the working areas and access to the public highway.
- (xvi) Details of the access and highways works from Fishers Green to accommodate construction traffic.
- (xvii) Details of consultation and compliant management with local businesses and neighbours.
- (xviii) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour;
- (xix) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures;
- (xx) Details of a Site Waste Management Plan (SWMP) detailing actual waste arising and how waste is managed (i.e. re-used, recycled or sent off site for treatment or disposal) and where it is sent to. Further updated should be provided throughout the life of the development at an interim of two months or sooner should the level of waste be considered significant by the developer.

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

- 16 In the event contamination is found during site clearance and/or construction phase of the development, the applicant must undertake an appropriate investigation and provide a remediation strategy which is to be submitted to and approved in writing by the Local Planning Authority. This investigation and assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:
- (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:

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

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition.

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

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

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

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

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

- 19 Prior to the first occupation of dwelling units 1 to 9; 25 to 32; 33 to 41 and 126 to 133 hereby permitted the approved refuse and recycle stores shall be constructed in accordance with the details submitted with this application and shall be permanently retained in the form.

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

- 20 Prior to the first occupation of dwelling units 1 to 9; 25 to 32; 33 to 41 and 126 to 133; hereby permitted the approved secure cycle parking areas and public cycle parking shall be constructed in accordance with the approved details submitted with this planning application and shall be permanently retained in that form thereafter.

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

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

- REASON:-** In order to protect the amenities and operations of neighbouring properties and to ensure any external lighting does not prejudice highway safety. In addition, to ensure the development does not have a detrimental impact on foraging bats.
- 22 The landscaping scheme as detailed in the approved drawings shall be implemented in the first available planting season prior to the first occupation of the buildings or the completion of the development, whichever is the sooner.
REASON:- To ensure a satisfactory appearance for the development.
- 23 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.
- 24 No development, including site clearance, shall commence until the trees as specified in the Arboricultural Impact Assessment, prepared by BWB (dated February 2019) to be retained on the site have been protected by fencing in accordance with the vertical tree protection fencing detailed in the Arboricultural Impact Assessment. In addition, all works which are to be undertaken within the Root Protection Areas of trees which are to be retained as specified on the aforementioned drawings shall be undertaken in accordance with the details specified in the Arboricultural Impact Assessment.
REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.
- 25 Within the areas to be fenced off in accordance with condition 24, there shall be no alteration to the ground levels and they shall be kept clear of vehicles, materials, surplus soils, temporary buildings and machinery.
REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.
- 26 Prior to the first occupation of the dwellings hereby permitted, the measures to ensure the development is adaptable to climate changes as detailed in the Energy Statement (prepared by energist dated 15th February 2019) shall have been installed and implemented across the whole development in accordance with the approved details.
REASON:- To ensure that the development is adaptable to climate change.
- 27 Prior to the commencement of development hereby permitted, the vehicular accesses shall be provided and thereafter retained at the position shown on the approved in principle drawing number General Arrangement drawing number 17 941 – SK01 revision G. The principal access road shall be provided 6.75 metres wide [except for some minor traffic calming features shown on the drawing] complete with 10.0 metres radius kerbs. Thereafter, the internal access roads connected to the principal access road shall be provided at least 5.5 metres wide completed with 8.0 metres radius kerbs to the specification of Hertfordshire County Council from the date of this permission and to the Local Planning Authority's satisfaction. Arrangement shall be made for surface water drainage intercepted and disposed of separately so that it does not discharge from on onto the highway carriageway.
REASON:- To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 28 No development shall take place until full details (in the form of scaled plans and written specifications) to illustrate the following:-

- i) roads;
- ii) footways;
- iii) cycleways;
- iv) visibility splays;
- v) access arrangements;
- vi) parking provision in accordance with adopted standards;
- vii) bus stops;
- viii) turning area.

Have been submitted to and approved in writing by the Local Planning Authority. The details for i) to viii) shall thereafter be constructed in accordance with the approved details.

REASON:- To ensure suitable, safe and satisfactory planning and development of the site.

- 29 No development shall take place until a Servicing and Delivery Plan has been submitted to and approved in writing by the Local Planning Authority. The Servicing and Delivery Plan shall contain the delivery and servicing requirements, waste collection points for the proposed development, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that will be used for loading and manoeuvring of delivery and servicing vehicles, and circulation route and constructed in accordance with the approved details. Thereafter, the route shall be maintained in accordance with those approved details.
- REASON:-** In the interests of maintaining highway efficiency and safety.

- 30 The provision of infrastructure both within the development site and on the wider routes that the proposed public transport service will travel to facilitate the delivery of the public transport strategy, shall comprise of, but is not limited to the following:-

- 1) high quality bus stop facilities to include raised height kerbs and shelters;
- 2) real time information signs at key stops.

Details of future locations of all bus stops within the development site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development works. The bus stops will need to be clearly marked out on-site during construction of the internal road to ensure visibility for future residents and the wider community.

REASON:- To ensure proper management of the development layout in the interests of highway safety and efficiency.

- 31 Upon first occupation of any dwelling, the provision of two vouchers per dwelling entitling the residents to 12 months free bus travel within the area travelling to Stevenage Town Centre covered by a PlusBus season ticket will be made available. Residents will be able to apply for the vouchers via a scheme to be outlined in the Travel Plan to be approved. The vouchers are to be valid for exchange during the first six months following the occupation of the respective dwelling unit.
- REASON:-** To ensure management of a modal shift and encourage use of sustainable modes of travel within Stevenage.

