

# Public Document Pack



## PLANNING AND DEVELOPMENT COMMITTEE

**Date: Wednesday, 18 August 2021**  
**Time: 6.30pm,**  
**Location: Council Chamber**  
**Contact: Ramin Shams 01438 242308**  
**committees@stevenage.gov.uk**

Members: Councillors: S Speller (Chair), M McKay (Vice-Chair), D Bainbridge, M Arceno, A Brown, T Callaghan, M Creasey, M Downing, J Hanafin, G Lawrence, Mrs J Lloyd, A Mitchell CC, G Snell and T Wren

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## AGENDA

### PART 1

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

**2. MINUTES - 13 JULY 2021**

To approve as a correct record the Minutes of the previous meeting held on 13 July 2021.

Pages 3 – 10

**3. 21/00765/PATELE - COREYS MILL LANE, STEVENAGE, HERTFORDSHIRE, SG1 4FG**

To consider the installation of a proposed 20.0m Phase 8 Monopole C/W wraparound Cabinet at base and associated ancillary works.

Pages 11 – 20

**4. 21/00627/FPM - MARSHGATE CAR PARK, ST GEORGE'S WAY, STEVENAGE**

To consider the construction of new part 4 storey, part 5 storey Biopharma laboratory and workspace facility (Use Class E), public car park and wider public realm improvement works.

Pages 21 – 52

**5. INFORMATION REPORT - DELEGATED DECISIONS**

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

Pages 53 – 78

**6. INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS**

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

Pages 79 – 84

**7. URGENT PART I BUSINESS**

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

**8. EXCLUSION OF THE PRESS AND PUBLIC**

To consider the following motions that:

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

**9. URGENT PART II BUSINESS**

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

STEVENAGE BOROUGH COUNCIL

## PLANNING AND DEVELOPMENT COMMITTEE MINUTES

Date: Tuesday, 13 July 2021

Time: 6.30pm

Place: Council Chamber

**Present:** Councillors: Simon Speller (Chair), Maureen McKay (Vice-Chair), Doug Bainbridge, Myla Arceno, Adrian Brown, Teresa Callaghan, Matt Creasey, Michael Downing, Jody Hanafin, Graham Lawrence, Mrs Joan Lloyd, Adam Mitchell CC, Graham Snell and Tom Wren

**Start / End Time:** Start Time: 6.30 pm  
End Time: 7.56 pm

### 1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

There were no apologies for absence.

There were no declarations of interest.

### 2 MINUTES - 27 MAY 2021

It was **RESOLVED** that the minutes of the Planning and Development Committee meeting held on Thursday 27 May 2021 be approved as a correct record and signed by the Chair.

### 3 21/00621/FP - THE BRAGBURY CENTRE - KENILWORTH CLOSE

Application	21/00621/FP
Location	Bragbury Centre, Kenilworth Close, Stevenage, Hertfordshire SG2 8TB
Proposal	Proposed temporary fish and chip shop retail unit adjacent to Kenilworth Close with associated services area and temporary extension to existing pavement to allow pedestrian access.
Applicant	Stevenage Borough Council
Recommendation	Grant Planning Permission

The Senior Planning Officer presented the application seeking permission for a temporary fish and chip shop adjacent to Kenilworth Close, and a temporary extension to existing pavement to allow pedestrian access. During the presentation, the Senior Planning Officer displayed maps, plans and photographs to demonstrate the location and character of the site.

The application site was within the residential neighbourhood of Bragbury End. The proposed site was comprised of approximately 750 sqm of land with the larger Bragbury End development site, which would be used for parking and bin storage when the development would be completed.

The key issues in the determination of the application were outlined in the officer report.

Kenilworth Close was currently not subject to parking restriction, and customers visiting the chip shop would be able to do so on foot. Hertfordshire County Council as Highway Authority was satisfied about the proposal that it would not cause highway safety issues or inconvenience to other road users. Majority of customers visiting the fish and chip shop would do so on foot, therefore, the two parking spaces provided for the development was considered acceptable.

The Environmental Health Team was satisfied that the health provisions were considered acceptable.

Members debated the application, taking into account the presentation from the Senior Planning Officer and the officer report. The key issues for Members consideration included the parking spaces available for staff and customers.

There were concerns raised for the parking spaces available for the customers and the staff working at the fish and chip shop. The Assistant Director for Planning and Regulatory assured Members that the two parking spaces provided for the development would only be used for a short period of time by each car that visited the site due to the nature of the proposed use, and that majority of customers visiting the site would do so on foot.

In response to concerns expressed by Members regarding the parking spaces, officers agreed to add an additional condition to ensure that the two parking spaces would be restricted for customers use only.

It was **RESOLVED** that planning permission be granted subject to the conditions as per recommendations below:

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

19063 21.01.27 SK01; 19063.WD2.200A; .201A; .202B; STR\_ \_CX4010N01B 01; 02 and STR\_ CX4010N01B 03

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

2. This permission is for a limited period only expiring on 13 July 2023 and the use hereby permitted shall be discontinued and the land restored to its former condition on or before that date.

REASON:- To enable the Local Planning Authority to reconsider the appropriateness

of the use at the expiration of the limited period;

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as on the approved plans, to the satisfaction of the Local Planning Authority.

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

4. Unless otherwise agreed in writing by the Local Planning Authority, the use of the premises for the purposes hereby permitted shall operate only between the hours of 10.00 and 12.00, and 17.00 and 22.00 daily.

REASON:- To protect the amenity of the occupiers of the adjoining properties.

5. Prior to the commencement of above ground development, details of the oil collection and storage for the premises shall be submitted to and approved in writing by the Local Planning Authority. The oil storage and collection shall be carried out in the approved manner, unless otherwise agreed in writing by the Local Planning Authority.

REASON:- To ensure an appropriate method of oil collection and storage, in the interests of amenity and safety.

6. No external lighting shall be installed on the building unless the details of the lighting including intensity of illumination and predicted lighting contours, have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved details, unless otherwise agreed by the Local Planning Authority.

REASON:- To satisfactorily protect the character and appearance of the area and the amenities of the nearby residential properties.

7. Prior to the commencement of above ground development, details of the provision of litter bins and the management of the waste arising from the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details, unless otherwise agreed by the Local Planning Authority.

REASON:- To ensure that suitable provision for the waste management for the site is made

8. The two customer parking spaces shown on the Proposed Site Plan no. 19063.WD2.202 Rev B shall be provided, marked out and hard surfaced ready for use prior to the first use of the premises and shall be retained in that form and kept available for the customers of the fish and chip shop thereafter.

REASON: - To ensure that adequate parking is available within the site and that there is no detriment to the safety of adjoining highways.

**21/00624/FP - GLADSTONE COURT, SPRING DRIVE**

Application	21/00624/FP
Location	Gladstone Court, Spring Drive, Stevenage, Hertfordshire SG2 8AY
Proposal	Installation of new sprinkler tank and pump equipment within roof plant room and new sprinkler drop pipe on the south east elevation of the building down to a ground storey fire brigade inlet box.
Applicant	Stevenage Borough Council
Recommendation	Grant Planning Permission

The Senior Planning Officer presented the application seeking permission for the installation of a new sprinkler tank and pump equipment with the roof plant room and a new sprinkler drop pipe on the south east elevation of the building down to a ground storey fire brigade inlet box. The application site comprised of a six storey block of flats at the junction of Spring Drive and Broadwater Crescent.

He explained that the proposal was to ensure the building complies with BS9251 – the standard for fire sprinklers. The site was owned by the Stevenage Borough Council.

The planning application had been publicised by way of a site notice and neighbour notification letter. Following the consultation, a response from a resident was received and summarised in the officer report.

The application came before the Committee for consideration as the applicant was Stevenage Borough Council. Members were supportive of the application.

It was **RESOLVED** that planning permission be granted, subject to the conditions as per the recommendations below:

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:

CD-C392-Gladstone Court-01 Rev P1; 02 Rev P1; -03 Rev P2; -04 Rev P2; -10 Rev P1; CD\_C392\_Gladstone\_05 Rev P1; and \_06 Rev P1.

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

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

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

Purchase Act 2004).

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be on the approved plans to the satisfaction of the Local Planning Authority.

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

5 **21/00633/FP - SHAFTESBURY COURT, BUCKTHORN AVENUE**

Application	21/00633/FP
Location	Shaftsbury Court, Buckthorn Avenue, Stevenage, Hertfordshire SG1 1TX
Proposal	Installation of new sprinkler tank and pump equipment within roof plant room and new sprinkler drop pipe on the south east elevation of the building down to a ground storey fire brigade inlet box.
Applicant	Stevenage Borough Council
Recommendation	Grant Planning Permission

The Senior Planning Officer presented the application seeking permission for the installation of a new sprinkler tank and pump equipment with the roof plant room and a new sprinkler drop pipe on the south east elevation of the building down to a ground storey fire brigade inlet box. The application site comprised of a six storey block of flats to the west of Buckthorn Avenue and to the South of Farm Close.

The Senior Planning Officer explained that the proposal was to ensure the building complies with BS9251 – the standard for fire sprinklers. The site was owned by the Stevenage Borough Council.

The planning application had been publicised by way of a site notice and neighbour notification letter. Following the consultation, a response from a resident was received and summarised in the officer report.

The application came before the Committee for consideration as the applicant was Stevenage Borough Council. Members were supportive of the application.

It was **RESOLVED** that planning permission be granted, subject to the conditions as per the recommendations below:

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:

CD-C392-Shaftsbury Court -01 Rev P1; -02 Rev P1; -03 Rev P1; -04 Rev P1; -10 Rev P1; CD\_C392\_Shaftsbury\_05 Rev P1; and \_06 Rev P1.

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

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

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be on the approved plans and application forms to the satisfaction of the Local Planning Authority.

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

## 6 **REVIEW OF ARTICLE 4 DIRECTIONS AND EMPLOYMENT SITES IN STEVENAGE**

The Planning Policy Manager presented the report on the Review of the Article 4 Directions and Employment Sites in Stevenage. Members expressed views on the report before submission to Executive on Wednesday 14 July 2021.

The following key issues were raised:

- The Assistant Director for Planning and Regulatory explained the need to protect the employment sites in the Borough.
- The Committee noted the extended period that existing Article 4 Directions in Stevenage were in force till 31 July 2022.
- Members raised concerns about the “permitted development rights” legislation that it would create sub-standard developments and suggested if Stevenage could be made exception to the legislation.

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

## 7 **STEVENAGE DESIGN GUIDANCE 2021 - SUPPLEMENTARY PLANNING DOCUMENT**

The Principal Planning Officer presented the Stevenage Design Guidance 2021 Supplementary Planning Document (SPD). She explained that the current Stevenage Design Guidance SDP adopted in 2009 was outdated by time and technology. The national Design Guide 2021 set out the key characteristics of a decent design. Members expressed views on the report before submission to Executive on 14 July 2021.

The following key issues were raised:

- The Principal Planning Officer explained that residents could nominate their choice of heritage assets for the Local Heritage Asset Register. The next review would take place in 2022.

- Members welcomed the consultation on the draft version of the Design Guidance SDP, and suggested that it was a good opportunity for residents to contribute.
- The consultation period would start on 5 August 2021 to 4 October 2021.
- The Assistant Director for Planning and Regulatory advised Members that the Comments would be considered and incorporated in to the document as appropriate, and should significant change be required, the document would go out for a second round of consultation.

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

8 **INFORMATION REPORT - DELEGATED DECISIONS**

Noted.

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

Noted.

10 **URGENT PART I BUSINESS**

None.

11 **EXCLUSION OF THE PRESS AND PUBLIC**

Not required.

12 **URGENT PART II BUSINESS**

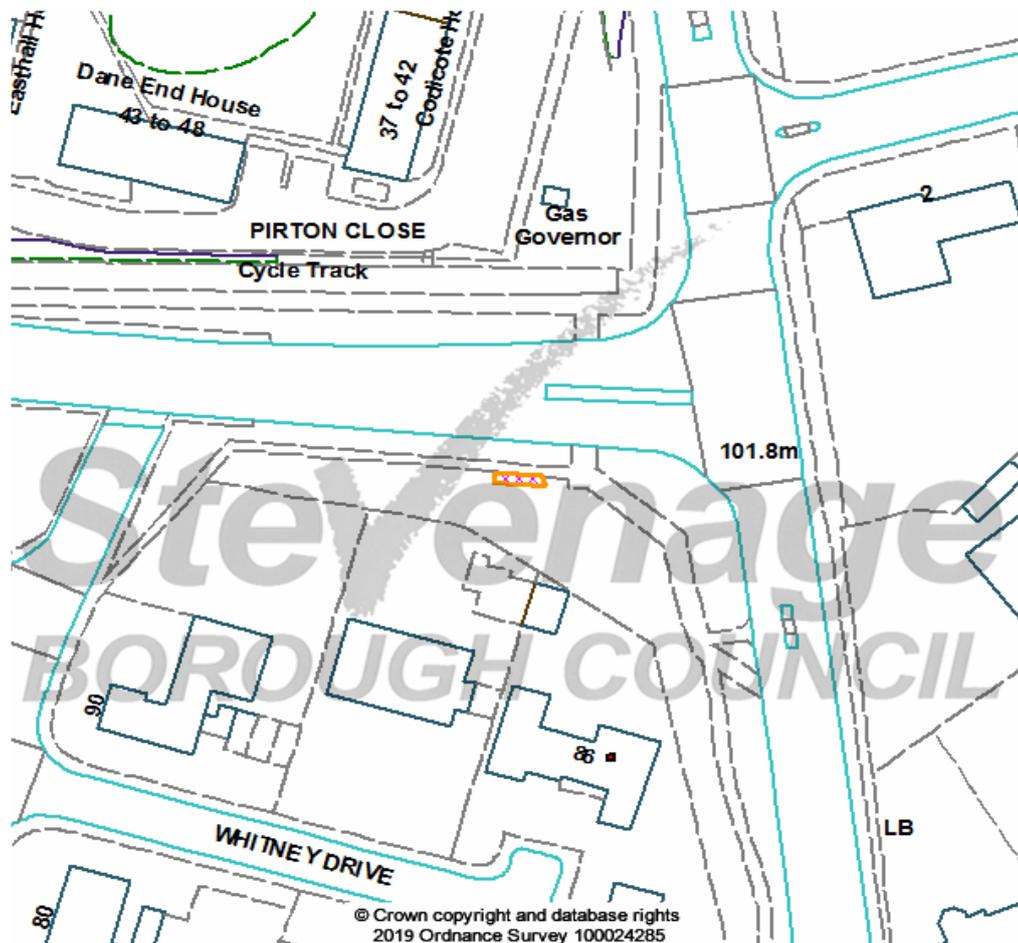
None.

**CHAIR**

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<b>Meeting:</b>	<b>Planning and Development Committee</b>	<b>Agenda Item:</b>
<b>Date:</b>	<b>18 August 2021</b>	
<b>Author:</b>	<b>Tom Gabriel</b>	01438 242755
<b>Lead Officer:</b>	<b>Zayd Al-Jawad</b>	01438 242257
<b>Contact Officer:</b>	<b>Tom Gabriel</b>	01438 242755

Application No:	21/00765/PATELE
Location:	Coreys Mill Lane, Stevenage, Hertfordshire SG1 4FG
Proposal:	Proposed 20.0m Phase 8 Monopole C/W wraparound Cabinet at base and associated ancillary works
Drawing Nos.:	SVG16478_M 002; 003; 100; 150; 210; 260; 302; and 305
Applicant:	CK Hutchison Networks (UK) Ltd
Date Valid:	9 July 2021
Recommendation:	PRIOR APPROVAL IS NOT REQUIRED



Plan for information purposes only

## **1. SITE DESCRIPTION**

- 1.1 The application site is located on a highway verge on the southern side of Coreys Mill Lane, near its junction with North Road. To the south and east of the site are residential properties, while on the northern side of the road is the Lister Hospital. The application site is within the Woodfield ward.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 None.

## **3. THE CURRENT APPLICATION**

- 3.1 Prior approval is sought under Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As amended) for the installation of a 20 metre Phase 8 Monopole with a wraparound cabinet and associated ancillary works. The pole would carry two antennas with the wraparound cabinet at the base of the pole. The ancillary works would comprise the installation of a Commscope G100876 cabinet, a Commscope Bowler cabinet and an Ericsson 6130 cabinet.
- 3.2 The proposed pole would be 20m high while the wraparound cabinet would measure 1.8m by 750mm and 1.6m high. The other equipment would measure up to 1.8m high and would cumulatively extend no more than 4m to the west of the wraparound cabinet.
- 3.3 The application comes before Committee for consideration as it has been called in by Councillor Bibby.

## **4. PUBLIC REPRESENTATIONS**

- 4.1 This planning application has been publicised by way of three site notices and neighbour notification letters. 38 letters of objection and one letter of comment have been received. The letters of objection state;
- The proposed mast would be larger than others in Stevenage (which are in industrial areas of the town or along main routes), would be extremely obtrusive and would result in visual intrusion as the surrounding trees would be insufficient to mask or provide a suitable backdrop for the proposal, given its height, 8m taller than the surrounding trees. It would be an enormous blot on the immediate landscape and out of character with the area. It would be visible from hundreds of metres away, including from listed buildings;
  - It would not be in keeping with the area;
  - The single storey nature of many of the nearby dwellings would exacerbate the height and the impact of the proposed mast;
  - Greater co-operation between mast providers is needed to limit the number of taller masts in the area – a strategic plan is required. Upgrading current masts in brownfield areas needs to be reviewed;
  - The Lister Hospital already hosts telecommunications equipment, which is of a significant height and is very close to the planned site. Is this not better than a new eyesore?;
  - It would result in noise pollution as the humming from the base station would be evident from the nearby residential properties;
  - It would be too close to the residential area and would affect property values;
  - It would also be too close to the Lister Hospital;
  - As this part of Stevenage has always been considered as one of the most sought after locations in the town, it seems irresponsible to consider allowing this proposal and it would be a disservice to the best interests of the town as a whole;

- New house purchase searches automatically include mobile mast locations within a 500m radius, highlighting those that fall within a 250m radius to the buyers immediate attention noting that these can be considered 'influencing factors' on whether to continue with the purchase. Given the location and price of houses within this 250m radius, the resulting impact would be extreme;
- People living close to a monopole frequently report symptoms of Electro Magnetic Hypersensitivity such as dizziness, headaches, skin conditions, allergies and many others. Older people appear to be more vulnerable. The mechanisms are only just beginning to be understood;
- The mast would cause severe anxiety: some local residents have been advised to avoid this as a consequence of medical conditions;
- The wider health effects of 5G technology are being debated. The mast may exacerbate existing health issues;
- The information submitted with the application seems misleading – neighbours and the local community were not consulted about the proposal; the surrounding trees (whose roots systems would be harmed by the proposal) would not enable the mast to blend into the surrounding area and would not provide ample screening; and the existing street furniture would similarly not assist in the screening of the proposed mast. The visual intrusion of the mast would not be limited;
- The site selection supplementary information seems to be flawed as two potential alternative sites have been discounted due to close proximity to residential properties: the proposed site at Corey Mills Lane is within a few metres of residential properties. The mast could be at the other end of Coreys Mill Lane, near existing masts;
- Three already have 5G coverage along Martins Way north up to Gravely, but they don't have coverage around Symonds Green;
- Why does the mast have to be white? – this would make it even more of an eyesore;
- The mast would have a harmful impact upon the last remaining mature trees in the area and would impact upon the adjacent nature conservation site;
- If these masts are not allowed within 200m of schools due to "sensitivity", is the presence of younger family members, hospital patients and the delicate machines used in cancer care etc suddenly exempt too?;
- The telecoms agencies should pay more for suitable placements or as consumers we can exercise our right to vote in many ways;
- Many hospital patients use the bench at the proposed site as part of their recovery process to take a break from the hospital environment. It would be highly unappealing to sit next to the oversized cabinets and mast in this location were the proposal to go ahead and the bench to survive;
- The prior approval of the LPA is required in order to give due consideration to the siting and appearance of the proposal;
- It is understood that two prior approval applications on Coreys Mill Lane (ref. 15/00623/ PATELE and 17/00088/PATELE) each proposing a 15 metre mast and associated cabinet were agreed by the LPA. Together with the proposed ground level apparatus and the existing street light columns, signage and other vertical structures, the proposed mast would give rise to cumulative visual clutter;
- The installation of the cabinets would be dangerous and with the cabinet doors open during maintenance, this would cause pedestrians walking past to need to cross the carriageway;
- The majority pf users requiring the level of service that would be provided are residential users and will have fibre installations. Mobile users are adequately served by the existing 4G service;
- The covenant to one of the local roads limits works to single story structures only.