- 32 A network of footways/cycleways linking all areas of the development with the railway station, bus station and Stevenage Town Centre, which shall include a toucan crossing along Fishers Green in an appropriate location close to the new junction, shall be provided prior to occupation of any dwelling. The route shall be detailed and identified on a drawing showing appropriate hard surfacing, illustrated with a minimum width of 2.0 metres where possible or shared use provision with a cycleway with a minimum width of 3.0 metre shall be submitted to, prior to the

commencement of development above slab level, and approved in writing by the Local Planning Authority. The network of footways/cycleways shall be implemented in accordance with the approved details and retained thereafter.

REASON:- To ensure management of a modal shift and encourage use of sustainable modes of travel within Stevenage.

- 33 Prior to the occupation of any dwellings, full details shall be submitted to and approved in writing by the Local Planning Authority of the proposed arrangements for the future management and maintenance of the proposed streets within the development. Following the provision of such streets in accordance with the approved details, the streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established in accordance with the approved details.

REASON:- To ensure satisfactory development of the site and to ensure the estate roads are managed and maintained thereafter, to a suitable and safe standard.

- 34 Prior to the commencement of the development, visibility splays measuring 2.4 metres x 53 metres to the north west and 2.4 metres x 54 metres to the south east shall be provided to each side of the main access onto Fishers Green and the visibility splays shall thereafter be maintained at all times free from any obstructions between 600mm and 2.0 metres above the level of the adjacent highway carriageway.

REASON:- To ensure construction of a satisfactory development and in the interests of highway safety.

- 35 Prior to the first occupation of the development hereby permitted, visibility splays measuring 2.4 metres x 43 metres shall be provided each side of each access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstructions between 600mm and 2.0 metres above the level of the adjacent highway carriageway.

REASON:- To ensure construction of a satisfactory development and in the interests of highway safety.

- 36 Prior to the commencement of each phase of the development, details of all materials to be used for hardsurfaced areas, including roads, associated drainage details, driveways and car parking areas shall be submitted to and approved in writing by the Local Planning Authority. Each phase of the development shall be carried out in accordance with the approved details.

REASON:- To ensure that internal roads, drainage and parking areas are to highway standards and requirements set by Hertfordshire County Council as Highways Authority.

- 37 Prior to the first occupation of the development hereby permitted, the gradient of the main access road shall not be steeper than 1 in 50 for the first 12m thereafter the main access and internal access roads shall not be steeper than 1 in 20.

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

- 38 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.

REASON:- To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants.

- 39 Piling or any other foundation design using penetrative methods shall not be permitted within the development other than with the express consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant risk to groundwater. The development shall be carried out in accordance with the approved details.
REASON:- To protect groundwater environment, including groundwater. Some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution. A piling risk assessment should be submitted with consideration of the EA guidance. Given the site's location in SPZ2 we will also require a groundwater monitoring programme during any piling work at the site. This groundwater monitoring programme should incorporate mitigation measures to be adopted design should piling works be noted to be adversely impacting on groundwater quality beneath the site.
- 40 A scheme for managing any borehole installed within the development for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. 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 with be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of the Residential Development Plot.
REASON:- To ensure that the development does not contribute to, is not put at unacceptable levels of water pollution caused by mobilise contaminants. This is in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5: Contaminated land.
- 41 Notwithstanding the provisions of Classes B and C of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking or re-enacting that Order with or without modification) no loft conversions including dormer windows / roof extensions, or roof lights and openings shall be constructed on the dwellinghouse(s) hereby permitted unless permission is granted on an application made to the Local Planning Authority.
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 neighbouring properties from overlooking/loss of privacy and to ensure sufficient parking is available.

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 led 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.

INFORMATIVE

Hertfordshire County Council as Lead Local Flood Authority

Any works taking place within and/or over the culvert or within 3m of the top of the bank of the ordinary watercourse will require prior written consent from Hertfordshire County Council regardless of any planning permission. Any works proposed to be carried out that may affect the flow within an ordinary watercourse will require the

prior written consent from the Lead Local Flood Authority under Section 23 of the Land Drainage Act 1991. This includes any permanent and or temporary works regardless of any planning permission.

Hertfordshire County Council as Highways Authority

AN1. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN3. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN4. Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 38 and 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 noted below:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN5. Rights of Way

Before commencement of the proposed development, the applicant shall contact Hertfordshire County Council's Rights of Way Service
<http://www.hertfordshire.gov.uk/services/envplan/countrysideaccess/row/>

(Tel: 0300 123 4047, email at row@hertfordshire.gov.uk) to obtain their requirements for the ongoing maintenance of the surface of the Public Right of Way that routes through the site along the proposed development.

Reason: To ensure the surface of the Public Right of Way does not deteriorate as a result of an increase in vehicle movements using the access, in the interests of pedestrian safety on a Public Right of Way.

The Public Right of Way should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works.

The safety of the public using the route and any other routes to be used by construction traffic should be a paramount concern during works, safe passage past the site should be maintained at all times.

The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overflows of cement & concrete) should be made good by the applicant to the satisfaction of this Authority.