One of the letters of objection states that in the unlikely event that the proposal is approved, the Council should stipulate the following;

- The pole is camouflaged to blend in with its surroundings;
- The cabinets should be placed behind the nearby bench;
- The cabinets should be coloured green and screened with planting;
- All appropriate environmental, health and safety surveys are completed

The letter also states the Council must take full responsibility for the safety of the public if approving the proposal.

The letter of comment states;

- It is important that there is 5G in Stevenage;
- Without mobile phone use, property values would go down;
- Why does the mast need to be so high? What is the minimum height for a 5G mast?;
- Is there a precedent for such high masts?; and
- As far as I know, there is no scientific evidence that the masts are a health hazard.

4.2 Please note that these are not a verbatim of the comments received. Full copies of the comments received against this application can be viewed on the Council's website.

## **5. CONSULTATIONS**

### **5.1 Hertfordshire County Council as Highways Authority**

5.1.1 The Highway Authority are unable to extend the grant of planning permission as the proposals would prevent any future improvement schemes and therefore is contrary to Policy 1 of Hertfordshire's Local Transport Plan 4 (2018).

### **5.2 Council's Environmental Health Section**

5.2.1 No objections.

## **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).
- National Planning Policy Framework (2021)

### **6.2 Central Government Advice**

6.2.1 Section 10 of the National Planning Policy Framework (NPPF; 2021) states advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. Policies should set out how high quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time; and should prioritise full fibre connections to

existing and new developments (as these connections will, in almost all cases, provide the optimum solution).

6.2.2 The relevant paragraphs of the NPPF are as follows:

*Paragraph 114* - supports the provision of 5G infrastructure in order to support economic growth and social well-being through the increased connectivity that 5G will provide. Central Government is also supportive of the provision of 5G network infrastructure.

*Paragraph 115* - Where new sites are required (such as for new 5G networks), equipment should be sympathetically designed and camouflaged where appropriate.

*Paragraph 118* - Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.

6.2.3 The installation of a mobile phone mast is classed as development and would normally require a full application for planning permission. However, designated mobile network operators have certain permitted development rights and this allows them to build prescribed infrastructure without having to apply for planning permission from the Local Planning Authority (LPA). "Prior approval" from the LPA regarding the siting and appearance of the development is required in certain circumstances, including for all new ground-based masts.

6.2.4 A mobile network operator may submit an application for prior approval under the General Permitted Development Order (Part 16 of Schedule 2 of the GPDO 2015 (as amended)). The Order grants approval of the principle of the development as permitted development but requires operators to obtain the prior approval from the LPA for the siting and appearance of the items to be installed, in addition to providing the 'necessary evidence' set out in NPPF chapter 10, paragraph 115, including a statement that self-certifies that, when operational, International Commission guidelines will be met.

#### **Latest Government Advice 22nd July 2020**

6.2.5 The government has published the outcome of a consultation exercise last year on proposed reforms to permitted development rights to support the deployment of 5G and extend mobile coverage. The following paragraphs are relevant to this application.

6.2.6 The scope of the consultation was on the principle of proposed planning reforms to support the deployment of 5G and extend mobile coverage. However, concerns were raised that did not relate to the specific proposed planning changes that views were sought on. These concerns, expressed by the majority of personal respondents, were in relation to in-principle opposition to the deployment of 5G infrastructure. In particular, on grounds relating to public health concerns, and the effects of electromagnetic fields (EMF) radiation on the environment, including on wildlife populations.

6.2.7 Public Health England's (PHE) Centre for Radiation, Chemical and Environmental Hazards (CRCE) takes the lead on public health matters associated with radiofrequency electromagnetic fields, or radio waves, used in telecommunications. PHE is familiar with the evidence submitted to the consultation about possible risks to public health and considers that its advice, as set out below, remains unchanged. PHE updated its guidance, published in October 2019, in respect of 5G in '5G technologies: radio waves and health'. PHE summarised its guidance as:

*"It is possible that there may be a small increase in overall exposure to radio waves when 5G is added to an existing network or in a new area. However, the overall*

*exposure is expected to remain low relative to guidelines and, as such, there should be no consequences for public health.”*

- 6.2.8 Some 5G technology will use similar frequencies to existing communications systems. Other 5G technology will work at higher frequencies where the main change would be less penetration of radio waves through materials. Central to PHE advice is that exposure to radio waves should comply with the guidelines published by the International Commission on Non-Ionizing Radiation Protection (ICNIRP). In compliance with PHE advice, mobile network operators have committed to follow the ICNIRP guidelines.
- 6.2.9 ICNIRP is an independent organisation which is formally recognised by the World Health Organisation. It issues guidelines on human exposure to EMF, based upon the consensus view of a large amount of research carried out over many years. This includes the frequencies used by 5G and all other mobile / wireless technologies. Over the last two decades there have been over 100 expert reports on EMF and health published internationally with well over 3,000 studies informing these reviews and the existing scientific exposure guidelines.
- 6.2.10 Ofcom will carry out audits of mobile base stations on an ongoing basis to ensure that ICNIRP guidelines are not exceeded and publish the results of these audits on its website. Mobile operators are responsible for ensuring that all sites remain compliant. PHE have also published guidance in respect of 'Mobile phone base stations: radio waves and health'. Ofcom is also proposing new licence conditions for spectrum licensees using equipment that can transmit at power levels above 10 Watts. Under these proposals, licensees would be required to operate within the ICNIRP guidelines as a condition of their Ofcom licence – including keeping data and records of any testing to demonstrate their compliance.
- 6.2.11 PHE is committed to monitoring the evidence applicable to this and other radio technologies, and to revising its advice, should that be necessary.
- 6.2.12 EMF radiation has the potential to impact the movement of insects and some species of animals. However, there is currently no evidence that human-made EMF radiation at realistic field levels has population level impacts on either animals or plants.

### **6.3 Justification of Need**

- 6.3.1 Central Government expects LPAs to respond positively to proposals for telecommunications development and not question the need for equipment in principle, or obstruct the competitiveness of code operators. If a code operator provides justification for needing a telecommunications installation in any given vicinity, the LPA has no choice but to agree to some form and kind of installation.
- 6.3.2 The justification provided to support the development is that the location has been identified as being necessary for CK Hutchison Networks (UK) Ltd business development and meets its specific technical and operational requirements. The application site is required to provide new 5G network coverage for CK Hutchison Networks (UK) Ltd. The cell areas for 5G are very limited with a typical radius of only 50m.
- 6.3.3 Other locations in the vicinity of the site have been considered and dismissed and it is accepted that mobile phone base stations operate on a low power and accordingly, the base stations need to be located in the areas they are required to serve. With increasing numbers of people using mobiles in their homes for business as well as for social purposes, the base stations need to be located in, or close to, residential areas to ensure coverage.

## **6.4 Stevenage Borough Local Plan 2011 – 2031 (adopted May 2019)**

- Policy SP8 – Good Design;
- Policy GD1 – High Quality Design;

## **7. APPRAISAL**

7.1 The determining issues relate to the acceptability of the application in terms of siting and appearance as defined under Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The factors which can be considered in relation to appearance as part of the prior approval process include:

- design, form, shape and dimensions;
- colour and materials; and
- whether there are more suitable sites for the proposed works.

7.1.1 The factors which can be considered concerning siting include:

- the height of the site in relation to surrounding ground;
- the existing topographical features and natural vegetation;
- the effect on the skyline or horizon;
- the site when observed from any side;
- the site in relation to areas designated for scenic value;
- the site in relation to existing masts; and
- the site in relation to residential properties

7.1.2 It is therefore clear that the considerations to be taken into account in the determination of Prior Approval applications are prescribed and are very limited and do not include issues of public health.

## **7.2 Appearance**

7.2.1 The proposed development is for the erection of a 20m tall monopole with a wraparound cabinet and associated equipment cabinets on the highway grass verge along Coreys Mill Lane, at its junction with North Road. A recent change in legislation has increased the height of some masts to 20m, therefore while this proposed mast may be taller than others in the borough, a height of 20m will become more typical. The siting of the pole and associated cabinets on the grass verge with some surrounding tree screening and with some other reasonably tall structures and building in the vicinity such as those located at Lister Hospital as well as the development which is under construction at 12 North Road (Planning reference 18/00740/FPM) which is a part four storey, part five storey residential development, is considered that on balance, to be acceptable. It is not considered that the single storey nature of some of the nearby dwellings would exacerbate the height and the impact of the proposed mast, especially as these houses are screened behind the mature tree belt which lies between the application site and the properties on Whitney Drive. The justification of the need for the mast and the continued provision of coverage for mobile users is considered to outweigh the harm in this instance.

7.2.2 It is not considered that the proposed development would result in visual clutter, in addition to the two masts approved under refs. 15/00623/PATELE and 17/00088/PATELE, and nearby lighting columns and signage. The two masts were granted in locations at the opposite end of Coreys Mill Lane (near the roundabout with the A602) and accordingly, the distance between these approved masts and that proposed in this application is sufficient that they would not cumulatively cause visual harm to the area.

The existing lighting columns and signage in the vicinity are not considered to be that numerous or prominent to give rise to visual clutter, in addition to the proposed mast, either.

- 7.2.3 Turning to the proposed equipment cabinets, they are essential to the operation of the mast. Moreover, these cabinets being less than 2.5m<sup>3</sup> each could be implemented under permitted development. Therefore, the cabinets are deemed to be acceptable in this instance.

### **7.3 Siting**

- 7.3. In terms of siting and position, the mast, its wraparound cabinet and the associated cabinets are set off the public footpath on an existing highway verge. The Highways Authority has not raised concern regarding the impact of the proposal upon highway safety. While concern has been raised regarding the impact of the proposal upon the ability of pedestrians to walk past the cabinets while their doors are open during maintenance, the footpath past the site is reasonably wide at around 1.75m wide and there would also be room for pedestrians to walk behind the cabinets at such times. Access past the site would accordingly not be unduly hindered. Moreover, and while it is not known how frequently maintenance would be undertaken, it would not be that often as to have an adverse or material impact upon the use of that part of the footpath.

### **7.4 Other Considerations**

- 7.4.1 The comments received from the members of the public about the application are noted. However, the information submitted with the application states that other sites have been considered but dismissed as not suitable. It is not known that any humming from the cabinets would have a harmful impact upon amenity given this would be a low level of the noise against a reasonably high background level of noise. The Council's environmental Health Officers have not raised objection to the proposal on noise grounds. It is also not known that the development would make sitting on the nearby bench by hospital patients and other people less appealing.
- 7.4.2 The impact of the proposed mast upon property values and health and the presence of a covenant over a local road are not issues that may be taken into consideration in the determination of the application as they are not specifically included in the legislation and are not planning issues.
- 7.4.3 It is not known whether the mast and its installation would harm the nearby trees. However, the mast and cabinets would be sited a certain distance from the nearest trees.
- 7.4.4 The application has been accompanied by an ICNIRP certificate stating the proposed mast would comply with the required guidelines and would accordingly not have a harmful impact upon health.
- 7.4.5 In reply to the Highway Authority's consultation response, the agent for the application has commented that he is not aware of any approved highways schemes in the area and therefore the application must be determined using the current highways guise. If the application is approved and a highways scheme is subsequently progressed, the equipment would be moved elsewhere.

*Human Rights and Equalities*

- 7.4.6 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.
- 7.4.7 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking.
- 7.4.8 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 7.4.9 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.
- 7.4.10 In terms of inclusive access, level access would be provided to the serving hatch enabling wheelchair users and those with pushchairs to queue and order without having to negotiate any changes in ground level.

## **8. CONCLUSIONS**

- 8.1 The proposed 20.0m Phase 8 Monopole C/W wraparound Cabinet at base and associated ancillary works would have an acceptable impact in terms of siting and appearance. The justification of the need for the mast and the continued provision of coverage for mobile users outweigh the harm in this instance.

## **9. RECOMMENDATIONS**

- 9.1 That prior approval is not required.

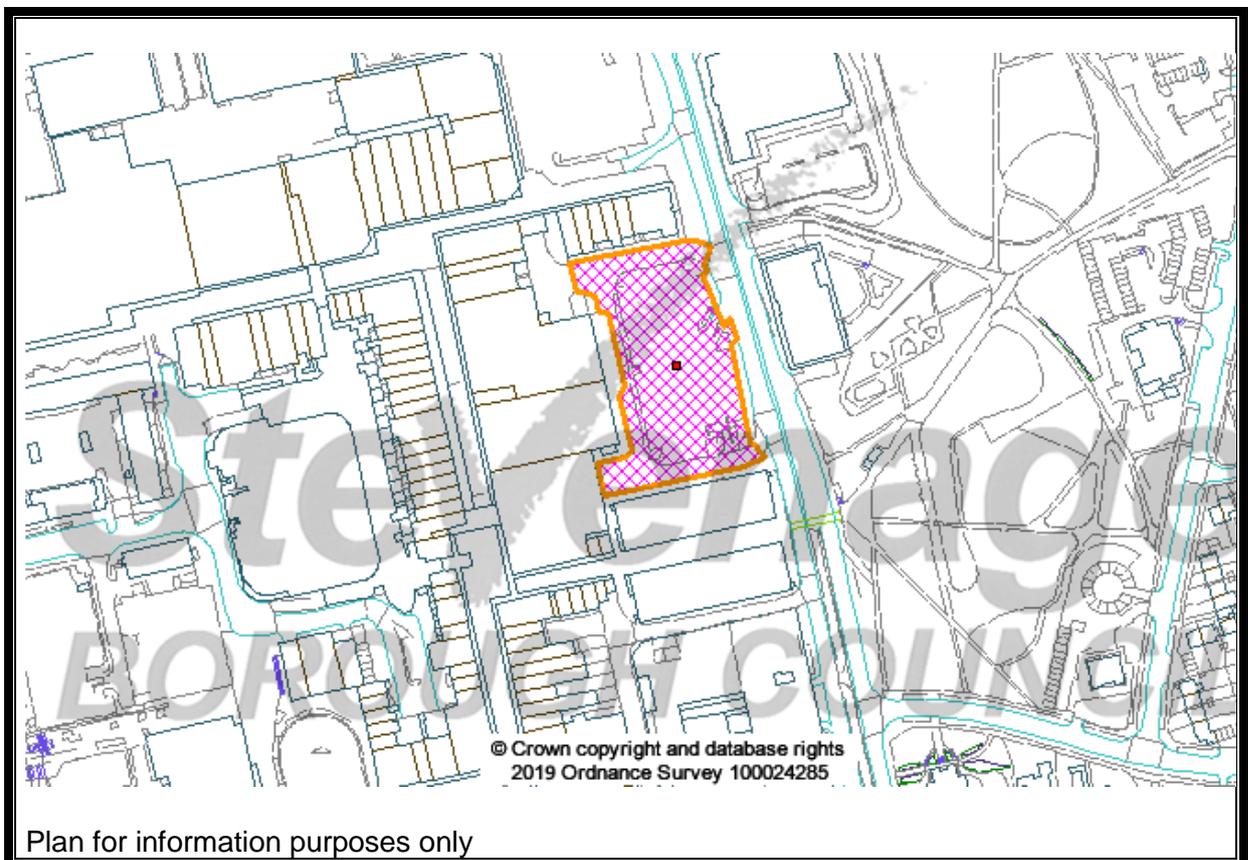
## **10. BACKGROUND DOCUMENTS**

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
3. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
4. Central Government advice contained in the National Planning Policy Framework June 2021 and the Planning Policy Guidance March 2014.
5. Stevenage Borough Local Plan 2011-2031 (adopted May 2019).

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<b>Meeting:</b>	<b>Planning and Development Committee</b>	<b>Agenda Item:</b>
<b>Date:</b>	<b>18 August 2021</b>	
<b>Author:</b>	<b>Ailsa Davis</b>	01438 242747
<b>Lead Officer:</b>	<b>Zayd Al-Jawad</b>	01438 242257
<b>Contact Officer:</b>	<b>Ailsa Davis</b>	01438 242747

Application No:	21/00627/FPM
Location:	Marshgate Car Park, St George's Way, Stevenage
Proposal:	Construction of new part 4 storey, part 5 storey Biopharma laboratory and workspace facility (Use Class E), public car park and wider public realm improvement works
Drawing Nos.:	ST.MR.000; ST.MR.100; ST.MR.1000; ST.MR.1001; ST.MR.200.1; ST.MR.200.2; ST.MR.200.3; ST.MR.200.4; ST.MR.200.5; ST.MR.200.6; ST.MR.200.7; ST.MR.300.1; ST.MR.300.2; ST.MR.300.3; ST.MR.300.4; LL677-000-0001
Applicant:	Reef Estates Limited
Date Valid:	4 June 2021
Recommendation:	GRANT PLANNING PERMISSION



## **1. SITE DESCRIPTION**

- 1.1 The application site comprises a 156 space public car park owned by Stevenage Borough Council, together with the un-adopted highway and public realm of Marshgate up to and including where its accesses meet St George's Way to the east. Marshgate currently operates as a one way system with one access from and one egress onto St George's Way and a carpark egress direct onto St George's Way. The site is flat and hard surfaced, dispersed with intermittent street lights, bollards, carpark signage, payment kiosks and semi-mature trees.
- 1.2 The site is rectangular in shape and surrounded on three sides by development. To the south is a 6 storey mixed use development with Use Class E at ground floor level and residential flats above, known as Boston House. This building has been recently constructed as part of the mixed use redevelopment of Park Place to the south. To the west is a mixed use six storey development known as No.83-95 Queensway, with a gym at ground floor level and residential flats above. Adjoining this to the north is a further six storey residential flatted development which forms part of the aforementioned development. The buildings have recently been constructed with works still ongoing. The above developments all have a frontage facing onto the application site.
- 1.3 To the north of the application site is a three storey building with Use Class E retail at ground floor level, including the job centre with ancillary office space above. The rear of this building faces onto Marshgate, with the main frontage and public entrances facing onto The Forum carpark to the north. Adjoining the site to the east is St George's Way, a 30mph dual carriageway linking Fairlands Way to the north with Six Hills Way to the south. Beyond this are the part two / three storey Bowes Lyon Youth Centre, Stevenage Swimming Pool and town centre gardens.
- 1.4 There are no significant planning constraints associated with the site. The site is wholly within Flood Zone 1 meaning there is a very low probability of fluvial flooding. The site is not within an Area of Outstanding Natural Beauty nor is it within a Conservation Area, Site of Special Scientific Interest, Air Quality Management Area, Special Landscape Area, Local Green Space or any other national/local environmental or ecological designations.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 None

## **3. THE CURRENT APPLICATION**

- 3.1 This application is seeking planning permission for the erection of a part four / five storey metal framed and glazed flat roofed building with car parking located at ground floor level. The building itself would be used as a 6,920sqm Biopharma laboratory and workspace facility (planning use class E), which retains a 44 space public car park to the south. The building would be accessed via St George's Way to the east using the existing one way entry and exit. Access to the building's car park would be via a barrier controlled entry and exit system with landscaping proposed along the site boundaries, together with disabled parking, EV parking spaces, pedestrian crossings on Marshgate and other public realm improvement works.
- 3.2 The applicant, Reef Group, have aspirations to progress a new town centre life science district to complement the existing STEM (Science Technology Engineering Math) company cluster located next to the GSK campus at J7 of the A1(M) on the edge of Stevenage. Autolus, the company who would occupy the proposed Biopharma laboratory building, are at the forefront of cell and gene therapy technology and of potential 'curative' treatments for

cancer. They currently employ nearly 200 people spread between the Cell and Gene Therapy Catapult Manufacturing Centre, Stevenage Bioscience Catalyst (SBC), Spark Building (SBC) and Arlington Court. The proposed purpose built laboratory building on the site of Marshgate carpark would enable Autolus to consolidate onto a single site and become the company's UK, European and US Headquarters, which the applicant advises is imperative to retaining this company in Stevenage. The applicant also advises the proposal would attract further investment and act as a catalyst for the continued growth of the cell and gene therapy industry within the town centre.

- 3.3 The application comes before Committee for consideration as it is a major commercial application.

## **4. PUBLIC REPRESENTATIONS**

- 4.1 The proposal has been publicised by way of letters to adjoining properties and two site notices were displayed on the northern and southern edge of the carpark. In addition, the application has also been advertised in the Local Press. Seven representations have been received against the proposal, fourteen in support and one general comment.

- 4.2 Representations against the proposal have been received from the following addresses on the following grounds;

29 and 72 Mulberry House, Park Place, 32 Boston House, Park Place, 20 Rookwood Drive, 59 Featherstone Road and 38 Fallowfield:

- Disruption to views from Boston House;
- Increase in traffic;
- Question over where the employees would park;
- Building better suited to out of town centre location;
- Concern development would reduce the value of flats;
- Noise and disruption during construction;
- Loss of light/overshadowing;
- Loss of privacy;
- Design, appearance;
- Noise and disturbance resulting from proposed use;
- Road access;
- Visual amenity;
- Loss of public car park.

- 4.3 Representations in support of the proposal have been received from the following addresses and organisations on the following grounds;

90 Skyline House, Swingate, 24 Mulberry House, Park Place, 3, 8 and 98 Boston House, Park Place, Westgate Shopping Centre, Stevenage Bioscience Catalyst, 36 Campfield Way, Letchworth Garden City, 16 Temple Court, Potters Bar, Holiday Inn, St George's Way, 30 Drivers Avenue, Huntingdon, Durham Road, Stevenage, Catapult Cell and Gene Therapy and Hertfordshire Local Enterprise Partnership (LEP):

- Proposal will bring £65M investment and 300 jobs to Stevenage and support the shops in the town centre;
- Sufficient remaining parking in the town centre and retained car park to the south of the development;
- High quality design and materials;
- Additional landscaping will visually enhance the site;

- Will assist in generating a night time economy for Stevenage;
- Important to support the growth and retention of Autolus through the development of a new UK, European and US Headquarter building within Stevenage;
- Stevenage is at the centre of the largest cluster in Europe for cell and gene therapy technology and this facility will further cement the town's position within this important sector;
- Proposal would support the regeneration of the town centre;
- Proposed public realm improvements are much needed;
- Stevenage has been designated a cell and gene therapy High Potential Opportunity area and a Life Sciences Opportunity Zone by the UK government;
- The proposed facility is an important part of delivering Stevenage at the heart of the UK's Bioscience and Life Science capabilities, articulated by the Stevenage Town Investment Plan and referenced in the UK government's Life Science Vision;
- Consolidating Autolus on a single site is imperative to retaining this growing company in Stevenage;
- The proposed facility is a modular and flexible space comprising clean manufacturing areas, laboratories, and offices. This ensures the facility can support a full range of advanced therapy manufacturing processes both now and in the future;
- Proposal would have major socio-economic benefits for the local area by creating high skilled, technical and ancillary employment opportunities for residents both in the industry and its supply chain and boosting the performance of the local economy.
- Globally it will continue to consolidate Stevenage's position as a destination hub for cell and gene therapy companies, generating further investment from overseas investors.

4.4 A general comment has been received from the occupier of No.127 Ascot Crescent acknowledging the economic benefits of the proposal, but raising concerns that the proposed location would block views from the adjoining flats and create noise disturbance.

4.5 Prior to submitting the application, the applicant carried out pre-submission consultation. The applicant sought to engage with Stevenage Borough Council's elected members, built environment stakeholders and the local residential and business community, seeking feedback on the proposals. This was done via a dedicated website, postcards posted to 777 residential and business addresses within 0.3km of the site and a written stakeholder briefing to Council Members. A total of two responses were received from the local community, one in favour and one against.

4.6 Please note that the aforementioned is not a verbatim of the comments and representations received against this application. Full copies of these can be found on the Council's website.

## **5. CONSULTATIONS**

### **5.1 Hertfordshire County Council as Highway Authority**

5.1.1 *Hertfordshire County Council as Highway Authority has considered that the proposal would not increase the traffic generation or the vehicle movement to the development and would not have a severe effect on the safety and operation of the adjoining highways. The applicant will also need to enter into s278 agreement with the Highway Authority which comprises the design, construction, implementation and adoption of highway works within the existing public highway. Consequently, HCC would have no objections on highway grounds and their formal response is to grant approval subject to the above CIL/s106 contribution, addressing accessibility improvements, Travel Planning, recommended planning conditions and highway informative.*

5.1.2 With regards to the condition requesting the submission of a Construction Management Plan, the Highway Authority was advised that one had already been submitted with the

planning application. The HCC Highway Officer noted this and responded by email dated 8 July 2021 confirming that the Construction Management Plan was acceptable and the request for the condition could be deleted from the Highway Authority response. On this basis, a planning condition will not be added requiring this document to be submitted again.

## **5.2 Affinity Water**

5.2.1 *In order for us to assess the application in detail we require the submission of an intrusive ground investigation that considers the chalk aquifer and our nearby abstraction as receptors of potential pollution. This can include turbidity generation or the mobilisation of existing contamination through foundation construction. If you are minded to approve the Application, it is essential that appropriate conditions are imposed to protect the public water supply, which would need to address the following points:*

- 1. Contamination including turbidity;*
- 2. Contamination during construction;*
- 3. Infiltration*

5.2.2 Further to the above response, the applicant submitted a Phase 2 Ground Investigation, Piling Method Statement and updated Flood Risk Assessment and Drainage Strategy in order to seek to remove the requirement for the suggested pre-commencement conditions due to the build programme. Affinity Water provided the following response dated 29 July 2021:

*From the supplied information we understand the following:*

- GI found nothing of concern down to 5m and all of the made ground was above that so no prospect of contamination being mobilised.*
- Drainage is now via connection to the sewer with attenuation in tanks at 5 l/s each for the building and the remaining car park area.*
- For piling, CFA method will be used which avoids contamination being displaced downwards*

*We are satisfied with what has been submitted and have no major concerns.*

*A few minor comments were made with regards to the following:*

- Attenuation tanks within the proposed drainage system and the potential for them to be sealed to prevent any leaching into ground.*
- Intrusive investigations only to 5m when proposed piling is to 30m and no Groundwater data for the baseline conditions of the aquifer*

*As detailed in our initial response, we still require notification of a piling date so we can implement enhanced monitoring and mitigation if required, to protect public water supply from impacts associated with turbidity generation from piling activity.*

*We also expect our second condition request will be covered:*

### *2. Contamination during construction*

*Construction works may exacerbate any known or previously unidentified contamination. If any pollution is found at the site, then works should cease immediately and appropriate monitoring and remediation will need to be undertaken to avoid any impact on water quality in the chalk aquifer.*

5.2.3 On the basis of the above updated comments, Affinity Water has raised no objection to the proposal, subject to the imposition of a planning condition dealing with contamination during construction and to be notified of a piling date.

### **5.3 Thames Water**

5.3.1 No objection, subject to a condition requiring a Piling Method Statement to be submitted and approved due to the proposed works being in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

5.3.2 Further to the above response, the applicant submitted a Phase 2 Ground Investigation, Piling Method Statement and updated Flood Risk Assessment and Drainage Strategy in order to seek to remove the requirement for the suggested pre-commencement condition due to the build programme. Thames Water provided a response dated 26 July 2021 seeking an informative to be added to any planning permission requiring the applicant to obtain a Groundwater Risk Management Permit to discharge groundwater into the public sewer.

5.3.3 A further response was received from Thames Water dated 2 August 2021 confirming the requirement for the condition relating to the submission of a Piling Method Statement was still required, pending the submission of further information. The applicant has obtained a permit from Thames Water to discharge groundwater into the public sewer; therefore the informative is no longer necessary.

### **5.4 Hertfordshire County Council as Lead Local Flood Authority**

5.4.1 *The information provided to date does not provide a suitable basis for an assessment to be made of the flood risks arising from the proposed development. We therefore object to the grant of planning permission and recommend refusal on this basis for the following reasons.*

5.4.2 *Details of how surface water arising from a development is to be managed is required under the NPPF for all Major Planning Applications as amended within the NPPG from the 6 April 2015. Therefore, for the LLFA to be able to advise the Local Planning Authority that there is no flood risk from surface water an application for full planning permission should include the following:*

- 1. Evidence of Thames Water agreement for discharge to surface water sewer.*
- 2. Restriction to greenfield runoff rates and volumes.*
- 3. Clarification of access road and undercroft parking entrance drainage.*
- 4. Provision of detailed network calculations for all storm events up to and including the 1 in 100 year + 40% climate change event.*
- 5. Clarification of permeable paving attenuation volume.*
- 6. Indication of surface water exceedance flow paths.*

*Our objection will be maintained until an adequate surface water drainage assessment has been submitted.*

5.4.3 Further to the above response, the applicant submitted an updated Flood Risk Assessment and Drainage Strategy dated July 2021 in order to overcome the objection. The applicant also applied for and obtained a permit from Thames Water to allow them to discharge surface water into the public sewer, which addresses point 1 above. Hertfordshire County Council as Lead Local Flood Authority provided a response dated 6 August 2021 which advised:

5.4.4 *We note that we would still consider a rate of 10 l/s high and the applicant should seek to further restrict the overall discharge rate further to as close to the greenfield runoff rates as possible. However, we are pleased that the applicant has significantly reduced the discharge rate to 10 l/s in the latest submission compared to the original proposal (34 l/s). Therefore, we would recommend the following conditions to secure the principles of the scheme should planning permission be granted:*

1. *Development to be carried out in accordance with approved Flood Risk Assessment;*
2. *Submission of detailed surface water scheme;*
3. *Submission of management and maintenance plan for the SuDS features and drainage network*

## **5.5 Crime Prevention Design Service**

5.5.1 *When I was originally made aware of the project I did have some concerns about this whole idea. However, having spoken with the project team my main concerns have been answered. Given that I had substantive concern regarding the security of this project I would recommend that the project engage with the Police Crime Prevention Design Service (CPDS) with a view to seeking to achieve the Police preferred minimum security standard that is Secured by Design (SBD). The reason for asking for this is to help future proof the project and reduce opportunities for offences to occur. In general, the Police CPDS support the application but, as stated above, would prefer it to be fully accredited to SBD Commercial award.*

## **5.6 SBC Business Relationship Manager**

5.6.1 Supportive of application proposal.

## **5.7 SBC Engineering Services**

5.7.1 No objection, subject to the Unilateral Undertaking requiring that the developer enters into a Street Development Agreement with the Council to cover the proposed public realm works. Detailed pre-application discussions have taken place between the applicant and SBC Engineering Services to agree the scope of the proposed public realm improvements.

## **5.8 SBC Planning Policy**

5.8.1 No objection.

## **5.9 SBC Environmental Health**

5.9.1 No objection, subject to conditions relating to noise mitigation measures from the rooftop plant, construction hours and delivery times.

5.9.2 Environmental Health have requested that the applicant pay for the relocation of the existing air quality monitoring station located in the carpark and the applicant has agreed to this. This funding is being secured via the Unilateral Undertaking legal agreement accompanying this application.

## **5.10 SBC Arboricultural and Conservation Manager**

5.10.1 Having studied the plans, it looks to me that 10 of the semi mature Liquidamber trees are proposed to be removed. Whilst the existing Liquidamber trees provide great amenity to this area I would not be opposed to the removal and thoughtful replacement at the 3:1 ratio, on site. In order to maintain the theme, I would be keen to see as many of the newly planted trees (large standards or above – minimum 14-16 cm circumference) as Liquidamber too, mixed with other species, for variety.

## **5.11 Herts and Middlesex Wildlife Trust**

5.11.1 Do not wish to comment.

# **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 July 2021. 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 SP8: Good design;

Policy SP11: Climate change, flooding and pollution

Policy EC7: Employment development on unallocated sites

Policy TC1: Town Centre

Policy TC7: Marshgate Major Opportunity Area

Policy IT4: Transport Assessment and Travel Plans

Policy IT5: Parking and access;

Policy IT6: Sustainable Transport;  
Policy IT7: New and Improved Links for Pedestrians and Cyclists  
Policy GD1: High quality design;  
Policy FP1: Climate change  
Policy FP2: Flood risk in Flood Zone 1  
Policy FP5: Contaminated land  
Policy FP6: Hazardous Installations  
Policy FP7: Pollution  
Policy FP8: Pollution Sensitive Uses  
Policy NH5: Trees and Woodland  
Policy NH10: Conservation Areas

## **6.4 Supplementary Planning Documents**

Parking Provision and Sustainable Transport SPD (2020);  
Stevenage Design Guide SPD (2009)  
Developer Contributions SPD (2021)  
The Impact of Development on Biodiversity SPD (2021)  
Town Square Conservation Management Plan SPD (2012)

## **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. As the laboratory building would fall within planning use class E – commercial, business and service use, which is the same use class as retail, this proposal would be CIL liable at £60/m<sup>2</sup>. However, it is recognised that the building would not be in a retail use and therefore would be liable for CIL at £0/m<sup>2</sup> as ‘other development’ under the CIL charging schedule. In order to exempt the applicant from paying the higher rate of CIL, the use of the building would need to be restricted to a bio-science laboratory use class E (g) (ii) of the Town and County Planning (Use Classes) (Amendment) (England) Regulations 2020 relating to the research and development of products or processes. This can be done by way of a planning condition, should planning permission be granted. The applicant has agreed to such a condition being imposed.

## **7. APPRAISAL**

- 7.1 The main issues for consideration in the determination of this application are its acceptability in land use policy terms, design and massing, impact on the setting of the Town Square Conservation Area and Grade II listed clock tower and statue, flood risk and drainage, climate change mitigation, residential/neighbouring amenities, means of access/parking and planning obligations to mitigate the impact of the development.

### **7.2 Land Use Policy Considerations**

- 7.2.1 As identified by the Local Plan proposals map, the site of the Marshgate carpark falls within the town centre and Marshgate Major Opportunity Area and is covered by Policies TC1 and TC7 of the Local Plan (2019). Policy TC7 states planning permission will be granted for:
- a. High density Use Class C3 residential units;
  - b. New Use Class D1 and D2 leisure, cultural and civic uses;
  - c. New Use Class A1, A3 and A4 shop, bar, restaurant and café uses, and
  - d. New multi-storey or basement car parking.

- 7.2.2 It should be noted that from 1 September 2020, the planning use class order was amended to combine use classes A1, A3, D1 and D2 into a new Use Class E covering commercial, business and service uses. The use of the building as a bio-science laboratory (previously Use Class B1c) and work space would fall within Use Class E of the Town and Country Planning (Use Classes) Order 2020.
- 7.2.3 Given that the site in its existing use as a carpark within the defined settlement boundary of the town can be considered to meet the definition of previously developed land under Annex 2 – Glossary of the NPPF, the proposed use of the building as a bio-science laboratory and work space under Use Class E would fall within the remit of Policy TC7, given the recent changes to the Town and Country Planning (Use Classes) Order and can be considered acceptable in terms of being a policy compliant use within the Marshgate Major Opportunity Area
- 7.2.4 An assessment is also required in respect of the fact the proposal would also represent employment development on an unallocated site and therefore Local Plan Policy EC7 ‘Employment development on unallocated sites’ is relevant. Policy EC7 states new major employment development will not be permitted outside of allocated areas unless they are:
- a. on previously developed land;
  - b. for offices accompanied by a sequential test;
  - c. of an appropriate size and scale; and
  - d. Do, and will, not have an unacceptable adverse impact on the local environment and residential amenity
- 7.2.5 The supporting text to this policy acknowledges employment uses outside of allocated sites also play an important role in the local economy by creating mixed use localities that provide jobs for and services to, residents in line with sustainability objectives. The Local Plan goes onto recognise that future employment opportunities in the Borough are likely to be insufficient to meet identified requirements, resulting in a shortfall in employment space provision in the town.
- 7.2.6 The Council’s Employment Technical Paper dated December 2015, which forms part of the evidence base for the Local Plan, outlines that it is forecasted that there will be a requirement to provide 30 hectares of employment land over the plan period between 2011-2031. However, through the undertaking of the SLAA (Strategic Land Availability Assessment) it can be seen that a total of 19.4 hectares of land has been identified on the supply side. Therefore, the opportunities identified will deliver only 56% of the required quantum employment (paragraphs 3.40 to 3.42). The aforementioned Employment Technical Paper was updated in December 2016. A synthesis of the supply-side and demand-side data suggests that there is insufficient land available to meet the trend-based requirement for at least 30ha. The opportunities identified will deliver approximately 62% of the required quantum of employment land, resulting in a shortfall of approximately 11.5ha (paragraphs 3.10 and 4.4). As such, ‘windfall’ employment uses on sites such as this would assist in redressing the deficit in allocated employment sites across the Borough.
- 7.2.7 Assessing the application proposal against Policy EC7 and this context therefore, the proposal is on previously developed land and complies with criterion (a). The proposed building would not be used for offices; therefore criterion (b) is not relevant. The building is considered to be of an appropriate size and scale for its intended use as a laboratory work space and would appear in keeping with the surrounding townscape, in accordance with criterion (c). Further consideration of this point is set out in paragraphs 7.3.5 to 7.3.8 below. It is not considered the building or its use would have an unacceptable adverse impact on the local environment and residential amenity, in accordance with criterion (d). Further consideration of this point is set out in section 7.15 below.