All materials should be removed at the end of the construction and not left on the Highway or Highway verges.

If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order would be required to close the affected route and divert users for any periods necessary to allow works to proceed. A fee would be payable to Hertfordshire County Council for such an order.

Reason: To ensure the surface of the Public Right of Way does not deteriorate as a result of an increase in vehicle movements using the access, in the interests of pedestrian safety on a Public Right of Way.

Arboricultural Impact

Although the Arboricultural Impact Assessment mentions the need for an arboriculturalist if any large roots are encountered, it is suggested the whole section of the fence near the tree line should be supervised. Also, as this type of work could potentially weaken the root system and therefore, the trees stability, it is also suggested a Highways England inspector would want to be aware of this matter. This also applies to the aerial part of the tree as considerable amount of their crowns would have to be cut back to accommodate the installation of the high fence.

Cadent Gas

Affected Apparatus

The apparatus that has been identified as being in the vicinity of your proposed works is:

Low or Medium pressure (below 2 bar) gas pipes and associated equipment. (As a result it is highly likely that there are gas services and associated apparatus in the vicinity).

Requirements

BEFORE carrying out any work you must:

Carefully read these requirements including the attached guidance documents and maps showing the location of apparatus.

Contact the landowner and ensure any proposed works in private land do not infringe Cadent and/or National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.

Ensure that all persons, including direct labour and contractors, working for you on or near Cadent and/or National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 – 'Avoiding Danger from Underground Services' and GS6 – 'Avoidance of danger from overhead electric power lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk>

In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken.

GUIDANCE

Excavating Safely - Avoiding injury when working near gas pipes:

<https://www.nationalgrid.com/sites/default/files/documents/24410-Excavating%20Safely%20Leaflet%20Gas.pdf>

Standard Guidance

Essential Guidance document:

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=8589934982>

General Guidance document:

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=35103>

Excavating Safely in the vicinity of gas pipes guidance (Credit card):

<https://www.nationalgrid.com/sites/default/files/documents/24413-Excavating%20Safely%20Credit%20Card%20Gas.pdf>

Excavating Safely in the vicinity of electricity cables guidance (Credit card):

<https://www.nationalgrid.com/sites/default/files/documents/24414ExcavatingSafelyCreditCardElectricity.pdf>

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. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework February 2019 and Planning Policy Guidance March 2014.

Meeting: Planning and Development
Committee

Agenda Item:

Date:

IMPORTANT INFORMATION - DELEGATED DECISIONS

Author – Technical Support 01438 242838

Lead Officer – Zayd Al-Jawad 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 : 20/00043/FPH
Date Received : 18.01.20
Location : 85 Vardon Road Stevenage Herts SG1 5PU
Proposal : Single storey front extension
Date of Decision : 19.06.20
Decision : **Planning Permission is GRANTED**

2. Application No : 20/00120/FP
Date Received : 27.02.20
Location : The Standing Order 33 High Street Stevenage Herts
Proposal : New fence to rear garden area.
Date of Decision : 29.06.20
Decision : **Planning Permission is GRANTED**

3. Application No : 20/00132/AD
Date Received : 04.03.20
Location : 8 The Plaza Town Centre Stevenage Herts
Proposal : 1no. non-illuminated projection sign
Date of Decision : 30.06.20
Decision : **Advertisement Consent is GRANTED**

4. Application No : 20/00146/FP
Date Received : 11.03.20
Location : 330 Canterbury Way Stevenage Herts SG1 4DU
Proposal : Erection of 1no. one bedroom dwelling
Date of Decision : 11.06.20
Decision : **Planning Permission is REFUSED**

For the following reason(s);

The proposed dwellinghouse by virtue of its narrow width compared to the other dwellings in the terrace and the proposed split of private amenity space at the front and rear would cause it to appear cramped and incongruous in the street scene, harmful to the visual amenity of the area. The proposal is therefore contrary to Policies SP8, HO5 and GD1 of the Stevenage Borough Local Plan 2011 to 2031 (adopted 2019), the NPPF (2019) and PPG (2014).

The proposed dwellinghouse, due to its siting and proximity to No.326 Canterbury Way would appear overbearing and harmful to the outlook of the occupiers of this property, contrary to Policies SP8, GD1 and HO5 of the Stevenage Borough Local Plan 2011 to 2031 (adopted 2019), Chapter 5 of the Council's Design Guide SPD (2009), the NPPF (2019) and PPG (2014).

The internal amenity space of the proposed dwellinghouse would be below the nationally described space standards set out in Appendix C of the Stevenage Borough Local Plan 2011-2031 (adopted 2019) and would thus be contrary to Policy GD1 of the Stevenage Borough Local Plan 2011-2031 which requires proposals to at least meet the nationally described space standards. This would lead to unsatisfactory living conditions for future occupiers of the proposed residential accommodation.

The amount and layout of usable external private amenity space split between the front and rear of the proposed dwellinghouse would be below the standard set out in Chapter 5 of the Council's Design Guide SPD (2009). This would lead to unsatisfactory living conditions for future occupiers of the proposed residential accommodation, contrary to Policy GD1 of the Stevenage Borough Local Plan 2011-2031 (adopted 2019).