- 7.2.8 For the above reasons, it is considered the application proposal would meet the policy tests of EC7 and is acceptable. Furthermore, the economic and employment benefits the proposal would bring to the town centre in terms of creating jobs and inward investment would support the assertion in the Local Plan that employment uses on unallocated sites that meet the tests of Policy EC7 can help to create sustainable, mixed use localities. It is considered the proposed Biopharma laboratory would support the creation of a sustainable, mixed use locality in this part of the town centre by creating jobs, footfall to support the shops and hospitality economy and future occupants for the flats coming forward as part of the regeneration of the town centre.
- 7.2.9 The principle of a bio-science laboratory and work space building in this location is therefore, considered acceptable in land use policy terms, subject to satisfying design, transport and environmental policies.

### **7.3 Design and Massing**

- 7.3.1 Paragraph 126 of the NPPF states that “The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve”. It goes on to state that “good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.
- 7.3.2 Paragraph 130 of the NPPF sets out a number of requirements for new development, including that development:
- will function well and add to the overall quality of an area;
  - is visually attractive as a result of good architecture; layout and appropriate and effective landscaping;
  - is sympathetic to local character and history;
  - establishes or maintains a strong sense of place;
  - optimises the potential of the site to accommodate and sustain an appropriate amount and mix of development;
  - creates places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 7.3.3 Paragraph 131 of the NPPF places great importance on the role of trees in helping to shape quality, well designed places “Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change”.
- 7.3.4 Paragraph 132 of the NPPF states that applicants “should work closely with those affected by their proposals to evolve designs that take into account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot”.
- 7.3.5 Paragraph 134 of the NPPF states that “Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes”. Local Plan Policies SP8 ‘Good Design’ and GD1 ‘High Quality Design’ also seek to ensure new development achieves the highest standards of design. Policy GD1 sets out generic design requirements that will be applied to all development.
- 7.3.6 The application submission advises the aim of the development is to improve and enhance the character of the Town Centre of Stevenage with high quality and attractive buildings, increase the amount of pleasant high quality public realm and support the significant life science industry. These aims have been approached in a way to appear in keeping with the

integrity of the original design of the town centre, improving its overall offer and attraction for both visitors and local residents.

- 7.3.7 The application submission sets out the design process and influences for the proposed building design, which references the original town centre modernist architecture as well as more recent proposals for Queensway, BHS, Park Place and SG1. The proposed building design complements the architectural principles of the town centre, with a defined ground floor combined with an expressed metal frame and cellular façade incorporating glazing and perforated metal skin which adds texture and interest. Overall, it is considered the proposed building design is of high quality, which would make a positive contribution to the character and appearance of this part of the town centre.
- 7.3.8 With reference to paragraph 131 of the NPPF, trees would be planted along Marshgate and around the proposed building to create the feel of a 'tree lined street' to contribute positively to the character and quality of the urban environment and also help mitigate and adapt to climate change.
- 7.3.9 In terms of height and massing, the skyline of the surrounding town centre fringe is dominated by tall towers with heights of up to 17 storeys, located adjacent to the surrounding dual carriageway roads or set in parkland, such as the Town Centre Gardens. The town centre itself is marked by a moderate density achieved through mid-height buildings of between 3 to 8 storeys in height located in closer proximity. It is considered therefore, the proposed five storey building with its flat roof profile would appear in keeping with the prevailing building heights and massing within the vicinity of the site and is acceptable.
- 7.3.9 On this basis, it is considered the proposal would be in accordance with paragraphs 126, 130,131,132 and 134 of the NPPF in respect of design, Policies SP8 and GD1 – High Quality Design of the Local Plan (2019) and Stevenage Design Guide (2009).

#### **7.4 Impact on Town Square Conservation Area**

- 7.4.1 The northern boundary of the Town Square Conservation area lies approximately 50m to the south of the red line application site boundary; however the application site itself is largely screened from the Conservation Area by Boston House on Park Place and 77-83 Queensway. The Design and Access Statement advises careful consideration has been taken to ensure that the design is sensitive to this context.
- 7.4.2 The design has been completed while ensuring not to impact on key views along Queensway and to be in keeping with the core of Stevenage town centre, which has a unique and distinctive architectural built form, strongly reminiscent of post war town planning and drawing on design themes from mid-20th century shopping areas in the Netherlands. There are also two statutory listed structures at the heart of the New Town Conservation Area, the clock tower and the bronze 'Joyride' sculpture by Franta Belsky.
- 7.4.3 The Planning (Listed Buildings and Conservation Areas) Act 1990 contains 'statutory duties' that apply to this application:

S.66: The decision maker shall have special regard to the desirability of preserving the setting of listed structures (relates to the indirect impact on the statutory listed clock tower and the bronze 'Joyride' sculpture by Franta Belsky).

S.72: The decision maker shall pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area (this relates to the direct impact on the conservation area. This section of the 1990 Act does not relate to the setting of conservation areas).

- 7.4.4 Case Law has determined that in this context 'preserve' is taken to mean 'to do no harm'. The NPPF requires 'great weight' to be given to conserving the significance of designated heritage assets (199). This is regardless of whether any harm may be 'substantial harm' or 'less than substantial harm' (199). Any harm should require 'clear and convincing' justification (200). If a development proposal would lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal (201).
- 7.4.5 In undertaking that balancing, Case Law has confirmed that the presumption to preserve in the 1990 Act is a strong one and must be given 'considerable importance and weight'. For instance, less than substantial harm is not a less than substantial planning issue. However, that presumption is not irrefutable and can be outweighed by circumstances important enough to justify it. A decision maker that has followed the processes set out in the NPPF can be considered to have discharged their duties under the 1990 Act. The balancing, however, is not 'equal' the presumption to preserve must come first.
- 7.4.6 In respect of this proposal, the building would be largely screened from view from the Conservation Area and the statutory listed structures to the south. It is acknowledged care has been taken to ensure that the design is sensitive to this context. Key views along Queensway will not be altered and the design would appear in keeping with the core character of Stevenage town centre. On this basis it is considered the proposal would preserve the setting of the Town Square Conservation Area and Grade II listed clock tower and statue and would be in accordance with Local Plan Policy NH10 'Conservation Areas' and the Town Square Conservation Management Plan SPD (2012).

## **7.5 Access, Highways and Parking**

### *Vehicle Access and Highway Safety*

- 7.5.1 The application site is located within the town centre of Stevenage and is bordered by St Georges Way (dual carriageway) that is designated as the classified A1155 Main Distributor Road subject to a speed limit restricted to 30 mph. The current Marshgate Car Park has 156 short-stay public car parking spaces. The access operates on a one way anti-clockwise system offset from St Georges Way. The current vehicle exit from the existing car park layout is to be stopped up which would be subject to a Section 278 agreement (An agreement under the Highways Act 1980 to deliver improvements on the existing public highway). The vehicle to vehicle inter-visibility from the existing exit remains unchanged and complies with Manual for Streets standard sightline of 2.4m x 43m for a 30mph road. It will facilitate the safe merging of traffic onto St Georges Way using the existing visibility splay.
- 7.5.2 The proposed building would have a barrier controlled vehicular access at ground floor level leading into the staff parking and delivery area. This would be accessed via the existing turning into Marshgate off St George's Way. Concerns were raised at pre-application stage by both Stevenage Borough Council (SBC) Engineering Services and Hertfordshire County Council (HCC) as Highway Authority that the entrance to the car park from the merging lane of the dual carriageway was too close to the adjoining carriageway. The scheme has been amended to take into account the pre-application advice. The proposed entrance is now sited on the western side of Marshgate away from the bend in the access slip road, where vehicles are at a safe distance to achieve the forward stopping sight distance and have sufficiently slowed down to approach the entrance in a safe manner. HCC as Highway Authority and SBC Engineering Services have raised no objection.

### *Parking*

- 7.5.3 In terms of proposed staff parking, the proposed ground floor plan shows 28 staff parking spaces, including one disabled space and six electric vehicle charging spaces with space

for deliveries, waste and gas storage. Twenty four staff and visitor cycle spaces are also shown within the proposed building carpark. This level of provision is designed to meet the needs of shift workers who may be required to travel to / from the site outside normal working hours / in hours of darkness as well as essential maintenance / operational parking. Vehicle tracking is shown within the Transport Assessment, which confirms medium sized refuse vehicles would be able to access the building carpark, turn and exit in a forward gear.

- 7.5.4 In terms of the parking requirements for the proposed use of the building as a bio-science laboratory and work space (Use Class E), the Council's Parking Provision SPD (2020) requires 1 space per 35sqm gross floor area for buildings in research and development / industrial processes use. The gross floor area of the proposed building is stated within the Transport Assessment to be approximately 6,465sqm (excluding roof space), which would create a maximum requirement of 185 parking spaces. However, this site falls within the town centre accessibility zone which allows a site by site assessment to be made in terms of parking and does not specify minimum provision.
- 7.5.5 In this regard, the Parking Provision SPD (2020) states non-residential development within the town centre will not follow the maximum standards provided in Table 5 of the document. Parking provision for such developments will be calculated on a site by site basis, and assessed via a Transport Assessment. The application is accompanied by a Transport Assessment and Travel Plan, which encourage the use of sustainable transport and maximise the benefits of the site's sustainable town centre location. As such, the level of staff car parking as shown would be considered acceptable.
- 7.5.6 In terms of electric vehicle (EV) charging, the Parking Provision SPD (2020) requires a minimum of 20% of new parking on the site to have access to an active EV charging point. A total of 6 EV charging spaces would be provided, which exceeds this policy requirement. All other off spaces within the laboratory carpark would be installed with passive electrical facilities for enabling in the future.
- 7.5.7 With regards to parking for disabled motorists, the Parking Provision SPD requires one space for each employee who is a disabled motorist and 5% of total provision to be provided as disabled parking for visiting disabled motorists, plus 5% of total provision for conversion to future disabled spaces. At this stage, the number of employees who are disabled motorists is not known. It is therefore proposed to provide 1 disabled parking space for staff from the outset, 1 space (5%) for disabled visitors with an additional 1 standard space (5%) that can be converted to a disabled parking space in the future. It is considered this approach is acceptable. It is noted that there are around 15 existing on-street disabled parking spaces on Marshgate or in the immediate vicinity of the site.
- 7.5.8 In terms of cycle parking, the minimum requirement set out within the Parking Provision SPD is 1 long term (staff) space per 500sqm and 1 short term (visitor) space per 1,000sqm. Hence the scheme would be required to provide a minimum of 13 long term (staff) spaces, and 7 short term (visitor) spaces. It is proposed to provide a secure covered cycle store with 24 staff (long term) spaces within the ground floor staff carpark and separate secure provision for 8 short term (visitor) spaces adjoining the northern elevation on Marshgate, next to the pedestrian building entrance. This provision exceeds the policy requirement and is considered acceptable.
- 7.5.9 The development proposal would retain a 44 space public carpark to the south of the proposed building. Notwithstanding this, the proposal would involve the loss of 112 public car parking spaces from the existing carpark. There is no specific policy within the Local Plan which seeks to protect public car parks; however existing parking provision in the town is a valuable asset and the Transport Assessment should seek to justify the loss of public parking spaces.

7.5.10 Policy IT8: Public Parking Provision of the Local Plan sets out that planning permission resulting in the loss of existing public car or cycle parking provision will be granted where:

- i. Existing spaces are replaced within or adjacent to the new development;
- ii. Replacement car and cycle-parking provision are made within 200 and 80 metres walk respectively of the key attractors currently served; or
- iii. It can be robustly evidenced that the parking is no longer required.

Applications for new public car or cycle provision will be supported in principle where they respond to a demonstrated need and do not take land specifically allocated or otherwise protected for other uses.

7.5.11 The supporting text goes on to set out that the redevelopment of the town centre will require the rationalisation of existing car parking provision. The peripheral areas of the Town Centre are dominated by large, surface car parks and it will be vital to make more efficient use of this land. Similarly, the large surface car parks to the rear of the Old Town High Street provide opportunities for more development. New facilities will be supported in these areas to facilitate change.

7.5.12 The Transport Assessment references documentation submitted in support of planning application ref: 19/00743/FPM for the SG1 Masterplan and Phase 1 application, including parking stress data for 12 Council operated town centre car parks from surveys undertaken on a weekday and a Saturday in September 2016. The locations of the 12 car parks are shown in Appendix E of the Transport Assessment. In conclusion, the Transport Assessment advises taking into account other committed development granted planning permission within the town centre involving loss of public car parks, the reduced future total of 'all spaces' would be able to comfortably accommodate demand. However, 'long stay' parking would not, suggesting that the split between 'short stay' and 'long stay' provision across the town centre would need to be re-balanced, with some 'short stay' spaces or car parks changed to 'long stay' spaces or car parks.

7.5.13 Under the current situation the split between 'long stay' and 'short stay' is 63% 'short stay' and 37% 'long stay'. With the changes resulting from the committed / proposed developments within the town centre, the split would change to 75% 'short stay' and 25% 'long stay'. The Transport Assessment concludes if the split were amended to 50% 'short stay' and 50% 'long stay', the future reduced level of parking would be able to accommodate demand for 'all spaces' as well as 'short stay' spaces and 'long stay' spaces. It should also be noted that the adjoining multi-storey carpark on St George's Way and Westgate Shopping Centre MSCP have the capacity to meet future parking demand in the town centre over the Local Plan period, taking into account the need to increase the proportion of long stay spaces.

7.5.14 On the basis that the loss of the 112 parking spaces could be mitigated by a change to the ratio of 'long stay' to 'short stay' Council owned spaces within the town centre, which would be within the control of the Council and the remaining capacity within St George's Way and Westgate MSCP, it is considered the loss of the spaces within Marshgate carpark has been sufficiently justified as to comply with the requirements of criterion (iii) of Local Plan Policy IT8 and is acceptable.

#### *Pedestrian Access*

7.5.15 The proposed pedestrian accessibility improvements are to the existing pedestrian crossing point on Marshgate which would aid pedestrians travel toward the forum. An improved and safer pedestrian access to the Forum within the Town Centre has been secured as part of the proposals. The public footways have dropped kerbs at existing accesses; the improved tactile feature will allow pedestrians to cross at grade. The improvement work has been recommended and would be secured through a s278 agreement.

### *Cycling*

- 7.5.16 The development is highly accessible to public transport with good access for cyclists, notwithstanding the prohibition order for cyclists on the pedestrianised streets within the town centre of which Marshgate is excluded. The town centre is surrounded by four roundabouts on Stevenage's ring road. All roundabouts have subways underneath for pedestrians and cyclists. There are also numerous segregated cycleways that link the town centre with other residential areas around Stevenage.

### *Bus*

- 7.5.17 The development is located close to the town centre bus station that has nine bus stops within a 400 metres. A total of 28 services are available from the bus station, the routes and frequencies have been summarised within Table 1 of the Transport Assessment.

### *Rail*

- 7.5.18 Stevenage Train Station is just 600 metres away from the development with regular trains to London and Cambridge.

### *Travel plan*

- 7.5.19 There is a Travel Plan proposed for this development. The Travel Plan would be secured for this site by a S.106 Unilateral Undertaking with the Evaluation and Support Fee of £6000.

### *Trip generation, Distribution, Impact*

- 7.5.20 The estimated quantity of new trips is based on TRICS (Trip Rate Information Computer System). The assessment has been undertaken using the sites agreed with HCC as Highway Authority. In total the estimated trips generated by the proposed development is 418 'person' trips between 07:00 and 19:00 with the majority (226) being made as 'car driver'. In terms of sustainable travel, 48 trips could be made by public transport and 109 trips by 'active' modes (walking and cycling).
- 7.5.21 Hertfordshire County Council as Highway Authority has considered that the proposal would not increase the traffic generation or the vehicle movement to the development and would not have a severe effect on the safety and operation of the adjoining highways.

### *Loading and Servicing, Waste Collection*

- 7.5.22 All loading, servicing and waste collections would take place within the ground floor car park of the laboratory building. Space for the storage of waste is shown within a dedicated waste hold area within the building itself, which would be accessed by a refuse vehicle from the carpark. The storage of liquid nitrogen would be within a separate secure compound in the south east corner of the carpark within a secure delivery zone for authorised personal only. The liquid nitrogen storage zone would be located outdoors with open air on all four sides. During detailed design stage, a full health and safety assessment of the proposals would be carried out in compliance with British Compressed Gas Association (BCGA) and the UK Health and Safety Executive (HSE) guidance.
- 7.5.23 Appendix F of the Transport Assessment shows a series of swept path analysis for a large family car (4.6m x 1.8m) accessing and egressing various parking spaces within the office / laboratory building site and the retained adjacent car park, a 7.5t box van accessing and egressing the proposed development site, a medium sized refuse vehicle accessing and

egressing the proposed development site and a 12m rigid goods vehicle accessing and egressing Marshgate and Phase 1 loading facilities. The swept path analysis demonstrates that all required vehicles which would be accessing the site can access, turn and egress within forward gear.

7.5.24 Hertfordshire County Council as Highway Authority has confirmed there is sufficient access for domestic waste collection and other larger vehicles via the one way circulatory road, however note the laboratory car park is not designed for vehicles larger than private cars and light vans (7.5t max). This would mean that all deliveries to the site would need to take place at kerbside along Marshgate. The Highway Authority also note that proposed bin stores have been located in operational distance from the adjacent highway, therefore assume that the waste collection measures would be continued as present.

7.5.25 All waste collection and deliveries to the laboratory would be carried out within the proposed building's ground floor car park. Further clarification on this point was sought from the Highway Authority officer, who confirmed the undercroft car park is not designed for vehicles larger than private cars and light vans (under 7.5t), meaning that all deliveries to the site using a 12m Rigid Goods Vehicle would need to take place at kerbside along Marshgate. The medium size waste collection vehicle would need to be a private collection service, which is acceptable, as only household waste is a statutory collection service that uses the larger waste collection vehicle.

7.5.26 On the basis that waste collection would be carried out by medium sized collection vehicles via a private service arranged by Autolus and deliveries would be arranged through Autolus using the appropriately sized 7.5t vans or under, the proposed delivery and waste collection arrangements are considered acceptable.

## **7.6 Public Realm Improvements**

7.6.1 The proposed public realm improvements to Marshgate would comprise changing the layout and location of the existing disabled parking spaces and loading bays, new pedestrian crossings linking the site to the town centre and new EV charging spaces for public use, together with an overarching landscape scheme with increased planting around the proposed building and on Marshgate itself. There would be no reduction in the number of disabled parking spaces and an increase in EV spaces. The detailed proposals comprise:

- New 44 space hard surfaced public car park with Sustainable Urban Drainage Strategy (SUDS), lighting, and associated white lining, landscaping, signage and payment machines;
- New kerbs and block paved foot paths around the former Marshgate car park site including new site access point;
- New public realm landscaping, street trees and furniture including, bench seating, cycle hoops, signage and street lighting;
- New parallel pedestrian crossings to suit desire lines to The Forum and Park Place;
- Alteration to road layout including disabled parking spaces and loading bays. All existing loading bays on Marshgate would be retained to ensure the existing servicing arrangements to the properties on Queensway and The Forum can continue;
- Soft landscaping and planting around the proposed building, retained public carpark and Marshgate.

7.6.2 The proposed development would provide improved pedestrian and cycle access to / from the local area with access provided from the site to the wider town centre for access to local services and transport links. Level access will be provided to the development at all pedestrian access points, ensuring it is accessible by wheelchair users and pushchairs. Dropped kerbs and tactile paving are provided at junctions / crossings in the area. The design of the scheme would provide a safe, secure and attractive environment.

7.6.3 The proposed public car park would provide 44 parking spaces. Fifteen disabled blue badge parking spaces have been re-provided in the wider Marshgate car park and public realm improvements to ensure there is no reduction in disabled spaces, despite the reduction in public car park spaces in the Marshgate vicinity.

7.6.4 The public realm improvements would be subject to a separate Street Development Agreement to agree and manage the works on Marshgate and a s278 agreement for any works on the adopted highway (St George's Way). This has been secured via the Unilateral Undertaking legal agreement accompanying this application.

## **7.7 Planning Obligations**

7.7.1 The following planning obligations would be attached to any planning permission:

- Street Development Agreement and s278 Agreement (covering the public realm improvements to Marshgate and St George's Way outside of the red line area)
- Travel Plan monitoring fee
- Local Employment and Apprenticeships
- Relocation of air quality monitoring station

7.7.2 Given the above would amount to only a small number of contributions, the planning obligations are being dealt with by a Unilateral Undertaking rather than s106 agreement which has been agreed with the Council and signed by the applicant.

7.7.3 With regards to the Local Employment and Apprenticeships obligation, the recently adopted Developer Contributions SPD (2021) introduces a requirement that developers of major development will enter into a legal agreement with the Council to:

- i. attempt to fill 5% to 10% of construction jobs on-site associated with their development with Stevenage residents,
- ii. attempt to fill one apprenticeship position per 10 construction jobs on-site with a Stevenage resident or student (with a cap for requirement of 10 apprenticeships),
- iii. report whether or not they met these requirements, and provide a financial contribution in lieu of not achieving either or both targets.

7.7.4 In this regard, the applicant has submitted a Local Employment Strategy with the application which shows:

- i. This project will create over 60 jobs,
- ii. Stevenage residents would fill the following posts: Community Liaison Officer: 1; Local labour including document controller, administrative assistant, electricians, site supervisor, groundworkers: 6
- iii. Stevenage residents or students would fill 3no. apprenticeship positions
- iv. How local residents/students would be targeted for these positions:
  - Exhibiting at local careers fairs
  - Liaising Universities and Colleges to inform students of potential career opportunities
  - Recruitment agencies
  - Local advertising
  - Social media and targeted campaign advertising
  - Using our local networks and clients in Stevenage such as CGTC
- v. How the employment would be recorded and reported:

Use of PeopleHR – an internal software package to record employee details. For every project, agreed management reporting is provided on a regular basis, either weekly and/or monthly. Reporting on employment figures for the project will be embedded into the management reporting requirements.

- vi. The developer is confident that the Local Employment targets set out within the Developer Contributions SPD (2021) would be met. Any in-lieu payment levels required with the Council would be discussed prior to agreeing and finalising targets.

7.7.4 It is considered the planning obligations agreed within the Unilateral Undertaking submitted with the application are acceptable.

## **7.8 Ecology and Trees**

7.8.1 The NPPF and accompanying Planning Practice Guidance requires the Council to achieve measurable net gains in biodiversity at development sites and across the Borough. To achieve a biodiversity net gain, a development must deliver a minimum of 10% net gain post development, when compared with the pre-development baseline. The Council's recently adopted Biodiversity SPD (2021) requires all major and minor applications other than the following exemptions currently suggested by the Government to demonstrate a net gain in biodiversity:

- i. Permitted development;
- ii. Householder development, including extensions;
- iii. Nationally significant infrastructure, which falls within scope of the Planning Act 2008;
- iv. Some brownfield sites with marginal viability and substantial constraints. It is expected that full details to be set out in secondary legislation, but considerations are likely to include where sites contain a high proportion of derelict land and buildings and only a small percentage of the site is undeveloped, land values are significantly lower than average, and the site does not contain any protected habitats; and
- v. Developments that would not result in measurable loss or degradation of habitat, for instance change of use of or alterations to building

7.8.2 As the application site comprises a hard surfaced carpark, it is considered it would meet exception criteria iv and v above as 100% of the site is currently developed and does not contain any protected habitats. On this basis, there would be no requirement to achieve a 10% biodiversity net gain on the site. Notwithstanding this, the application has been accompanied by a Preliminary Ecological Appraisal and Herts and Middlesex Wildlife Trust (HMWT) and the Council's Arboricultural and Conservation Manager have been consulted and have raised no objection subject to replacement planting.

7.8.3 The Ecological Appraisal concludes the application site is dominated by hardstanding used as a public car park with scattered trees and is immediately surrounded by urban development and buildings. The hardstanding and small areas of ornamental planting are ubiquitous within the urban environment and of negligible intrinsic nature conservation or ecological importance. The site offers limited potential for nesting birds, but is considered to have a negligible risk of supporting any other legally protected or otherwise notable species. Post construction there will be a greater area of soft landscaping, and if the recommended biodiversity enhancements are implemented then the development proposals will represent an improvement for biodiversity and ecology at the site scale. This will benefit commensal and mobile fauna species that are able to exploit urban environments.

7.8.4 The following ecological and nature conservation enhancements are recommended for inclusion within the development to provide positive gain in line with local, regional and national planning policy:

- Incorporation of two sparrow terraces and two swift boxes into the fabric of the new facilities building;

- Two invertebrates ‘houses’ to be installed on a south facing/ sunny position, similar in type to Schwegler clay and reed insect house. These should be associated with the soft landscaping;
- Native species and ornamental species of proven value for wildlife should be preferentially selected for use in the amenity planting, targeting approximately 80% of the planting area.

7.8.5 The above ecological enhancements would be secured by planning condition, if planning permission is granted. Consequently, it is considered the proposal accords with Section 15 of the NPPF and policies SP12 and NH5 of the Local Plan (2019).

## **7.9 Landscaping and Planting Strategy**

7.9.1 Details of the proposed landscaping have been submitted with this application in general arrangement drawing ref. LL677-000-0001, which demonstrates the proposed hard and soft landscaping treatments for each part of the site. Detailed information on proposed planting i.e. tree/shrub species has not been provided. A planning condition requiring this information can be sought should planning permission be granted.

7.9.2 The proposed landscaping design indicates overall enhancements for the re-developed site, which will replace all removed existing trees as well as planting an additional 18 trees (31 trees in total) along with an area of shrub and seasonal herbaceous planting along the eastern boundary of the site and around the edge of the building. Vertical planting with suitable climbing plants is also proposed on the building itself to provide ‘greening’ to the elevations and enhance the visual amenity of the site when viewed from the public realm and from adjoining residential developments.

7.9.3 Whilst the proposed landscaping is of limited area and ornamental nature due to the site constraints, there would be a larger area of soft landscaping post development than pre-development. The proposed species selection (to be agreed) will preferentially select native species and ornamental species of proven value for wildlife for use in the amenity planting, with habitat boxes offering an additional increase to the biodiversity net gain. It is therefore considered that an overall net gain will be achieved post development.

7.9.4 Subject to a planning condition requiring details of proposed planting, it is considered the landscaping strategy as proposed will enhance the visual landscape and ecological value of the site for the benefit of the town centre and is acceptable.

## **7.10 Flood Risk and Drainage**

7.10.1 A Flood Risk Assessment and Drainage Strategy prepared by Norder Design Associates has been submitted alongside this application. The report reviews the drainage and flood risk issues associated with the proposed development and sets out the drainage strategy for the development. The report states that the application site is located within Flood Zone 1 and that flood risk from all other sources is low. The development of the site for a laboratory building (use class E) is therefore appropriate as set out by the ‘flood risk vulnerability classification’ contained within the Planning Practice Guidance. The Report sets out details in respect of surface water and foul water drainage.

7.10.2 It is proposed to drain the site using permeable paving, attenuation tanks and two swales. The public car park would drain via tanked permeable paving before discharging to the existing Thames Water surface water sewer southwest of the site at 5 l/s. The laboratory itself with surrounding hardstanding would discharge via an attenuation tank to a filter drain, then to the Thames Water surface water sewer northeast of the site at 5 l/s. The total discharge rate from the site would be 10 l/s. The area of public realm surrounding the site,

including roads and car parking spaces, is proposed to be unchanged in terms of its drainage.

7.10.3 Following the submission of additional information at the request of the LLFA to overcome their objection dated 8 July 2021, the LLFA are now satisfied that the proposed development will not increase the risk of flooding within or surrounding the site, subject to conditions. It is considered the proposal accords with Section 14 of the NPPF and policies SP11 and FP2 of the Local Plan (2019).

## **7.11 Climate Change Mitigation**

7.11.1 A BREEAM Pre-Assessment prepared by Peak Sustainability has been submitted with the application, which confirms the development would achieve an 'Excellent' rating exceeding the requirements of the Council's Design Guide (2009). The Design and Access Statement advises the development seeks to set a new standard of sustainable development within Stevenage town centre with a BREEAM design assessment 'Excellent' rating together with the developer's ambition to provide a market leading low carbon high-tech Biopharma facility.

7.11.2 The design of the building, together with the offsite manufacturing solution, MEP systems, and sustainability features have been optimised to minimise the energy demand and eliminate the use of fossil fuels minimising the carbon footprint. High level of envelope insulation is proposed to ensure heating demand is minimised. Vertical fins would provide solar shading to reduce cooling loads and maintain a stable temperature and climate control required for the biopharma building use. Efficient low energy lighting (with LED lighting) and mechanical ventilation with a high rate of heat recovery would be implemented throughout the building to further reduce energy demand. Further information relating to the proposed building's sustainability is provided within the Design and Access Statement and BREEAM Pre-Assessment accompanying this application.

7.11.3 It is considered the information provided within the application demonstrates that the proposed development would accord with the requirements of policies SP2 and FP1 of the Local Plan (2019) in relation to sustainable construction and climate change mitigation and is acceptable.

## **7.12 Pollution and Hazardous Substances**

7.12.1 Liquid Nitrogen if used within laboratories is considered a potentially hazardous substance and therefore the application proposal would need to be considered under Local Plan (2019) Policy FP6 'Hazardous Installations'. The policy states planning permission will be granted for development proposals involving the use, storage or movement of hazardous substances where:

- a) There are no additional health and safety risks to users of the site or surrounding area;
- b) There are no additional threats to the local environment; and
- c) The proposal does not cause long term land contamination.

7.12.2 In terms of Liquid Nitrogen storage tanks, the on-site bulk storage tank would be located within a secure cage storage compound within a secure delivery zone on site for authorised personal only. The storage zone would be located outdoors with open air on all four sides. A full health and safety assessment of the proposals would be carried out in compliance with British Compressed Gas Association (BCGA) and the UK Health and Safety Executive (HSE) guidance. In terms of oil/chemical storage tanks, all above ground oil and chemical storage tanks would be sited on an impervious base and surrounded by a liquid tight bund wall. The bunded area would be capable of containing 110% of the volume of the tank(s),

and all fill pipes and sight gauges would be enclosed within the curtilage. No drainage outlet would be provided and the vent pipe would be directed downwards into the bund.

7.12.3 It is considered the above arrangements are acceptable and would meet the requirements of Local Plan Policy FP6 'Hazardous Installations'.

### **7.13 Air Quality**

7.13.1 An Air Quality Statement prepared by Gem Air Quality Ltd has been submitted with the application. The assessment concludes that the application site is considered suitable for the proposed development without the inclusion of mitigation, and air quality should not be considered as a constraint to development. The application proposals are considered acceptable in terms of the potential air quality impacts. The proposed development therefore accords with the overarching principles of the NPPF and the requirements of Local Plan policies FP7 and FP8 regarding air pollution.

### **7.14 Noise Impacts**

7.14.1 The planning application is accompanied by a Noise Report by Sandy Brown Consultants, which has been undertaken based on the introduction of the proposed laboratory on the existing Marshgate car park site. The representative background sound levels from the noise survey were found to be LA90, 15min 53 dB during the day, and LA90, 15min 37 dB during the night. An initial assessment of the proposed plant items associated with the development has been carried out. Subject to the recommended mitigation measures being incorporated within the design, the report concludes the proposed plant items are expected to have a low impact.

7.14.2 An assessment of the emergency generator plant has also been undertaken, and the impact of testing this item of plant during the daytime has been assessed. The report concludes that the noise impact of this plant would be acceptable. At night, it is not considered that this item of plant will run under normal conditions. An appraisal of the impact of delivery noise has also been undertaken, and recommendations have been provided for mitigating these sources, including good practice management measures, and conditioning of the times that these can occur.

7.14.3 Subject to planning conditions requiring the recommended noise mitigation measures are incorporated into the development and restricting the times that HGV deliveries and waste collection can occur to typical daytime hours only, it is considered the proposed development would not have an unacceptable impact on the general amenity of the wider area in terms of noise pollution. The proposed development would therefore be in accordance with Local Plan Policy FP7 'Pollution' in relation to noise.

### **7.15 Impact on Residential Amenity**

7.15.1 The proposed development would be adjoined to the south and east by six storey mixed use residential flatted development.

#### *Impact on the amenity of Boston House*

7.15.2 Located 42.2m from the proposed southern elevation of the laboratory building to the south is Boston House, a mixed use six storey flatted development with class E business, commercial and service use on the ground floor with flats above. The flats have private balconies facing onto the application site. In terms of impact on the amenity of these flats, outlook, daylight / sunlight and privacy will be assessed in turn.

### *Outlook*

- 7.15.3 The proposed southern elevation of the laboratory building facing onto the northern elevation of the flats in Boston House would comprise the same high quality design as the rest of the building; however the size and amount of fenestration would be less. The proposed landscaping around the southern public car park, including the planting of semi-mature trees and the introduction of climbing plants to the southern elevation of the laboratory building would further serve to 'green' the appearance of the building and outlook observed by the occupiers of the flats. The position of the public carpark between Boston House and the proposed building would further serve to create 'breathing space' between the two buildings to reduce any perception of overbearing impact. It is considered the resulting outlook would be a visual improvement compared to the current view of the car park and is acceptable in this regard.

### *Daylight / Sunlight*

- 7.15.4 A Daylight and Sunlight Report by Waldrams has been submitted with the application, which examines the impact of the proposed development on the daylight and sunlight to surrounding residential properties. With regards to Boston House, the report concludes impacts to the daylight within the flats either meet all the levels recommended within the BRE Guidelines or are close to those levels. Sunlight within all surrounding residential properties meets the levels set out within the BRE Guidelines. Overall, the impacts of the proposal on the surrounding daylight and sunlight should be considered acceptable given the urban location of the site and its existing undeveloped nature.

### *Privacy*

- 7.15.5 The Council's adopted Local Plan and Design Guide do not stipulate minimum acceptable separation distances between commercial and residential properties, so it is a matter of judgement and assessment of site characteristics as to whether a proposal is acceptable in terms of privacy. With regards to Boston House, it is considered the separation distance of 42.2m would be sufficient, combined with the proposed landscaping in and around the public car park sited between the laboratory building and Boston House which would provide a high degree of screening would serve to prevent any loss of privacy to the occupiers.
- 7.15.6 For the above reasons, the application proposal is considered acceptable in terms of its impact on the residential amenity of the occupiers of the flats in Boston House.

### *Impact on the amenity of Nos.83 to 95 Queensway*

- 7.15.7 Adjoining the application site to the east is a newly constructed building, namely Nos.83 to 95 Queensway, a six storey mixed use building with class E commercial, business and service use at ground floor with residential flats above. The building is divided into two sections, which are physically different; Nos. 83-87 Queensway and Nos. 91-95 Queensway. The building does not have external balconies facing onto the application site. In terms of impact on the amenity of these flats, outlook, daylight / sunlight and privacy will be assessed in turn.

### *Outlook*

- 7.15.8 In terms of outlook, the majority of the flats in 83-87 Queensway would continue to have views over the retained public car park and the additional landscaping planted as part of the development proposals. As such, it is considered there would be a negligible impact on the occupiers of these dwellings in terms of change to their outlook. The proposed laboratory building would be sited 17.2m from the western elevation of No.91-95 Queensway. The high quality design of the proposed building, combined with the proposed landscaping

(including the introduction of climbing plants), would further serve to 'green' the appearance of the building and outlook observed by the occupiers of the flats. It is considered the resulting outlook would be a visual improvement compared to the current view of the car park and is acceptable in this regard.

#### *Sunlight and Daylight*

- 7.15.9 A Daylight and Sunlight Report by Waldrams has been submitted with the application, which examines the impact of the proposed development on the daylight and sunlight to surrounding residential properties. The existing site is a car park and is therefore underdeveloped as compared to the neighbouring sites. The report advises the properties overlooking the site therefore enjoy unusually high levels of daylight and sunlight for an urban location with prevailing building heights of 6 storeys. In such circumstances, the report advises relative reductions in daylight and sunlight beyond the 20% set out within the BRE Guidelines are inevitable if any material development is to be brought forward.
- 7.15.10 Whilst it is clear that there would be a relative reduction in daylight and sunlight beyond the BRE Guidelines' target values to the development at No. 91-95 Queensway, where the existing building affected is one of a wider series of new buildings that are being built at similar times, the report advises the proposals can be considered together.
- 7.15.11 The BRE Guidelines state that in such circumstances average daylight factor (ADF) is the appropriate test to understand the daylight levels that will be achieved. Within Nos. 91 to 95 Queensway, 28 of the 30 rooms meet the target values for ADF when the living / dining portions of Living / Kitchen / Dining (LKDs) rooms are analysed. The two remaining rooms are bedrooms, where expectations of daylight are reduced and furthermore, the report advises ADF levels within these two bedrooms come close to the target values.
- 7.15.12 Impacts to the daylight within the residential flats at Nos. 83-95 Queensway either all meet the levels recommended within the BRE Guidelines or are close to those levels. Sunlight within all surrounding residential properties meets the levels set out within the BRE Guidelines. Overall, the report concludes the impacts of the proposal on the surrounding daylight and sunlight should be considered acceptable given the urban location of the site and its existing undeveloped nature.