The proposal fails to demonstrate that adequate provision for car parking can be provided on site in accordance with the Council's standards set out in the Parking Provision Supplementary Planning Document (2012) for a 1 bedroom property. The proposal would, therefore be likely to result in on-street parking on the turning head of the main carriageway to the detriment of service vehicles being able to turn around prejudicing highway safety, contrary to Policy IT5 of the Stevenage Borough Local Plan 2011 to 2031 (adopted 2019), the Council's Car Parking Standards SPD (2012), the National Planning Policy Framework (2018) and Planning Practice Guidance (2014).

5. Application No : 20/00153/FP
Date Received : 13.03.20
Location : 12-14 Willows Link Stevenage Herts SG2 8AR
Proposal : Change of use from A3 (cafe) to Sui Generis (dog grooming salon)
Date of Decision : 15.06.20
Decision : **Planning Permission is GRANTED**
6. Application No : 20/00182/FPH
Date Received : 31.03.20
Location : Cherry Tree House Cherry Trees Drive Stevenage Hertfordshire
Proposal : Installation of 2no. dormer windows and 2no. velux windows on front roof slope, 2no. windows in rear elevation, 1no. velux window in rear roof slope and internal alterations.
Date of Decision : 15.06.20
Decision : **Planning Permission is GRANTED**
7. Application No : 20/00185/FPH
Date Received : 31.03.20
Location : 3 Cornfields Stevenage Herts SG2 7RB
Proposal : First floor side extension over existing garage
Date of Decision : 22.06.20
Decision : **Planning Permission is GRANTED**

8. Application No : 20/00196/COND
Date Received : 09.04.20
Location : 37 Pankhurst Crescent Stevenage Herts SG2 0QF
Proposal : Discharge of conditions 6 (boundary treatments) and 9 (climate change) attached to planning permission reference 19/00257/FP
Date of Decision : 15.06.20
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
9. Application No : 20/00199/FPH
Date Received : 12.04.20
Location : 192 Jessop Road Stevenage Herts SG1 5LY
Proposal : Single storey rear extension
Date of Decision : 09.06.20
Decision : **Planning Permission is GRANTED**
10. Application No : 20/00201/FPH
Date Received : 14.04.20
Location : 5 Jubilee Road Stevenage Herts SG1 2PG
Proposal : Front porch
Date of Decision : 08.06.20
Decision : **Planning Permission is GRANTED**
11. Application No : 20/00203/FP
Date Received : 15.04.20
Location : 15 Faraday Road Stevenage Herts SG2 0BH
Proposal : Change of use from public amenity land to residential and creation of hardstanding
Date of Decision : 23.06.20
Decision : **Planning Permission is GRANTED**

12. Application No : 20/00206/FP
Date Received : 17.04.20
Location : MBDA UK Six Hills Way Stevenage Herts
Proposal : 2 No. external shipping containers to house specialist mechanical plant
Date of Decision : 11.06.20
Decision : **Planning Permission is GRANTED**
13. Application No : 20/00207/FPH
Date Received : 18.04.20
Location : 43 St. Margarets Stevenage Herts SG2 8RQ
Proposal : Single storey and first floor rear extensions
Date of Decision : 30.06.20
Decision : **Planning Permission is GRANTED**
14. Application No : 20/00209/FPH
Date Received : 20.04.20
Location : 66 Leaves Spring Stevenage Herts SG2 9BH
Proposal : Single storey front extension
Date of Decision : 30.06.20
Decision : **Planning Permission is GRANTED**
15. Application No : 20/00210/FP
Date Received : 20.04.20
Location : 67 Lingfield Road Stevenage Herts SG1 5SQ
Proposal : Change of use from Highway land to residential and creation of parking space
Date of Decision : 24.06.20
Decision : **Planning Permission is GRANTED**

16. Application No : 20/00211/FPH
Date Received : 22.04.20
Location : 4 Rectory Croft Rectory Lane Stevenage Herts
Proposal : First floor rear extension, alteration of flat roof over utility room to dual pitch roof, and alteration of flat roof over remaining side extension to mono pitched roof, and side porch extension to main entrance.
Date of Decision : 22.06.20
Decision : **Planning Permission is GRANTED**
17. Application No : 20/00214/FPH
Date Received : 22.04.20
Location : 292 Durham Road Stevenage Herts SG1 4JF
Proposal : First Floor Rear Extension
Date of Decision : 16.06.20
Decision : **Planning Permission is REFUSED**

For the following reason(s);

The proposed first floor rear extension, by virtue of its design, scale and massing would be over dominant and detrimental to the form of the original dwelling and the visual amenities of the area. Additionally, the proposal would result in harm to the amenities of the neighbours at No.290 and No.294 Durham Road by way of a harmful overbearing impact on the rear habitable room windows and the immediate garden areas of these properties. The proposal is therefore contrary to Policies GD1 and SP8 of the Stevenage Local Plan 2011 - 2031 (2019), the Council's Design Guide SPD (2009), the NPPF (2019) and NPPG (2014).
18. Application No : 20/00219/FPH
Date Received : 25.04.20
Location : 35 Beverley Road Stevenage Herts SG1 4PR
Proposal : Single storey front extension
Date of Decision : 08.06.20
Decision : **Planning Permission is GRANTED**