#### *Privacy*

- 7.15.13 With regards to Nos. 83-87 Queensway; due to the position of the proposed building to the north of the existing Marshgate carpark it would not be possible for users of the proposed building to directly overlook the flats in this building. As such, it is considered no loss of privacy would occur to the occupiers of Nos. 83-87 Queensway. Furthermore, the proposal is for a commercial building and the relationship with adjoining properties would be different than if it were to be in residential use in relation to the assessment of mutual overlooking.
- 7.15.14 Turning to the impact on Nos. 91-95 Queensway in terms of privacy, the separation distance would be 17.2m. As previously stated, the Council's adopted Local Plan and Design Guide do not stipulate minimum acceptable separation distances between commercial and residential properties and as such, the assessment of privacy with adjoining properties would be different than if the proposed building were to be in residential use. On balance, it is considered whilst the two buildings would be close, the use of landscaping (including climbing plants) and the fact this would be a commercial property rather than residential would render the relationship acceptable in terms of overlooking and it is not considered a loss of privacy would occur to such an extent that would justify a refusal of planning permission.
- 7.15.15 For the above reasons, the application proposal is considered acceptable in terms of its impact on the residential amenity of the occupiers of the flats in Nos. 83-95 Queensway.

## **7.16 Construction Impacts**

7.16.1 The application is accompanied by a construction traffic management plan, construction phasing plan and a construction waste management plan providing details on how construction traffic, waste and site health and safety would be managed. The Highway Officer on behalf of HCC as Highway Authority has confirmed the arrangements are acceptable by email dated 8 July 2021. In terms of construction impact on nearby residents, it is considered these aspects can be secured by condition seeking compliance with the approved Construction Management Plans and timings of construction work.

## **7.17 Other Matters**

### *Human Rights and Equalities*

7.17.1 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.

7.17.2 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking.

7.17.3 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.

7.17.4 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.

7.17.5 In terms of inclusive access, the proposed building has been designed to be fully accessible and inclusive. All spaces in the new building would be accessible to all; the floors and thresholds are level and there are lifts serving all floors. The routes into the building are clear and will be signed and demarcated appropriately using landscape treatments. There are no abrupt changes in levels on the approach to the proposed building. The design proposals have been developed with reference to Approved Document Part M (AD-M) and BS8300:2018 'Design of an Accessible and Inclusive Built Environment.'

7.17.6 Level access would be provided to the development at all pedestrian access points. Dropped kerbs and tactile paving are provided at junctions / crossings in the area. The design of the scheme provides a safe, secure and attractive environment. The immediate connectivity of a development site includes factors that relate to pedestrian and cycle access as well as access by wheelchair users. In terms of pedestrian facilities in the area, footways are generally of a high standard, are level / trip free and well lit.

## **8. CONCLUSIONS**

8.1 The planning application proposes to construct a new five storey Biopharma laboratory and workspace facility (Use class E), public car park and public realm improvements on the site of the Marshgate carpark in Stevenage town centre. The building would become the UK,

European and US headquarters for Autolus, a cell and gene therapy technology company with a focus on developing potential 'curative' treatments for cancer.

- 8.2 The company currently employs nearly 200 people spread across different sites within Stevenage. The application proposal would enable Autolus to consolidate itself on a single site, which the applicant advises is imperative to retaining the company in Stevenage. The applicant also advises the proposal would attract further investment and act as a catalyst for the continued growth of the cell and gene therapy industry within the town centre.
- 8.3 The proposal is supported by Westgate Shopping Centre, Stevenage Council Business Relationship Manager, Stevenage Bioscience Catalyst, Holiday Inn, St George's Way, Catapult Cell and Gene Therapy and Hertfordshire Local Enterprise Partnership (LEP) for the economic and reputational benefits it would bring to Stevenage in terms of having the flagship headquarters of a company at the forefront of scientific research and development into cell and gene therapy for cancer treatment located in the town centre.
- 8.4 An assessment of national and local planning policies has demonstrated that the proposals are in conformity with the NPPF and the Development Plan. There are no other material planning considerations which indicate that policies in the plan should be outweighed and that planning permission should not be given.
- 8.5 Given the above, it is recommended that planning permission is granted subject to the conditions set out in section 9 of this report.

## 9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the applicant having first entered into a unilateral undertaking to secure/provide contributions towards:-
- Street Development Agreement and s278 Agreement (covering the public realm improvements to Marshgate and St George's Way outside of the red line area)
  - Travel Plan monitoring fee
  - Local Employment and Apprenticeships
  - Relocation of air quality monitoring station

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:-

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:

ST.MR.000; ST.MR.100; ST.MR.1000; ST.MR.1001; ST.MR.200.1; ST.MR.200.2; ST.MR.200.3; ST.MR.200.4; ST.MR.200.5; ST.MR.200.6; ST.MR.200.7; ST.MR.300.1; ST.MR.300.2; ST.MR.300.3; ST.MR.300.4; LL677-000-0001

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

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

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

- 3 The Construction Phase Health and Safety Plan, Traffic Management Plan and Waste Management Plan by Merit as approved shall be adhered to during the construction phase of the development.

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

- 4 The building works required to implement this permission shall be carried out only between the following times:

0730 to 1800 Mondays to Fridays

0800 to 1300 Saturdays

And not at all on Sundays and Bank Holidays.

The hours specified relate to activities which are audible at the site boundary.

**REASON:-** To satisfactorily protect the residential amenities of nearby occupiers and the operation of adjoining businesses.

- 5 The development hereby permitted shall be completed in accordance with the external materials specified within the Design and Access Statement by UrbanR submitted as approved or any alternatives to be submitted to and approved by the Local Planning Authority.

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

- 6 The use of the building hereby approved shall be limited to Schedule 2, Part A, Class E (g) of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 relating to office, research and development of product or processes and industrial processes and shall be used for no other purposes.

**REASON:-** To prevent the unrestricted change of use to retail (Class E (a)) without paying the required CIL charge under the Council's adopted Community Infrastructure Levy Charging Schedule.

- 7 All hard and soft landscaping shall be carried out in accordance with the approved details as set out in general arrangement drawing number LL677-000-0001 to a reasonable standard in accordance with the relevant British Standards or other recognised Codes of Good Practice.

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

- 8 No development shall take place above slab level until there has been submitted to and approved by the Local Planning Authority details of all new planting to take place including species, size and method of planting.

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

- 9 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 completion of the development.

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

- 10 All hard surfacing and public car parking spaces comprised in the approved details of landscaping shall be carried out within 6 months of the completion of the development.

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

- 11 Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously

damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

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

- 12 The measures to address adaptation to climate change as set out within the Design and Access Statement by UrbanR and achieve minimum BREEAM Excellent shall be implemented and permanently maintained in accordance with the approved details.

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

- 13 No development shall take place above slab level until there has been submitted to and approved by the Local Planning Authority details of the proposed external lighting strategy for the approved development.

**REASON:-** To ensure a satisfactory appearance for the development and to protect the residential amenity of existing residents.

- 14 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy Report prepared by Norder Design Associates Ltd reference 8719-NDA-XX-XX-RP-D-8301 revision R3 dated July 2021 and the following mitigation measures detailed within the FRA:

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 10 l/s during the 1 in 100 year event plus 40% climate change event.

2. 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 168 m<sup>3</sup> (or such storage volume agreed with the LLFA) of total storage volume in attenuation basin and swale.

3. Discharge of surface water from the private drain into the Thames Water surface water sewer. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

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

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

1. Exploration of further measures to discharge at greenfield runoff rates or as close as is practicable.

2. Confirmation of access road drainage details.

3. 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.

4. Final detailed post-development network calculations for all storm events up to and including the 1 in 100 year + 40% climate change storm with half drain down times no greater than 24 hours.

5. Exceedance flow routes for storm events greater than the 1 in 100 year + 40% climate change storm.

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

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

- 16 Upon completion of the drainage works for the site in accordance with the timing, phasing arrangements, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
1. Provision of complete set of as built drawings for site drainage.
  2. Maintenance and operational activities.
  3. Arrangements for adoption and any other measures to secure the operations of the scheme throughout its lifetime.

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

- 17 If, during development, contamination not previously identified is found to be present at the site, then no further development shall be carried out until a Remediation Strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority in conjunction with Affinity Water. The remediation strategy shall be implemented as approved with a robust pre and post monitoring plan to determine its effectiveness.

**REASON:-** To ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or surface water.

- 18 No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

**REASON:-** The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

- 19 The Travel Plan as submitted with this planning application shall be implemented, monitored and reviewed in accordance with the agreed travel plan targets to the satisfaction of the Local Planning Authority in consultation with Hertfordshire County Council as Highways Authority.

**REASON:-** In order to deliver sustainable transport objectives including a reduction in car journeys and increased use of public transport, walking and cycling.

- 20 All private car parking spaces shown on drawing number ST.MR.100 shall be provided, marked out and hard surfaced ready for use prior to the first occupation of the laboratory building and shall be retained in that form and kept available for those purposes thereafter.

**REASON:-** To ensure that adequate parking and servicing facilities are available within the site and that there is no detriment to the safety of adjoining highways.

- 21 Prior to the first occupation of the development hereby permitted the existing carpark vehicular exit as defined on the approved drawing number ST.MR.200.1 shall be stopped up and the footway reinstated. The highway works shall include the upgrading of the existing informal pedestrian crossing points, complete with tactiling that is located at the entrance to Marshgate, which is to be provided in order to improve pedestrian access to The Forum. All work shall be constructed to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.

**REASON:-** To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan.

- 22 Prior to first occupation of the laboratory building, a noise report detailing noise mitigation measures shall be submitted for approval to the Local Planning Authority. The Report shall be based on the measures identified in "Marshgate Life Science, Stevenage, Planning Noise Report" Report reference 21199-R01-B, dated 3 June 2021 by Sandy Brown Ltd. Following approval, the measures shall be maintained thereafter.  
**REASON:-** To protect the residential amenity of existing residents.
- 23 The noise control measures detailed in Section 7.3 of "Marshgate Life Science, Stevenage, Planning Noise Report" Report reference 21199-R01-B, dated 3 June 2021 by Sandy Brown Ltd shall be implemented for the operational phase of the development.  
**REASON:-** To protect the residential amenity of existing residents.
- 24 The recommended ecological and nature conservation enhancements set out within the Ecological Appraisal Report by SLR dated May 2021 shall be implemented and permanently maintained in accordance with the approved details.  
**REASON:-** To provide a net gain in biodiversity.
- 25 No loading, unloading, deliveries or collections shall take place other than between the hours of 08.00 hours and 18.00 hours Mondays to Saturdays nor at any time on Sundays, Public or Bank Holidays apart from small vehicles less than 7.5 Ton.  
**REASON:-** To protect the residential amenity of existing residents.

## INFORMATIVES

### 1. 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](http://www.stevenage.gov.uk/CIL) or by contacting the Council's CIL Team at [CIL@Stevenage.gov.uk](mailto:CIL@Stevenage.gov.uk).

2. 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/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
- 3 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 willfully 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/highways-roads-and-pavements.aspx> telephoning 0300 1234047.

- 4 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/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
- 5 It is recommended that the project engage with the Police Crime Prevention Design Service (CPDS) with a view to seeking to achieve the Police preferred minimum security standard that is Secured by Design (SBD). To liaise with the Police Crime Prevention Design Service, please contact Mark Montgomery on [mark.montgomery@herts.pnn.police.uk](mailto:mark.montgomery@herts.pnn.police.uk).
- 6 The applicant or developer shall notify Affinity Water of excavation works 15 days before commencement in order to implement enhanced monitoring at the public water supply abstraction and to plan for potential interruption of service with regards to water supply.
- 7 There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the developer will need to contact the Affinity Water Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (<https://affinitywater.custhelp.com/>) or [aw\\_developerservices@custhelp.com](mailto:aw_developerservices@custhelp.com).
- 8 In this location Affinity Water will supply drinking water to the development. To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (<https://affinitywater.custhelp.com/>) or [aw\\_developerservices@custhelp.com](mailto:aw_developerservices@custhelp.com). The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing [maps@affinitywater.co.uk](mailto:maps@affinitywater.co.uk). Please note that charges may apply.
- 9 To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at [buildingcontrol@hertfordshirebc.co.uk](mailto:buildingcontrol@hertfordshirebc.co.uk) or phoning us on 01438 879990.

To make a building regulations application please apply through our website portal at <https://www.hertfordshirebc.co.uk/contact-us/> payment can be made online or by phoning the above number after the application has been uploaded. Please phone Hertfordshire Building Control for fees guidance on 01438 879990.

Hertfordshire Building Control can also be contacted by post at Hertfordshire Building control Ltd., 4th Floor, Campus West, Welwyn Garden City, Hertfordshire, AL8 6BX.

Once a building regulations application has been deposited with relevant drawings and fee building work may commence. You will be advised in their acknowledgement letter of the work stages we need to inspect but in most instances these are usually:

- Excavation for foundations
- Damp proof course
- Concrete oversite
- Insulation

Drains (when laid or tested)  
Floor and Roof construction  
Work relating to fire safety  
Work affecting access and facilities for disabled people  
Completion

Please phone Hertfordshire Building Control on 01438 879990 before 10.00am to ensure a same day inspection (Mon - Fri).

## **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 and Sustainable Transport (2020), Stevenage Design Guide SPD (2009), Developer Contributions SPD (2021), The Impact of Development on Biodiversity SPD (2021) and Town Square Conservation Management Plan SPD (2012)
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 July 2021 and Planning Policy Guidance March 2014.

**Meeting:** Planning and Development  
Committee

**Agenda Item:**

**Date:**

## **IMPORTANT INFORMATION - DELEGATED DECISIONS**

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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 : 21/00014/FP  
Date Received : 12.01.21  
Location : 14 Penn Road Stevenage Herts SG1 1HY  
Proposal : Conversion of existing 4 bed dwelling into 2no. 2 bed flats  
Date of Decision : 23.07.21  
Decision : **Planning Permission is GRANTED**
  
2. Application No : 21/00049/FP  
Date Received : 27.01.21  
Location : 22 Stanley Road Stevenage Herts SG2 0EF  
Proposal : Part two storey, part single storey side extension and single storey rear extension to facilitate the conversion of the existing 5 bed dwelling into 1no. 3 bed dwelling and 1no. 2 bed dwelling  
Date of Decision : 21.07.21  
Decision : **Planning Permission is REFUSED**

For the following reason(s);

The proposal to create a second dwelling at the site fails to demonstrate that it could provide and would fail to be able to provide the provision for off-street car parking. As a result vehicles from the proposed development would be parked on the highway which is already under great pressure from on-street parking in this location. The cul-de-sac location and highway layout is such that vehicles would be likely to park in

dangerous and obstructive locations to the detriment of highway safety. If approved the proposal would be contrary to Policies SP7 and IT5 of the Stevenage Borough Local Plan 2011-2031 (2019), the Council's adopted Parking Provision and Sustainable Transport Supplementary Planning Document (2020), the National Planning Policy Framework (2019) and the Planning Practice Guidance (2014).

The proposal would create an unacceptable relationship between the proposed eastern side elevation of dwelling 2 and properties on Fawcett Road by the introduction of a first floor window in a back to back relationship at a distance under the Council's adopted 25m distance. This would lead to a loss of privacy and overlooking to existing properties, and the future occupiers of the proposed dwelling 2. If approved the proposal would be contrary to Policy GD1 of the Stevenage Borough Local Plan 2011-2031 (2019) and the Council's adopted supplementary planning document Stevenage Design Guide (2009).

The proposal would create an unacceptable relationship between the existing dwelling 1 and proposed dwelling 2 by introducing a first floor side window on the western elevation of the two storey link projection to the front of the original dwelling. The proposed window would be within 1.2m of the existing front elevation bedroom window which would result in an unacceptable relationship of overlooking and loss of privacy to both windows. If approved the proposal would be contrary to Policy GD1 of the Stevenage Borough Local Plan 2011-2031 (2019) and the Council's adopted supplementary planning document Stevenage Design Guide (2009).

The proposal to create internal garden access's for each dwelling along the shared boundaries with Numbers 20 and 24 Stanley Road would introduce a facility not currently in place but which would bring with it disturbance from additional foot traffic leading to the front door within the 'alleyway', and possible bin and cycle movements from the rear garden as no provision of bin and cycle stores are available to the property frontage. The additional disturbance created would be immediately adjacent existing internal walls to habitable ground floor rooms at the neighbouring properties which is unacceptable and would have an adverse impact on the amenities of these properties. If approved the proposal would be contrary to Policy GD1 of the Stevenage Borough Local Plan 2011-2031 (2019) and the Council's adopted supplementary planning document Stevenage Design Guide (2009).

The proposal fails to demonstrate an acceptable cycle storage and bin storage provision and access in accordance with saved Policies GD1 and IT5 of the Stevenage Borough Local Plan 2011-2031 (2019), the Parking Provision and Sustainable Transport Supplementary Planning Document (2020), and the Council's adopted supplementary planning document Stevenage Design Guide (2009).