19. Application No : 20/00220/FP
Date Received : 27.04.20
Location : Unit B2, Roebuck Retail Park London Road Stevenage
Proposal : Erection of external fire escape staircase
Date of Decision : 19.06.20
Decision : **Planning Permission is GRANTED**
20. Application No : 20/00221/COND
Date Received : 28.04.20
Location : Unit B2 Roebuck Retail Park London Road Stevenage
Proposal : Discharge of Conditions 3 (Cycle Parking) and 4 (Soundproofing details) attached to planning permission number 20/00008/FP
Date of Decision : 19.06.20
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
21. Application No : 20/00224/AD
Date Received : 28.04.20
Location : McDonalds 14 Stevenage Leisure Park Kings Way Stevenage
Proposal : Installation of 3no new digital freestanding signs and 1 No 15" Digital booth screen.
Date of Decision : 08.06.20
Decision : **Advertisement Consent is GRANTED**
22. Application No : 20/00226/FP
Date Received : 28.04.20
Location : Sala Thong 112 High Street Stevenage Herts
Proposal : Change of use from a three bedroom single family dwelling (Use Class C3) to a three bedroom HMO (House of Multiple Occupancy) (Use Class C4)
Date of Decision : 25.06.20
Decision : **Planning Permission is GRANTED**

23. Application No : 20/00229/COND
Date Received : 29.04.20
Location : Former DuPont (UK) Ltd Site Wedgwood Way Stevenage Herts
Proposal : Discharge of condition 14 (travel plan) attached to planning permission reference 17/00376/FPM
Date of Decision : 24.06.20
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

24. Application No : 20/00230/FPH
Date Received : 29.04.20
Location : 38 Burwell Road Stevenage Herts SG2 9RH
Proposal : Single storey front and side extension
Date of Decision : 16.06.20
Decision : **Planning Permission is GRANTED**

25. Application No : 20/00231/PATELE
Date Received : 29.04.20
Location : Lytton Way Old Town Stevenage SG1 3AD
Proposal : Installation of 20m high Monopole with cabinet at base and associated ancillary works.
Date of Decision : 24.06.20
Decision : **Prior Approval is REQUIRED and REFUSED**

The size, appearance and siting of the 20m monopole in the proposed location on Lytton Way would result in a harmful impact on the character and appearance of the area and street scene generally. Furthermore, the applicant has failed to adequately evidence that there are better less visually intrusive alternative locations to site the mast. The development is, therefore, considered to be contrary to Policy GD1 of the Stevenage Borough Local Plan 2011-2031 (2019) and the advice in the National Planning Policy Framework (2019).

26. Application No : 20/00233/PATELE
Date Received : 30.04.20
Location : The Towers Southgate Stevenage Herts
Proposal : Installation of 6no. antenna apertures to replace existing
Date of Decision : 17.06.20
Decision : **Prior Approval is NOT REQUIRED**
27. Application No : 20/00234/FPH
Date Received : 30.04.20
Location : 19 Cabot Close Stevenage Herts SG2 0ES
Proposal : Part two storey, part single storey side extension, part two storey, part single storey rear extension and single storey front extension.
Date of Decision : 15.06.20
Decision : **Planning Permission is GRANTED**
28. Application No : 20/00235/FP
Date Received : 30.04.20
Location : Unit 3 Motorway Ind Est Babbage Road Stevenage Herts
Proposal : Change of use from B8 (storage or distribution) and B1 (office) to Sui Generis.
Date of Decision : 19.06.20
Decision : **Planning Permission is GRANTED**
29. Application No : 20/00236/FPH
Date Received : 01.05.20
Location : 24 The Dell Stevenage Herts SG1 1PH
Proposal : Single storey porch extension to the front of the property.
Date of Decision : 19.06.20
Decision : **Planning Permission is GRANTED**

30. Application No : 20/00237/FPH
Date Received : 01.05.20
Location : 67 Conifer Walk Stevenage Herts SG2 7QS
Proposal : Variation of condition 1 (Approved Plans) attached to planning permission reference 20/00082/FPH
Date of Decision : 15.06.20
Decision : **Planning Permission is GRANTED**
31. Application No : 20/00238/FP
Date Received : 02.05.20
Location : 13 Bawdsey Close And 7 Mundesley Close Stevenage Herts SG1 2LA
Proposal : Change of use from public amenity land to residential land
Date of Decision : 16.06.20
Decision : **Planning Permission is GRANTED**
32. Application No : 20/00242/FP
Date Received : 05.05.20
Location : 15 Bedwell Crescent Stevenage Herts SG1 1LT
Proposal : Variation of condition 1 (Approved Plans) attached to planning permission reference 17/00094/FP
Date of Decision : 29.06.20
Decision : **Planning Permission is REFUSED**
- For the following reason(s);
- The provision of a hardstand for 4 car parking spaces would result in the loss of a mature Acer Tree which would have a detrimental impact on the visual amenities and the character of the area generally. The proposal is, therefore, contrary to policies GD1 and SP8 of Stevenage Borough Local Plan (2011-2031) and the advice contained in the National Planning Policy Framework (2019) and the National Planning Practice Guidance (2014).

33. Application No : 20/00243/FPH
Date Received : 05.05.20
Location : 15 Greydells Road Stevenage Herts SG1 3NL
Proposal : Single storey rear extension
Date of Decision : 17.06.20
Decision : **Planning Permission is GRANTED**
34. Application No : 20/00245/FP
Date Received : 07.05.20
Location : 8 The Plaza Town Centre Stevenage Herts
Proposal : Change of use from Class A1 (Retail) to Sui Generis (Community radio, live music and drinking establishment)
Date of Decision : 30.06.20
Decision : **Planning Permission is GRANTED**
35. Application No : 20/00246/FP
Date Received : 11.05.20
Location : 66 Dryden Crescent Stevenage Herts SG2 0JQ
Proposal : Change of use of highway land to residential land
Date of Decision : 29.06.20
Decision : **Planning Permission is GRANTED**
36. Application No : 20/00247/COND
Date Received : 11.05.20
Location : Courtlands Todds Green Stevenage Herts
Proposal : Discharge of condition 11 (landscaping) and 13 (climate change) attached to planning permission reference number 20/00142/FP
Date of Decision : 29.06.20
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

37. Application No : 20/00249/FP
Date Received : 11.05.20
Location : Longacres House Six Hills Way Stevenage Herts
Proposal : Updating works to entrance including reworking of DDA Ramp, installation of 11No new windows and entrance screen and spraying existing windows and cladding and bricking up of roller shutter entrance.
Date of Decision : 15.06.20
Decision : **Planning Permission is GRANTED**
38. Application No : 20/00254/FP
Date Received : 14.05.20
Location : 138 Blenheim Way Stevenage Herts SG2 8TF
Proposal : Proposed single storey side and rear extension and change of use of land from public amenity and highway land to residential land with the creation of a hardstand
Date of Decision : 01.07.20
Decision : **Planning Permission is GRANTED**
39. Application No : 20/00255/FP
Date Received : 14.05.20
Location : 56 Austen Paths Stevenage Herts SG2 0NR
Proposal : Change of use from 4 bedroom dwelling to 8 bedroom House of Multiple Occupation (HMO) and addition of small rear extension
Date of Decision : 12.06.20
Decision : **Planning Permission is REFUSED**
- For the following reason(s);
- The proposal would fail to allow adequate provision for space within the site for the parking of vehicles associated with the development which would lead to conditions detrimental to vehicular and pedestrian safety and, as such, would result in an unsatisfactory form of development. The development, if permitted, would result in additional on street parking in the vicinity of the application site which would be prejudicial to general provisions of highway safety and convenience contrary to Policy IT5 of the Stevenage Borough Local Plan 2011 - 2031 (2019), the Council's Parking Provision SPD (2012), Hertfordshire Local Transport Plan 4 (2018), The department for Transport Manual for Streets (2007), Roads in Hertfordshire A Guide for New Development third edition (2011) and advice in the National Planning Policy Framework (2019) and the National Planning Practice Guidance (2014).

40. Application No : 20/00256/FP
Date Received : 14.05.20
Location : 188 Bedwell Crescent Stevenage Herts SG1 1NE
Proposal : Part two storey, part single storey rear extension and single storey front extension to existing dwelling, erection of 1no. four bedroom dwelling
Date of Decision : 30.06.20
Decision : **Planning Permission is GRANTED**
41. Application No : 20/00263/TPCA
Date Received : 19.05.20
Location : 9 Chestnut Walk Stevenage Herts SG1 4DD
Proposal : T1 & T2 - Scots Pine - Crown lift to provide 6m clearance from ground level over the driveway. Reduce the remaining crown by up to 2m back to clear the driveway.
Date of Decision : 26.06.20
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
42. Application No : 20/00265/PATELE
Date Received : 19.05.20
Location : Telecommunications Mast 50237 Gunnels Wood Road Stevenage Herts
Proposal : Installation of 20m high pole with cabinet at base and associated ancillary works
Date of Decision : 17.06.20
Decision : **Prior Approval is NOT REQUIRED**

43. Application No : 20/00268/COND
Date Received : 20.05.20
Location : Land Bordered By Ashdown Road, Malvern Close And Hertford Road Stevenage Herts SG2 8BG
Proposal : Discharge condition 31 (Construction method statement) attached to Planning Permission 18/00401/FP.
Date of Decision : 17.06.20
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
44. Application No : 20/00271/HPA
Date Received : 22.05.20
Location : 97 Drakes Drive Stevenage Herts SG2 0HA
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 4.10m, for which the maximum height will be 2.65m and the height of the eaves will be 2.45m
Date of Decision : 24.06.20
Decision : **Prior Approval is REQUIRED and GIVEN**
45. Application No : 20/00276/HPA
Date Received : 27.05.20
Location : 1 Trigg Terrace Stevenage Herts SG1 3TX
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 6.00m, for which the maximum height will be 3.10m and the height of the eaves will be 2.90
Date of Decision : 29.06.20
Decision : **Prior Approval is NOT REQUIRED**

46. Application No : 20/00307/NMA
Date Received : 11.06.20
Location : Courtlands Chantry Lane Todds Green Stevenage
Proposal : Non Material Amendment to alter window and doors including colour change of frames and external cladding attached to planning permission 20/00142/FP
Date of Decision : 29.06.20
Decision : **Non Material Amendment AGREED**
47. Application No : 20/00308/NMA
Date Received : 11.06.20
Location : Courtlands Chantry Lane Todds Green Stevenage
Proposal : Non Material Amendment to change colour of external cladding and change of window and door frame colour attached to planning permission 18/00072/FP
Date of Decision : 29.06.20
Decision : **Non Material Amendment AGREED**

BACKGROUND PAPERS

1. The application files, forms, plans and supporting documents having the reference number relating to these items.
2. Stevenage Borough Local Plan 2011-2031 adopted May 2019.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012 and the Stevenage Design Guide adopted October 2009.
4. Responses to consultations with statutory undertakers and other interested parties.
5. Central Government advice contained in the National Planning Policy Framework February 2019 and National Planning Practice Guidance 2014 (as amended).
6. Letters received containing representations.