3. Application No : 21/00268/COND  
Date Received : 19.03.21  
Location : Abbington Hotel 23 Hitchin Road And 28 Essex Road  
Stevenage Herts  
Proposal : Discharge of condition 11 (Security Gate Details) attached to  
planning permission 20/00346/FP  
Date of Decision : 20.07.21  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
4. Application No : 21/00364/FP  
Date Received : 08.04.21  
Location : South Car Park Roaring Meg Retail Park London Road  
Stevenage  
Proposal : Alterations to the South Car Park including a new link road,  
creation of new cycle parking facilities, landscaping works,  
provision of 6 no. electric vehicle charging spaces, provision of  
additional parent and child and disabled parking, and provision  
of 6 no. trolley bays.  
Date of Decision : 09.07.21  
Decision : **Planning Permission is GRANTED**
5. Application No : 21/00401/COND  
Date Received : 14.04.21  
Location : Land Adjacent To 24 Shackledell Stevenage Herts SG2 9AE  
Proposal : Discharge of conditions 5 (parking facilities), 8 (climate change),  
9 (EV charging), 13 (waste and recycling) and 14 (construction  
management plan) attached to planning permission reference  
number 20/00671/FP  
Date of Decision : 30.07.21  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

6. Application No : 21/00413/COND  
Date Received : 16.04.21  
Location : John Henry Newman School Hitchin Road Stevenage Herts  
Proposal : Discharge of Conditions 12 (Arboricultural Method Statement and Plans) and Condition 16 (Final drainage plans) attached to planning permission number 20/00678/FPM  
Date of Decision : 02.07.21  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
7. Application No : 21/00438/COND  
Date Received : 23.04.21  
Location : Matalan Unit B-C Danestrete Stevenage  
Proposal : Full discharge of conditions 8 (Tree protection measures) and 18 (Asbestos) and partial discharge of conditions 12 (Wheel wash facilities), 14 (Archaeology), 17 (Dust control measures) and 19 (Construction method statement) covering Phase 1 demolition and enabling works attached to planning permission number 14/00559/OPM  
Date of Decision : 08.07.21  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
8. Application No : 21/00446/COND  
Date Received : 26.04.21  
Location : Car Park Bounded By Lytton Way, Danesgate And London Road Stevenage Herts SG1 1LZ  
Proposal : Discharge of conditions 13 (surface water drainage) ; 15 (nesting and roosting boxes) and 19 (cycle parking) attached to planning permission reference number 20/00486/FPM  
Date of Decision : 01.07.21  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

9. Application No : 21/00448/TPTPO  
Date Received : 26.04.21  
Location : Greenside School Shephall Green Stevenage Herts  
Proposal : Remove deadwood to 2no. Oak trees (T22) and lift to 3 metres above ground level 1no. Yew tree (T16) protected by Tree Preservation Order 8  
Date of Decision : 21.07.21  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
10. Application No : 21/00449/COND  
Date Received : 26.04.21  
Location : Former Chells Play Area Eliot Road Stevenage Herts  
Proposal : Discharge of conditions 3 (materials); 4 (hard and soft landscaping); 12 (detailed engineering drawings); 14 (electric vehicle charging points); 15 (cycle storage) and 17 (climate change and energy efficiency) attached to planning permission reference number 20/00053/FPM  
Date of Decision : 14.07.21  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

11. Application No : 21/00456/FP  
Date Received : 28.04.21  
Location : 13 Stanley Road Stevenage Herts SG2 0EF  
Proposal : Erection of a 1 bed end of terrace dwelling  
Date of Decision : 02.07.21  
Decision : **Planning Permission is REFUSED**

For the following reason(s);

By virtue of the location and prominence of the site and its relationship with the row of semi- detached dwellings to the south, which form a flush building line, the proposed dwellinghouse, built to the back edge of the pavement, would project incongruously and discordantly further forward of this building line than the existing property. The proposed development would accordingly be visually intrusive and would have a detrimental impact on the character and appearance of this part of Stanley Road, an impact which would be exacerbated by the blank nature of the proposed flank wall of the dwelling. The proposed development is accordingly contrary to Policies SP8, HO5 and GD1 of the Stevenage Borough Local Plan (2011- 2031), the guidance in the Stevenage Design Guide Supplementary Planning Document (2009) and the National Planning Policy Framework (2019).

The proposed development would like result in the loss of a tree or trees on the site which make a positive contribution to the character and appearance of the property and the street scene. Their loss would therefore be harmful to both and the proposed development is accordingly contrary to Policy NH5 of the Stevenage Borough Local Plan (2011- 2031), the guidance in the Stevenage Design Guide Supplementary Planning Document (2009) and the National Planning Policy Framework (2019).

The proposed plans show there would be two parking spaces provided within the curtilage of the existing dwelling only, whereas the existing and proposed dwellings would require three parking spaces to comply with the Council's Parking Standards. These three spaces could not be provided within the site. The proposed development would therefore result in a shortfall of parking, which would result in on- street parking, to the danger and inconvenience of highway users and the detriment of highway and pedestrian safety. Moreover, both of the parking spaces would be within the curtilage of the existing dwelling: this would lead to an unsatisfactory parking arrangement for the properties and would exacerbate the likelihood of on- street parking arising from the proposal. The proposed development is therefore contrary to Policy IT5 of the Stevenage Borough Local Plan 2011- 2031, the Parking Provision Supplementary Planning Document (2020) and the National Planning Policy Framework (2019)

12. Application No : 21/00476/FPH  
Date Received : 30.04.21  
Location : 11 Barham Road Stevenage Herts SG2 9HX  
Proposal : Two storey side extension and first floor rear extension  
Date of Decision : 15.07.21  
Decision : **Planning Permission is GRANTED**
13. Application No : 21/00479/TPCA  
Date Received : 30.04.21  
Location : 2B North Road Stevenage Herts SG1 4AT  
Proposal : Prune 1no. Scots Pine tree and prune 1no. Monterey Pine tree  
Date of Decision : 08.07.21  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
14. Application No : 21/00482/COND  
Date Received : 01.05.21  
Location : Matalan Unit B-C Danestrete Stevenage  
Proposal : Discharge of conditions 10 (Drainage) and 21 (Noise attenuation) attached to planning permission reference 14/00559/OPM  
Date of Decision : 08.07.21  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
15. Application No : 21/00494/FP  
Date Received : 04.05.21  
Location : Electricity Substation Vinters Avenue Stevenage Herts  
Proposal : Extension to Electricity substation to house electrical plant  
Date of Decision : 02.07.21  
Decision : **Planning Permission is GRANTED**

16. Application No : 21/00508/CPA  
Date Received : 05.05.21  
Location : Whomerley Wood Substation Vinters Avenue Stevenage Herts  
Proposal : Prior approval for extension to electricity substation to house electrical plant  
Date of Decision : 05.07.21  
Decision : **Prior Approval is REQUIRED and GIVEN**
17. Application No : 21/00510/FP  
Date Received : 06.05.21  
Location : 138 The Paddocks Stevenage Herts SG2 9UF  
Proposal : Retrospective planning permission for a two storey side and rear extension, single storey rear extension and change of use of public highway land to residential land for 2no. car parking spaces  
Date of Decision : 08.07.21  
Decision : **Planning Permission is GRANTED**
18. Application No : 21/00537/FP  
Date Received : 10.05.21  
Location : Spark Building Land To The North Of Stevenage Bioscience Catalyst Gunnels Wood Road  
Proposal : Retention of the Spark Building for a further temporary period of 8 months  
Date of Decision : 06.07.21  
Decision : **Planning Permission is GRANTED**
19. Application No : 21/00538/FP  
Date Received : 11.05.21  
Location : Tarla Restaurant 23 - 25 Middle Row Stevenage Herts  
Proposal : Replacement of existing windows on shopfront with new timber windows including bifolds  
Date of Decision : 06.07.21  
Decision : **Planning Permission is GRANTED**

20. Application No : 21/00539/LB  
Date Received : 11.05.21  
Location : Tarla Restaurant 23 - 25 Middle Row Stevenage Herts  
Proposal : Replacement of existing windows on shopfront with new timber windows including bifolds at front of building (Listed Building Consent).  
Date of Decision : 06.07.21  
Decision : **Listed Building Consent is GRANTED**
21. Application No : 21/00540/CLPD  
Date Received : 11.05.21  
Location : 60 Basils Road Stevenage Herts SG1 3PX  
Proposal : Certificate of lawfulness for proposed for rear dormer window.  
Date of Decision : 05.07.21  
Decision : **Certificate of Lawfulness is APPROVED**
22. Application No : 21/00542/CLPD  
Date Received : 12.05.21  
Location : 103 Minehead Way Stevenage Herts SG1 2JH  
Proposal : Certificate of lawfulness for proposed single storey rear extension and partial garage conversion  
Date of Decision : 06.07.21  
Decision : **Certificate of Lawfulness is REFUSED**
- For the following reason(s);
- The proposed single storey rear extension would extend beyond a wall forming a side elevation of the original dwellinghouse and would have a width greater than half the width of the original dwellinghouse. Therefore, the proposed development would fail to accord with Schedule 2, Part 1, Class A (j) (iii) of the Town and Country Planning (General Permitted Development) (England) Order 2015 and therefore, requires planning permission.

23. Application No : 21/00549/COND  
Date Received : 12.05.21  
Location : Abbington Hotel 23 Hitchin Road And 28 Essex Road  
Stevenage Herts  
Proposal : Discharge of Condition 5 (CCTV Details) attached to planning  
permission 20/00346/FP  
Date of Decision : 07.07.21  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
24. Application No : 21/00552/FP  
Date Received : 12.05.21  
Location : Woolenwick Infant & Nursery School Bridge Road Stevenage  
Herts  
Proposal : Demolition of single storey nursery building and erection of two  
storey nursery block  
Date of Decision : 21.07.21  
Decision : **Planning Permission is GRANTED**
25. Application No : 21/00565/FPH  
Date Received : 14.05.21  
Location : 8 Kimbolton Crescent Stevenage Herts SG2 8RJ  
Proposal : Retrospective planning permission to erect a timber fence in the  
front garden  
Date of Decision : 19.07.21  
Decision : **Planning Permission is GRANTED**
26. Application No : 21/00569/TPTPO  
Date Received : 18.05.21  
Location : 61 Sparrow Drive Stevenage Herts SG2 9FB  
Proposal : Reduction of 1no. Oak tree (T7) to previous pruning points  
protected by Tree Preservation Order 38  
Date of Decision : 16.07.21  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE  
SUBJECT OF A TREE PRESERVATION ORDER**

27. Application No : 21/00571/CLPD  
Date Received : 19.05.21  
Location : 36 Chells Way Stevenage Herts SG2 0LD  
Proposal : Certificate of lawfulness for Proposed single storey rear extension.  
Date of Decision : 02.07.21  
Decision : **Certificate of Lawfulness is APPROVED**
28. Application No : 21/00575/CLPD  
Date Received : 19.05.21  
Location : 137 Bronte Paths Stevenage Herts SG2 0PL  
Proposal : Certificate of lawfulness for proposed single storey rear extension  
Date of Decision : 06.07.21  
Decision : **Certificate of Lawfulness is APPROVED**
29. Application No : 21/00576/COND  
Date Received : 19.05.21  
Location : Airbus Defence And Space Gunnels Wood Road Stevenage Herts  
Proposal : Part discharge of condition 19 (Drainage Management) attached to planning permission number 19/00167/FPM to cover phase 1 of construction  
Date of Decision : 15.07.21  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
30. Application No : 21/00594/CLPD  
Date Received : 25.05.21  
Location : 6 Byron Close Stevenage Herts SG2 0JE  
Proposal : Certificate of lawfulness for a garage and store conversion  
Date of Decision : 19.07.21  
Decision : **Certificate of Lawfulness is APPROVED**

31. Application No : 21/00596/TPTPO  
Date Received : 25.05.21  
Location : 63 Sparrow Drive Stevenage Herts SG2 9FB  
Proposal : Reduction in canopy and removal of overhanging branches to 1no. Ash tree (T8) and reduction in canopy to 2no. Ash trees (T9 and T10) protected by Tree Preservation Order 38  
Date of Decision : 06.07.21  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
32. Application No : 21/00597/FPH  
Date Received : 25.05.21  
Location : 422 Canterbury Way Stevenage Herts SG1 4EA  
Proposal : Single storey rear extension  
Date of Decision : 16.07.21  
Decision : **Planning Permission is GRANTED**
33. Application No : 21/00598/FPH  
Date Received : 26.05.21  
Location : 27A Essex Road Stevenage Herts SG1 3EX  
Proposal : Part single-storey, part two-storey rear extension and single storey side extension  
Date of Decision : 08.07.21  
Decision : **Planning Permission is GRANTED**
34. Application No : 21/00601/CPAS  
Date Received : 26.05.21  
Location : The Wine Society Gunnels Wood Road Stevenage Herts  
Proposal : Installation of 882 photovoltaic panels on roof of existing warehouse building totalling 366.03kWp  
Date of Decision : 19.07.21  
Decision : **Prior Approval is NOT REQUIRED**

35. Application No : 21/00604/FPH  
Date Received : 26.05.21  
Location : 10 Magellan Close Stevenage Herts SG2 0NF  
Proposal : Single storey side extension  
Date of Decision : 13.07.21  
Decision : **Planning Permission is GRANTED**
36. Application No : 21/00606/FPH  
Date Received : 27.05.21  
Location : 165 Oaks Cross Stevenage Herts SG2 8NA  
Proposal : Single storey front extension and part single, part two storey rear extension  
Date of Decision : 19.07.21  
Decision : **Planning Permission is GRANTED**
37. Application No : 21/00609/HPA  
Date Received : 27.05.21  
Location : 151 Derby Way Stevenage Herts SG1 5TN  
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 4.30 metres, for which the maximum height will be 3.00 metres and the height of the eaves will be 3.00 metres  
Date of Decision : 05.07.21  
Decision : **Prior Approval is NOT REQUIRED**
38. Application No : 21/00611/FPH  
Date Received : 28.05.21  
Location : 83 Fishers Green Road Stevenage Herts SG1 2PP  
Proposal : Single storey rear and side extension  
Date of Decision : 16.07.21  
Decision : **Planning Permission is GRANTED**

39. Application No : 21/00616/CLPD  
Date Received : 29.05.21  
Location : 15 Wensum Road Stevenage Herts SG1 3XX  
Proposal : Certificate of lawfulness for proposed Single storey rear extension  
Date of Decision : 22.07.21  
Decision : **Certificate of Lawfulness is APPROVED**
40. Application No : 21/00618/CLPD  
Date Received : 01.06.21  
Location : 20 East Close Stevenage Herts SG1 1PP  
Proposal : Certificate of lawfulness for proposed construction of a new outbuilding at the rear of the property  
Date of Decision : 19.07.21  
Decision : **Certificate of Lawfulness is APPROVED**
41. Application No : 21/00622/COND  
Date Received : 01.06.21  
Location : Unit B3 Cockerell Close Stevenage Herts  
Proposal : Discharge of condition 4 (Cycle Storage ) attached to planning permission number 20/00548/FPM  
Date of Decision : 21.07.21  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
42. Application No : 21/00623/AD  
Date Received : 02.06.21  
Location : Lamex Stadium Broadhall Way Stevenage Herts  
Proposal : 5000 mm wide x 1000 mm high LED fixtures board (made up of a row of 5 x 960 x 960 x 90 mm cabinets) located over the east gate turnstile mounted in a 90 mm deep modular cabinet.  
Date of Decision : 26.07.21  
Decision : **Advertisement Consent is GRANTED**

43. Application No : 21/00636/TPCA  
Date Received : 04.06.21  
Location : The Marquis Of Granby North Road Stevenage Herts  
Proposal : Trim and crown 1 No: Ash tree  
Date of Decision : 26.07.21  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**

44. Application No : 21/00637/PATELE  
Date Received : 04.06.21  
Location : Junction Of Clovelly Way And Symonds Green Lane Stevenage Herts SG1 2HX  
Proposal : Prior approval for 1no. 20 metre telecommunications pole and associated ancillary works  
Date of Decision : 13.07.21  
Decision : **Prior Approval is REQUIRED and GIVEN**

45. Application No : 21/00638/PATELE  
Date Received : 04.06.21  
Location : Junction Of Corton Close And Fishers Green Road Stevenage Herts SG1 2LB  
Proposal : Prior approval for 1no. 18 metre Phase 8 Monopole with a wrapround cabinet and associated ancillary works  
Date of Decision : 19.07.21  
Decision : **Prior Approval is REQUIRED and REFUSED**

The proposed development, by virtue of its siting and height would be an incongruous feature in the street scene and would have an unacceptable impact on views through, and across the common which forms part of a designated Green Link as well as the wider street scene, to the detriment of the visual amenities of the area. The benefits of the development do not outweigh the harm. The application is therefore contrary to Policies GD1, SP8 and NH4 of the Stevenage Local Plan (2019), the NPPF (2019) and Planning Practice Guidance (2014).

The applicant has failed to provide any evidence that the development would not harm any potential archaeological remains on the site, contrary to Policy NH9 of the Stevenage Local Plan (2019), the NPPF (2019) and Planning Practice Guidance (2014).

46. Application No : 21/00640/FPH  
Date Received : 06.06.21  
Location : 128 Fairview Road Stevenage Herts SG1 2NS  
Proposal : Single storey rear extension  
Date of Decision : 08.07.21  
Decision : **Planning Permission is GRANTED**
47. Application No : 21/00641/FPH  
Date Received : 07.06.21  
Location : 68 Boxfield Green Stevenage Herts SG2 7DS  
Proposal : First floor front extension, front porch and window canopies  
Date of Decision : 08.07.21  
Decision : **Planning Permission is GRANTED**
48. Application No : 21/00642/CLPD  
Date Received : 07.06.21  
Location : 121 Chalkdown Stevenage Herts SG2 7BN  
Proposal : Certificate of lawfulness for a single storey rear extension  
Date of Decision : 26.07.21  
Decision : **Certificate of Lawfulness is APPROVED**
49. Application No : 21/00644/PADEMO  
Date Received : 07.06.21  
Location : Garages No 28-72 At Dunn Close Stevenage Herts SG1 1SB  
Proposal : Prior approval for demolition of garage compound  
Date of Decision : 05.07.21  
Decision : **Prior Approval is REQUIRED and REFUSED**

The application has provided insufficient information to allow the Local Planning Authority to assess the method of demolition to ensure the works would not cause unnecessary nuisance and disturbance to nearby residents and in terms of removal of materials and demolition methods. The proposal therefore fails to accord with Class B, Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

50. Application No : 21/00646/FP  
Date Received : 07.06.21  
Location : Land Adjacent To 32 Chester Road Stevenage Herts SG1 4LE  
Proposal : Change of use of public amenity land to private residential land and enclosure with 2m high fencing  
Date of Decision : 27.07.21  
Decision : **Planning Permission is GRANTED**
51. Application No : 21/00651/FPH  
Date Received : 08.06.21  
Location : 52 Anderson Road Stevenage Herts SG2 0LW  
Proposal : Garage conversion to create habitable accommodation and increase in roof height.  
Date of Decision : 27.07.21  
Decision : **Planning Permission is GRANTED**
52. Application No : 21/00653/FP  
Date Received : 08.06.21  
Location : The Crooked Billet Symonds Green Lane Stevenage Herts  
Proposal : Removal of existing timber structure and replaced with new timber structure with 50% open walls, removal of existing smoking shelter located to the front of the building  
Date of Decision : 29.07.21  
Decision : **Planning Permission is GRANTED**
53. Application No : 21/00654/CLED  
Date Received : 09.06.21  
Location : 20 Fox Road Stevenage Herts SG1 1JD  
Proposal : Certificate of lawfulness for an existing first floor window and door entrance canopy  
Date of Decision : 05.08.21  
Decision : **Certificate of Lawfulness is APPROVED**

54. Application No : 21/00659/FPH  
Date Received : 10.06.21  
Location : 572 Ripon Road Stevenage Herts SG1 4NL  
Proposal : Single storey front extension  
Date of Decision : 12.07.21  
Decision : **Planning Permission is GRANTED**
55. Application No : 21/00663/TPTPO  
Date Received : 10.06.21  
Location : 31 Woodland Way Stevenage Herts SG2 8BU  
Proposal : Crown clean 1no. Scots Pine (T1) Protected by TPO17  
Date of Decision : 29.07.21  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
56. Application No : 21/00672/HPA  
Date Received : 14.06.21  
Location : 9 Paddocks Close Stevenage Herts SG2 9UD  
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 4.00 metres, for which the maximum height will be 3.00 metres and the height of the eaves will be 2.40 metres  
Date of Decision : 19.07.21  
Decision : **Prior Approval is NOT REQUIRED**
57. Application No : 21/00675/AD  
Date Received : 14.06.21  
Location : TSB Bank 35-37 Market Place Stevenage Herts  
Proposal : 1no. internally illuminated fascia sign, 1no. internally illuminated projecting sign, 1no. non illuminated ATM surround and 1no. non illuminated double sided A frame  
Date of Decision : 03.08.21  
Decision : **Advertisement Consent is GRANTED**