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Meeting: Planning and Development
Committee

Agenda Item:

Date: Monday 13 July 2020

INFORMATION REPORT - APPEALS / CALLED IN APPLICATIONS

Author – Linda Sparrow 01438 242837

Lead Officer – Zayd Al-Jawad 01438 242257

Contact Officer – David Rusling 01438 242270

1. APPEALS RECEIVED

- 1.1 19/00529/FPH, 2 Whitney Drive. Appeal against refusal of permission for a prt two storey, part first floor side extension.
- 1.2 20/00102/ENF, Land between Watercress Close, Coopers Close and Walnut Tree Close. Appeal against serving of Enforcement Notice relating to the unauthorised erection of 2m high hoarding enclosing open space between all three roads.

2. DECISIONS AWAITED

- 2.1 17/00730/ENF, 18b Boulton Road. Appeal against serving of Enforcement Notice relating to an unauthorised gym operating from the premises.
- 2.2 This appeal for Boulton Road has been re-started as of 18 February 2020 to allow for the procedure to be changed from written representations to a hearing.

3. DECISIONS RECEIVED

- 3.1 19/00620/FP, 8a and 8b Magellan Close. Appeal against refusal of permission for the variation of condition 1 (approved plans) and removal of condition 11 (no new windows and doors) attached to planning permission 16/00791/FP.

3.2.1 Procedural Matter

In light of the current Covid-19 Coronavirus pandemic the Inspector felt that the appeal could be determined without the need for a site visit. No objection to this was raised by any party.

3.2.2 Main Issue

The application site is a pair of semi-detached dwellings in a residential area. The Council imposed a condition on the original permission restricting the introduction of any new windows, doors or openings to protect the amenities of neighbouring properties.

The appellant sought to remove this condition and the Council refused the application on the basis that the proposed development could result in the creation of a bedroom in the loft space. This would require one additional car parking space per dwelling which cannot be adequately provided on site in accordance with the Council's adopted standards. It is alleged the proposal would result in on-street parking that would be prejudicial to highway safety. The main issue therefore is the effect that

removing the condition would have on the safety and convenience of users of the adjacent highway network.

3.2.2 Reasons

Each dwelling is originally designed to have 3 bedrooms and in accordance with the Council's adopted parking standards, would require 2 off-street parking spaces. These would be provided in tandem to the side of the dwellings.

The appellant proposes to utilise the loft space as an office, hobby room or storage. The Inspector felt that whilst this was the intention, the rooms are big enough to be used as bedrooms and would then require an additional off-street car parking space as a four bedroom property. With the restricted curtilage of the dwellings as per the approved plan, the Inspector agreed with the Council that this would lead to an under-provision of off-street parking of one space per property.

The Council's adopted car parking strategy allows for reductions in off-street provision where the location and/or characteristics of the development could reduce car ownership levels. Existing car parking problems should not be exacerbated. The appeal site is not within a residential accessible zone and therefore a reduction cannot be applied.

Whilst the Council is seeking a modal shift away from private car use, the Local Cycling and Walking Infrastructure Plan (2019) shows that around 46% of trips are still predominantly undertaken by private car and there has been a greater emphasis on the car over the years as the most popular form of transport. Policy IT5 of the Council's adopted Local Plan (2019) highlights the importance of appropriate levels of car parking being provided.

The Inspector acknowledged the well-established cycle network in the Town and the accessibility of public transport however he accepted he had no details of the extent of these provisions and therefore this carries limited weight in favour of whether the cycle network or public transport would be likely to offer a reliable alternative to the private car in this location.

Paragraph 109 of the NPPF (2019) advises refusals on highway safety grounds should only be issued where there would be an unacceptable impact on highway safety or the residual cumulative impacts on the network would be severe. Photographs were provided by the appellant of the parking provision in Magellan Close which demonstrated some off-street parking with other communal parking bays. The ratio is approximately 2 spaces per dwelling. The Inspector stated that communal parking bays are a common way to alleviate on-street parking issues.

However, he stated that photographs provided by the Council show that despite the off-street car parking and communal parking bays there is still a significant amount of on-street parking on relatively narrow residential roads. He gave this evidence substantial weight and found that the under-provision of off-street parking would, in these circumstances, have an unacceptable impact on the safety and convenience of users of the adjacent highway network.

3.2.3 Conclusion

For the reasons outlined above the Inspector concluded that the proposed development would conflict with Policy IT5 of the adopted Local Plan and paragraph 109 of the NPPF. Accordingly, He dismissed the appeal.



Appeal Decision

by **S Hanson BA (Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 8 June 2020

Appeal Ref: APP/K1935/W/20/3244644

Land adjacent to 8 Magellan Close, Stevenage SG2 0NF¹

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Raymond Brownson (Hamburg Estates Ltd) against the decision of Stevenage Borough Council.
 - The application Ref 19/00620/FP, dated 22 October 2019, was refused by notice dated 17 December 2019.
 - The application sought planning permission for the erection of 2 no. two storey three bedroom dwellings without complying with conditions attached to planning permission Ref 16/00791/FP, dated 10 February 2017.
 - The condition in dispute is No 11 which states that: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification), no windows, doors or other openings associated with the dwellinghouses other than those expressly authorised by this permission shall be constructed.
 - The reason given for the condition is: To satisfactorily protect the residential amenities of nearby occupiers at numbers 8, 9 and 10 Magellan Close and numbers 52 to 58 Ferrier Road.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. In light of the Covid-19 coronavirus pandemic, the consequent travel limitations, and following consideration of the grounds of appeal and the submitted evidence, my view is that this appeal could, exceptionally, be determined without the need for a site visit. I sought the views of the main parties and no objections to this approach were received within the specified timescales.

Background and Main Issue

3. The appeal site relates to a pair of semi-detached residential properties within a residential area. In approving the original planning application, the Council imposed a condition restricting the introduction of any new windows, doors or openings. The reason for the condition was to protect the residential amenity of occupiers of neighbouring properties.

¹ I have taken the appeal site address from the planning application form.

4. However, the reason for the refusal of the application for the removal of this condition is that the proposed development could result in the creation of a bedroom in the loft space. This would require the addition of one extra parking space per dwelling, which cannot be adequately provided on-site in accordance with the Council's adopted standards. It is alleged that the proposal would result in an increase in on-street parking that would be prejudicial to highway safety and the free flow of traffic, and is contrary to Policy IT5 of the Stevenage Borough Local Plan 2011 – 2031 (adopted 2019) (the LP), the Council's Parking Provision Supplementary Planning Document (2012) (the PPSPD), the National Planning Policy Framework (2019) (the Framework) and the Planning Practice Guidance (2014) (the PPG).
5. The **main issue** is therefore the effect that removing the condition would have on the safety and convenience of users of the adjacent highway network.

Reasons

6. Each dwelling is originally designed as having 3 bedrooms and, in accordance with the Council's adopted parking standards, there is a requirement to provide 2 off-street parking spaces apiece (rounding-up from 1.5 spaces). The new dwellings, according to the approved plans, would provide car parking spaces to the side in a tandem layout. Accordingly, each house would be served by 2 off-street parking spaces in total. This would be in accordance with the PPSPD.
7. The appellant proposes to utilise the loft space within each property to provide further accessible living accommodation suitable for use as an office, hobby room or storage facility. That may be the intention, however, the room could be used as an additional bedroom by future occupiers. To comply with the Council's adopted parking standards, a four-bedroom property should provide 3 parking spaces within the curtilage of the dwelling. With the restricted curtilage of the new dwellings, as shown on the approved site plan, this would lead to an under provision of off-street parking of one space for each property.
8. The PPSPD allows for reductions below the standards where the location and/or characteristics of the development could reduce car ownership levels. However, the guidance stresses the importance that any existing car parking problems are not exacerbated. Furthermore, the appeal site is not within a location which has been identified as an "accessible Zone" which reflects the sustainability of the location, and therefore where a reduction in the standards might be acceptable.
9. The Council confirms it is actively seeking a modal shift away from the use of the private car. However, it refers to the Local Cycling and Walking Infrastructure Plan (2019) which shows that around 46% of trips are still predominantly undertaken by car and identifies that there has been a greater emphasis on the car over the years as the most popular form of transport. A key objective of the Council's Policy IT5 is to ensure that new developments are easily accessible, especially for walkers, cyclists and passenger transport users. However, it also highlights the importance of appropriate levels of car parking being provided to prevent existing problems being exacerbated.
10. I am referred to the well-established cycle network in the area and the accessibility of public transport in the form of bus services available locally with direct access or connections to both the town centre and the rail station. However, I have no details of the extent of the provision of these facilities and

services, and therefore this carries limited weight in favour of whether the cycle network or public transport would be likely to offer a reliable alternative to the private car in this location.

11. Paragraph 109 of the Framework advises that development should only be prevented or refused on highway grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
12. The appellant has provided photographs to show the current parking provision for the residents in Magellan Close. This demonstrates that parking is provided within the curtilage of some properties, whilst for others the provision is within communal parking bays. The ratio is roughly 2 spaces per dwelling. The provision of communal parking bays is not an uncommon feature within the surrounding area. The use of which helps to alleviate some of the on-street parking issues as evidenced within the Council's appeal statement.
13. However, on the other hand, the photographs provided by the Council, show that, even though off-street parking is provided within some property curtilages and communal parking bays, there remains a significant element of on-street parking on what are relatively narrow residential roads within the vicinity of the appeal site. I concur with the Council that this further supports its view that there is a heavy reliance on the car within this area. I give this evidence substantial weight and find that an under-provision of on-site spaces is likely to exacerbate on-street parking and, in these circumstances, would have an unacceptable impact on the safety and convenience of users of the adjacent highway network.

Conclusion

14. Therefore, for the above reasons, the proposed development would conflict with Policy IT5 of the LP, which requires proposals to comply with the requirements of the PPSPD, which sets out the current adopted parking standards. It would also conflict with Paragraph 109 of the Framework and there are no other considerations which outweigh this finding.
15. Accordingly, the appeal should be dismissed.

S Hanson

INSPECTOR

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