58. Application No : 21/00678/HPA  
Date Received : 14.06.21  
Location : 30 Minerva Close Stevenage Herts SG2 7RA  
Proposal : Single storey side and rear extension which will extend beyond the rear wall of the original house by 4.20metres, for which the maximum height will be 4.00metres and the height of the eaves will be 3.97metres  
Date of Decision : 19.07.21  
Decision : **Prior Approval is NOT REQUIRED**
59. Application No : 21/00681/AD  
Date Received : 15.06.21  
Location : McDonalds Monkswood Retail Park Elder Way Stevenage  
Proposal : 1no. internally illuminated totem sign  
Date of Decision : 03.08.21  
Decision : **Advertisement Consent is REFUSED**  
By virtue of its height and projection above the adjacent hedge on the boundary of the site with Monkswood Way, and its prominence in the street scene, the proposed totem sign would have a jarring and harmful impact upon the visual amenity of the area and would not be compatible with the street view. The proposed sign is therefore contrary to Policies GD1 and SP8 of the Stevenage Borough Local Plan 2019- 2031, the Stevenage Design Guide Supplementary Planning Document (2009), the National Planning Policy Framework (2021) and the Planning Policy Guidance (2014).
60. Application No : 21/00683/COND  
Date Received : 16.06.21  
Location : Glaxo Sycamore House Leyden Road Stevenage Herts  
Proposal : Discharge of conditions 3 (replacement tree) attached to planning permission reference number 20/00658/FP  
Date of Decision : 16.07.21  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

61. Application No : 21/00684/FP  
Date Received : 16.06.21  
Location : 1 - 57 Tippett Court Stevenage Herts SG1 1XR  
Proposal : Propose to remove the existing exterior timber cladding and rainwater goods and replace with Hardie Plank fibre cement cladding and replacement rainwater goods to flat blocks 1 2 3 and 4  
Date of Decision : 21.07.21  
Decision : **Planning Permission is GRANTED**
62. Application No : 21/00686/FP  
Date Received : 17.06.21  
Location : 1 - 12 Fieldgate House Exchange Road Stevenage Herts  
Proposal : Removal of existing painted steel balustrades with mesh infill panels and replacement with new box-section balustrades with perforated infill panels to private balconies  
Date of Decision : 03.08.21  
Decision : **Planning Permission is GRANTED**
63. Application No : 21/00687/FP  
Date Received : 17.06.21  
Location : 12 - 23 Hillside House Stevenage Herts SG1 1PY  
Proposal : Removal of existing painted steel balustrades with mesh infill panels and replacement with new box-section balustrades with perforated infill panels to private balconies  
Date of Decision : 03.08.21  
Decision : **Planning Permission is GRANTED**
64. Application No : 21/00689/NMA  
Date Received : 17.06.21  
Location : Sycamore House Leyden Road Stevenage Herts  
Proposal : Non material amendment to full planning approval 19/00720/FP to relocate 3no. flues located on the roof  
Date of Decision : 01.07.21  
Decision : **Non Material Amendment AGREED**

65. Application No : 21/00690/NMA  
Date Received : 17.06.21  
Location : 395 Ripon Road Stevenage Herts SG1 4LU  
Proposal : Non material amendment to 20/00270/FP to remove the front extension and replace with new front entrance doors and removal of roof lights from rear pitched roof  
Date of Decision : 06.07.21  
Decision : **Non Material Amendment AGREED**
66. Application No : 21/00692/NMA  
Date Received : 18.06.21  
Location : 13 Headingley Close Stevenage Herts SG1 3RU  
Proposal : Non material amendment to planning permission 18/00744/FPH to extend the rear access towards the front of the house  
Date of Decision : 06.07.21  
Decision : **Non Material Amendment AGREED**
67. Application No : 21/00694/CLPD  
Date Received : 18.06.21  
Location : 179 Ascot Crescent Stevenage Herts SG1 5SY  
Proposal : Certificate of lawfulness for proposed single storey rear extension  
Date of Decision : 03.08.21  
Decision : **Certificate of Lawfulness is APPROVED**
68. Application No : 21/00700/FPH  
Date Received : 22.06.21  
Location : 30 Collenswood Road Stevenage Herts SG2 9ES  
Proposal : Single Storey Rear Extension  
Date of Decision : 29.07.21  
Decision : **Planning Permission is GRANTED**

69. Application No : 21/00703/FP  
Date Received : 22.06.21  
Location : 60 Stoney Croft Stevenage Herts SG1 3TW  
Proposal : Retrospective planning permission for change of use from public amenity land to residential land in order to create a single hardstand parking space and residential garden  
Date of Decision : 29.07.21  
Decision : **Planning Permission is GRANTED**

70. Application No : 21/00707/FPH  
Date Received : 23.06.21  
Location : 24 Hayley Common Stevenage Herts SG2 9JZ  
Proposal : Two storey side extension  
Date of Decision : 04.08.21  
Decision : **Planning Permission is REFUSED**

For the following reason(s);

By virtue of its size, bulk, massing and height matching the existing dwelling, the extension would fail to relate to the dwelling in a visually suitable manner. It would not be subordinated to the dwelling and would harm the character and appearance of the dwelling as a result of its size and scale, an impact which would be exacerbated by the 'stepped in' rear element of the extension, providing a visually awkward and unfinished appearance to the extension and the dwelling. The proposed development is therefore contrary to Policies SP8 and GD1 of the Stevenage Local Plan 2011- 2031 (2019), the Council's Design Guide Supplementary Planning Document (2009) and the National Planning Policy Framework (2021).

By virtue of the stepped nature of the flank elevation of the proposal, the extension would be at variance to the established character of the dwellings in the vicinity of the site which have flush flank elevations and would be an incongruous element of the street scene as a consequence. The proposed development would accordingly detract from the overall character and appearance of the street scene and is contrary to Policies SP8 and GD1 of the Stevenage Local Plan 2011- 2031 (2019), the Council's Design Guide Supplementary Planning Document (2009) and the National Planning Policy Framework (2021).

By virtue of the lack of sufficient on- site parking for the property and a fourth bedroom at the dwelling arising from the proposal, the development would result in additional pressure for on-street parking in an already heavily parked road, to the detriment of highway safety. Moreover, it is not evident that a

car could easily access and egress the proposed parking space, potentially resulting in increased on- street parking, further exacerbating the parking shortage in the area. The proposed development is therefore contrary to Policy IT5 of the Stevenage Local Plan 2011- 2031 (2019), the Parking Provision Supplementary Planning Document (2020) and the National Planning Policy Framework (2021).

By virtue of its proximity to an existing mature ash tree on the site, the proposed hardstanding near the tree, and in the absence of an Arboricultural Impact Assessment regarding the potential impact of the proposal upon this tree, it is not known to what degree the proposed extension would adversely impact upon the tree. As well as future pressures to trim the tree considering its proximity to the proposed extension, the effect of the extension and the capping would quite possibly have a harmful impact upon the tree. In the absence of an Arboricultural Impact Assessment, it has not been able to fully assess this. The proposed development is therefore contrary to Policy NH5 of the Stevenage Local Plan 2011- 2031 (2019) and the National Planning Policy Framework (2021).

71. Application No : 21/00710/FPH  
Date Received : 24.06.21  
Location : 12 Torquay Crescent Stevenage Herts SG1 2RT  
Proposal : Part two storey and part single storey front extension  
Date of Decision : 04.08.21  
Decision : **Planning Permission is GRANTED**
72. Application No : 21/00714/FPH  
Date Received : 24.06.21  
Location : 140 Fairview Road Stevenage Herts SG1 2NS  
Proposal : Erection of 1no timber frame outbuilding to enclose a swimming pool in rear garden  
Date of Decision : 21.07.21  
Decision : **Planning Permission is GRANTED**

73. Application No : 21/00718/FPH  
Date Received : 25.06.21  
Location : 25 Wisden Road Stevenage Herts SG1 5NJ  
Proposal : Single storey rear and front extension  
Date of Decision : 22.07.21  
Decision : **Planning Permission is GRANTED**
74. Application No : 21/00721/CLPD  
Date Received : 26.06.21  
Location : 1 Hayley Common Stevenage Herts SG2 9LA  
Proposal : Certificate of lawfulness (Proposed) for the erection of a rear dormer window and installation of 3 no. roof lights.  
Date of Decision : 03.08.21  
Decision : **Certificate of Lawfulness is APPROVED**
75. Application No : 21/00731/FP  
Date Received : 30.06.21  
Location : 81A - 91A Mobbsbury Way Stevenage Herts SG2 0HY  
Proposal : Replacement of existing flat roof finish with insulated bitumous felt including raising upstands to accommodate insulation and replacing/extending trim and fascia  
Date of Decision : 03.08.21  
Decision : **Planning Permission is GRANTED**
76. Application No : 21/00739/FPH  
Date Received : 01.07.21  
Location : 26 Rockingham Way Stevenage Herts SG1 1SQ  
Proposal : Single storey rear extension  
Date of Decision : 04.08.21  
Decision : **Planning Permission is GRANTED**

77. Application No : 21/00752/FPH  
Date Received : 07.07.21  
Location : 38 Mildmay Road Stevenage Herts SG1 5TW  
Proposal : Proposed single storey front extension  
Date of Decision : 04.08.21  
Decision : **Planning Permission is GRANTED**
78. Application No : 21/00755/FP  
Date Received : 07.07.21  
Location : 28 - 50 Briardale Stevenage Herts SG1 1TP  
Proposal : Variation of condition 1 (Approved Plans) attached to planning permission 21/00359/FP  
Date of Decision : 04.08.21  
Decision : **Planning Permission is GRANTED**
79. Application No : 21/00758/FPH  
Date Received : 08.07.21  
Location : 4 Glanville Crescent Stevenage Herts SG1 4FW  
Proposal : Single storey rear extension  
Date of Decision : 04.08.21  
Decision : **Planning Permission is GRANTED**
80. Application No : 21/00807/NMA  
Date Received : 19.07.21  
Location : Sycamore House Leyden Road Stevenage Herts  
Proposal : Non material amendment to planning permission reference 19/00720/FP for the installation of a service gantry.  
Date of Decision : 28.07.21  
Decision : **Non Material Amendment AGREED**

## **BACKGROUND PAPERS**

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 2020.
3. Stevenage Borough Local Plan 2011-2031 adopted May 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:** Wednesday 18 August 2021

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

Author – Linda Sparrow 01438 242837

Lead Officer – Zayd Al-Jawad 01438 242257

Contact Officer – James Chettleburgh 01438 242266

### **1. APPEALS RECEIVED**

1.1 None.

### **2. DECISIONS AWAITED**

2.1 19/00474/FPM, Land West of Lytton Way. Appeal against refusal of planning permission for the demolition of existing office building (Use Class B1) and structures, and the construction of seven apartment buildings comprising 576 dwellings (Use Class C3) together with internal roads, parking, public open space, landscaping, drainage and associated infrastructure works.

### **3. DECISIONS RECEIVED**

3.1 20/00661/FP, 40 Burymead. Appeal against refusal of permission for the erection of 1no. one bedroom end of terrace dwelling.

#### **3.1.1 Main Issues**

- Character and appearance of the area
- Living conditions of future occupiers, mainly garden area and internal floorspace
- Living conditions of adjoining occupiers, mainly privacy of No.42 Burymead

#### **3.1.2 Reasons**

The site is within an established residential area with a pleasing sense of rhythm and degree of uniformity and spaciousness which is reinforced by the similar layout and appearance of the dwellings. The Inspector agreed with the council that the proposed dwelling would erode this openness and would interrupt the uniformity of the street scene, resulting in an awkward and contrived form of development which is out of keeping with the character of the area. Thus, the development would be contrary to policy GD1 of the Local Plan and paragraph 127 of the NPPF (2019).

The council found the internal floor area to be 57sqm whilst the appellant stated it to be 58.6sqm. The national space standards require 58sqm for a two storey, one bedroom, two person dwelling. The Inspector took a precautionary approach and concluded the internal floor area did not meet the required standards, and whilst only a minor shortfall, the space standards are a minimum requirement to be met and any deficit could have a detrimental impact on living standards.

The Council's Design Guide SPD requires outdoor amenity spaces to be 50sqm and 10m in depth. The overall space standard was met but the depth, at 5.8m falls short. The Inspector agreed with the council that this would result in a constrained and

confined space that would not offer a good level of amenity for future occupiers. Overall, the inadequate internal and external spaces would be contrary to Policy GD1 of the Local Plan and the Design Guide SPD.

The rear elevation of the proposed dwelling would face the side of No.42 Burymead with a separation distance of 10m, falling short of the required 15m in the Design Guide. However, due to the presence of the garage and the obscure window on the proposed dwelling, the Inspector felt there would be limited overlooking. He concluded that despite the breach of the separation distance, the development would not harm the living conditions of the neighbour through loss of privacy and as such there would be no conflict with policies GD1 and SP8 of the Local Plan.

#### 3.1.3 Other Matters

The Inspector agreed the design of the dwelling is acceptable and suitable materials could be used and as a small windfall site, it would contribute to housing supply. However, these benefits do not outweigh the harm identified.

#### 3.1.4 Conclusion

The appeal is dismissed (decision attached).



## Appeal Decision

Site Visit made on 22 June 2021

**by Graham Wyatt BA (Hons) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 14<sup>th</sup> July 2021**

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**Appeal Ref: APP/K1935/W/21/3268800**

**40 Burymead, Stevenage SG1 4AY**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Warren Hopkins against the decision of Stevenage Borough Council.
  - The application Ref 20/00661/FP, dated 6 November 2020, was refused by notice dated 29 December 2020.
  - The development proposed is described as the "extension of existing terrace to form 1 x 1 bedroom two storey dwelling".
- 

### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issue in this appeal is the effect of the proposal on the:
  - character and appearance of the area,
  - living conditions of future occupiers with particular regard to internal living space and private garden space, and
  - living conditions of adjoining occupiers with particular regard to privacy for the occupiers of 42 Burymead, and

### Reasons

#### *Character and Appearance*

3. The appeal site is an end of terrace dwelling which is part of a row of four properties which face into an area of open space. The row of properties lie perpendicular to Burymead, similar to a further row of properties on the opposite side of the open space.
4. The appeal site benefits from a garden area to the rear, front and side and it is proposed to extend the property into the side garden by erecting a further dwelling onto the end of the terrace. Part of the rear garden of the host property would be severed and given over to the new dwelling, along with part of the front garden to create a parking space. The remaining side area would be utilised as a garden.
5. The site lies within an established residential area which has a pleasing sense of rhythm and a degree of uniformity and spaciousness which is reinforced by the similar layout and appearance of dwellings. The side garden area of the site

contributes to the open character of the area, which is reflected in similar side and front garden spaces throughout the estate.

6. The proposed dwelling would broadly align with 42 Burymead (No. 42) to the south. However, it would nonetheless fill a large proportion of the plot, leaving only a small area to the side of the proposed dwelling to be used as a garden area, which, coupled with the proposed fencing, would significantly reduce the space at the site, eroding the openness at this part of Burymead. Notwithstanding the presence of the public open space to the front of the site, or that the appeal site is privately owned, the proposal would interrupt the uniformity of the street scene, resulting in an awkward and contrived form of development that would be out of keeping with the prevailing spacious character of the area.
7. Thus, the development would result in harm to the character and appearance of the area. It would be in conflict with Policy GD1 of the Stevenage Borough Council Local Plan 2019 (the Local Plan) and paragraph 127 of the National Planning Policy Framework (the Framework) which seek, amongst other things, to ensure that developments respect and make a positive contribution to its location and surrounds. In reaching this decision I have also had regard to the Stevenage Borough Council Design Guide Supplementary Planning Document 2009 (the SPD).

#### *Living Conditions – Future Occupiers*

8. Policy GD1 of the Local Plan requires, amongst other things, all developments to meet the standards as set out with the nationally described space standards (the NDSS<sup>1</sup>). In this instance, as a one bed, two person, two storey dwelling, the NDSS requires a gross internal floor area of 58 sq. m. The appellant calculates that the proposed dwelling would provide 58.6 sq. m, thus meeting the requirements of the NDSS. The Council however, state that the development would be marginally under the NDSS requirements at 57 sq. m.
9. In the absence of detailed evidence which accurately depicts the exact internal floor area of the proposed dwelling, I am inclined to take a precautionary approach and conclude that the development does not comply with the requirements of the NDSS. Whilst I acknowledge that the shortfall may be minor, given that the NDSS is the minimum space requirements for new dwellings, any deficit could have a detrimental effect upon the living standards of future occupiers.
10. Furthermore, the SPD also requires that new dwellings should provide a minimum garden space of 50 sq. m. As the development would provide some 58 sq. m, it would satisfy the SPD in that respect. However, the SPD also states that gardens should also normally have a depth of 10m. The Council calculate that from the side of the proposed dwelling, the garden would be some 5.8m at its deepest. Thus, it would fail to comply with the requirements of the SPD and I have nothing substantive before me to suggest that such a requirement is not reasonable for a scheme of this nature. Whilst I acknowledge that adequate garden would be provided in terms of overall space available, given its limited depth it would be a somewhat constrained and confined space that would not offer a good level of amenity for future occupiers.

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<sup>1</sup> Technical housing standards - nationally described space standard, March 2015

11. Thus, the development would fail to provide adequate internal living space and external garden space for future occupiers of the dwelling. It would be in conflict with Policy GD1 of the Local plan, which seeks, amongst other things, to ensure that developments meet the NDSS and does not lead to an adverse impact on the amenity of future occupiers. In reaching this decision I have also had regard to the SPD.

#### *Living Conditions - Neighbours*

12. The rear elevation of the proposed dwelling would face onto the side elevation of No. 42. The two properties would be separated by some 10m which falls short of the 15m required by the SPD. However, although the side elevation of No. 42 contains a window at ground floor level, an existing garage block obscures visibility between the two sites. In addition, the first floor window in the rear elevation of the proposed dwelling would be obscurely glazed with only a top opening light. The window which exists in the first floor side elevation to No. 42 is also obscurely glazed. Therefore, as a result of the proposed window in the rear elevation being obscurely glazed and only providing ventilation, along with a 10m separation distance, notwithstanding the technical breach with the SPD, any overlooking between the two sites would be significantly reduced.

13. Thus, the development would not result in harm to the living conditions of adjoining occupiers through loss of privacy. It would not be in conflict with Policies GD1 and SP8 of the Local Plan which seek, amongst other things, to ensure that developments do not lead to an adverse impact on the amenity of adjoining occupiers. In reaching this decision I have also had regard to the SPD.

#### **Other Matters**

14. I acknowledge that, despite its spatial limitations, the design of the dwelling is acceptable and that suitable materials could be employed. Although as a small windfall site, the development would add to the overall availability of housing in the Borough, thereby helping to boost its supply. However, while noting the benefits that would result in this respect, I do not consider that it would outweigh the harm identified above.

#### **Conclusion**

15. Thus, I conclude that there are no material considerations of such weight as to indicate that a decision be taken other than in accordance with the development plan. Therefore, the appeal is dismissed.

*Graham Wyatt*

**INSPECTOR**

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